



CITY of MEDINA

Planning Commission

Organizational Meeting

Planning Commission Meeting

Meeting Date: March 10, 2016

Meeting Time: 7:00 pm

Present: Justin Petrecca, Rick Grice, Bruce Gold, Monica Russell (Alternate), Paul Becks, Sandy Davis, Administrative Assistant, Justin Benko (Associate Planner), Jonathan Mendel (Community Development Director)

Absent: Jerry Lash, Paul Rose

Minutes: Mr. Gold made a motion to approve the February 11, 2016 minutes as submitted. Mr. Becks seconded the motion.

Vote:

Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Petrecca	<u>Y</u>
Becks	<u>Y</u>
Approved	5-0

Announcements: Mr. Gold stated Mr. Rose would like to know what is progressing with the investigation into Group Homes. Mr. Mendel stated he will bring that to the board in April or May after review of the Law Director and a Land Use Law Specialist.

Old Business: None

New Business:

1. P16-02 ABC Development 1004 N. Court SPA
Justin Benko gave a brief overview of the case. Mr. Benko stated this is a request for Site Plan Approval for a new 4,000 sq. ft. single tenant retail building. Mr. Benko stated the property is located on the east side of North Court Street in the North Pointe Plaza parking lot. Mr. Benko stated the property is adjacent to C-3 zoning on all sides.

Mr. Benko stated the applicant has proposed the demolition of the vacant Pennzoil building and is seeking site plan approval for a new 4,000 sq. ft. single tenant retail building. Mr. Benko stated the building façade will be a combination of EIFS siding and masonry. Mr. Benko stated upon initial review by the Medina Engineering Department, it was determined that the location of the 4,000 sq. ft. retail building was proposed within a portion of the State of Ohio Temporary Road Easement as part of the N. Court Street/State Route 42 widening project. Mr. Benko stated the applicant has submitted a revised site plan which moves the building 18 feet east out of the temporary easement. Mr. Benko stated the revised site plan increases parking from 13 parking spaces to 14 parking spaces. Mr. Benko stated the applicant is currently in communication with ODOT. Mr. Benko stated if the timing of the building construction is consistent with the ODOT's work schedule, the original site plan is still feasible. Mr. Benko stated the applicant and ODOT have agreed to continue communication over the next several weeks.

Mr. Benko stated in reviewing the proposed retail building in relation to the guidelines, the proposed building is consistent with the guidelines and should appear harmonious to the surrounding businesses. Mr. Benko stated although the applicant has proposed EIFS siding for much of the exterior of the building, the applicant has incorporated sufficient masonry accents to the exterior as well as decorative canopies.

Mr. Benko stated Code Section 1145.04 details ratios for off-street parking for various use groups. Mr. Benko stated the site requires 10 parking spaces and the applicant has proposed 13 spaces in the first proposal and 14 in the revised proposal. Mr. Benko stated the applicant has also proposed compliant circulation at the site.

Mr. Benko stated the applicant has proposed the parking space length at 18 feet. Mr. Benko stated Code section 1145.08 requires 90 degree parking spaces to be 19 feet in length. Mr. Benko stated the applicant has been notified.

Mr. Benko stated the applicant has not submitted a photometric lighting plan consistent with code section 1145.09(C) to date.

Mr. Benko stated the applicant has proposed landscaping that is compliant with code section 1145.09(B).

Mr. Benko stated the Service Department requested that the applicant be advised of the dumpster enclosure and staff forwarded a copy of the dumpster enclosure information to the applicant.

Mr. Benko stated upon completion, the proposed retail building will be a considerable improvement over the existing conditions and should be harmonious with the retail environment on N. Court Street.

Mr. Benko stated staff recommends the Planning Commission approve the site plan for the proposed 4,000 sq. ft. retail building with the following conditions:

1. Subject to building permits from the Medina Building Department
2. Subject to site development approval by the Medina Engineering Department
3. Subject to performance bond or other financial guarantee in an appropriate amount to ensure that hard surfacing of parking areas and landscaping, is installed in conformance with approved plans.
4. Subject to the parking spot length increase to 19 feet
5. Subject to providing a sit lighting plan with Building permits

Present for the case was Bob Acciarri with ABC Development, and also present was Matt Weber, Civil Engineer, and Craig Stevens, Project Architect.

Mr. Acciarri stated there was a revision to the plan due to a temporary ODOT easement. Mr. Acciarri stated the temporary easement is a work easement. Mr. Acciarri stated it is his understanding that the easement was for the installation of an inlet for the road widening. Mr. Acciarri stated ABC Development's design includes installation of that inlet which would make the temporary easement no longer required. Mr. Acciarri stated he is meeting with ODOT next week.

Mr. Acciarri stated he is in agreement with all staff comments.

Mr. Petrecca stated he is recusing himself from the case as he has a working relationship with the applicant.

Mr. Gold made a motion to approve the site plan as submitted subject to all the staff recommendations below:

1. Subject to building permits from the Medina Building Department
2. Subject to site development approval by the Medina Engineering Department
3. Subject to performance bond or other financial guarantee in an appropriate amount to ensure that hard surfacing of parking areas and landscaping, is installed in conformance with approved plans.
4. Subject to the parking spot length increase to 19 feet
5. Subject to providing a site lighting plan with Building permits

Mr. Grice asked for comments from the public before the motion goes forward.

Present was Rosemarie Fiori, Attorney representing Joe Migliorini, owner of North Pointe Shopping Center.

Ms. Fiori stated Mr. Migliorini has an objection to the approval. Ms. Migliorini distributed a letter to the board which is entered into the minutes as "Exhibit A" and states his concerns and also a copy of an agreement selling the site to J. Mohler Oil Company. The agreement is entered into the minutes as "Exhibit B".

Ms. Fiori stated she would like to bring to the Commission's attention that as part of the sale, there was a deed restriction that runs with the land that states "no building shall be constructed on the site which is beyond a certain height". Ms. Fiori stated the proposed building will violate that deed restriction. Ms. Fiori stated she would like the board to take this into account. Ms. Fiori stated the reason for the deed restriction is because if the building is constructed at the proposed height and dimensions, it will block the signage and tenants of the shopping center and there will be aesthetic issues as well as it will impact the shopping center and the tenants who have relied on this deed restriction in their lease agreements.

Ms. Russell asked if J. Mohler is the current owner of the property. Ms. Fiori stated yes. Ms. Fiori stated there has been no showing of consent for this proposal that she knows of by the owner. Ms. Fiori stated if the proposal is approved and built, J. Mohler will be in breach of the agreement. Ms. Fiori stated as far as she knows, Mr. Mohler or his company have not provided consent for the proposal. Ms. Mohler stated Mr. Migliorini was not able to attend this evening due to another meeting. Ms. Fiori stated Mr. Migliorini has asked that the board deny or table the case at least until such time that Mr. Migliorini, Mr. Mohler, and the applicant can work this out on their own to come to an agreement that will not violate the deed restriction and breach the agreement.

Mr. Grice asked if O'Reilly Auto Parts is on part of the existing property. Ms. Fiori stated she believes it is on Mr. Migliorini's property.

Mr. Acciarri stated he took the initiative and reached out to Mr. Migliorini on more than one occasion. Mr. Acciarri stated he did receive consent from Mr. Mohler in an e-mail from his attorney. Mr. Acciarri stated he will provide the e-mail to the city tomorrow. Mr. Acciarri stated the deed restriction concerns the height of the building which is 22 feet. Mr. Acciarri states the proposal conforms with the height restriction. Mr. Acciarri stated he is not aware of any width restriction. Mr. Acciarri stated to accommodate Mr. Migliorini he turned the building 90 degrees and moved the building up to the north west corner of the site. Mr. Acciarri stated the south side of the proposed building is actually about four feet further north than the existing Pennzoil. Mr. Acciarri stated he has expressed to Mr. Migliorini several times that they want to be a good neighbor.

Mr. Acciarri stated several site plans were sent to Mr. Migliorini. Mr. Acciarri stated they have been in touch with the seller's attorney and they will work with them.

Mr. Acciarri stated he has reached out to Mr. Migliorini on several occasions and to have this objection tonight without a warning is very disappointing. Mr. Acciarri stated he is going to ask for a vote this evening. Mr. Acciarri stated the site plan conforms to zoning, they have reached out to the neighbor on more than one occasion and designed the building to accommodate his concerns.

Mrs. Russell stated paragraph 17 on page 9 of the agreement indicates that the deed shall state the exact height which has been approved by the City of Medina Planning and Zoning Board. Mrs. Russell asked Mrs. Fiori if she has a copy of the deed. Ms. Fiori

stated she was not able to get a copy off the recorder’s website. Ms. Fiori stated she is not aware that efforts have been made to try and work this out with Mr. Migliorini.

Mr. Acciarri stated this is part of a 1041 Exchange Process also, so time is of the essence.

Mrs. Russell stated if the Planning Commission approves the plan, it will have no effect on the deed restrictions and if they can be enforced. Mrs. Russell stated this would have no effect on Mr. Migliorini and Mr. Acciarri working out the details.

Mr. Mendel stated the private agreements do not affect the application to zoning. Mr. Mendel stated the Planning Commission does not enforce, nor can they be required to enforce, private agreements. Mr. Mendel stated it meets the city zoning code and the process so the Planning Commission is compelled to approve the request.

Ms. Fiori stated as a business owner with tenants in the City of Medina, it would be in the City’s best interest to have this worked out prior to approval.

Mr. Acciarri stated he will meet with Mr. Migliorini and work through the proposal but he needs approval this evening from the Planning Commission.

Mrs. Russell stated the Planning Commission’s decision this evening would not restrict Mr. Migliorini’s rights and the Planning Commission has an obligation to review the plan as submitted and take a look at city ordinances and based on their authority as Planning Commission, approve or reject the plan.

Mrs. Russell stated she understands Mr. Migliorini’s predicament but he has other avenues to enforce the private agreement.

Mr. Becks stated the Commission is concerned that there is some disagreement but the Planning Commission does have to act within the Planning Commission’s authority and rules.

The motion that was set forth by Mr. Gold prior to the discussion was seconded by Mr. Becks.

Vote:	
Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Becks	<u>Y</u>
Approved	4-0

2. P16-03 Advantage Permitting 1010 W. Lafayette CSP
Mr. Benko gave a brief overview of the case. Mr. Benko stated the three Stop N Go Gas Stations were sold and are being rebranded to BP Mini Marts. Mr. Benko stated the applicant has proposed replacing all three grounds signs with new ground signs with an

EMC for gas price display. Mr. Benko stated all EMC signs are conditionally permitted and require approval by the Planning Commission.

Mr. Benko stated all three signs encroach in the public right of way. Mr. Benko stated with the addition of the new EMC price display, the existing signs lose their legal non-conforming status and will need to meet current setback requirements. Mr. Benko stated Planning Commission review is solely for the appropriateness of the EMC portion of the sign. Mr. Benko stated staff is working with the applicant to find compliant sign locations.

Mr. Benko stated staff recommends that the Planning Commission approve the conditionally permitted signs subject to the following condition:

1. Subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

Mr. Grice stated there are three locations with three separate case numbers. Mr. Grice stated each case will have its own motion.

Mr. Gold made a motion to approve a Conditional Sign with an Electronic Message Center for 1010 W. Lafayette, BP Mini Mart as submitted subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

The motion was seconded by Mrs. Russell.

Vote:

Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Lash	<u>Y</u>
Becks	<u>Y</u>
Approved	5-0

3. P16-04 Advantage Permitting 828 W. Liberty CSP

Mr. Benko gave a brief overview of the case. Mr. Benko stated the three Stop N Go Gas Stations were sold and are being rebranded to BP Mini Marts. Mr. Benko stated the applicant has proposed replacing all three grounds signs with new ground signs with an EMC for gas price display. Mr. Benko stated all EMC signs are conditionally permitted and require approval by the Planning Commission.

Mr. Benko stated all three signs encroach in the public right of way. Mr. Benko stated with the addition of the new EMC price display, the existing signs lose their legal non-conforming status and will need to meet current setback requirements. Mr. Benko stated Planning Commission review is solely for the appropriateness of the EMC portion of the sign. Mr. Benko stated staff is working with the applicant to find compliant sign locations.

Mr. Benko stated staff recommends that the Planning Commission approve the conditionally permitted signs subject to the following condition:

- 2. Subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

Mr. Grice stated there are three locations with three separate case numbers. Mr. Grice stated each case will have its own motion.

Mr. Gold made a motion to approve a Conditional Sign with an Electronic Message Center for 828 W. Liberty, BP Mini Mart as submitted subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

The motion was seconded by Mrs. Russell.

Vote:	
Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Lash	<u>Y</u>
Becks	<u>Y</u>
Approved	5-0

4. P16-05 Advantage Permitting 1033 S. Court St. CSP

Mr. Benko gave a brief overview of the case. Mr. Benko stated the three Stop N Go Gas Stations were sold and are being rebranded to BP Mini Marts. Mr. Benko stated the applicant has proposed replacing all three grounds signs with new ground signs with an EMC for gas price display. Mr. Benko stated all EMC signs are conditionally permitted and require approval by the Planning Commission.

Mr. Benko stated all three signs encroach in the public right of way. Mr. Benko stated with the addition of the new EMC price display, the existing signs lose their legal non-conforming status and will need to meet current setback requirements. Mr. Benko stated Planning Commission review is solely for the appropriateness of the EMC portion of the sign. Mr. Benko stated staff is working with the applicant to find compliant sign locations.

Mr. Benko stated staff recommends that the Planning Commission approve the conditionally permitted signs subject to the following condition:

- 3. Subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

Mr. Grice stated there are three locations with three separate case numbers. Mr. Grice stated each case will have its own motion.

Mr. Gold made a motion to approve a Conditional Sign with an Electronic Message Center for 1033 S. Court, BP Mini Mart as submitted subject to compliant sign setbacks or variance approval by the Board of Zoning Appeals.

The motion was seconded by Mr. Becks.

Vote:

Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Lash	<u>Y</u>
Becks	<u>Y</u>
Approved	5-0

5. P16-06 OHM Advisors Highpoint Subdivision SUB

Mr. Mendel gave an overview of the case. Mr. Mendel stated the 42 acre site is located at the northwest corner of South Court Street and Highpoint Drive. Mr. Mendel stated the site is adjacent to residential development to the west, north and south. Mr. Mendel stated First Merit Bank is adjacent to the north along Court Street, an assisted living facility is adjacent along Court Street to the south, and low intensity commercial/retail is located to the east across S. Court St. in Montville Township.

Mr. Mendel stated the applicant has submitted a request for preliminary plat approval for a retail, residential and office development. Mr. Mendel stated the submitted plans depict an interior public street through the property and a subdivision to create seven lots.

Mr. Mendel stated the existing property was established for commercial use when annexed into the city. Mr. Mendel stated the Special Planning District regulations were established for the area in 1998. Mr. Mendel stated the applicant received Planning Commission approval for revisions to the SPD regulations in 2006. Mr. Mendel stated in 2008 and 2009, the applicant received preliminary and final plat approvals from the Planning Commission, but never recorded the final plat, but expire Mr. Mendel stated in 2014, the applicant received preliminary plat approval from the Planning Commission, but did not execute final plat steps and the approval expired again. Mr. Mendel stated the applicant is coming back to the Planning Commission for preliminary plat review at this time.

Mr. Mendel stated the preliminary plan process provides the applicant assurance on the general layout of the proposed parcels and the proposed street. Mr. Mendel stated based on approval of the preliminary plat, the applicant can proceed with the generation of detailed improvements plans for the construction of all public infrastructure. Mr. Mendel stated the improvement plans are subject to review and approval by the City Engineer. Mr. Mendel stated the applicant then returns to Planning Commission for final plat review. Mr. Mendel stated once those steps are finished, the applicant works with the

City Engineer to execute a construction agreement with City Council for the work, which then proceeds to construction

Mr. Mendel stated the preliminary subdivision plan as proposed now is the same as the plans previously approved in 2008, 2009 and 2014.

Mr. Mendel stated the lot and setback requirements for the development are specified as part of the SPD guidelines. Mr. Mendel stated the proposed preliminary plat is acceptable and consistent with the approved SPD.

Mr. Mendel stated the applicant has proposed to construct a public street through the property and subdivide the site into seven lots. Mr. Mendel stated the staff comments applicable to the preliminary plat request:

Mr. Mendel stated Pedestrian walkways will be required along all public streets including South Court Street and Highpoint Drive. Mr. Mendel stated confirmation of such will occur as part of the improvement plans and the individual site plan approvals for the subdistricts.

Mr. Mendel stated lot lines are to be substantially at right angles to the right of way. All lot lines substantially comply.

Mr. Mendel stated establish access easements to allow connection from Lot #1 to Lots #3 and #5 to the proposed local street. Mr. Mendel stated an easement must establish access between lots #4 and #6 also the proposed public local street. These requirements are outlined in Section C.5(4) of the underlying SPD-1 established by Ordinance 207-06 in order to minimize vehicle access points to all public streets.

Mr. Mendel stated the proposed public street extending into the development from S. Court has a proposed name (Court Village Parkway) that is too similar to S. Court St from which it extends. Mr. Mendel stated it was suggested to rename the new street to be sufficiently distinct from S. Court Street or any other similar public street within the Medina postal delivery area.

Mr. Mendel stated the long cul-de-sac for the proposed local street exceeds the maximum 600 feet length as required by Section 1171.02(b)(4) of the Planning and Zoning Code.

Mr. Mendel stated cul-de-sac streets are permitted in a residential area to discourage through traffic and promote public safety. Mr. Mendel stated such streets should not be greater than 600 feet in length except where existing topographic conditions discourage the use of an alternate street pattern. Mr. Mendel stated cul-de-sac streets shall normally have a sixty-foot right of way terminating in a turnaround having a minimum outside paving radius of fifty feet and a property line radius not less than sixty feet.

Mr. Mendel stated the proposed cul-de-sac is approximately 1,200 feet long, which is significantly more than permitted. Mr. Mendel stated the cul-de-sac turnaround at the

southerly end has a landscaped roundabout island that results in the outside paving radius of only 30 feet as opposed to the minimum 50 feet. Mr. Mendel stated this intent of this minimum radius to allow for safe vehicle passage and provision of public services, such as snowplowing, trash removal and emergency vehicle access.

Mr. Mendel stated given the above restrictions regarding the proposed cul-de-sac street, the applicant has provided their argument and reasoning for the length of the cul-de-sac street (included in the packet).

Mr. Mendel stated the main points addressed by the applicant relate to the purpose of the cul-de-sac how it fits with the intent and specifics of the 2006 approved Conceptual Development Plan (included in the packet), which delineates two main access points to/from Highpoint Dr. Mr. Mendel stated the proposed preliminary subdivision plan's cul-de-sac allows for the "Main Commercial Access" to be a drive from Highpoint to Lot #1, which is planned for a large regional commercial development/land use. Mr. Mendel stated this would leave the remaining access point to the residential lots (Lot #2A & 2B) from Highpoint Dr.

Mr. Mendel stated the applicant indicates that with the new traffic signal at S. Court St. and Highpoint Dr. making the proposed street continue to Highpoint Dr. could encourage drivers to use the proposed street as a cut through to avoid the signalized intersection.

Mr. Mendel stated lastly, the applicant indicates that the specific design of the turnaround at the end of the cul-de-sac is designed to provide sufficient paved width for vehicles to navigate around it especially emergency. Mr. Mendel stated even with the proposed outside paving width, it does not meet the minimum 50 foot width required, but does comply with the general intent of the regulation. Mr. Mendel stated the intent is to make sure cul-de-sacs provide adequate and safe turnaround for the most common vehicles to use it.

Mr. Mendel stated the applicant has provided their argument and reasoning for the cul-de-sac as a waiver request under Section 1165.06 (Waivers) of the Planning and Zoning Code:

Mr. Mendel stated the Planning Commission may waive certain provisions of these Regulations as specified herein, where unusual or exceptional factors or conditions require such modification, provided that the Planning Commission shall:

- (a) Find that unusual topographical or exceptional physical conditions exist.
- (b) Find that strict compliance with these Regulations would create an extraordinary hardship in the face of the exceptional conditions.
- (c) Permit any modification to depart from these Regulations only to the extent necessary to remove the extraordinary hardship.
- (d) Find that any modification granted will not be detrimental to the public interest nor in conflict with the intent and purpose of these Regulations.

(e) Require such other conditions to be met by the proposed plat as the Planning Commission may find necessary to accomplish the purposes of these Regulations when modified.

Mr. Mendel stated Planning staff has reviewed the waiver request and although the cul-de-sac does not comply, the applicant's positions are reasonable. Mr. Mendel stated as a through street, it could act a bypass for traffic originating from the residential neighborhoods to the west of the project site. Mr. Mendel stated emergency vehicle access to Highpoint Dr. can be accomplished through the new development plan of Lot #1, which is proposed to be a large regional retail development with extensive external and internal vehicle circulation areas.

Mr. Mendel stated he following comments from City Staff:

Building Department. No comment at this time.

Police Chief. No comments.

Service Department. No comments

Fire Department

- 1) Hydrant will need to be spaced every 300 feet on the road way.
- 2) Court Village Parkway needs to be a thru street to High Point Dr.
- 3) The Island needs to be either removed or the road area needs to be large enough to allow the move ability of our largest fire truck.
- 4) The fire department has major concerns of access to all areas as they are developed. If a cul-de-sac is approved there will be only one way into a lot of the areas so as they are developed we will be requesting additional access into these areas, especially for the residential areas. Also all drive ways will need to be large enough to allow turning into the lots with our vehicles. Even though we have commented that fire hydrants will need to be located every 300 feet on the proposed street, there is a very good chance that additional fire hydrants will be requested in each area as they are being developed.

Engineering Department No comments provided at this time.

City Forrester No comments at this time.

Economic Development This is the first part of a larger project that will greatly benefit the City.

Mr. Mendel stated apart from the applicant's request for waiver from the cul-de-sac design requirements of 1171.02(b)(4), the preliminary subdivision plan meets the requirements of the Code and is overall a good project.

B Mr. Mendel stated based on the above review, staff recommends the Planning Commission approve the application for the Preliminary Plan application subject to the following conditions to be revised and submitted to staff for acceptance:

1. Prepare and record a shared access agreement for the shared access easement between lots 1, 3, & 5. Prepare and record a shared access agreement between lots 4 & 6 from the proposed public local street. These requirements are outlined in Section C.5(4) of the underlying SPD-1 established by Ordinance 207-06. Depict record additional shared access or circulation agreements as needed.
2. The City Engineer review and approve the improvement plans per Engineering's requirements for traffic improvement, grading, and drainage issues.
3. Proceed with Final Plat and construction agreement process as outlined in Chapter 1167 of the City Code.

Present for the case was Jim Nilsen, President and Treasurer for Albrecht Inc. Also present was Scott Bickley, Senior Project Manager from OHM Advisors.

Mr. Nilsen stated there have been numerous situations internally and externally that have delayed this project over the years. Mr. Nilsen stated the major tenant, Acme Fresh Market, is dictating the timing of this project.

Mr. Nilsen stated gave a short history of the project. Mr. Nilsen stated there will be a cul-de-sac, not a dead-end or a round-about. Mr. Nilsen state this is the first segment of the internal roadway. Mr. Nilsen stated there are three access points, retail, office, and residential. Mr. Nilsen stated the plan is only providing access to the office space. Mr. Nilsen stated the retail access will come when Acme is developed off of Highpoint Drive. Mr. Nilsen stated this will allow emergency vehicles to get through to Highpoint Drive off of the round-about. Mr. Nilsen stated the third access point, which he cannot speak to because they do not own that parcel, will be decided at a later date and will complete the round-about configuration.

Mr. Bickley stated the outside pavement width of the round-about is 60 feet from the middle point of the cul-de-sac. Mr. Bickley stated the drive isle will be 20 feet to another roller curb and then another ten feet of pavement on the inside. Mr. Bickley stated, there will be a 30 foot path around the outside of the cul-de-sac. Mr. Bickley stated that should be more than adequate to handle a semi-truck if needed.

Mr. Gold asked the width of the curb cut on S. Court St. Mr. Bickley stated it is 36 feet, made for a one in and two out. Mr. Bickley stated it will be three lanes of traffic and designed to city standards. Mr. Gold expressed concerns that a semi will not fit.

Mr. Nilsen stated there are a few ways in for truck traffic. Mr. Nilsen stated one way if the curb cut off Rt. 3 and another is a right-in going down the side of the building.

Mr. Petrecca asked the applicant was asked to not connect to Highpoint in previous applications. Mr. Nilsen stated they were not asked not to but were not required to.

Mr. Nilsen stated they are only trying to create the Master Plan to meet the SPD standards. Mr. Nilsen stated his company will not be developing the residential part of the plan.

Mr. Becks stated he would like to see a simulation that a full length truck will fit.

Stan Scheetz, private property owner, commented. Mr. Scheetz stated he has no objections to the plan.

Mrs. Russell stated the Planning Commission will review this again for Site Plan Approval.

Mr. Becks made a motion to approve the preliminary Subdivision Plat for South Court Village Development on South Court Street, PP#028-19C-20-146 and 028-19C-25-306, Subject to the following:

1. Prepare and record a shared access agreement for the shared access easement between lots 1, 3, & 5. Prepare and record a shared access agreement between lots 4 & 6 from the proposed public local street. These requirements are outlined in Section C.5(4) of the underlying SPD-1 established by Ordinance 207-06. Depict record additional shared access or circulation agreements as needed.
2. The City Engineer review and approve the improvement plans per Engineering's requirements for traffic improvement, grading, and drainage issues.
3. Proceed with Final Plat and construction agreement process as outlined in Chapter 1167 of the City Code.
4. A simulation be shown to comply with the turning radius requirements of the Medina Fire Department

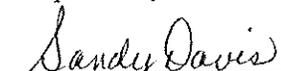
The motion was seconded by Mr. Petrecca.

Vote:

Grice	<u>Y</u>
Gold	<u>Y</u>
Russell	<u>Y</u>
Lash	<u>Y</u>
Becks	<u>Y</u>
Approved	5-0

Having no further business, the meeting was adjourned.

Respectfully submitted,


Sandy Davis


Rick Grice, Chairman
