



# CITY of MEDINA

## Planning Commission

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### Planning Commission Meeting

Meeting Date: January 10, 2019

Meeting Time: 6:30 pm

Present: Paul Rose, Andrew Dutton, Bob Thompson (alternate), Monica Russell, Rick Grice, Jonathan Mendel (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Bruce Gold

Monica Russell swore in Rick Grice for a term on the board ending 12/31/22.

Mr. Rose made a motion to approve the minutes from the December 13, 2018 as submitted. The motion was seconded by Mr. Thompson.

Vote:  
Thompson                    Y  
Grice                         Y  
Dutton                       Y  
Russell                      Y  
Rose                         Y  
Approved                    5-0

Announcements: There were no announcements.

Mrs. Russell made a motion to appoint Rick Grice as Chairman and Bruce Gold as Vice-Chairman for 2019. The motion was seconded by Mr. Rose.

Vote:  
Thompson                    Y  
Grice                         Y  
Dutton                       Y  
Russell                      Y  
Rose                         Y  
Approved                    5-0

Mr. Grice stated he would like to add a case to the end of the agenda for Fechko Excavating who is seeking an extension of time for the crushing operation.

Mr. Grice asked for a volunteer to be appointed by the Planning Commission to be on the CRA Housing Council.

Monica Russell volunteered to be on the CRA Housing Council.

The Court Reporter swore in all attendees.

New Business:

1. P19-01 Janel Strelau 520 E. Smith Road SPA

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a request for site plan approval for a parking lot expansion at 520 E. Smith Road. Mr. Mendel stated the property is zoned CS-Commercial for a new business moving into this building. Mr. Mendel stated the applicant is looking to expand an existing 6 space parking lot area to 16 spaces to serve a proposed salon.

Mr. Mendel reviewed the general guidelines for site plan review. Mr. Mendel stated the proposed parking expansion complies with the minimum parking area design requirements and the applicable Site Plan design guidelines.

Mr. Mendel stated Section 1145.04(a) of the Zoning Code requires 1 parking space per 300 sqft of floor area for a salon. Mr. Mendel stated the proposed salon occupies 1,300 sqft of the existing building's ground floor. Mr. Mendel stated 4 parking spaces are required and 16 are being provided leaving a 12 space surplus.

Mr. Mendel stated parking lot lighting is required for this expansion, but is not included in this application. Mr. Mendel stated it will be required to be submitted and reviewed during the site improvement permit review by the City Engineering Department.

Mr. Mendel stated since the proposed parking area is surrounded by existing landscaped areas and under 20 spaces, a formal landscape plan is not required.

Mr. Mendel stated Staff recommends the Planning Commission **approve** the Site Plan application on the following conditions.

1. Subject to review and approval by the Medina Engineering Department
2. Subject to review and approval by the City of Medina Building Department for the permits for the site lighting plan as required by Section 1145.09(c) of the City of Medina Planning and Zoning Code

Present for the case was Chip Klinkenberg from Illes Architects. Mr. Klinkenberg stated the owner Janel Strelau is also present this evening. Mr. Klinkenberg stated the building is the old Cambridge Healthcare Services building. Mr. Klinkenberg stated it was built in the 1900's and the owner realizes that additional parking is necessary to go from an out-service occupation to a salon. Mr. Klinkenberg stated they have developed the rear of the building where there is plenty of land area and the original building did not have accessibility access because it was an out-service occupation when approved. Mr. Klinkenberg stated they must also provide handicap accessibility due to the proposed salon back entrance. Mr. Klinkenberg stated they have maintained the original architecture of the house including colors so it will still be a nice fit for Medina and virtually a non-change in terms of view from the street. Mr. Klinkenberg stated he submitted drawings to the Building Department for plan review so the process would be parallel. Mr. Klinkenberg stated they address the electrical components on the application for the building permit so they do have parking lot lighting on the building as opposed to post lighting in the parking area. Mr. Klinkenberg stated there is all industrial behind the building so it should be fine.

Mr. Rose asked why they are increasing so much when they only need 4 additional spaces per code. Mr. Klinkenberg stated it is for employees.

Mr. Dutton made a motion to approve the site plan for a parking lot expansion at 520 E. Smith Road as submitted subject to the following:

1. Subject to review and approval by the Medina Engineering Department
2. Subject to review and approval by the City of Medina Building Department for the permits for the site lighting plan as required by Section 1145.09(c) of the City of Medina Planning and Zoning Code.

The motion was seconded by Mr. Thompson.

Vote:

Dutton	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>Y</u>
Grice	<u>Y</u>
Thompson	<u>Y</u>
Approved	5-0

2. P19-02 Centerra Group 901 W. Smith Rd. CSP

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated the property is located on the north side of the 900 block of W. Smith Road.

Mr. Mendel stated the applicant seeks conditional sign approval for the installation of an electronic message center sign for the existing fueling station, which will display only the gas price numbers. Mr. Mendel stated the property is zoned I-1 Industrial. Mr. Mendel stated the sign will replace the existing ground sign at the site. Mr. Mendel stated other

than the proposed EMC portion of the sign, the proposed ground sign will comply with all other applicable regulations.

Mr. Mendel stated signs must conform to the sign regulations outlined in Chapter 1147. Section 1147.14(b) allows one permanent ground sign on the premises not exceeding 40 square feet in area and 6 feet in height for the subject site. Mr. Mendel stated the proposed sign will comply with these requirements.

Mr. Mendel stated the sign is compatible with the neighborhood and harmonious with the site as the EMC portion is limited only to the fuel prices and this is a high intensity industrial area within the City.

Mr. Mendel stated Staff recommends that the Planning Commission **approve** the conditionally permitted sign as outlined in the staff report on the following condition:

1. Subject to all necessary sign, building and electrical permits.

Mr. Thompson stated for the record that he retired from Centerra after a long career. Mr. Thompson stated he is not taking any direct funds or salary and he sees no conflict of interest with him reviewing this case. Mr. Grice agreed.

Mr. Grice asked about a variance request by the applicant earlier this evening. Mr. Mendel stated that was for a third sign on the canopy and it was denied.

Present for the case was Debbie Kuhar from Ellet Sign Company. Ms. Kuhar stated they would like to improve the sign and the visibility of the sign. Ms. Kuhar stated all the wooden section of the sign will be removed and the sign will be the same width as it stands with the wooden section but with a new aluminum cabinet and the digit heights will be 12" height. Ms. Kuhar stated they are taking away the wooden section underneath the pole. Ms. Kuhar stated she will need to run an extra circuit and the pole will require a new footer foundation.

Mr. Thompson clarified that the sign will display the gas and diesel prices. Ms. Kuhar stated that is correct.

Mrs. Russell made a motion to approve a conditional sign for an electronic message center sign at 901 W. Smith Road as submitted subject to the following:

1. Subject to all necessary sign, building and electrical permits.

The motion was seconded by Mr. Rose.

Vote:

Dutton        Y

Rose           Y

Russell       Y



with ~1,700 sqft, three bedrooms, attached 2-car garages and full basements. Mr. Mendel stated these buildings are spread around an internal private street system with two access point to the new created public local street (Mast Parkway), which is internal to SPD-1.

Mr. Mendel stated the SPD process requires the Planning Commission review the Final Site Plan to verify conformance with the approved Conceptual Development Plan and Guidelines and Preliminary Site Plan (see Section 1114.10).

Mr. Mendel stated the following is a summary of the items that must be submitted as part of the Final Site Plan (see Section 1114.10):

- A. **Buildings:** Location, height, elevations, arrangement, and identification of all buildings and uses on the subject property and, where applicable, location and arrangement of all lots with lot dimensions shall be provided;
- B. **Open space and recreation:** Location and arrangement of all common open space areas and recreational facilities, including lot dimensions;
- C. **Landscaping plan:** Include identification of planting areas, the location, type and height of walls and fences shall be provided; also any vegetative buffers;
- D. **Signs:** Location of signs indicating their orientation, lighting, size and height;
- E. **Stormwater detention:** Including a system of stormwater control for runoff and detention for both before and after construction;
- F. **Utilities:** Indicate location of other utilities such as electric, telephone, cable television, etc. including the type of service, and the width of easements;
- G. **Circulation system:** Location of all proposed and existing pedestrian and vehicular systems shall be identified;
- H. **Lighting:** Exterior lighting and any street furniture or outdoor decorative structures proposed, refuse storage areas and proposed method of screening;
- I. **Development schedule:** A schedule of development, including the staging or phasing of:
  - a. Streets, utilities and other public facility improvements, in order of priority;
  - b. Public/ Common Area - dedication of land to public use or set aside for common ownership;
  - c. Buildings and uses, in order of priority of construction.

Mr. Mendel stated Staff has reviewed the submittal and determined the applicant has provided everything, but the proposed development identification sign. Mr. Mendel stated this is a minor item for a Subdistrict "C" project in SPD-1. Mr. Mendel stated the SPD-1 development guidelines specifically references compliance with Section 1147.11 regulations and procedures, which regulates residential and public facilities signage generally in the City of Medina. Mr. Mendel stated not having this specific, but minor project detail is acceptable and can be handled administratively by City staff through the normal sign permit review process. Mr. Mendel stated the applicant provided a sample of a concept for the ground sign for the development after the staff report was completed. Mr. Mendel provided that rendering to the board members. Mr. Mendel stated this would

comply with the necessary information and is part of the design requirements and will verify that the sign is compliant when they conduct a more detailed review of the sign.

Mr. Mendel stated Section 1114.10 requires the Planning Commission to determine whether the Final Site Plan conforms to the approved Conceptual Plan and Preliminary Plan. Mr. Mendel stated if so, the Planning Commission should approve the Final Site Plan. Mr. Mendel stated the Final Site Plan is not exactly the same as the December 13, 2018 approved Preliminary Plan due to the Army Corps of Engineers' review of the project. Mr. Mendel stated this necessitated a minor reconfiguration to the northwest corner of the internal road way and reduction in dwelling unit count from 67 to 66, which is a 1.5% change. Mr. Mendel stated these changes are exceedingly minor in scale and do not substantively change the nature of the proposed project and it's relation to neighboring properties inside and outside SPD-1.

Mr. Mendel stated there was a comment from the Fire Marshall after the staff report was completed stating the need to add 2 additional fire hydrants to the site. Mr. Mendel stated he did pass this along to applicant when they were received and the applicant has address it and understand the purpose.

Mr. Mendel stated in reviewing the approved Conceptual Plan and Preliminary Site Plan against the proposed Final Site Plan review, staff believes, despite non-substantive differences between the Final Site Plan and the approved Preliminary Site Plan, the proposed Final Site Plan conforms.

Mr. Mendel stated based on review of the SPD-1 approved Conceptual Plan and Preliminary Site Plan, staff recommends the Planning Commission **approve** the proposed Final Site Plan with the following conditions:

1. Subject to permit review and approval by the City of Medina Building Department
2. Subject to the permit review and approval of the site improvement plan by the City of Medina Engineering Department.
3. All proposed signage for the project shall conform to the applicable regulations and procedures of Chapter 1147 of the City of Medina Planning and Zoning Code.

Present for the case was MaryAnn Chandler with the Lawfirm of Brown, Amodio and Chandler. Ms. Chandler stated also present on behalf of Benchmark Management is John Fechko and Nils Johnson, Engineer from Cunningham Associates, Nate Gehring of Ryan Homes.

Ms. Chandler stated she spoke in detail at the last meeting about this project and how they have worked with the city for the past year, having multiple meetings with the city because her format is to make sure she meets with the city multiple times before the application ever gets submitted. Ms. Chandler stated the team has gotten the feedback of the city in multiple ways and the plan has been refined over the past year. Ms. Chandler pointed out on the plan that the "stub" was removed as it was a nuisance from the board

members at one of the meetings. Ms. Chandler stated there is a slight curvature and the stub was removed.

Ms. Chandler asked respectfully for the Board's approval.

Mr. Rose asked for clarification of the number of buildings. Mr. Mendel stated there is actually 15 buildings and the staff report was incorrect with 14. Mr. Rose stated the only unit taken out was the one on the stub. Mr. Mendel stated that is correct.

Mr. Grice asked if all the setbacks are compliant. Mr. Mendel stated yes. Mr. Grice asked if all the addresses will be off Mast Parkway since we do not allow private streets. Mr. Mendel stated that has not been addressed but believes it will follow the normal protocol.

Mr. Dutton stated he has issues with the screening to the north and to the west which he mentioned at the last meeting but they were not addressed. Mr. Dutton asked why the southwest most building is not screened from the south property line. Mr. Dutton stated in the landscaping plan, the buffering stops short of the southwestern most building.

Mr. Mendel stated MMHA and Miller-Valentine have the affordable senior housing Senior Villas and the north buildings end a significant distance of land plus existing tree material on Miller-Valentine's property and there are no explicit requirements between multi-family to multi-family.

Mr. Rose asked if the piece of land referred to is developable. Mr. Mendel stated it would take a bit of engineering due to the changes in grade. Mr. Rose stated it could still happen so maybe the screening should be extended. Mr. Mendel stated there is not enough space, maybe one more row of townhomes. Mr. Mendel stated the area is not really a sizeable development area in terms of development standards.

Ms. Chandler asked if the requirement for a 75' buffer is a commercial requirement. Mr. Mendel stated no, it is for Sub-district C. Mr. Mendel stated the requirement for landscaping between properties in Sub-district C to each other and multi-family to multi-family in the zoning code under Chapter 1149 does not require landscaping between multi-family to multi-family. Mr. Dutton stated then the landscaping buffer shown is not required. Mr. Mendel stated that is correct.

Mr. Rose made a motion to approve the final site plan for the SPD-1 as submitted subject to the following:

1. Subject to permit review and approval by the City of Medina Building Department
2. Subject to the permit review and approval of the site improvement plan by the City of Medina Engineering Department
3. All proposed signage for the project shall conform to the applicable regulations and procedures of Chapter 1147 of the City of Medina Planning and Zoning Code.

The motion was seconded by Mr. Thompson.

Vote:

Dutton	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>Y</u>
Grice	<u>Y</u>
Thompson	<u>Y</u>
Approved	5-0

Old Business:

1. P18-14 Court Street Development                      028-19C-20-149                      SPA

Mr. Mendel stated this is something that was coordinated with Attorney Todd Hunt and the applicant's representative, MaryAnn Chandler, regarding the crushing operation.

Mr. Mendel stated on September 28, 2018, there was an initial review for site plan and conditional zoning review for heavy manufacturing, concrete recycling and a contractor storage yard for Fechko at their property which is adjacent to their offices at 865 W. Liberty.

Mr. Mendel stated during that review, the Planning Commission granted approval to temporarily crush the amount of scrap material that is on the site now in order to do a study, an Environmental Impact Report study. Mr. Mendel stated that is ongoing. Mr. Mendel stated due to timing and difficulties logistically for the applicant, crushing did not occur until later, just before and after the recent holidays.

Mr. Mendel stated on September 27<sup>th</sup>, the Planning Commission stated crushing could occur between December 1, 2018 through January 31, 2019 to complete the crushing and the study. Mr. Mendel stated due to inclement weather, the applicant submitted a letter which was submitted to the board requesting an extension to the time to February 28<sup>th</sup> but the applicant may wish to request until March 31<sup>st</sup>.

Mr. Mendel stated staff and Attorney Hunt agree this is appropriate given the nature of this type of project given this time of year for an extension.

Mr. Grice stated Mr. Mendel contacted him last evening to ask that this item be added to the agenda. Mr. Grice stated he approved adding it to the agenda and asked for a formal motion to add the item to the agenda.

Mr. Rose made a motion to add case P18-14 to the January 10, 2019 agenda under Old Business.

The motion was seconded by Mrs. Russell.

Vote:  
Dutton        Y  
Rose         Y  
Russell       Y  
Grice         Y  
Thompson    Y  
Approved     5-0

Present for the case was MaryAnn Chandler. Ms. Chandler stated she had nothing further to add to the discussion.

Mrs. Russell stated originally the board agreed to give the applicant two full months to get this done. Mrs. Russell stated they did not start and they only crushed for 6 days during the holidays and now it is January 10<sup>th</sup>.

Mr. Mendel stated it wasn't until December 10<sup>th</sup> that they were able to logistically get the consultant to do the study on board which was already a 10 day delay.

Mrs. Russell stated the thought was to provide 2 full months to complete the crushing because that is what was originally anticipated so giving them to the end of February makes sense to her.

Mr. Rose stated he was not at the meeting but he does agree that the intent was to give them 2 full months.

Ms. Chandler stated the only distinction is the two weeks to extra month because of the Christmas shut-down during December and that was not contemplated by anyone due to equipment problems. Ms. Chandler stated she would like to avoid having to come back before the board to request another 2 weeks if they get into March so she would like to error on the side of asking towards mid-March. Ms. Chandler stated she is trying to be practical so they do not all have to come back for another special meeting in two weeks which is 10 days which is why the request is for March. Ms. Chandler stated the board will have an update prior to the February 10<sup>th</sup> meeting which is in the e-mail that Attorney Hunt had requested the applicant provide, which of course they will do that. Ms. Chandler stated they have had the consultant at the site and they have been cooperating so they ask for the Board's consideration to go a little beyond February 28<sup>th</sup>.

Mrs. Russell made a motion to extend the date to complete the crushing to February 28<sup>th</sup>, 2019.

Mr. Rose stated he would like to amend that motion and extend the deadline to March 31, 2019.

Mrs. Russell stated she would like to discuss that amendment. Mrs. Russell stated when the board originally considered this, the board was told that the applicant could complete the crushing in 6 weeks. Mrs. Russell stated they were given two whole months just to

make sure they could get it done so she does not understand why they need two and a half months or 3 months to get it done when the board was told earlier on that it would not take that long. Mrs. Russell stated she does not understand what has changed to now require it to be 3 months to get this done rather than originally 6 weeks between extended to 2 months. Mrs. Russell stated that is why she would prefer to leave it at February 28<sup>th</sup>.

Mr. Rose stated he spends too much time working with equipment and he knows things can happen so let's just give it to them until March 31<sup>st</sup>. Mr. Rose stated the board will have a report at the February meeting. Ms. Chandler stated it will be at the February meeting which will include an updated timeline for completion.

Mr. Mendel stated he will provide an update at the February 14<sup>th</sup> meeting which is the correct meeting date.

Mr. Grice stated with Mrs. Russell's motion to the end of the month, they will be before the board two weeks before that anyway. Ms. Chandler stated they are not expected to be at the meeting but are expected to provide an update. Mr. Grice asked Mr. Mendel if he would be able to provide an update with a suggestion to provide an extension if necessary beyond the end of February. Mr. Mendel stated yes. Mrs. Russell stated they could allow more time if needed at that time.

John Fechko stated they are going to do everything they can to get it done. Mr. Fechko stated they are going to work as much as they can as long as the weather allows it. Mr. Fechko stated they can't predict the weather. Mr. Fechko stated when it gets really cold the belts won't work so that tolerance is something to consider on time. Ms. Chandler stated what they did not consider at the time they were here is the equipment malfunctioning. Ms. Chandler stated it was operating over at Osborne without any hiccups and it sat for some time because Osborne stopped using it at their facility around August so her client had to get it up and running which caused a further delay which was not factored in.

Mrs. Russell stated it was originally contemplated that the applicant would have two full months with a fully operational machine, two full months of having the machine operating. Mrs. Russell stated it did not operate in December, that's fine. Mrs. Russell stated extending it out until the end of February would make sense since it is operating now which would give the applicant their two full months.

Ms. Chandler stated as they have been educated about how the process is going and the weather, they are trying to be practical and anticipate another couple weeks.

Mr. Rose stated he spent 12 years working outside with this type of equipment. Mr. Rose stated give them until March 31<sup>st</sup>, it will freeze, it will break down, it is cold. Mr. Rose stated let's be smart about this, March 31<sup>st</sup>, 31 more days is not going to change the world. Mr. Rose stated if he would have been here last month, he would have done the same thing.

Mrs. Russell asked Mr. Rose if at the December meeting, he would have argued for longer than what the applicant had asked for. Mr. Rose stated yes.

Ms. Chandler stated she does not want to get into the semantics, they can all read the record, she does not know what she asked for, she knows that what was given by the board was 2 months. Ms. Chandler stated none of us came here to intentionally mislead the board about how long it would take to grind down a 30' high pile. Ms. Chandler stated they are here now with some information because they have been working with the machinery and now they are better informed so they are trying to be practical. Ms. Chandler stated that's all this is, this is not doing anything sneaky.

Mr. Mendel stated a motion is need to amend Mrs. Russell's original motion.

Mr. Rose made a motion to amend Mrs. Russell's motion to allow until March 31, 2019 to complete the crushing activity. The motion to amend was seconded by Mr. Thompson.

Vote:

Dutton	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>N</u>
Grice	<u>Y</u>
Thompson	<u>Y</u>
Approved	4-1

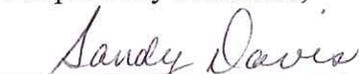
Mr. Rose made a motion to approve an extension to March 31, 2019. The motion was seconded by Mr. Thompson.

Vote:

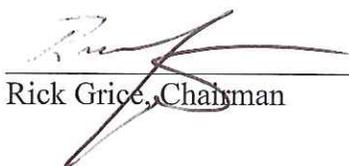
Dutton	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>N</u>
Grice	<u>Y</u>
Thompson	<u>Y</u>
Approved	4-1

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Rick Grice, Chairman