



CITY of MEDINA

Planning Commission

Planning Commission Meeting

Meeting Date: May 14, 2015

Meeting Time: 7:00 pm

Present: Jerry Lash, Paul Rose, Rick Grice, Paul Becks, Bruce Gold, Sandy Davis, Administrative Assistant, Justin Benko (Associate Planner), Jonathan Mendel (Community Development Director)

Absent: None

Announcements: Mr. Mendel announced the Medina City Development Corporation is one of 50 quarter finalists in the Frontier Communications America's Best Communities prize.

Mr. Grice announced Case P15-11 will be presented last on the agenda.

Minutes: Bruce Gold made a motion to approve the March 12, 2015 minutes as submitted. Mr. Becks seconded the motion.

Vote:

Lash	<u>abstain</u>
Rose	<u>Y</u>
Grice	<u>Y</u>
Lash	<u>Y</u>
Becks	<u>Y</u>
Approved	4-1

Old Business: None

New Business:

1. P15-10 275 Forest Meadows Medina North Pointe, LLC SPA
Jonathan Mendel gave a brief overview of the case. Mr. Mendel stated this is a request For site plan approve for a parking lot expansion.

Mr. Mendel stated the application is located along the North Court commercial corridor adjacent to the intersection of North Court and Northland Drive. Mr. Mendel stated the proposal is for the Buehler's property. Mr. Mendel stated this is a request for a 21 space parking lot expansion for North Pointe Shopping Center on Buehler's property to better serve the tenants and customers on the south side of the shopping center.

Mr. Mendel stated there are currently approximately 175 parking spaces in the shopping center and this would increase it to 196. Mr. Mendel stated the applicant and Buehler's have worked together to create an easement.

Mr. Mendel stated the proposed project complies with the design review guideline 1109.04(c)(14).

Mr. Mendel stated there is no required landscaping buffer between the proposed parking expansion and the adjacent property, since both properties are commercially zoned and developed.

Mr. Mendel stated this project will provide more parking access to the south side of the North Pointe shopping center and reduce ad hoc parking and traffic congestion.

Mr. Mendel stated staff recommends the Planning Commission approve the Site Plan application.

Present for the case was Joe Migliorini, owner of property. Mr. Migliorini stated the additional parking would be on the south side of the building, adjacent to Buehler's. Mr. Migliorini stated with the widening of Route 42, they will be losing approximately 16 parking spaces in the front of the site. Mr. Migliorini stated this will help to remedy the loss of the spaces.

Mr. Migliorini stated the parking spaces will generally serve the drivers exam, auto title, and license bureau.

Mr. Lash asked if the agreement with Buehler's is in writing. Mr. Mendel stated it is not required to be in the staff file, however; Mr. Migliorini testified under oath to the existence of the agreement.

Mr. Migliorini stated he will provide documentation to Mr. Mendel. Mr. Becks asked if the agreement addresses long term maintenance. Mr. Migliorini stated yes, North Pointe will pave the area and incur the cost. Mr. Migliorini stated he has been maintaining that side of the lot for years anyhow.

Mr. Becks asked if the grading was reviewed by the City Engineer. Mr. Migliorini stated there are catch basins along that stretch. Mr. Migliorini stated the basins will catch the balance of the water as it flows off the new parking area.

Mr. Mendel stated he did not receive any comments from the City Engineer however, it is required that he review it before permits are issued.

Mr. Gold made a motion to approve the request for Site Plan Approval for 275 N. Court Street, Medina North Pointe, LLC, as submitted.

The motion was seconded by Mr. Rose.

Vote:

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

2. P15-12 N. Huntington Clover Construction PSPA
Jonathan Mendel gave a brief overview of the case. Mr. Mendel stated this is a request from Clover Construction Management for Preliminary Site Plan Review. Mr. Mendel stated this is a market rate senior housing development which went through review by the Planning Commission for rezoning and conceptual development plan and guidelines for a new SPD-2 (Special Planning District). Mr. Mendel stated the Planning Commission recommended this for approval in January of 2015 and was approved by City Council on March 23, 2015.

Mr. Mendel stated the procedure requirements for a SPD is a preliminary site plan review and then a final site plan review. Mr. Mendel stated the site is approximately 10.5 acres of vacant land which is part of the Pythian Sisters property. Mr. Mendel stated the process requires that the Planning Commission review the preliminary site plan to verify conformance with the approved conceptual development planning guidelines which were provided in the packets. Mr. Mendel stated the process has a number of items to be compliant. Mr. Mendel stated in reviewing those items, the preliminary plan is consistent with the conceptual plan.

Mr. Mendel stated the Fire Department commented on working with the developer to determine the locations of the hydrants and connections for the sprinkler system. Mr. Mendel stated they would also like confirmation of the site address. Mr. Mendel stated the parcel needs to be assigned by the Engineering Department.

Mr. Mendel stated the elevators need to be sized to accommodate an ambulance cot in a supine position.

Mr. Mendel stated the Sanitation and Street Departments have asked to provide locations and details of the proposed dumpster enclosures which will be on the final site plan.

Mr. Mendel stated the City Forester referenced the landscaping screen on the north side. Mr. Mendel stated the Forester commented to consider evergreens for screening along the Birch Hill side.

Mr. Mendel stated the preliminary plan conforms to the conceptual plan for every item. Mr. Mendel stated the next step is to come to the board for final site plan review.

Mr. Mendel stated staff recommends approval of the preliminary site plan as submitted.

Present for the case was Jon Sines with Polaris Engineering, 34600 Chardon Road, Suite D, Willoughby Hills, Ohio 44094. Mr. Sines stated he began looking at a final landscaping plan for the north property line and he may do a combination of deciduous shade trees for the maximum height and also the evergreens between them. Mr. Sines stated he will focus the deciduous trees on the two wings which is what the neighbors will see. Mr. Sines states he will put the evergreens for the year round screening.

Mr. Sines stated the Clover prototype has changed slightly. Mr. Sines stated they now use internal totes picked up by a maintenance man so there is no trash enclosure. Mr. Sines stated this will be reflected in the final site plan.

Mr. Grice stated that the applicant should still consult with the Sanitation Department regarding the proposed trash removal and how it is being picked up.

Mr. Sines stated the elevators are sized for a supine position.

Mr. Grice stated it follows the conceptual plan that was presented to the Commission a few months back. Mr. Lash stated at several of the previous meetings, the residents on Birch Hill Drive expressed concern about water run-off. Mr. Lash asked the applicant to take caution in construction time and after to make sure there are no issues with water run-off on Birch Hill Drive. Mr. Sines stated the watershed takes about 3 ½ acres from the southern portion of the property which also runs to the north. Mr. Sines stated currently those 20 lots or so get the bulk of the run-off of the 14 plus acres. Mr. Sines stated the city installed a 24 inch storm sewer in the northeast corner with two catch basins. Mr. Sines stated his calculations will show that they are significantly decreasing the amount of water flowing into there. Mr. Sines stated he is working with the City Engineer as they redesign the water and pavement of North Huntington to make sure they are sizing the storm sewer to accommodate this project to tie into North Huntington. Mr. Sines stated they are dry retention ponds.

Dr. Luann O'Connor, 111 W. Reagan Parkway, stated she thinks the proposal is a lovely use of the property. Ms. O'Connor asked what the effect on traffic will be on N. Huntington. Mr. Mendel stated the Engineering Department will be rebuilding N. Huntington to increase the road surface. Mr. Mendel stated the proposal is for 55+ senior housing which typically produces less traffic.

Mr. Sine stated there is a trip generation study in the plan which has addressed the traffic patterns. Mr. Sine stated the 55+ residents tend to drive at non-peak hours.

Mr. Rose asked where the land banked parking will be located. Mr. Sines stated they circle the building in the green space. Mr. Rose asked if the applicant has considered impervious pavement to reduce water run-off. Mr. Sines stated it is the equivalent of a retention pond and a retention pond is more feasible.

Mr. Becks made a motion to approve the preliminary site plan for N. Huntington, PP#028-19A-13-108 as submitted. The motion was seconded by Mr. Gold.

Vote:

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

3. P15-13 720 W. Smith Medina County Fairboard SPA

Justin Benko gave a brief overview of the case. Mr. Benko stated this is a request for a Site Plan approval for a new Medina Fairgrounds Office Building. Mr. Benko stated the Medina County Fairboard has submitted a site plan for a new 4230 sq. ft. office building and a parking lot. Mr. Benko stated the new “barn” style office will be constructed west of the current fairgrounds office building on the fairgrounds site. Mr. Benko stated the applicant has submitted a variance request for the May 14, 2015 Board of Zoning Appeals to delay the required paving of the parking lot until CDBG (Community Development Block Grant) funds become available.

Mr. Benko stated the new fairgrounds building will be located on a portion of W. Smith Road that has had notable improvements over the past couple of years. Mr. Benko stated the replacement of the fairgrounds office will continue the momentum of this section of W. Smith Road. Mr. Benko stated the proposed building has standing seam metal siding. Mr. Benko stated Section 1109.04(C)(10) of the Planning and Zoning Code suggests that such material should be discouraged from use. Mr. Benko stated in the context of the proposed building, the fairgrounds site and neighborhood, the use of a metal siding would be appropriate.

Mr. Benko stated staff recommends the applicant provide a site lighting plan as part of the building permit review addressing the horizontal foot-candle illumination throughout the site to determine compliance with Section 1145.09 (C) (Illumination of Parking Areas).

Mr. Benko stated the site has proposed a minimal level of landscaping around the parking lot with ample green space on site. Mr. Benko stated staff recommends a more detailed landscape plan at the time of building permit submittal.

Mr. Benko stated the applicant has proposed a gravel parking lot in front of the building. Mr. Benko stated staff suggests moving the building closer towards the road and placing the parking lot to the rear of the building. Mr. Benko stated although the property is zoned Public Facilities, the surrounding properties are all zoned industrial. Mr. Benko stated gravel parking is permitted behind the building on industrial zoned properties. Mr. Benko stated another viable option would be to reorient the building to incorporate the existing parking lot of the current office building.

Mr. Benko stated moving the building north so that the parking lot is located in the rear would provide for greater consistency to the neighborhood. Mr. Benko stated the driveway that runs between the existing Fair Board Office and the proposed location of the new building could serve as the driveway for the new building. Mr. Benko stated this would provide easy access to the new building and would reduce the need for an additional curb cut along W. Smith Road.

Mr. Benko stated with a total of eleven parking spots, the property does meet the parking space requirements outlined in chapter 1145.04.

Mr. Benko stated staff recommends site plan approval for the proposed project subject to the following conditions:

1. Subject to building permits from the Medina Building Department
2. Prior to issuance of a building permit, the applicant must provide a compliant site lighting and landscaping plan addressing the requirements of Section 1145.09(C) of the Planning and Zoning Code.
3. Adjust site plan to place the building on the north side of the site along the W. Smith frontage and locate parking lot in the rear of the building.

Present for the case was Michael Gall, Vice-President, Medina County Fairboard, 710 W. Smith Road.

Mr. Gall stated the parking lot location, if altered, would not work for their business. Mr. Gall stated the lot is not large enough. Mr. Gall stated they need the back of the building. Mr. Gall stated the lot ends up being split. Mr. Gall stated for security reasons, there is no front access during the fair week. Mr. Gall stated the Fair Directors access the building from the rear of the facility. Mr. Gall stated the front public part of the facility will have four ticket windows. Mr. Gall stated the new facility has an off grounds ticket window which splits the building so people can come without getting the 30 minute pass and entering the Fairgrounds, and get your tickets and leave. Mr. Gall stated they are using part of the back of the lot behind the building and the west side of the lot for storm water. Mr. Gall stated there are swales and storm drains through that area. Mr. Gall stated that is a low area right now and the remaining land around the building is being used for storm water. Mr. Gall stated most of the neighbors use front parking. Mr. Gall stated he feels it would not be detrimental to the neighborhood. Mr. Gall stated screening was provided for the parking lot. Mr. Gall stated gravel is a temporary situation as they

have until September of 2016 to pave the area. Mr. Gall stated it will be paved within the next 18 months.

Mr. Mendel stated after seeing the way the site functions, he is fine with the proposal.

Mr. Rose asked if recommendation number 3 in the staff report has been removed. Mr. Mendel stated he feels it is appropriate to remove that condition considering how the building is used.

Mr. Gold made a motion to approve the Site Plan as submitted subject to the following conditions:

1. Subject to building permits from the Medina Building Department
2. Prior to issuance of a building permit, the applicant must provide a compliant site lighting and landscaping plan addressing the requirements of Section 1145.09(C) of the Planning and Zoning Code.

The motion was seconded by Mr. Becks.

Vote:

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

4. P15-14 P.J. Marley's 119 Public Square CZC
Justin Benko gave a brief overview of the case. Mr. Benko stated this is a request For a Conditional Zoning Certificate for Outdoor Dining for P.J. Marley's Restaurant & Pub located at 119 Public Square.

Mr. Benko stated the site is located on the northern section of Public Square. Mr. Benko stated Second Sole Shoes & Apparel is located to the west and Eli's Kitchen is located to the east.

Mr. Benko stated the applicant has proposed the addition of a 493 sq. ft. outdoor dining deck for P.J. Marley's Restaurant. Mr. Benko stated the deck will seat approximately twenty-eight patrons and will provide a view of Bicentennial Park. Mr. Benko stated the outdoor dining will be accessed via the interior of the restaurant or via the existing ADA ramp. Mr. Benko stated Outdoor dining is a conditional use and requires approval by the Planning Commission. Mr. Benko stated the applicant is also seeking a Certificate of Appropriateness at the May 14, 2015 Historic Preservation Board meeting. Mr. Benko stated the Historic Preservation Board tabled the request subject to submittal of material samples.

Mr. Benko stated there are two existing lights that illuminate the ADA ramp. Mr. Benko stated the applicant may incorporate miniature string lights around the sides of the deck which should only nominally increase the ambient light level.

Mr. Benko stated the deck would be located off the rear of the building and would attach to the current ADA ramp. Mr. Benko stated the deck would require a revocable use permit with the City of Medina because it would be built upon a portion of property owned by the City of Medina.

Mr. Benko stated the applicant has not proposed any landscaping for the outdoor dining area.

Mr. Benko stated the deck is appropriately sited for the building to buffer sound. Mr. Benko stated the deck should provide a boundary for Bicentennial Park. Mr. Benko stated staff suggests the hours of operation be restricted from 7:00 a.m. to 11:00 p.m. Sunday – Thursday and 7:00 a.m. to 1:00 a.m. on Friday and Saturday.

Mr. Benko stated staff recommends the Planning Commission grant a Conditional Zoning Certificate subject to the following conditions:

1. Restrict the deck hours of operation to 7:00 a.m. to 11:00 p.m. on Sunday through Thursday evenings and 7:00 a.m. to 1:00 a.m. on Friday and Saturday evenings.
2. Contingent on Medina City Council approval of a revocable use permit to use city owned land.

Present for the case was Patty Stahl, owner of P.J. Marley's, 119 Public Square.

Mr. Rose asked if the Law Director has rendered an opinion on the revocable use permit. Mr. Mendel stated he put together a memo and sent it to the Law Director, Mayor, Parks Director, and City Engineer. Mr. Mendel stated it is being reviewed. Mr. Mendel requested comments back by tomorrow.

Mr. Lash asked the amount of city property that will be utilized. Mr. Mendel stated it is about two-thirds of the deck square footage.

Mr. Grice opened the public hearing at 7:50 p.m. and asked for comments in favor or in opposition to the proposal. Having no comments from the public, the public hearing was closed at 7:50 p.m.

Mr. Gold made a motion to approve a Conditional Zoning Certificate for 119 Public Square, P.J. Marley's, to allow outdoor dining. The approval is subject to the following conditions:

1. Restrict the deck hours of operation to 7:00 a.m. to 11:00 p.m. on Sunday through Thursday evenings and 7:00 a.m. to 1:00 a.m. on Friday and Saturday evenings.
2. Contingent on Medina City Council approval of a revocable use permit to use city owned land.

Mr. Lash seconded the motion.

Vote:

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

5. P15-11 City of Medina Citywide COM

Justin Benko gave a brief overview of the case. Mr. Benko stated this is a request from the City of Medina for a text amendment to Sections 1147.07(J) to allow full color LED signs.

Mr. Benko stated currently electronic message center signs, more commonly referred to as LED signs, are regulated by Section 1147.07(J) of the Medina Sign Code. Mr. Benko stated LED signs are conditionally permitted for ground signs in all districts; however, they are prohibited in the Historic District, TCOV, and Multi Use District. Mr. Benko stated Section 1147.07(J) limits frequency to not more than once every 30 seconds, the illumination of the sign, and limits the sign to only one color. Mr. Benko stated with the advancements in LED technology in recent years, the cost of LED signs is not as prohibitive as it was in the past. Mr. Benko stated the Board of Zoning Appeals has denied two variance requests within the past eight months to allow full color LED signs. Mr. Benko stated similarly, staff has received several inquiries concerning the possibility of full color LED signs.

Mr. Benko stated currently, only Medina and Brunswick limit color on the LED signs. Mr. Benko stated the Most Common LED Sign Concerns are the following:

- **Distracted Drivers:**
 - One of the primary concerns for granting full color LED signs is the possible distraction to drivers. A report completed by the US Department of Transportation, “found that the average length of time drivers spent looking at digital billboards was 379 milliseconds, compared to 335 milliseconds for standard signs.”
 - The study focused on Digital Billboards along a Highway.
 - Medina Planning and Zoning code section 1147.07(J) already limits the sign to change every 30 seconds, it is unlikely static, multi-color signs would increase distraction to drivers versus monochromatic signs.

- **Brightness:**
 - There is also a concern that full color LED signs would be too bright in the evening hours which could then distract drivers.
 - Medina Planning and Zoning code section 1147.07(J)(3) regulates that LED signs be equipped with photosensitive equipment to automatically adjust the brightness levels.
 - The International Sign Association recommends .3 foot candles over ambient lighting conditions.
- **Light Pollution:**
 - There is a concern that LED signs would create excessive light pollution from too many LED signs in any given area.
 - LED signs are conditionally permitted in section 1147.07 (J).
 - The foot candles produced by the sign would not be affected whether the sign is multi-color or monochromatic.

Mr. Benko stated while cities such as Fairlawn and Strongsville prohibit all LED signs, the cities of Medina and Brunswick appear to be among a small amount of cities that actually regulate color. Mr. Benko stated a majority of city sign codes that were reviewed by staff allow full color signs with varying limits on frequency of change for each frame. Mr. Benko stated all cities reviewed prohibit moving or oscillating frames and/or animations.

Mr. Rose feels this will be a good change. Mr. Becks stated there is another section of the code regarding externally illuminated signs that does not allow for LED lighting. Mr. Becks asked the staff to look at Section 1147.07(b)(2) which currently permits 150 watt metal halide tungsten halogen or incandescent lamp. Mr. Becks stated it is not directly related to the full color LED, that section of the code should be brought up to standards as well.

Mr. Becks stated 150 watt is incredibly bright so he suggests updating this section. Mr. Becks stated LED up-lighting is must less obtrusive than the options listed. Mr. Becks stated the light output should be viewed as lumens rather than wattage.

Mr. Mendel the code can be interpreted to be limited to a maximum.

Mr. Rose stated 150 watt halide light is much brighter than 150 watt incandescent light. Mr. Rose stated he agrees with Mr. Becks to look at the amount of lumens for the amount of light as opposed to how much power is being used to make the light.

Mr. Mendel stated he can look at the code and come back to the Commission with a suggestion.

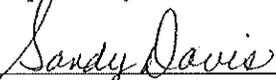
Mr. Gold made a motion to approve the text amendment to Sections 1147.07(J) allowing full color LED signs as submitted.

The motion was seconded by Mr. Rose.

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

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Rick Grice, Chairman