

Mr. Mendel stated the applicant proposes a small 186 sqft addition to the north side of the existing 1,340 sqft one story building. Mr. Mendel stated the addition is for a new exterior cooler to support the existing food service business.

Mr. Mendel stated this property is zoned C-2 and located within the Transitional Corridor Overlay district and the proposed addition is not large enough a change to require formal Planning Commission Site Plan review and approval through the permit process. Mr. Mendel stated it does fall under the administrative review and approval process for Site Plan compliance.

Mr. Mendel stated the proposed addition complies with all the applicable regulations of the C-2 district.

Mr. Mendel stated this site is also within the Transitional Corridor Overlay District and subject to Section 1116.10(c)(2) requiring review and action by the Planning Commission for a Certificate of Appropriateness as well. Mr. Mendel stated the following outlines general and specific guidelines for proposals within the TCOV:

- (1) *The Planning Commission shall determine whether the proposed change will be appropriate to the preservation of the environmental, architectural or historic character of the Overlay District pursuant to the criteria included in the Overlay District Development Guidelines. In determining the appropriateness of the change, the Planning Commission may solicit input from the Historic Preservation Board in areas with buildings of historical and/or architectural significance.*

Mr. Mendel stated excerpts of TCOV Design Guidelines provide the following specific applicable guideline:

TCOV.7 Exterior Renovation or Alterations of Existing Structures.

(a) The distinguishing original qualities of a building or structure should not be destroyed. The removal or alteration of historic materials or distinctive architectural features should be avoided when possible.

(b) Architectural elements shall be sensitively designed to reflect detailing associated with the particular style of building.

(c) The design elements and scale of a building addition shall be compatible with the design elements of the principal structure, in particular, building materials and color, roof lines and shapes and window proportions and alignment.

TCOV.8 Building Materials and Appurtenances.

(a) The architectural character and exterior building materials of new and remodeled buildings should be harmonious with surrounding buildings in color and texture, proportion, scale, patterns and opening sizes and shapes.

(b) Construction materials and colors for walls and fences that are visible from the street should be uniform and compatible with the architectural style, color and building material of the building and its surroundings.

(c) The original pattern of window and door openings and their shape and configuration should not be altered. Window and door openings should not be reduced, enlarged, or filled-in

on street facade. Replacement windows and doors should match the original in size, shape and design.

(d) Original materials should be repaired, restored, and reused whenever possible. Where necessary missing or deteriorated materials should be replaced with appropriate recycled or new materials which match the original as closely as possible.

Mr. Mendel stated after reviewing the proposal, the applicant plans to paint the exterior steel panels of the cooler unit to match the existing building. Mr. Mendel stated this is an appropriate exterior treatment given the location of the addition on the rear corner of the building and furthest from the primarily public rights-of-way near the subject property. Mr. Mendel stated this treatment will meet the intent and letter of the above TCOV guidelines.

Mr. Mendel stated Staff recommends the Planning Commission **approve** the request subject to the following conditions:

1. Review and approval of applicable permits by the City of Medina Building Department.

Present for the case was Tony Cerny, Architectural Design Studios representing the owner. Mr. Cerny stated he did not have anything to add.

Mr. Rose asked about the painting of the steel and mentioned the maintenance required. Mr. Cerny stated he does not anticipate it being a problem.

Mr. Gold made a motion to approve a Certificate of Appropriateness for a 186 sqft addition to the north side of the existing 1,340 sqft one story building located at 203 W. Lafayette Road as submitted.

Mr. Hilberg seconded the motion.

Vote:

Grice	<u>Y</u>
Dutton	<u>Y</u>
Gold	<u>Y</u>
Hilberg	<u>Y</u>
Rose	<u>Y</u>
Approved	5-0

2. P20-08 KMK Development LLC 1125 Wadsworth Rd. COM
The Court Reporter swore in all attendees.

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a request for Special Planning District Rezoning – Conceptual Development Plan and Guidelines. Mr. Mendel stated the property is located in the 1100 block at the south end of Wadsworth Road at the city boundary and extends about 1,100 feet to the west of Wadsworth Road. Mr. Mendel stated currently the property is zoned R-1, Low Density

Urban Residential. Mr. Mendel stated the subject site is the eastern 6.01 acres of a total 6.95 acres currently owned by the applicant. Mr. Mendel stated the site is currently zoned R-1, Low Density Urban Residential and surrounded by the following zoning districts and land uses both within the City of Medina and in Montville Township:

- Within the City: R-1, Low Density Urban Residential developed as detached single family dwellings
- Within Montville Township: R-2 and R-3 (single family residential) developed primarily with detached single family dwellings

Mr. Mendel stated the applicant proposes a Special Planning District (SPD) for the subject 6.01 acres. Mr. Mendel stated the proposed land use is unified development of 62 multi-family dwellings units spread across up to ten 1, 2 or 3 story buildings. Mr. Mendel stated the development has:

- 62 units – yet to be determined mix of 1 & 2 bedroom units
- Full vehicular entry/exit access:
 - About 1/3 of the units to/from Wadsworth Road
 - About 2/3 of the units to/from, the to be completed, Asherbrand Drive
- Parking supply to comply with the multi-family dwelling requirements of Section 1145.04(a) of the Planning and Zoning Code
 - Two (2) spaces for each dwelling unit + one (1) space for each five (5) dwelling units for visitor parking.
- Setbacks
 - Front setbacks – minimum 40 feet to Asherbrand Dr. and Wadsworth Road and minimum 40 feet from the rear property line of the existing neighboring property at 1118 Asherbrand Dr.
 - Side setbacks – minimum 10 feet from the northerly and southerly property lines
- Site Design
 - 20% net common open space preserved through a deed restriction and/or HOA
 - Full pedestrian access to surrounding neighborhoods and vicinity
 - Site perimeter landscaping design to maximize buffer with adjacent properties
- Building Design
 - Equal or superior exterior material design and execution to the surrounding vicinity
- All site utilities underground

Mr. Mendel referenced Section 1114.01 of the Planning and Zoning Code in the staff report but did not read it.

Mr. Mendel referenced Requirements for Establishing a SPD in the staff report. Mr. Mendel stated Section 1114.04 of the Planning and Zoning Code states the following: *In order for Council to adopt an SPD, it must first make written findings that one or more of the following conditions exist, or will exist within the proposed SPD.*

- (a) *A concentration of retail and service oriented commercial establishments serving as a principal business activity center for the community.*
- (b) *An area recommended in the Comprehensive Plan for special zoning regulations.*
- (c) *A property located in a transition area where there is a need to provide for a greater mixture of uses than would be permitted in standard zones of this Ordinance.*
- (d) *Lands which permit for ingenuity, imagination and design efforts on the part of builders, architects, site planners, and developers that can produce residential developments which are in keeping with overall land use intensity and open space objectives while departing from the strict application of use setback, height and minimum lot size requirements contained in this Ordinance.*
- (e) *Land that is occupied by substantial natural characteristics worthy of preservation or which are historic aids to the identification of residential communities which help residents relate to their communities and to relate the social organization of communities to their physical environments.*

Mr. Mendel stated a SPD proposal requires the following items:

- A. Circulation Plan
- B. Land Use Plan
- C. Density
- D. Transitions
- E. Development Guidelines

Mr. Mendel stated the Future Land Use map in the Comprehensive Plan Update is a visual guide to future municipal planning and land use within the city. The map currently designates the subject property *Residential Low Density* as part of a specific area of the same designation to the north, east and west within the City of Medina.

Mr. Mendel stated a SPD has a Conceptual, Preliminary and Final review process. Mr. Mendel stated the conceptual review process is a rezoning of the subject property requiring recommendation by the Planning Commission then review and approval by the City Council through the normal map amendment process outlined in Section 1107.06 of the Planning & Zoning Code. Mr. Mendel stated the SPD, if approved by the City Council, will replace the underlying zoning.

Mr. Mendel stated once the SPD and conceptual development plan and guidelines are approved and become effective, the developer returns to the Planning Commission for review of preliminary and final site plan approvals at a Planning Commission public meeting.

Mr. Mendel stated he sent around the Conceptual plan to the following City Departments for Comments:

- City Engineer Approval:** Comments attached to the staff report dated 6/24/20
- Building Department:** No comment at this time
- Police Department:** No comment at this time.

Service Department: No comment at this time.

Fire Department:

After review of the above said case with the Fire Chief the Fire Department would like to comment that the access for this proposed development be from Wadsworth Road all the way through to Asherbrand Drive. This will allow for access to this large number of units from two directions. OAC 1301:7-7-05.

Economic Development: No comment at this time.

City Forester: No comment at this time.

Mr. Mendel stated the proposed SPD meets the submittal requirement of Chapter 1114 to permit the review of the proposal by the Planning Commission and ultimately the City Council.

Mr. Mendel stated the City's 2007 Comprehensive Plan Update designates the subject property as *Residential Low Density*, which is consistent with the existing detached single-family development patterns in the immediate vicinity of the subject property both within and outside the City of Medina.

Mr. Mendel stated the proposed SPD would result in a distinctly multi-family (apartment form) development that would be the more consistent with the *Residential High Density* designation in the 2007 Comprehensive Plan Update and generally permitted within the existing R-4, Multi-Family Residential district within the City of Medina Planning & Zoning Code. Mr. Mendel stated the proposed unit density (10.3 units/acre) would exceed even the existing R-4 zoning district's maximum 8 units/acre, which would normally necessitate a variance approval by the Board of Zoning Appeals.

Mr. Mendel stated the Planning Commission should weigh the information provided and forward a recommendation to City Council on the rezoning request from R-1, Low Density Urban Residential to the proposed Special Planning District #3 (SPD-3).

Present for the case was Ted Lesiak, representing KMK LLC, 50 S. Main St., 10th Floor, Akron, Ohio 44308. Mr. Lesiak stated for clarification, the larger parcel is 6.01 acres and that is the parcel they are looking to have the dense residential development and the other parcel to the west would remain single family. Mr. Lesiak stated this particular development would require KMK to build the road which does not currently exist on Asherbrand connecting it in the Township. Mr. Mendel stated Asherbrand dead ends on the north end of the property. Mr. Lesiak stated there would be an entrance off Asherbrand going into the large parcel and from Wadsworth Rd. going into the large parcel.

Mr. Lesiak stated they are asking for the recommendation based upon the SPD Section 1114.04 (c) & (d). Mr. Lesiak stated the other sections would not apply to this particular development. Mr. Lesiak stated (c) is a property located in a transition area where there is a need to provide a greater mixture of uses than would be permitted in the standard zones of the ordinance and D, Lands which permit for ingenuity, imagination and design efforts on the part of builders, architects, site planners, and developers that can produce

residential developments which are in keeping with overall land use intensity and open space objectives while departing from the strict application of use setback, height and minimum lot size requirements contained in this Ordinance.

Mr. Lesiak stated the applicant feels this particular development falls within both of those and the Board is required to determine if it falls in one. Mr. Lesiak introduced Brian Phillips from KMK LLC, 920 Beachwood Drive, Medina, Ohio.

Mr. Phillips stated when you look at this particular parcel, it abuts the Township and is the last parcel in the City of Medina. Mr. Phillips stated they own all the land that is to the south which includes the easements to the south as well as the property to the south on Rt. 57. Mr. Phillips stated their intention for the property in the Township on 57 is to keep it and maybe put one or two houses there. Mr. Phillips stated the main strip on the south is never going to be used so it will be designated as Open Space with a possible walking trail and turn it into public gardens or something of that nature. Mr. Phillips stated the parcel is away from most of the residential neighbors. Mr. Phillips stated there is a lake directly to the south and there is also a lake to the north on a vacant lot. Mr. Phillips stated they feel because of the south Medina District that has been growing and the popularity of the south side of town, there is a huge demand to live on the south side of town. Mr. Phillips stated the people that live there might want to transition from a large house to a one or two family unit. Mr. Phillips stated they would add some diversity to the housing options on that side of town. Mr. Phillips stated the area has many single family homes and very few rental units. Mr. Phillips stated they would bring in nice, new modern layout units in a nice private community using all the natural landscaping to maximize the views of the lakes to the north and south. Mr. Phillips stated this proposal creates an opportunity to increase the rental stock on the south side of town and add some diversity so instead of losing people to the Township where there are rentals, we would give some options on the south side of town. Mr. Phillips stated due to the cost of finishing the road, they would like to maximize the property.

Mr. Dutton commented that with Section 1114.04 there are a number of things to be considered for an SPD. Mr. Dutton stated he feels to consider "C" as a transitional area, he completely disagrees because it is single family residential and is not a transitional area and "the need to provide a greater "mix of uses" then would be permitted in the standard zones of the ordinance" is looking for a mix of uses. Mr. Dutton stated this is not a mix of uses to be allowed an R-4 if not but similar density that you are proposing so it does not meet "C" at all and is kind of a ridiculous assumption. Mr. Dutton stated he does not feel that with the information that has been provided, there is no way to make a determination. Mr. Dutton stated the applicant has talked about a nice product which is not on any information that was submitted to the board. Mr. Dutton stated all that was submitted was some general design standards that seem to meet the R-4 District so he does not know why the applicant does not propose R-4 and get a variance for super density.

Mr. Phillips responded to Mr. Dutton's comments by saying he knows in the properties directly adjoining the subject property there are R-1 properties. Mr. Phillips stated all

along Sturbridge and Rt. 57 on the Master Plan, it is all R-4 residential zoning along that whole corridor and within a stone's throw of the property there are many R-4 zoned properties. Mr. Phillips stated they are looking to add something new and update the stock of housing rentals that would be available.

Mr. Dutton asked what that has to do with this property regarding the standards that he just spoke about. Mr. Dutton asked the applicant why they are not asking for an R-4 designation. Mr. Phillips asked if they included the single family in the SPD, would it meet the criteria for an SPD. Mr. Dutton stated that may be a complete representation of what it is trying to do. Mr. Dutton stated a mix of uses would have some commercial or single and multi-family together, not one side of the road having a single family house and another side of the road being a super dense multi-family development that's denser than anything our code allows.

Mr. Lesiak stated one of the issues of R-4 is they are not contiguous to any other R-4.

Mr. Mendel stated for clarity sake, this plan Mr. Phillips is referencing is from the Future Land Use Map in the Comprehensive Plan so these are high density residential designations within the Comprehensive Plan. Mr. Mendel stated this is a policy document. Mr. Mendel stated there is only one parcel actually zoned R-4 in this corridor and it is just north of Sturbridge. Mr. Mendel stated the areas designated High Density Residential are developed as Multi-Family through our previous PUD Legislation. Mr. Mendel stated the reality is many of the areas are developed as Multi-Family.

Mr. Mendel reviewed the zoning map and the existing zoning.

Mr. Gold stated he prefers seeing this as an SPD rather than an R-4 because when the property further up Wadsworth Road came to the Planning Commission for rezoning and we discussed that the R-4 was going to create potential problems because there is no commercial districts within there. Mr. Gold stated the R-4 designation allows commercial entities within the property. Mr. Gold stated he would prefer not to see commercial entities within the property. Mr. Mendel stated R-4 is strictly residential. Mr. Mendel stated in the late 90's and early 2000's, office use was a conditionally permitted use in the higher intensity single family zoning districts. Mr. Mendel stated that was removed prior to his employment with the city. Mr. Mendel stated there was development approved under the old code but they expired so they could not come back because it was no longer in the code.

Mr. Mendel stated the R-4 does have many of the institutional uses that exist in residential districts such as schools and churches.

Mr. Gold asked if it was designated an SPD, would it have to be disclosed what could be used. Mr. Mendel stated the design guidelines for the conceptual development plan for the SPD is the zoning code for that property.

Mr. Mendel stated the SPD allows for negotiated development plans.

Mr. Dutton asked what the give and what the take is because it seems to be an R-4 development with higher than allowed density and there doesn't seem to be any kind plan on why this is proposed. Mr. Dutton stated this is not what a special district is for. Mr. Dutton stated a Special Planning District is for when you have a unique development that fits in with the area that is not allowed by code. Mr. Dutton stated that is not what this is at all.

Mr. Mendel stated typically the Special Planning District, as written in our code, doesn't have minimum limits such as acreage nor does it have a ceiling. Mr. Mendel stated the SPD1 is 41 acres where there is a mix of residential and commercial uses. Mr. Mendel stated the N. Huntington Apts. is one 3 story apartment building designated as a Special Planning District. Mr. Mendel stated we do not require minimums in terms of areas but it allows for standards that have to be met for City Council to approve through written findings that it meets one of the requirements.

Mr. Mendel stated the Planning Commission could say they would like more specifics on the general design guidelines include, building scale, landscaping transitions and so forth. Mr. Mendel stated that would be translated into the preliminary site plan review and final site plan review with the actual development plan.

Mr. Rose commented that he has concerns about building a 62 unit development that ends up half empty because of the change in society's housing desires possibly changing to single family homes rather than apartments.

Mr. Grice stated he agrees with Mr. Dutton that the density is what bothers him as it is higher than anything else.

Mr. Gold asked the applicant why they do not want to try to get an R-4 designation rather than an SPD. Mr. Lesiak stated when Mr. Phillips had the original discussions with Mr. Mendel, he brought the SPD to Mr. Phillips attention as a possibility. Mr. Lesiak stated in looking at it, I is not contiguous even with Montville Township with the R-4 designation but it is contiguous with the R-1 designation. Mr. Lesiak stated they are concerned about the look of spot zoning. Mr. Lesiak stated the Fire Department's comments regarding bringing the road through completely may lower the density from the original request. Mr. Lesiak stated it can be discussed and they have had a traffic study done but they have not had a census of what is needed in this area of the city. Mr. Lesiak stated Mr. Rose's concerns may be valid but they do not know yet.

Mr. Phillips stated he spoke with a Realtor® who stated that there was a study done 5 years ago which identified a need for 500 rental units over the next 10 years and they are still a couple hundred units short of that. Mr. Rose stated the world changed since then. Mr. Phillips stated he agrees which is one of the reasons they are looking for the increased density because this is a unique lot. Mr. Phillips stated one of the reasons they asked for an SPD is because of the flexibility. Mr. Phillips stated this is just the conceptual plan they are presenting but they will still need to submit plans to the board showing what they are planning. Mr. Phillips stated the SPD allows them to be creative.

Mr. Dutton stated he is not seeing any creative things being presented. Mr. Phillips stated this was the conceptual presentation. Mr. Dutton stated this is a general layout with no details.

Mr. Hilberg asked how old the traffic study was and would it be valid any longer. Mr. Phillips stated he does not know. Mr. Hilberg stated if the road was put through all the tenants will be coming off of Wadsworth Road instead of Asherbrand which would change the traffic study considerably.

Mr. Lesiak stated the traffic study showed turn lanes would most likely need to be put in which could solve the problem but he does not know for sure.

Mr. Mendel stated in #7 F of the applicant's written narrative, it states "landscaping will be designed to maximize a vegetative buffer between zoning district maintenance". Mr. Mendel stated this gives the Planning Commission very broad discretion at the preliminary and final site plan discussion. Mr. Mendel stated many things to be done to have higher density but have the form of the building feel more single family to mask that density. Mr. Mendel stated the board is not required to stick to what is proposed.

Mr. Rose suggested that the applicant come back to the board after the traffic study is done and the density is reviewed with the road going through in order for the Planning Commission to make a better decision.

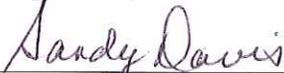
Mr. Mendel stated the applicant can request it be continued or the board can vote now. Mr. Grice stated he does not consider this "conceptual". Mr. Grice stated it does not show anything but just has a narrative stating what they would like but it does not point out any of the property features. Mr. Grice would like to see a true "conceptual plan" which shows how that might be developed.

Mr. Phillips made a request to Table the proposal.

The request was tabled.

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Rick Grice, Chairman