

**MEDINA TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
REGULAR MEETING  
DECEMBER 17, 2019**

Chairperson Alliss Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:02 p.m. Permanent Board members Apana, Kuharik, Teeuwen and Strogin were in attendance. Alternate board member Angel Abshire sat in for a full board.

The minutes of the November 19, 2019 Zoning Commission meeting were approved as written.

Chair Strogin stated for the record that the Zoning Commission was a recommendation board, so final approvals will be made by the Township Trustees on December 26, 2019 at 6:30 p.m. for any/all site plans/signage requests.

**TABLED ITEMS**

**Walmart-4141 Pearl Rd.**

Mr. Scott Brown from A-Siding Services was present to represent Wal-Mart's signage requests. Mr. Brown stated Wal-Mart wanted to erect signage to advertise their pick up services that will be offered to customers.

The first request is for a wall sign on the south end of the building which would be made up of a set of channel letters with LED lights to advertise their pick up logo. An individual would place an order on line and then go to the appropriate area and pick up their merchandise. The pick up area would be just north of the existing garden center.

ZI Ridgely stated Wal-Mart was granted a variance for 475 sq. ft. of signage for the entire building. They used 397.53 sq. ft. What remains is a little over 77 sq. ft. and they are requesting a 65.43 sq. ft. wall sign.

Mr. Brown stated Wal-Mart would take existing parking spaces and turn them into the designated area for pick-up. When one places an order they are given a number that tells the customer which space to park in to pick up their merchandise. Nobody stops along the store front and parks. Everyone is given a specific numbered space to park in.

Ms. Teeuwen made a motion to approve a new wall sign for Wal-Mart on the south side of the building not to exceed 65.43 sq. ft. as presented. It was seconded by Mr. Kuharik. ROLL CALL-Teeuwen-yes, Kuharik-yes, Apana-yes, Abshire-yes, Strogin-yes.

The second request was for directional signs. These signs would designate where one was to go to park for the pick up service, the phone number to call for the service as well as the numbered parking spaces (13) for the pick up area. All 13 signs would be 2.25 sq. ft.

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each. The pickup sign and the phone number sign were 3 sq. ft. The 3 other directional signs were 1 square feet each.

Ms. Teeuwen made a motion to approve 18 directional signs for Wal-Mart not to exceed 4 sq. ft. each as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Teeuwen-yes, Kuharik-yes, Apana-yes, Abshire-yes, Strogin-yes.

**SITE PLANS**

**Corrigan, Krause CPA—4015 Medina Rd. Suite #105**

Mr. James Briola from Northcoast Sign and Lighting was present to represent Corrigan, Krause CPA's. As the name states this is will be a certified public account practice.

Mr. Kuharik made a motion to approve the change of use for Corrigan, Krause CPA's to be located at 4015 Medina Rd. Suite #105 as presented. It was seconded by Ms. Teeuwen.

ROLL CALL- Kuharik-yes, Teeuwen-yes, Apana-yes, Abshire-yes, Strogin-yes.

Mr. Briola stated he was also present to represent the signage request for this business. He stated the request was for a 13 sq. ft. sign to be placed on the portico. Chair Strogin stated the Western Reserve building was granted a variance by the BZA for portico signs for each business not to exceed 13 sq. ft. each.

Mr. Apana made a motion to approve a canopy sign to be placed on the portico for Corrigan, Krause CPA's located at 4015 Medina Rd. Suite #105 not to exceed 12.98 sq. ft. as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Apana-yes, Kuharik-yes, Abshire-yes, Teeuwen-yes, Strogin-yes.

The next request was for a 1.08 tenant panel to be placed on the existing identification sign for the office complex.

Mr. Kuharik made a motion to approve a tenant panel to be placed on the existing identification sign for Corrigan, Krause CPA's located at 4015 Medina Rd. Suite #105 not to exceed 1.08 sq. ft. as presented. It was seconded by Mr. Apana.

ROLL CALL- Kuharik-yes, Apana-yes, Abshire-yes, Teeuwen-yes, Strogin-yes.

**Just Breathe Wellness-3575 Reserve Commons Dr.**

Mr. Gary Groetz was present to represent Just Breathe Wellness. The nature of this business is salt therapy and message therapy to treat skin conditions and respiratory conditions.

Mr. Apana made a motion to approve the change of use for Just Breathe Wellness LLC to be located at 3575 Reserve Commons Dr. as presented. It was seconded by Ms. Teeuwen.

ROLL CALL-Apana -yes, Teeuwen-yes, Kuharik-yes, Abshire-yes, Strogin-yes.

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Mr. Groetz stated his second request this evening was for a 3.75 sq. ft. directional sign to be placed on the building.

Ms. Teeuwen made a motion to approve a directional sign for Just Breathe Wellness located at 3575 Reserve Commons Dr. not to exceed 3.75 sq. ft. as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Teeuwen-yes, Kuharik-yes, Abshire-yes, Apana-yes, Strogin-yes.

**LoPresti Financial Group-3995 Medina Rd. Suite #220**

Mr. James Briola from Northcoast Sign and Lighting was present to represent change of use for LoPresti Financial Group. The nature of the business is financial investment.

Mr. Kuharik made a motion to approve the change of use for LoPresti Financial Group to be located at 3995 Medina Rd. Suite #220 as presented. It was seconded by Ms. Teeuwen.

ROLL CALL-Kuharik-yes, Teeuwen-yes, Apana-yes, Abshire-yes, Strogin-yes.

Mr. Briola stated the second request was for a 19.58 sq. ft. building identification sign on the main portico. Chair Strogin stated a variance was granted by the BZA on October 14, 1998 that the sign on the main portico could be no more than 23 sq. ft.

Mr. Apana made a motion to approve a building identification sign to be placed on the main portico for LoPresti Financial Group located at 3395 Medina Rd. Suite #220 not to exceed 19.58 sq. ft. as presented. It was seconded by Ms. Teeuwen.

ROLL CALL-Apana-yes, Teeuwen-yes, Abshire-yes, Kuharik-yes, Strogin-yes.

**Fast Signs- 2775 Medina Rd.**

Mr. Ed Gonzales from Fast Signs was present to represent the use request. He said he would be moving directly next door in Plaza 71 into Suite 108.

Ms. Teeuwen made a motion to approve the change of use for Fast Signs to be located at 2775 Medina Rd. Suite #108 as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Teeuwen-yes, Kuharik-yes, Apana-yes, Abshire-yes, Strogin-yes.

The second request was for a 30.1 sq. ft. wall sign. The business has 48.2 ft. of linear frontage.

Mr. Kuharik made a motion to approve a wall sign for Fast Signs located at 2775 Medina Rd. Suite #108 not to exceed 30.1 sq. ft. as presented. It was seconded by Mr. Kuharik.

ROLL CALL-Teeuwen-yes, Kuharik-yes, Apana-yes, Abshire-yes, Strogin-yes.

The third request was for a 19.1 sq. ft. tenant panel to be placed on the existing identification sign.

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Mr. Kuharik made a motion to approve a tenant panel to be placed on the existing identification sign for Fast Signs located at 2775 Medina Rd. Suite #108 not to exceed 19.1 sq. ft. as presented. It was seconded by Mr. Apana.

ROLL CALL-Kuharik-yes, Apana-yes, Teeuwen-yes, Abshire-yes, Strogin-yes.

**Brew Garden Wine Bar-4913 Grande Blvd.**

Mr. Pat Potopsky represented Brew Garden. He stated he was the owner of the Brew Garden in Middleburg Heights and the Brew Garden in Strongsville. Mr. Potopsky stated he wanted to open a wine bar in the old Golden Corral restaurant. He stated on the left side of the establishment there would be an eatery similar to his restaurant in Strongsville. In the center would be a wine bar; kind of speakeasy atmosphere with probably four different tiers of wine as well as a full bar. On the right side of the building there will be several party rooms. In the back end of the building will be a kitchen large enough to accommodate these three components of the establishment.

Mr. Potopsky added he spoke with the County Building Dept. as well as Chief Crumley from the Fire Dept. about the placement of the coolers and the sprinkling of the coolers themselves if the coolers are enclosed. Also there would be landscaping incorporated in the back of the building to hide the kegs and other items that would be stored there. He commented that eventually he wanted to redo the exterior of the building as well.

Mr. Potopsky stated he would also be requesting a 10 ft. rear yard setback variance for the wall fence he wanted to construct to block outside storage and the location of the coolers.

Mr. Potopsky continued that he was also proposing an exterior patio area that will be approximately 43 ft. long by 20 ft. wide. Chair Strogin stated she saw the covered area portion of the patio but how far would tables/chairs be extended out? Mr. Potopsky stated the plan showed the fence 5 ft. away from the property line. Chair Strogin then asked, are you planning on putting tables/chairs all the way to the fence line? Mr. Potopsky answered yes. Chair Strogin stated, there is a side yard setback requirement as well. Mr. Potopsky stated this was the first time anyone has mentioned there might be an issue with his proposal besides the two variances he was requesting.

Chair Strogin stated the setback requirement requires landscaping and parking can go into the setback to a certain point. ZI (Zoning Inspector) Ridgely asked if the tables/chairs were going to be pushed past the building setback? Mr. Potopsky responded, why not? Chair Strogin stated the side yard setback is 30 ft. and 15 ft. of it has to be landscaped. She added a fence and tables are not landscaping. Mr. Potopsky interjected there was already landscaping right on the property line. Chair Strogin then asked, is it your intent to put the fence 5 ft. from the property line or from the landscaping? Mr. Potopsky stated it basically was one in the same. ZI Ridgely interjected, the Township does not regulate fencing so it can go right on the property line. Chair Strogin stated she was concerned that Mr. Potopsky was using his fence for the boundary of his patio. Mr. Potopsky said no

he was not. The whole row of landscaping shown on the aerial photo is right on the property line. Chair Strogin again stated that Mr. Potopsky was using his fence for the boundary of his patio. Mr. Potopsky stated no he was not. The fence is technically allowed to be right on the property line. Chair Strogin then asked where are you going to stop putting tables/chairs? Mr. Potopsky stated they would be pretty close to the fence. Chair Strogin stated that is where the issue lies. The fence is in landscaping. It is in the 15 ft. that is required to be landscaped. Mr. Potopsky stated he could drive around the Township and show all the establishments that have their patios inside the landscaping requirement.

Chair Strogin then asked how would deliveries be handled. Mr. Potopsky stated the same way Golden Corral handled their deliveries.

Chair Strogin asked the other Commission members their opinion on the tables/chairs being located in the setback. Mr. Kuharik stated he had no issues with what Mr. Potopsky was proposing. Mr. Potopsky added the plan where it states open patio area would stay grass and would be the location for outdoor games.

Chair Strogin asked how many tables would be located on the patio? Mr. Potopsky answered approximately 12 tables. Ms. Teeuwen asked about the number of tables total outside to which Mr. Potopsky stated he couldn't believe a seating chart was required for outdoor seating as he was never asked that in any of the other communities he had establishments in. Chair Strogin stated she was not asking for a seating chart configuration but the number of seats as that is what the parking requirements were based on. Mr. Potopsky stated he has been through this numerous times before in other communities but did not know he needed to have the seating number and the parking spot calculations. Chair Strogin responded, then how did you think the Commission were going to figure out the parking calculations if you don't have the number of seats you propose shown on the site plan. Mr. Potopsky stated he didn't know that was what was being approved this evening. Chair Strogin stated this is what site plan approval is in Medina Township. If you can't meet the zoning code requirements before the Zoning Commission then you go on to the Board of Zoning Appeals. Mr. Potopsky stated right now he was proposing one more parking spot than what was shown currently. I have approximately 20-30 less tables than what Golden Corral had. Chair Strogin stated that may be true but now you want to make the parking spots smaller than the zoning code requires. Mr. Potopsky stated that was correct and that is why he was asking for the variance. Secretary Ferencz stated the variances would be heard in front of the BZA tomorrow evening. Mr. Potopsky stated he did not understand. Chair Strogin stated the change of use comes before the Zoning Commission. The Commission approves the general plan i.e. that it meets the zoning code. If any part of the zoning code could not be met, then an application needs to be made for the BZA to hold a hearing. She continued the Commission needs to know how many parking spaces are going to be provided based on the 10x19 requirement. Any deviation would need to be heard in front of the Board of Zoning Appeals.

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Mr. Potopsky stated out of the 157 parking spaces, he was asking for 68 of them to be 9 ft. or 9'4" in width. Chair Strogin stated the requirements were so when people open their car doors there is ample room to do so. She added Golden Corral accommodated 378 seats and they proposed 156 parking spaces and the requirement was 186. They did go before the BZA and were granted a variance to reduce the parking to 156 spaces; but not to reduce the size of the parking spaces.

Mr. Potopsky commented he had a very large truck and he was swimming in a 10 ft. wide parking space. The parking spaces at Strongsville Mall were 8' 6". Chair Strogin stated that was why cars get hit and dinged at the mall. She stated that would be up to the BZA to decide tomorrow evening. Mr. Potopsky asked if he should bring the seat count tomorrow evening. Chair Strogin stated that was needed this evening. Mr. Potopsky stated he had 42 tables inside that seat 4 people; and the outside seating was seasonal so he was not counting that. Chair Strogin asked about the seating in the party rooms. Mr. Potopsky stated there would be 30-35 tables total in the party rooms again 4 seats at a table. Chair Strogin asked about the outside seating. Mr. Potopsky stated he considered those seats seasonal as in the good weather more people tend to want to be outside. Chair Strogin stated there were a lot of people who don't like to sit outside. They want air conditioning.

ZI Ridgely asked if Mr. Potopsky had contacted the Zaremba group that owns the complex about overflow parking? Mr. Potopsky answered he did not know why he would have to as Golden Corral had a larger occupancy then he would have. Chair Strogin stated they were granted a variance for 156 parking spaces. She added she did not understand the request to make the parking spaces smaller. Mr. Potopsky stated he felt that was a better alternative then reducing 5 parking spaces to get the patio in. Chair Strogin stated this particular location was not part of the Zaremba complex but rather an independent out lot. That is why the setbacks are so important as it is a separate lot. Mr. Potopsky stated he called Zaremba personally, and they said they had nothing to do with the lot. Chair Strogin stated that is correct. Zaremba owns the complex and leases space out to those existing businesses. What Mr. Potopsky owns is a stand-alone lot not part of the complex. A better solution than reducing the parking space size would be, if Zaremba has no issue; to take out some of the bushes in the buffer between the lots and put some concrete down as a path to walk between the two lots which is the area that abuts the bushes the Zaremba complex shares with this out lot. Mr. Potopsky stated Zaremba would still have to go to the legalities of reciprocal agreement for the parking and have all of his tenants sign off on it. That will never happen. I might as well sell the building/lot.

Mr. Potopsky stated he was on the agenda for the BZA tomorrow evening for the variance requests. ZI Ridgely stated the Commission could approve the change of use and the covered patio this evening. Mr. Potopsky asked the Commission to table the approval until after the BZA hearing tomorrow. He added he would have a seating count with all the applicable information tomorrow evening.

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Per the applicant's request, Mr. Kuharik made a motion to table the site plan for Brew Garden Wine Bar until the Commission's next meeting on January 21, 2020. It was seconded by Mr. Apana.

ROLL CALL-Kuharik-yes, Apana-yes, Teeuwen-yes, Abshire-yes, Strogin-yes.


**MISC.**

Chair Strogin publically thanked Mr. Overmyer for his 30+ years of service on the Zoning Commission.

Having no further business before the Board, the meeting was officially adjourned at 8:43 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary

  
Alliss Strogin Chairperson