

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
JULY 21, 2020**

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 Apana, Kuharik, Traves, Teuween, and Strogin were in attendance. Alternate members Abshire and Richard Marco Sr. were also present.

The minutes to the Commission's May 19, 2020 regular meeting 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 August 6, 2020 at 7:00 p.m. Trustee Stopa stated the Trustees were not expecting attendance from the applicants unless they wanted to put something on the record in person.

Medina Sports & Family Chiropractic- 3729 Stonegate Dr.

Mr. Ryan Meehan, owner and operator of Medina Sports and Family Chiropractic was present this evening to request a use permit for his business. He stated the unit he was purchasing was 3731 Stonegate not 3729 Stonegate. Mr. Meehan stated 3729 was the company Surge but his unit was 3731 Stonegate and that is the mailing address. He added he thought this was already taken care of but apparently it was not. Mr. Meehan said he was told by the "current" landlord that he took care of it. This has been a source of contention because he has already notified his insurance company of the new address and now it has to be changed again.

Chair Strogin stated she would note the change of address to 3731 Stonegate but when Mr. Meehan came in for the zoning permit he would need to have some verification of the correct address. Mr. Meehan also stated his lease was under the wrong address. Chair Strogin stated if the lease is wrong then it needs to be corrected. The correct address needs to be provided when the permit is written. He added he currently has an office in Cuyahoga Falls and one in Middleburg Heights. Before COVID-19 hit; they also had a baseball training facility. Mr. Meehan stated his intent was to be in this unit in June 1, 2020 per the landlord so... We already have an active practice where we seen patients from Medina. Mr. Meehan added his lease is up August 1st and those patients are going to be without care until he moves into this unit. Mr. Traves asked about signage. Mr. Meehan stated there was no signage being requested this evening.

Ms. Teeuwen made a motion to approve the change of use for Medina Sports & Family Chiropractic located at 3731 Stonegate Dr. as presented. It was seconded by Mr. Traves. It was so noted that no signage has been approved at this time.

Page 2 Zoning Commission July 21, 2020

ROLL CALL- Teeuwen-yes, Traves-yes, Kuharik-yes, Apana-yes, Strogina-yes.

Windfall Heights HOA-Gateway Dr./Windfall Rd.

Mr. Dave Sterrett from Medina Signs was present to represent the signage request on behalf of Windfall Heights HOA. He stated they are proposing to put up a replacement ground sign. The existing sign, which was erected a few decades ago, does not reflect the correct name of the subdivision. It was put up by the developer. The HOA wants a sign with the correct name of the subdivision. It is larger than the existing sign but still only 20 sq. ft.

Ms. Teeuwen stated she lives in this subdivision but still feels she can rightfully vote on this agenda item.

Mr. Traves stated it appears the sign is within the road right of way. Mr. Sterrett stated he is within the 25 ft. requirement and this sign will be out a bit further from that.

Mr. Apana made a motion to approve a ground sign for Windfall Heights subdivision to be placed at the corner of Gateway Dr. and Windfall Rd. not to exceed 20 sq. ft. presented. It was seconded by Mr. Kuharik.

ROLL CALL- Apana-yes, Kuharik-yes, Teeuwen-yes, Traves-yes, Strogina-yes.

Sir Troy's Toy Kingdom-2795 & 2789 Medina Rd.

Mr. Troy Cefaratti was present to represent Sir Troy's Toy Kingdom. He stated he currently had a location in Canton and wanted to expand his business by locating a second location in Plaza 71. He added he would be taking up two spaces in the plaza, which is the old Amazone location. The main focus is classic toys. Mr. Cefaratti stated they also have an event room at their current location but obviously have not been holding events due to the corona virus. Mr. Cefaratti added they have sponsored events by the brands they carry under normal circumstances. The main play area and laser tag area of Amazone would be demolished. No signage was being requested this evening.

Mr. Kuharik made a motion to approve the change of use for Sir Troy's Toy Kingdom to be located at 2795 & 2789 Medina Rd. as presented. It was seconded by Ms. Teeuwen. It was noted that no signage was being approved at this time.

ROLL CALL- Kuharik-yes, Teeuwen-yes, Apana-yes, Traves-yes, Strogina-yes.

The Greensmith Garden Center-3875 Pearl Rd.

Mr. Jon Kolzvary was present to represent The Greensmith Garden Center. Mr. Kolzvary stated this was the former Don Basch Jewelers location. This would be our second location as a garden center. He commented that this location is set up perfectly for them with the greenhouses and gift shop. We just have to remodel slightly.

Mr. Traves asked if they would be selling bulk material i.e. running a landscaping operations. Mr. Kolzvary stated no.

Page 3 Zoning Commission July 21, 2020

We have our facility in Hinckley so they would not be doing that at this location.

Ms. Teeuwen made a motion to approve the use for The Greensmith Garden Center to be located at 3875 Pearl Rd. as presented. It was seconded by Mr. Kuharik. It was so noted that no signage was being approved at this time.

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

Reserve Ortho Lab-4067 Jefferson St.

Mr. Tom Poirier was present to represent Reserve Ortho Lab. The nature of this business is the manufacturing of dentures for dentists. This facility is just a lab; there are no patients seen.

Mr. Traves stated he was knowledgeable with medical manufacturing and asked about the kind of hazardous chemicals in the making of dentures. Does he use metallic or chemicals for polishing? Mr. Poirier stated there were no hazardous chemicals used.

Mr. Kuharik made a motion to approve the change of use for Reserve Ortho Lab to be located at 3875 Garden Center to be located at 4067 Jefferson St. as presented. It was seconded by Mr. Apana.

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

Mr. Poirier stated he was also present to request signage. The first request was for a 3.84 sq. ft. tenant panel to be placed on the existing ground sign.

Ms. Teeuwen made a motion to approve a tenant panel for Reserve Ortho Lab located at 4067 Jefferson St. not to exceed 3.84 sq. ft. as presented. It was seconded by Mr. Apana.

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

The second sign request was for a 1.77 sq. ft. directional wall sign.

Mr. Kuharik made a motion to approve a directional wall sign for Reserve Ortho Lab located at 4067 Jefferson St. not to exceed 1.77 sq. ft. as presented. It was seconded by Ms. Teeuwen.

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

Serpentini Laser Wash-3880 Pearl Rd.

Mr. Yankovich from Ellet Neon Sales & Services, Inc. was present to represent the signage request for Serpentini Laser Wash. The would replace the existing name "Janet's Carwash" wall sign with the same colors and lettering; but now to read Serpentini Laser Wash. The sign would be 40 sq. ft. The business frontage is 43 linear feet.

There was some discussion about the dimensions of the sign. Chair Strogin stated one is to draw a rectangle around the entire sign and then calculate the width, length and height

Page 4 Zoning Commission July 21, 2020

accordingly. She asked the applicant to do that next time and put all of the dimensions on the application to eliminate confusion.

Mr. Apana made a motion to approve a wall sign for Serpentini Laser Wash located at 3880 Pearl Rd. not to exceed 40 sq. ft. as presented. It was seconded by Ms. Teeuwen. ROLL CALL-Apana-yes, Teeuwen-yes, Traves-yes, Kuharik-yes, Strogin-yes.

Medina County Republican Party-2771 Medina Rd.

Mr. Bill Hutson represented the request for the Medina County Republican Party set up headquarters in Plaza 71. This location is proposed to be open year round not just for the up and coming election. Ms. Teeuwen stated since there is no letter stating Mr. Hutson could represent the Medina County Republican Party; she asked Mr. Hutson to get a letter over the to zoning office so it was part of the record. Mr. Hutson stated he would comply.

Mr. Kuharik made a motion to approve the use for the Medina County Republican Party headquarters to be located at 2771 Medina Rd. as presented. It was seconded by Mr. Traves.

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

Modwash Car Wash & Quick Serve Restaurant-4160 Pearl Rd.

Mr. Andy McHargue from Hutton ST 17, LLC was present to represent Modwash Car Wash & Quick Serve Restaurant.

Chair Strogin stated for the record this is the Doraty property that has been up for sale.

Mr. McHargue stated Modwash was a tunnel wash and this was their first location in Ohio. Chair Strogin interjected that she and ZI Ridgely met with the developer several times and there were many variances that would need to be applied for in order for this site plan to be approved. Mr. McHargue stated they reworked the site plan after those meetings and now there are only 4 variances that would need to be requested. He added that this property originally had over 300 ft. of frontage and now it only has 298 ft. due to the straightening of the road (Rt. 42 Pearl Rd.) by ODOT.

Chair Strogin stated for clarification the developer wanted to take the parcel and cut it in half and put a carwash on parcel and a quick serve restaurant on the other but according to the code; each parcel needs to have 150 ft. of frontage. Mr. McHargue stated that was correct; and that would be one of the variances they would be applying for.

Mr. Traves asked if they had applied for a lot split? Chair Strogin stated that a variance would need to be granted first before a lot split could be completed.

Mr. McHargue stated he knew of 4 variances that needed to be requested i.e. one for a lot split because they could not meet the 150 ft. frontage for each parcel; two that he could

Page 5 Zoning Commission July 21, 2020

not put in two driveways because ODOT is making them line up with the Wal-Mart entrance so there would not be multiple curb cuts on Pearl Rd. Therefore the result is that there would only be one entrance into the location, Chair Strogin stated the issue is there would be a shared driveway. Mr. McHargue continued that the last variance is that they are proposing is a single sign for both businesses at 60 sq. ft.

Chair Strogin stated if the lot split takes place; there would be two separate properties and each property is allowed one ground sign not to exceed 32 sq. ft.

Mr. McHargue stated due to the nature of this property and its access, there are going to be many restrictive easements in between the two uses in order to protect each other.

Mr. Traves stated there would also need to a setback variance required for the placement of the sign per what was permitted. Chair Strogin stated multiple "tenants" are allowed to be on one 32 sq. ft. they are not allowed 32 sq. ft. per tenant. Its not like the quick serve restaurant was attached to the carwash so each lot has to meet the required code. Chair Strogin continued that if all the proposed signage on the carwash is what is being requested that it an abundant amount of signage that is not permitted by the Medina Township Zoning Resolution. Mr. McHargue stated what was submitted was a proto-type so this would not be what would be submitted for final approval.

Mr. McHargue stated that the final variance they would need would be parking for the quick serve restaurant. We have 38 spaces and the code requires 49 spaces based on the number of seats. They were proposing 98 seats. He added the quick serwould be fine with the 38 spaces as the majority of the business would be drive-thru. Chair Strogin asked the name of the restaurant to which Mr. McHargue stated he could not disclose that information at this time. It was basically and in and out restaurant. Chair Strogin asked, then why 98 seats? That is what is required for a "qsr." There is stacking for 13-15 but if you just want to use the carwash, you cycle around them which had room for 20-25 stacking spaces.

Mr. McHargue then showed the Board the flow of the traffic/stacking for both uses. He stated there are 25 vacuums for the carwash. The vacuums are not free if you are not using the carwash. Some people will have a monthly carwash package.

Mr. Traves stated currently it is only one lot so if the parcel had 300 ft. of frontage the minimum side yard setback is 30 ft. and you only have a 20 ft. setback for the building. Chair Strogin stated that is correct if you only have one lot but they want to cut it in half so they only need a 25 ft. side yard setback. Mr. Traves stated he felt a variance would be needed for the side yard setback as well if the lot was split. Chair Strogin stated that if a lot split variance was not granted, then you go back to the larger side yard setback. This whole site plan is based on the assumption that a lot split variance will be granted. Mr. Traves stated he will not vote on the site plan unless the variances are granted. Chair

Page 6 Zoning Commission July 21, 2020

Strogin stated no; you would vote no because there are variances to the code so the Zoning Commission cannot approve the site plan as presented.

Mr. McHargue stated he knew the Zoning Commission could not vote to approve the site plan as presented. Chair Strogin stated the Zoning Commission has to vote no and list the reasons why the code cannot be met. She added as proposed the dumpster location cannot cross the property line. The proposed site plan as presented to the Zoning Commission is for two separate lots and each dumpster location has to be on each individual lot. It cannot straddle the proposed new property line.

Chair Strogin questioned the need for the number of vacuums. She stated that what was needed was width. Twenty-five vacuum stations were a bit excessive. If you got rid of one line of vacuum stations you would be able to bring in the depth and not need a variance to split the lot. Mr. McHargue stated that was the prototype that works for this facility especially in regards to the turn radius that we have created to accommodate both businesses; and especially for the quick serve restaurant in regards to their deliveries and trash removal. Chair Strogin stated but it does not work for this piece of property because you need to request a variance to do a lot split. You need to meet the code of the community you want to locate in. The site seems very congested. Mr. McHargue stated he would speak to the engineer. Chair Strogin stated either you can go back and rework your site plan or the Commission will need to turn it down and then you will have to go before the Board of Zoning Appeals. Mr. McHargue stated they intended to apply to the BZA next month.

Ms. Teeuwen made a motion to deny the site plan for Modwash Car Wash & Quick Serve Restaurant to be located at 4160 Pearl Rd. due to the following:

1. Cannot meet frontage requirement for lot split;
2. Shared driveway not permitted
3. Proposed monument sign does not meet size or setbacks
4. Cannot meet parking requirement for proposed fast food restaurant
5. Dumpsters cannot be located across property lines

It was seconded by Mr. Kuharik-yes.

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

Having no further business before the Board, the meeting was officially adjourned at 8:42 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogin Chairperson