

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
MAY 15, 2018**

Chairperson Alliss Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:00 p.m. Permanent Board members Overmyer, Kuharik, Borrer, Apana and Strogin were in attendance.

The minutes of the April 17, 2018 Zoning Commission were approved as written. Chair Strogin stated for the record, that the Zoning Commission was a recommending board only, and that all site plans before the Commission this evening would need to obtain final approval from the Board of Trustees. The next meeting of the Trustees will take place on May 31, 2018 at 7:00 p.m.

Apex Skin-4975 Foote Rd. #400

Mr. James Briola from Northcoast Sign and Lighting represented Apex Sign. The first request is for a 10.66 sq. ft. sign to be placed on the portico. A variance was granted by the Board of Zoning Appeals for this building to allow signs on the portico not to exceed 16 sq. ft.

Mr. Borrer made a motion to approve the wall sign request for Apex Skin located at 4975 Foote Rd. Suite #400 not to exceed 10.66 sq. ft. as presented. It was seconded by Mr. Kuharik-yes.

ROLL CALL-Borrer-yes, Kuharik-yes, Overmyer-yes, Apana-yes, Strogin-yes.

Mr. Briola stated the second signage request is for a 5.33 sq. ft. tenant panel to be placed on the existing identification sign.

Mr. Apana made a motion to approve a tenant panel for Apex Skin located at 4975 Foote Rd. Suite #400 not to exceed 5.33 sq. ft. as presented. It was seconded by Mr. Overmyer. ROLL CALL-Apana-yes, Overmyer-yes, Kuharik-yes, Borrer-yes, Strogin-yes.

Bright Now Dental-4184 Pearl Rd.

Ms. Jeana Janik from Bright Now Dental was present to represent the site plan for this dental practice. Chair Strogin asked Ms. Janik if she had a letter authorizing her to represent Tammy Bosnett from Smile Brands Inc. Ms. Janik stated she did not. Chair Strogin stated the Commission did not know then if Ms. Janik had the authority to represent the business. Ms. Janik responded she would have Ms. Bosnett send an email to confirm representation.

Chair Strogin stated Bright Now Dental would be locating in the new retail/business complex being built on Pearl Rd. The number of businesses in this building was changed from 4 to 3 due to a consolidation of units.

Page 2 Zoning Commission May 15, 2018

Mr. Borrer made a motion to approve the change of use for Bright Now Dental to be located at 4184 Pearl Rd. as presented. It was seconded by Mr. Apana.

ROLL CALL-Borrer-yes, Apana-yes, Overmyer-yes, Kuharik-yes, Strogin-yes.

Mr. Mike Dushek from Medina Signs represented the signage requests for Bright Now Dental. The first request is for a 43.877 sq. ft. wall sign. The business has 44 feet of linear frontage.

Mr. Kuharik made a motion to approve a wall sign for Bright Now Dental located at 4184 Pearl Rd. not to exceed 43.877 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Kuharik-yes, Overmyer-yes, Apana-yes, Borrer-yes, Strogin-yes.

Mr. Dushek stated the next request was for a 9 sq. ft. tenant panel to be placed on the existing ground sign.

Mr. Borrer made a motion to approve a tenant panel sign for Bright Now Dental located at 4184 Pearl Rd. not to exceed 9 sq. ft. as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Borrer-yes, Kuharik-yes, Apana-yes, Overmyer-yes, Strogin-yes.

Please note that an email was sent confirming Ms. Janik's authority to represent Smile Brands Inc. dba Bright Now Dental.

Gordian Art- 2759 Medina Rd.

Mr. Dave Sterrett from Medina Signs was present this evening to request signage for Gordian Art. Mr. Sterrett stated the use was approved last month and added that Gordian Art would be locating in the old Medina Smokes location in Plaza 71. The first request was for a 45 sq. ft. wall sign. The business has 45.33 feet of linear frontage.

Mr. Overmyer made a motion to approve a wall sign for Gordian Art located at 2795 Medina Rd. not to exceed 45 sq. ft. as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Overmyer-yes, Kuharik-yes, Apana-yes, Borrer-yes, Strogin-yes.

Mr. Sterrett stated the second request is for 4.125 sq. ft. tenant panel to be placed on the existing Plaza 71 identification sign.

Mr. Borrer made a motion to approve a tenant panel for Gordian Art located at 2795 Medina Rd. not to exceed 4.125 sq. ft. as presented. It was seconded by Mr. Apana.

ROLL CALL-Borrer-yes, Apana-yes, Overmyer-yes, Kuharik-yes, Strogin-yes.

Medina Family Practice & Wellness Center-2781 Medina Rd.

Mr. Thomas Flood represented Medina Family Practice & Wellness Center. Mr. Flood stated he was family nurse practitioner and would be offering family medical clinic services such as that located in CVS and Walgreens. His wife is a psychologist and would be offering her services for mental health issues. The uniqueness of this business is that

Page 3 Zoning Commission May 15, 2018

no insurance will be accepted as he did not want to go through the hoops of dealing with insurance companies. Mr. Flood stated doing this will provide affordable quality medical care to individuals.

Mr. Overmyer made a motion to approve the change of use for Medina Family Practice & Wellness Center to be located at 2781 Medina Rd. as presented. It was seconded by Mr. Borrer.

ROLL CALL-Overmyer-yes, Borrer-yes, Apana-yes, Kuharik-yes, Strogina-yes.

The second request is for signage. Mr. Flood stated he was requesting a 22.42 sq. ft. wall sign. The business has 24 feet of linear frontage.

Mr. Apana made a motion to approve a wall sign for Medina Family Practice and Wellness Center not to exceed 22.42 sq. ft. as presented. It was seconded by Mr. Kuharik. ROLL CALL-Apana-yes, Kuharik-yes, Borrer-yes, Overmyer-yes, Strogina-yes.

Mr. Flood stated his last request is for a 4.125 sq. ft. tenant panel to be placed on the existing pylon sign.

Mr. Overmyer made a motion to approve a tenant panel for Medina Family Practice and Wellness Center located at 2781 Medina Rd. not to exceed 4.125 sq. ft. as presented. It was seconded by Mr. Borrer-yes.

ROLL CALL-Overmyer-yes, Borrer-yes, Apana-yes, Kuharik-yes, Strogina-yes.

Five Guys-4184 Pearl Rd.

Zoning Inspector Ridgely stated she received an email from Mr. Jeff Smith from Wholesome Construction asking to table Five Guys signage request until next month.

Mr. Apana made a motion to table the signage request for Five Guys until the Commission's June meeting date as requested. It was seconded by Mr. Borrer. ROLL CALL-Apana-yes, Borrer-yes, Overmyer-yes, Kuharik-yes, Strogina-yes.

Stella's Two Sisters-2755 Medina Rd.

Ms. Diane Stella-O'Donnell represented Stella's Two Sisters. The nature of this business is a medical marijuana dispensary to be located in Plaza 71. She produced a letter (see file) from Plaza 71 Associates stating that she had the landlords permission to discuss any and all necessary information regarding the proposed lease for all zoning and permit approvals required by Medina Township.

Ms. O'Donnell stated her sister is her partner and a physician. Only edibles would be sold at this location.

Chair Strogina asked if Ms. O'Donnell had a license from the State? Ms. O'Donnell responded they are in the process. She stated originally they applied for the license in

Page 4 Zoning Commission May 15, 2018

Lorain County. If we get approval from the Commission this evening they would then apply to the State for a change in license to locate in Medina Township.

Mr. Apana asked if a prescription was needed to obtain the medical marijuana. Ms. O'Donnell said absolutely. Currently there are 37 doctors in Ohio that are able to write such a prescription. Ms. O'Donnell stated she and her sister are expecting to spend a ¼ million dollars in renovating this location to build a state of the art dispensary. They would also have fully armed security when open for business.

Again Mr. Apana asked about the process of obtaining medical marijuana. Ms. O'Donnell stated an individual would need to have a prescription by a licensed medical doctor and a license from the State, which is good for a year.

Mr. Overmyer asked if the "product" was Ohio grown to which Mr. O'Donnell answered yes; but there are no crops planted as of yet. There was a delay but the first plants will hopefully go into the ground next week. Ms. O'Donnell stated they also hope to know by the end of the week if their approval of license can be moved from Lorain to Medina. Chair Strogin stated is the lease with Plaza 71 contingent on Township approval? Ms. O'Donnell stated yes.

Chair Strogin stated the applicant has given two public presentations to the Trustees on the nature of this business and what they would be doing at this dispensary. The opinion of the Prosecutor's Office is that the nature of this business is a retail use which is permitted in Plaza 71.

Mr. Kuharik made a motion to approve the change of use for Stella's Two Sisters to be located at 2755 Medina Rd. as presented. It was seconded by Mr. Overmyer.
ROLL CALL-Kuharik-yes, Overmyer-yes, Borrer-no, Apana-abstain (stated he wanted to do further research on the subject) Strogin-yes.

Ms. O'Donnell stated there is no signage is being requested at this time until the State determines what signage would be allowed. Chair Strogin stated that if and when signage would be requested an application for signage would need to be submitted to the Commission for approval.

Mr. Borrer stated he was disappointed that no conditions were placed upon the approval for Stella's Two Sisters for something that might never open. He added that now the Township has given them another positive to present to the State i.e. that they received approval from the Township. He added this Commission makes so many contingencies and makes businesses go through all kind of hoops yet this business is not even close from having all its approvals to even operate from the State. Chair Strogin stated that unless the State gives them the green light to operate they can't even if the Township approves the business use. She added that while Mr. Borrer was gone for the past 2 months, Stella's Two sisters and their legal representation gave two presentations to the Trustees explaining their operation.

MISC.

Chair Strogin stated ZI Ridgely has had many inquiries about restaurants on Rt. 42 north of Fenn Rd. This is the Business Limited District (BL), which does not permit restaurants. Originally when the districts were being established, the Township wanted to concentrate that type of use south of Fenn Rd. but now we are running out of room. She asked the Commission to do some homework and read the zoning code on the BL District and the Business General District (BG) and look to see if the area on Rt. 42 should be changed from BL to BG as it allows more flexibility for business to locate.

Mr. Borrer asked how far up Rt. 42? Chair Strogin stated it is zoned BL from to Fenn Rd. to Brunswick Hills. ZI Ridgely stated it is zoned BG from Bunker Hill up to Hamilton Rd. Then it goes to BL up to Caro's. She added she has been getting inquiries about restaurants and even possibly a brewery in that area.

Mr. Borrer brought up the possibility of this being spot zoning. Chair Strogin stated no it would not be because more than one parcel of land would be rezoned. Mr. Borrer stated he understood that, what he meant was does the BL District served any purpose any more at this point if we have this kind of pressure from potential businesses wanting to locate in Township.

Mr. Overmyer asked what the original intent was for the BL District. Chair Strogin responded to make a smooth transition as Brunswick Hills at the time had no business development along their stretch along Rt. 42.

Chair Strogin asked the Commission members to read over the BL and BG District regulations and be prepared to discuss a potential rezoning at next month's meeting.

Chair Strogin stated another item she would like the Commission to consider is changing the rear yard setback requirements in the UR District.

Zoning Inspector Ridgely then addressed the Commission. She stated the idea has been brought up about allowing businesses to buy "temporary" signs to put up along the fence of the ball fields. Basically the businesses would be "sponsors" of the playing fields. The size of the signs may vary but 3x8 is being considered. Such signs would probably face the inside of the park, though there was the potential of allowing two-sided signs. The signs may be changed out intermittently but that has yet to be determined. The money would be used for the upkeep of the ball park. ZI Ridgely stated there was really nothing in the code that addresses this type of sign and she would like to have some input by the Commission.

Chair Strogin stated this idea was brought up before and the Trustees decided not to pursue it. Was it now the mindset of the Trustees to proceed with such signs? Trustee Stopa stated the Trustees are considering allowing such signage maybe just during the baseball season and then the signs come down or they stay up for a year and then the

Page 6 Zoning Commission May 15, 2018

business would have to apply again to have a sign up. The money would be used for maintenance of the fields.

Mr. Overmyer stated who would be responsible for writing such regulations? Chair Strogin stated it could be the Commission, the Trustees or an applicant. ZI Ridgely stated she just wanted the Commission to be aware of the potential for such signage and if they had any input for consideration.

Having no further business before the Board, the meeting was officially adjourned at 8:20 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary



Alliss Strogin Chairperson