

**TYRONE TOWNSHIP PLANNING COMMISSION
Approved Public Hearing Minutes**

**Article 22.05 - Special Land Use Churches and Schools
Epiphany Community Church**

March 11, 2008

7:30 p. m.

PRESENT: Robert Byerly, Dave Hanoute, Ed Kempisty, Mark Meisel, Laurie Radcliffe

ABSENT: Gary Butler, Joe Fumich

CALL TO ORDER: 7:35 by Chairman Hanoute

READING OF THE PUBLIC NOTICE:

The notice was read aloud by Secretary Radcliffe

CORRESPONDENCE:

PURPOSE OF THE HEARING:

To receive comments regarding the request of **Epiphany Community Church** for a Special Land Use Permit to allow the property and buildings located at 11062 Runyan Lake Road, RE parcel 04-400-017, to be used as a chapel and church office.

COMMENTS FROM THE APPLICANT:

Steve Drake, Church President, said that the Church had originally presented a much larger plan with a 120 seat sanctuary, a 42 car paved parking lot and a containment pond for run-off. Now they would like to use the existing buildings on the site, remodel them to meet code, use the barn for a sanctuary for under 50 members, use the lower level of the residence for offices and religious education, and construct a small gravel parking lot to meet the requirement of one parking spot for every three worshipers. They planned to locate two (2) handicapped parking spots on the existing concrete pavement and pave the first 25 feet of the new driveway. They aimed for minimum disruption of the site and it will look basically the same.

The garage doors will be removed and new siding will be placed across the front of the garage to make it look more like an office or a chapel. There was a lot of concern about run-off with the original plan, but the gravel parking lot will be much smaller and farther from the wetland. The run-off conditions from the gravel parking lot should be essentially the same as the run off from the yard as it exists today.

The existing concrete driveway entrance would be blocked, capped, or torn up so it could not be used. The apron of the new driveway would partially close that off, and a spur would be brought forward from the remainder of the new driveway to connect with the remainder of the existing driveway in front of the worship hall for use as handicapped parking.

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An obscuring fence will be used on the north side of the parking area to block headlights and parking lot lighting. They have a waiver to discuss the interior remodeling with the County Building Department, but to be able to discuss their plans with the Drain Commissioner and the Road Commission, they need a Special Land Use waiver, or preliminary Special Land Use approval.

The main use of the building and parking lot will be on Sunday morning, so there shouldn't be a traffic problem. The driveway offset will be worked out with the Road Commission to avoid conflict with the church across the street. There will only be one entrance to the property. As far as the neighbors are concerned, there will be very little change in the appearance of the property or disruption from traffic.

COMMENTS FROM THE PLANNER:

Planner Sally Hodges of McKenna Associates had no comments at this time.

COMMENTS FROM THE PLANNING COMMISSION:

Mr. Hanoute asked about the total number of parking spaces. Mr. Drake said there would be 15 on the gravel and 2 handicapped spaces in the concrete area which is over the Township's minimum requirement. They only really need one handicapped spot, but the space is available so they created two.

Questioned about the drive on the south side of the parcel, Mr. Drake replied that it had been used at one time, but they weren't planning to use it. Mr. Hanoute asked if they were going to plant grass or landscape the area so it wouldn't be taken for a driveway. Mr. Drake said they had no plans to use it, but they would remove the gravel and plant grass if necessary.

In regard to questions about lighting, Mr. Drake said the lighting would be shielded, but they hadn't determined the height of the lights or distribution. They weren't able to locate information about foot candles in the Zoning Ordinance. Mr. Hanoute said it was there (21.37) and asked them to call the office for help.

Questioned about detention before discharging drainage from the parking area into the wetlands, Mr. Drake said that as long as the parking area remained gravel the drainage characteristic wouldn't change. The gravel is permeable. However, even if they aren't legally required to pave the parking area, the congregation will probably want it paved as soon as possible. At that time the drainage would change and a retention pond might be necessary. Mr. Hanoute said there will be a change in drainage with gravel parking, especially at times of the year like this when the ground is frozen with snow melting during the day. Mr. Drake said that the gravel would be better than the sod that is there now. If anything, there will be less run-off because there will be gravel with a deep bed under it. Right now there is just packed dirt.

Mr. Drake said they would go to the Drain Commissioner for review, but right now they would like to go forward with minimal changes. If the Drain Commissioner requires paving, that will be expensive. So far, the Drain Commissioner's biggest concern is the drainage

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from the plumbing to the sewer. They have provided a plan which shows they can do full on-site retention/detention if necessary. They don't believe it is necessary at this time based on the type of parking.

They intend to retain the grass area, provide a fence to screen the parking area, and dig up the gravel at the second entrance and put in grass. They intend to keep the site looking as it does now. Additional landscaping wasn't envisioned. Their plans are for a 6 foot high solid wood fence on the north side of the parking lot to keep the headlights from shining onto the property on the north. When they fully develop the site, they won't have to dig up a berm to expand the parking lot.

Ms. Hodges noted that Section 21.25 of the Ordinance requires landscaping and screening for any use which requires site plan review. The options appear to be a green belt, a berm, or a buffer strip. Mr. Hanoute commented that landscaping was required for frontage as well as controlling the trespass of light onto the neighbor.

Mr. Drake said the site was on a hill with the building on a much lower level. Mr. Hanoute said that meant you could look down into the parking area from the road. The idea of screening was to improve the view of passers by. Ms. Hodges noted that a green belt could be used which contained combinations of trees and shrubs. Mr. Drake said that in order to maintain clear vision, they couldn't put trees or shrubs at the road.

Mr. Drake said they wanted to keep some of the existing drive to use as a walk to the existing parsonage. Mr. Hanoute said the parsonage should be the only use of the house. Office space wasn't allowed. Mr. Drake said if they got a minister that needed a handicapped accessible parsonage, they would have to build a ramp leading to the entrance. The option is to leave enough of the driveway pavement to connect to a ramp. Glen Beavis, church member, explained that the road drops about six feet down to the parsonage. The only way to get to the door would be with a switch back, unless you do it with a single run to from the driveway to the house. They would use part of the existing driveway as a sidewalk connection for a ramp.

Mr. Hanoute commented that this wasn't a Site Plan approval meeting. The concern was to determine the Special Land Use. Right now, they don't have Road Commission or Drain Commissioner review of their plans. These issues will be addressed at site plan review. Mr. Drake said their problem was that they needed to get far enough forward to take their plans to the next people.

Ms. Hodges reminded Mr. Drake that he would need two (2) additional parking spaces for the house in addition to the church parking spaces. Mr. Hanoute asked Mr. Drake to show the parking calculations on the site drawing. Mr. Kempisty asked to have the existing driveway entrance shortened by the amount of paving applied to the new driveway entrance. Ms. Hodges recommended using landscaping to screen the old driveway location after it is shortened.

Mr. Meisel, commented that some of his earlier drainage concerns had been mitigated because the foot print of the project had been reduced and there is a significant buffer between the parking area and the wetlands. The Township Engineer noted a difference

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between the wetland outline shown on the site drawing and the wetland observed on site. As part of the final plan, there should be a wetland delineation. He didn't want to request specific landscape plans, but they should make sure that members and visitors are able to tell where the driveway is.

The application does appear to comply with Section 24.05.D which relates to the Churches and Schools Section of the Special Land Use Ordinance.

Ms. Hodges asked if the Parsonage would be located upstairs in the house with offices downstairs. Mr. Drake noted that the house has a ground level walk out-basement for direct access to the lower level. He didn't imagine that the office would be used while church was in session, but the religious education area would be used at the same time. Ms. Hodges wondered how that would affect parking which was based on the number of persons attending church with the addition of other activities going on at the same time. Parking shouldn't be affected because the religious education classes would be attended by the children of the people attending church.

Questioned about the metal building behind the proposed church, Mr. Drake replied that it was currently used for lawn and garden material storage. When the site is fully developed, it will be removed. Right now it would be useful to keep it there for storage.

Mr. Hanoute said the Zoning Ordinance did not allow a house to be used as an office. He thought the only other function that could be allowed by the residence on the site was as a parsonage. He wondered if a variance might not be required to permit the use of an office. Mr. Meisel said the lower level was being used for Sunday School and some offices. He asked how that was not in character with the church. Mr. Hanoute said the office wasn't located in the primary structure.

Ms. Radcliffe asked Mr. Drake to evaluate the amount of the site which was actually under water. He said there was standing water in the pond, but the rest of the site was considered marshland.

Ms. Hodges noted that the list of activities allowed under Special Land Use Permits involved churches, schools and other public facilities and uses accessory thereto. She felt that church education and church offices would fall into that category. Section 22.05.D.5 deals with housing more than offices. Mr. Hanoute said the problem was that the Church had intended to rent the residence at one time. As long as it was owned and used by the Church, the office would be allowable.

COMMENTS FROM THE PUBLIC:

Glen Beavis, a Church member, recalled that the parking lot fence was originally proposed in lieu of landscaping so they wouldn't have to remove a large berm if they wanted to enlarge the parking area or build a new church. He wondered if they would need landscaping in addition to the fence.

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Mr. Hanoute explained that there were two issues. The fence would be used to screen light penetration from the neighbor's property. Other landscaping ordinance sections require landscaping at the road frontage. We are not asking for landscaping on the north side of the parking area at this time.

Tom Walsh of Epiphany Church questioned the need for landscaping at the road. The Nazarene Church across the road has none. Mr. Hanoute said it may have been required and never put in, or it may have been overlooked during site plan review. Landscaping is a requirement of the current ordinance and is being enforced.

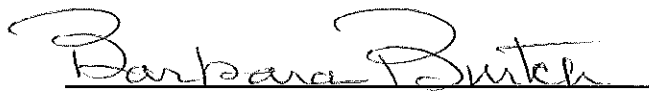
Mr. Walsh wanted to know the purpose of using curbside landscaping. Mr. Hanoute said it was to enhance the property. Ms. Hodges said that it could also be used to screen the house from Runyan Lake Road traffic or entrances from Runyan Lake Road the public shouldn't be using.

CLOSING PLANNING COMMISSION REMARKS:

There were no additional comments and the hearing was closed at 8:15 p.m. by Chairman Hanoute



Laurie Radcliffe, Secretary
Tyrone Township Planning Commission



Barbara Burtch, Recording Secretary
Tyrone Township Planning Commission