

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
December 21, 2021**

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 Kuharik, Teeuwen, Traves and Strogin were in attendance. Apana was absent. Alternate member Richard Marco Sr. sat in for a full Board. Alternate member Mitch Piskur was also in attendance.

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 January 6, 2021, at 7:00 p.m. The Trustees are now requiring any/all applicants or representative thereof to attend the Trustees meeting in person.

Approval of the November 16, 2021, minutes.

Mr. Traves had a minor correction for Salon & Spa. He wanted it to read "The owner does not want to be identified at this time, so approval is for **the use** of this business." Ms. Teeuwen made a motion to approve the November 16, 2021, minutes as amended It was seconded by Mr. Traves.

ROLL CALL- Teeuwen-yes, Traves-yes, Marco Sr.-yes, Kuharik-yes Strogin-yes.

SITE PLANS

YAHAB - 5010 Gateway Dr. Suite A2

Ms. Yenisas addressed the Commission. She stated she was present to represent Valley Storage/Mr. Todd Snook. She added that YAHAB would be opening up their operation in Suite A2 on the Valley Storage property.

Ms. Smith introduced herself. She stated Valeria Long was the owner and she and her husband Dave are part of the staff at YAHAB. The word YAHAB is the Hebrew word meaning to give. We serve those in need, from those homeless due to a fire or a flood; or like someone who has experienced abuse and have fled their homes with nothing but the clothes on their backs. We give out clothes, shoes, and small appliances to those in need. We are a 5013C corporation. Nothing we give out is sold, it is given. The items donated are set up like a store and again nothing is sold to the person(s) in need.

Ms. Smith continued that they limit the people who are in the store as we usually have an idea as to who will be coming in that day as there is a phone call placed and time set for the individuals who will be coming to the facility.

Page 2 Zoning Commission December 21, 2021

Ms. Teeuwen asked if they also accepted items people want to donate. Ms. Smith stated yes, everything we have has been donated. The business will be open Tuesdays 11-3 and Fridays 3-7.

Chair Strogin stated for the record the comments of the Fire Chief as follows:

If any major renovation will take place such as new walls, HVAC, electric or water line permits will need to be obtained by the County Building Department. Prior to opening they will need to contact the Fire Dept for a fire safety inspection.

Ms. Teeuwen made a motion to approve the change of use for YAHAB to be located at 5010 Gateway Dr. Suite 2A as presented. It was seconded by Mr. Kuharik.
ROLL CALL- Teeuwen-yes, Kuharik-yes, Marco Sr.-yes, Traves-yes Strogin-yes.

It was so noted there was no signage being requested at this time.

The Rose Company - 4015 Medina Rd. Suite #200

Mr. Tony Cerny from Architectural Design Studios was present to represent The Rose Company. He stated it was The Rose Company's intention to move their offices to the second floor of Towne Square Commons. The nature of the business is real estate development.

Chair Strogin read the Fire Chief's comments as follows:

If any major renovation will take place such as new walls, HVAC, electric or water line permits will need to be obtained by the County Building Department. Prior to opening they will need to contact the Fire Dept for a fire safety inspection.

Mr. Kuharik made a motion to approve the change of use for The Rose Company to be located at 4015 Medina Rd. Suite #200 as presented. It was seconded by Mr. Traves.
ROLL CALL- Kuharik-yes, Traves-yes, Marco Sr.-yes, Teeuwen-yes, Strogin-yes.

It was so noted there was no signage being requested at this time.

Hillview Way Capital LLC - 4170 Pearl Rd.

Mr. Nils Johnson from Cunningham & Associates was present to represent Mr. Grant Reeves of Hillview Way Capital LLC, who was currently out of the country. Mr. Johnson stated this a 13-acre parcel situation between Home Depot and Hillview Way. There is an existing building on the property. The proposal is to expand the gravel parking area on the west side of the property. The owners have various businesses. He runs his administrative offices from that location as well his Christmas light show displays, storage and setup items. The other business the owner operates is Dock Dogs. The extension of the gravel area is for the light show storage and displays as well as semi-trailer parking.

Page 3 Zoning Commission December 21, 2021

Chair Strogin stated from her recollection from speaking with the owner, this expansion is for Dock Dogs where he goes to fairs, etc. and sets up the dock and water tanks etc. for the dogs to jump into the water.

Mr. Traves stated he did not feel Chair Strogin should be speaking for the owner. He commented that it is not appropriate for an official of the commission to do so. What you are doing is all hearsay. Mr. Traves stated he wanted that noted in the minutes and for Chair Strogin to discontinue speaking for the applicant. The owner knows what he is going to use the gravel parking area for and should have let his representative know just that.

Chair Strogin stated she was not making assumptions she was reiterating what the owner has stated previously in his original application. Mr. Traves stated he was there for the original submittal, and there is nothing indicated on this plan what this expansive gravel area will be used for. The owner already has approximately 2/3 of a gravel area laid down for the existing site; and stated, "maybe we should get down to more substantive issues." The plan submitted looks like a storm water plan and not a landscaping plan and there's no reference to parking at all.

Mr. Johnson stated the owner told him the expansion was to be used for the Christmas displays and lighting, display racks associated with those uses and tractor trailer parking. Regarding how the tractor trailers were going to be configured in that area, that has yet to be determined. As far as landscaping, Mr. Johnson stated there are notes on the plan. We are going to maintain the existing vegetation that surrounds the perimeter of the property. Mr. Johnson added what is interesting about this site is that it is secluded. You can drive down Hillview Way...(well now maybe with the leaves off the trees his operations may be more visible) but really the rest of the time of the year you don't even know it's there. These 13 acres are so tucked away...this property doesn't even have road frontage. Both Chair Strogin and Mr. Traves interjected yes, it does off of Hillview Way. Mr. Johnson responded it does not have frontage off a dedicated street. It is landlocked. There is a piece of property between this property and Hillview Way that is owned by Hillview Way LLC which not the same as Hillview Way Capital LLC.

Again Mr. Traves repeatedly asked if Mr. Johnson had viewed the requirements for site plan review. Chair Strogin hammered down the gavel to gain order and make a few comments. She added she had many conversations with Mr. Reeves...Mr. Traves interjected , "that's exparte communique" and laughed.

Chair Strogin continued that Hillview Way is a street that separates Verizon, the property in question and the K-Mart plaza. Approximately 20+ years ago, there was an agreement with the City of Medina to allow a road through the now existing Verizon parking lot. The private road comes out on Hillview Way directly opposite of where the driveway for Duncan Donuts and the Kmart Plaza is located. When the property was sold to Mr.

Page 4 Zoning Commission December 21, 2021

Reeves the agreement was invoked. There is road that comes through the parking lot of Verizon. It then jogs and comes across the front of the property in question. It is a private road and that is the frontage for the property. It is not landlocked. There are two means of ingress/egress. One through easement with the Five Guys complex and one through a private road.

Chair Strogin stated when Mr. Reeves was in contact with the Township, he stated his businesses had become so successful that he wants to park those containers with the Christmas items and docks on his own private property. This is not a retail use. Mr. Reeves wants to park his personal trailers on his personal property.

Mr. Johnson stated he did not want to start an argument if the property is landlocked or not, There are two easements that have access to this property. There is one off Hillview Way through the Verizon site; and there is another easement that comes through the Five Guys complex. That is the access for the property. The boundary of the property does not front on any dedicated street. That's what I meant about being landlocked.

Mr. Traves stated I believe the Township needs to elevate what they believe is proper use of zoning. You're basically going to let a guy place a bunch of junk on the property without even having a landscape plan. He continued; they could do an elevated berm. Our zoning code actually says you are to have a tree every 50 feet along the frontage. Chair Strogin stated there are a lot of trees surrounding the property. Mr. Traves stated he agreed; but is that a landscaping plan? How do we not end up with another big, ugly empty site like the Commission approved against my wishes for a truck terminal on Pearl Road. Neighbors are not happy with that and I bet the lot is still vacant because those owners are probably having issues with the County and the Highway Engineer for approval. Mr. Traves continued, for the record the Township needs to obey their own regulations which says you have to have a parking plan, a landscaping plan etc. This is a deficient plan submission. It should be tabled until it is in compliance with the code. Chair Strogin stated this plan is for a private business on private property. Mr. Traves got loud and said the plan is deficient with the code. Chair Strogin stated this is not a retail business. This is merely Mr. Reeves private property, storing his private vehicles. Mr. Traves continued to argue about whether the application was a sufficient site plan. "You are letting individuals come in and do these deficient site plans and very ugly developments. I am going to continue to push this board to obey their own code."

Chair Strogin stated the code also suggests, if possible, to keep the most vegetation that occurs naturally on the site. This particular site is surrounded by very mature trees. All those trees should not be cut down to put a bush every few feet. This is not a traditional retail use. The owner is not having people to his site nor is he selling any product.

Mr. Traves stated go ahead, make a motion and blatantly not follow your own code.

Page 5 Zoning Commission December 21, 2021

Mr. Johnson stated he spoke with the owner; and they intend to utilize the mature trees and natural vegetation in place along Hillview and to the northwest corner there is a creek that runs through. Mr. Traves then interjected, according to you that is not even your easement to use. Mr. Johnson stated that from the edge of the proposed gravel area there is 30 ft. between that and my client's property line to the south that is currently vegetated and wooded. There is approximately 10 ft. from there to the Hillview Way right of way that my client does not own. That was a spite strip created when the Kmart Plaza went in. The Spork family (who originally owned the land in question) wanted to buy that strip from Zaremba, (the developers of the Five Guys property) but they never came to terms. There was actually a lawsuit between Zaremba and the Spork family; so that property that runs all the way from Hillview Way contains that frontage which is not owned by my client.

Chair Strogin then read the comments from the Fire Chief as follows:
Fire Dept. would like to meet with the property owner in regard to making the proposed retention pond into a fire pond since the property sits so far from the road.

Mr. Kuharik made a motion to approve the revised site plan to for Hillview Way Capital LLC located at 4170 Pearl Rd. as presented. It was seconded by Mr. Marco Sr.
ROLL CALL- Kuharik-yes, Marco Sr.-yes, Traves-no, Teeuwen-yes, Strogin-yes.

Chair Strogin stated Ms. Teeuwen had asked previously why Robert's Rules of Order was not used. Chair Strogin produced a copy of the Ohio Township Association magazine explaining why it was discouraged for Township's to use Robert's Rules of Order as sometimes they can be in conflict with the Ohio Revised Code. She made a copy for Ms. Teeuwen.

Having no further business before the Board, the meeting was officially adjourned at 7:45p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogin Chairperson