

July 9, 2020 Planning
Commission packet –
case P20-08

MEETING DATE: 7-09-20

PLANNING COMMISSION

**Case No. P20-08
1125 Wadsworth Rd.**



CITY of MEDINA
Planning Commission
July 9, 2020 Meeting

Case No: P20-08

Location: 1125 Wadsworth Road (at the City boundary)

Applicant: KMK Development, LLC

Subject: Special Planning District Rezoning – Conceptual Development Plan and Guidelines

Zoning: R-1, Low Density Urban Residential

Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

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. The subject site is the eastern 6.01 acres of a total 6.95 acres currently owned by the applicant. 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

Proposal:

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

Background:**Purpose of a Special Planning District****Section 1114.01 of the Planning and Zoning Code:**

The purpose of the Special Planning District is to regulate the development and use of property in areas of the City that contain sensitive or unique environmental, historic, architectural, or other features which require additional protections and flexibility not provided through the application of the standard zoning district regulations, and to promote creative and sensitive site planning. It is the intent of this chapter to provide for a district which will permit a greater range or mixture of compatible uses in areas than would be allowable in the standard zoning classifications of this Zoning Ordinance while also requiring features that protect against negative impacts of incompatible land uses or harm to the environment. It is the purpose of these regulations to provide an effective method for the City to guide the development of such areas so as to preserve such unique characteristics or to provide for the greater range or mixture of land uses when appropriate.

The applicant appears to propose the development as a Special Planning District (SPD) in order to address the above purpose for this particular site given the existing context.

Please find attached to this report:

1. Applicant's Conceptual Development plans and guidelines received June 15, 2020
2. 2007 City of Medina Comprehensive Plan Update – Future Land Use Map (the entire City generally and the subject property and its immediate vicinity specifically.
3. Aerial photograph with City of Medina Zoning Districts overlay

Requirements for Establishing a SPD

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.*

Conceptual Development Plan and Guidelines – Section 1114.05

A SPD proposal requires the following items:

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

2007 City of Medina Comprehensive Plan Update – Future Land Use Map:

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.

Legislative Review Process to Create a SPD:

A SPD has a Conceptual, Preliminary and Final review process. 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. The SPD, if approved by the City Council, will replace the underlying zoning.

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.

City Department Comments:

City Engineer Approval: Comments attached 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.

General Discussion:

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.

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.

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. Also, 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.

Next Step:

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).

MEMO

June 24, 2020

To: Jonathan Mendel
From: Patrick Patton
Re: Proposed KMK Development on Asherbrand Drive
Preliminary Traffic Analysis

The owners of the proposed multi-family development located in the City of Medina between Asherbrand Drive and Wadsworth Road have submitted a preliminary traffic analysis for the development. This analysis focused on the impact of potential traffic generated at the intersection of Wadsworth Road and Sturbridge Drive. The analysis assumed the development would include a total of 62 units, with 48 accessing the property via Asherbrand Drive and 14 accessing from Wadsworth Road.

The analysis concluded that there would be a minimal increase in delay due to the proposed development. Further, all future levels of service remained the same as in the no build condition.

The analysis also concluded that a left turn lane was warranted for both northbound and southbound movements in the afternoon peak hour for both the no build and build conditions.

After review, I have no objection to the findings presented in the report. I would recommend that the applicant be required to review the anticipated traffic volume entering and exiting the property off of Wadsworth Road to determine if improvements to Wadsworth Road (left and/or right turn in lanes) would be required.

Applicant's
Conceptual
Development plans
and guidelines
received June 15,
2020

JUN 15 2020
PT: 

KMK Development, LLC

1125 Wadsworth Road Development PPN: 028-19D-14-005 and PPN: 02819D13163

Special Planning District No. 3 ("SPD-3")

Statement

KMK Development, LLC

260 Ryan Road, Seville Oh 44273

Phone: (330) 769-3161 Email: Brian Phillips bjphillips2005@gmail.com

Charter Number: 1730946

Attorney: Theodore J. Lesiak, Roderick Linton Belfance LLP

50 South Main Street, 10th Floor, Akron, Ohio 44308

Phone: (330) 434-3000 Email: tlesiak@rlblp.com

KMK Development, LLC ("KMK") was established in 2007 and is headquartered in Seville, Ohio. KMK is co-owned by four brothers and sisters who grew up in Medina and graduated from Medina High School. Kent Phillips and Merae Whitmyer still live in Medina County, and Brian Phillips is a lifelong resident of the City.

The development goal is to create a Special Planning District ("SPD") that would allow for the completion of Asherbrand Drive and utilize the natural advantages and challenges on the existing parcels of land. The ultimate goal is to combine the two parcels into a new SPD. The development will include a completed Asherbrand Drive, a new .38 acre single family lot on the west side of roadway, and a new secluded rental community on the combined 6.01 acres to the east of roadway continuing east to Wadsworth Road.

With the filing of this application, KMK desires conceptual approval for the new SPD. Upon receipt of conceptual approval, KMK will move forward with design and engineering work for a major subdivision and preliminary SPD approval which will include the building design and circulation plan.

- | | |
|--|--|
| 1. Present Use of Land | Vacant |
| 2. Present Zoning District | R-1 |
| 3. Proposed Use | Multi-Family Residential - Apartment Buildings
Conceptual Plan Attached |
| 4. Proposed SPD Zoning District | |
| 5. Requirements for Establishment of SPD 1114.04 | |

(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.

6. Status of Uses 1114.06

Permitted Uses – Row houses, townhouses, duplexes, single family homes, apartment buildings

Accessory Uses – building and structures customarily incidental to any of the principal permitted uses on the same lot therewith.

7. General Development Guidelines 1114.07

A. 62 units on a 5.777-acre parcel (density is 10.73 units per acre)

B. Apartments to be comprised of up to 10 apartment buildings.

Plan will accommodate a combination of 12-20 units accessible from Wadsworth Road, and 40-48 units accessible from Asherbrand.

Buildings will be 1, 2, or 3 story units.

Each building will house 6-8 apartments.

Units will be 1- or 2-bedroom units.

C. Proposed parking = 2 per unit + 1 per 5 units for visitor parking.

D. Wood - framed construction -Open web floor joists -Engineered trusses.

E. Building facades to be determined in preliminary planning phase. All design elements will be equal to or superior to current design standards and elements found in adjoining properties.

F. Site Design Elements

20% net area of Common Open space. Common open space shall be permanent by restrictive covenant by deed to HOA or maintained by company with agreement to offer to the city if dissolved.

Full pedestrian access to public right of ways.

Landscaping will be designed to maximize vegetative buffer between zoning district changes.

Additional foundation and site landscaping per developer requirements.

Storm Water Quality and Quantity management system per Medina and OEPA.

G. Building and Parking setbacks:

Building: North Property Line= 10'min.

Building: South Property Line= 10' min.

Building: East Property Line= 40'min.

Building: West Property Line= 40' min.

Driveways off Asherbrand Drive and Wadsworth Road are planned to be 10' minimum from adjacent property lines.

H. Utilities Underground

7. Adjacent Properties in Medina City

Frank A. Fazio

PPN 028-19D-14-004 1105 Wadsworth Road, Medina, Ohio 44256

Brian Zufra

PPN 028-19D-14-124 900 Wadsworth Road, Medina, Ohio 44256

Valerie Saleme

PPN 028-19D-14-123 1116 Wadsworth Road, Medina, Ohio 44256

Michael and Beverly Thur

PPN 028-19D-14-122 1124 Wadsworth Road, Medina, Ohio 44256

Kyle & Melissa Kalessa

PPN 028-19D-14-014 and 028-19D-14-015 901 Wadsworth Road, Medina, Ohio 44256

Trudy and Robert Firestone

PPN 028-19D-13-161 1118 Asherbrand Drive, Medina, Ohio 44256

Rupert and Nancy Bittner

PPN 028-19D-13-155 472 Cambridge Drive, Medina, Ohio 44256

Christopher and Kiara Sheldon

PPN 028-19D-13-164 1117 Asherbrand Drive, Medina, Ohio 44256

Jeremy and Julie Teubner

PPN 028-19D-13-048 1116 Kempton Oval, Medina, Ohio 44256



May 21, 2019

Mr. Brian Phillips
KMK Development, LLC
260 Ryan Road
Seville, Ohio 44273

Mr. Phillips,

Below is a letter report for the preliminary traffic analysis of the Sturbridge Drive and Wadsworth Road intersection.

Euthenics was retained by KMK Development, LLC to conduct a traffic impact study for the proposed development at 1125 Wadsworth Road in Medina, Ohio. The purpose of this study is to estimate the potential impact the proposed development will have at the intersection of Wadsworth Road and Sturbridge Drive. At the study intersection, Wadsworth Road is two lanes and has a speed limit of 35 MPH. Wadsworth Road runs north and south and has free flowing conditions. Sturbridge Drive runs east and west with two lanes, a speed limit of 25 MPH, and is stop controlled at the intersection.

The proposed development would be divided by a stream without a crossing. One portion of the proposed development would have direct access to Wadsworth Road. The other portion would have direct access to Asherbrand Drive which would eventually distribute traffic to Sturbridge Drive. The following anticipated use and quantity of dwellings was provided by KMK Development, LLC. The proposed development will consist of 48 apartments that have access to Asherbrand Drive and 14 apartments that have access to Wadsworth Road.

Existing traffic counts were obtained from the NOACA Technical Memorandum – Signal Warrant Analysis - Wadsworth Road and Sturbridge Drive Dated September 2017. Volumes from this study showed a morning peak hour from 7AM to 8AM and an afternoon peak hour from 5PM to 6PM. Both of these times periods were analyzed for this study.

In order to analyze future traffic under build conditions, generated traffic from the proposed development was estimated. The Institute of Traffic Engineers (ITE) Trip Generation Manual 10th Edition was used to estimate the generated traffic in trips entering and exiting the facility at each access location. These volumes were then used to estimate the traffic growth per movement at the intersection of Wadsworth Road and Sturbridge Drive.

Estimated generated traffic volumes for the morning peak hour came to 23 trips for the access to Asherbrand Drive and 7 trips for the access to Wadsworth Road. The generated traffic volumes for the afternoon peak hour were slightly higher at 27 trips for the access to Asherbrand Road and 8 trips for the access to Wadsworth Road. See Table 1 and Table 2 for more detail on the trip generation data. Anticipated generated traffic volumes were distributed to the study intersection by movement based on the existing traffic distributions. See Tables 3-5 for traffic distribution by street.

OFFICERS

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Mr. Brian Phillips
May 21, 2019
Page 2

The most recent version of Highway Capacity Software (HCS) was used to calculate the delay and level of service for the No-Build and Build condition at the study intersection. The following table shows a comparison of the delay and level of service (LOS) produced for each scenario. The lowest level of service acceptable is D.

Intersection Level of Service

	AM				PM			
	No Build		Build		No Build		Build	
	Delay (s/veh)	LOS						
Northbound	0.4	A	0.4	A	1.2	A	1.2	A
Southbound	0.3	A	0.3	A	0.9	A	0.9	A
Eastbound	20.3	C	21.0	C	31.5	D	32.7	D
Westbound	17.9	C	18.1	C	29.9	D	31.1	D

The results from the HCS analysis showed a minimal increase in delay due to the proposed development. All levels of service remained the same as the no build condition and were acceptable.

Analysis was performed for both left turn and right turn lanes for each leg of the intersection for both time periods. Results showed that a northbound left turn lane and southbound left turn lane are warranted for the afternoon peak hour for both the No Build and Build conditions. A copy of the turn lane warrant analyses have not been included with this letter report but can be obtained from Euthenics upon request.

This study showed that there was no significant degradation in intersection level of service. Additionally, the results of the turn lane analysis was the same for the no build and build conditions.

Tables 1 through 5 have been attached to this letter. Additionally, existing and estimated proposed traffic volumes are attached.

Sincerely,



Alan R. Piatak, P.E.

Proposed Trip Generation

Table 1. Weekday Morning Trip Generation Data

Anticipated Use	ITE Land Use		Rate per Dwelling Unit	% entering	% exiting	Trips Generated	Entering Trips	Exiting Trips
	Proposed Dwelling Units	Description						
Apartments (Access to Asherbrand Drive)	48	Multifamily Housing (Low-Rise)*	0.46	23	77	23	5	18
Apartments (Access to Wadsworth Road)	14	Multifamily Housing (Low-Rise)*	0.46	23	77	7	2	5
Total Units	62					30	7	23

Note: Used Weekday Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 AM

*Low-Rise was assumed. Values were higher than Mid-Rise.

Table 2. Weekday Afternoon Trip Generation Data

Anticipated Use	ITE Land Use		Rate per Dwelling Unit	% entering	% exiting	Trips Generated	Entering Trips	Exiting Trips
	Proposed Dwelling Units	Description						
Apartments (Access to Asherbrand Drive)	48	Multifamily Housing (Low-Rise)*	0.56	63	37	27	17	10
Apartments (Access to Wadsworth Road)	14	Multifamily Housing (Low-Rise)*	0.56	63	37	8	5	3
Total Units	62					35	22	13

Note: Used Weekday Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 PM

*Low-Rise was assumed. Values were higher than Mid-Rise.

Table 3. Traffic Distribution for Wadsworth Road

	Northbound	Southbound
Wadsworth Rd - Existing Traffic Distribution		
AM	460	267
PM	450	409
Estimated Traffic Distribution To/From Access Drive		
AM	3	1
PM	2	2
		37%
		48%

Table 4. Traffic Distribution for Asherbrand Drive

	Northbound	Southbound
Asherbrand Drive - Estimated Traffic Distribution*		
AM	-	-
PM	-	-
Estimated Traffic Distribution To/From Access Drive		
AM	11	2
PM	5	8
		37%
		48%

*Traffic distribution for Asherbrand Drive was assumed to be the same as Wadsworth Road.

Table 5. Traffic Distribution for Sturbridge Drive

	Eastbound	Westbound
Sturbridge Drive - Existing Traffic Distribution		
AM	123	68
PM	75	145
Estimated Traffic Distribution To/From Access Drive		
AM	7	1
PM	2	5
		36%
		66%

Sturbridge Drive Wadsworth Road
Traffic Volumes

Traffic Volumes from Neaca Technical Memorandum - Signal Warrant Analysis - Wadsworth Road and Sturbridge Drive Dated September 2017

Morning Peak Hour - Existing Traffic Counts															
START TIME	Southbound			Westbound			Northbound			Eastbound			TOTALS		
	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT		PED	
TOTAL:	6	219	20	12	33	31	15	425	20	20	67	36	0	0	904

Additional traffic added to the intersection:											
Southbound			Westbound			Northbound			Eastbound		
LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT
0	1	0	0	1	0	0	3	0	1	4	2

Morning Peak Hour - Estimated Proposed Traffic Counts															
START TIME	Southbound			Westbound			Northbound			Eastbound			TOTALS		
	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT		PED	
TOTAL:	6	220	20	12	34	31	15	428	20	21	71	38	0	0	916

Afternoon Peak Hour														
START TIME	Southbound			Westbound			Northbound			Eastbound			TOTALS	
	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT		PED
TOTAL:	31	381	59	12	45	19	41	387	22	16	43	16	1	1072

Additional traffic added to the intersection:											
Southbound			Westbound			Northbound			Eastbound		
LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT
0	2	2	0	2	0	1	2	0	0	2	0

Afternoon Peak Hour - Estimated Proposed Traffic Counts														
START TIME	Southbound			Westbound			Northbound			Eastbound			TOTALS	
	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	LEFT	THRU	RIGHT		PED
TOTAL:	31	383	61	12	47	19	42	389	22	16	45	16	0	1083

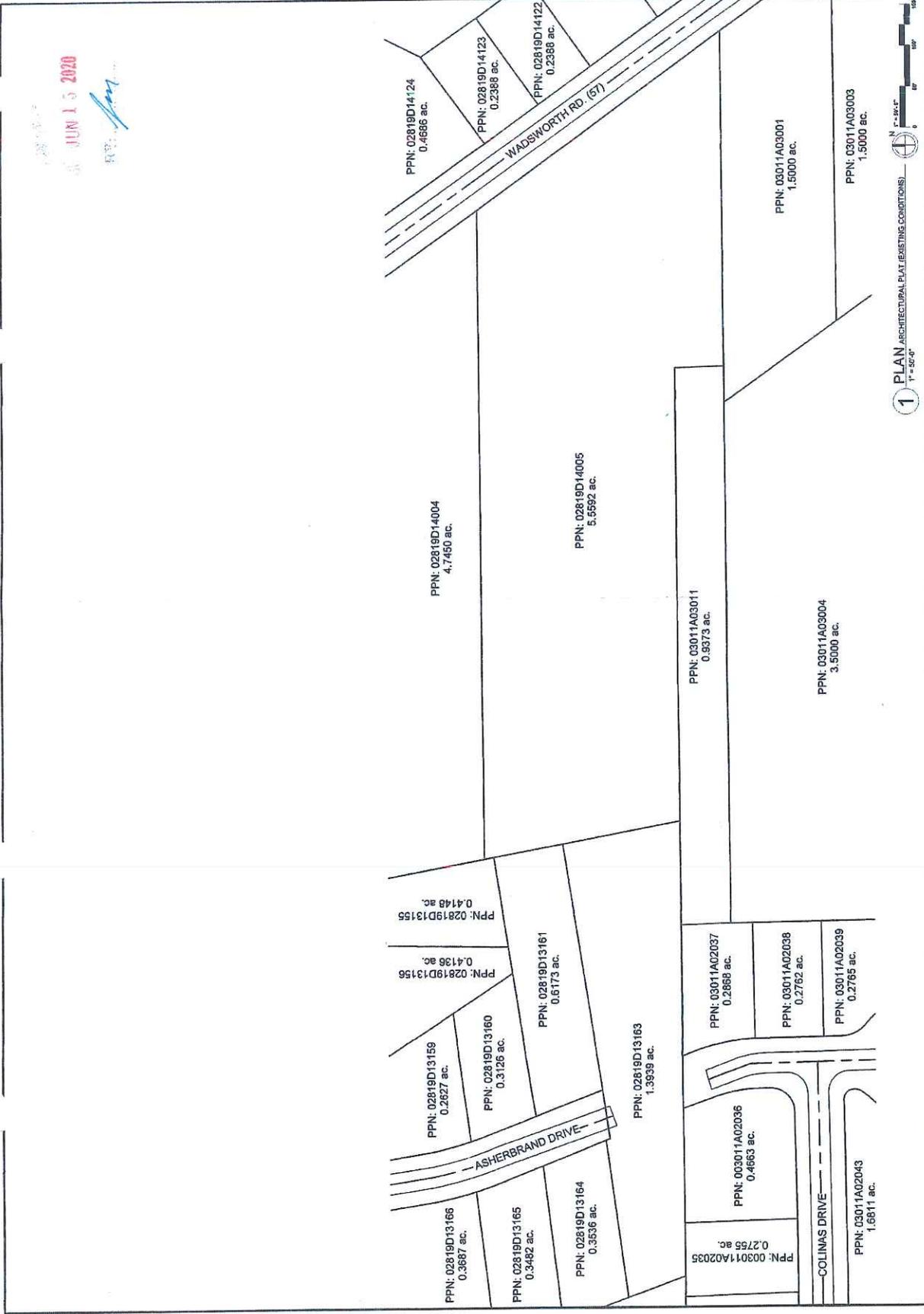
PRELIMINARY
 NOTE!!!
 THIS DRAWING IS NOT
 FOR CONSTRUCTION

REVISIONS

MPG ARCHITECTS
 MANN - PARSONS - GRAY
 3660 Embassy Parkway
 Fairlawn, OH 44333
 phone 330.666.5770
 fax 330.666.8812
 mpg-architects.com

KMK APARTMENTS
 PROJECT # 11217
 DATE: APRIL 7, 2020
 ARCHITECTURAL PLAT PLAN (EXISTING)

AS1
 1 OF 2



JUN 15 2020

PRELIMINARY

NOTED FOR CONSTRUCTION
THIS PLAN IS NOT FOR CONSTRUCTION

REVISIONS

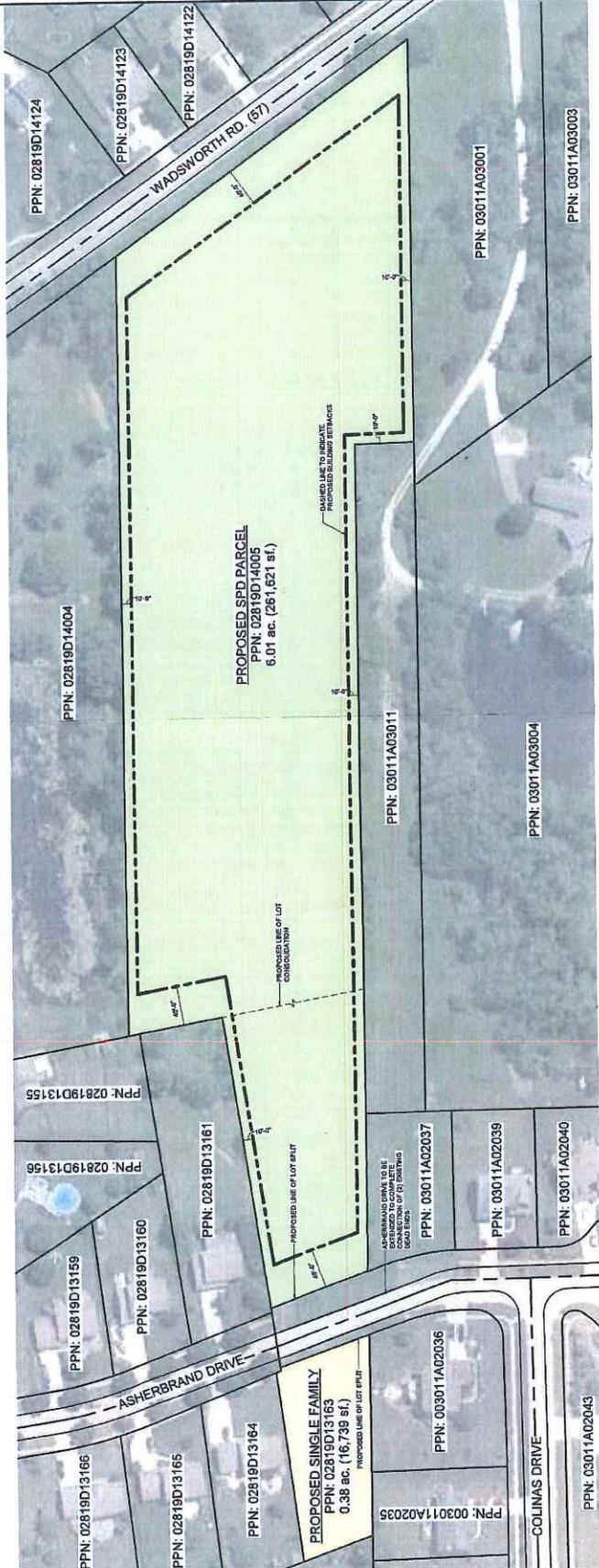
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MANN - PARSONS - GRAY
3860 Embassy Parkway
Fairborn, OH 44333
phone 330.666.5770
fax 330.666.8912
mpg-architects.com

PROPOSED LOT SPLIT / CONSOLIDATION
PROJECT #: 11217
DATE: MAY 22, 2020
KMK APARTMENTS
WADSWORTH ROAD
MEDINA, OH 44256

AS2
2 OF 2

GENERAL DEVELOPMENT GUIDELINES:

- SITE CLASSIFICATION = R-1 LOW DENSITY URBAN RESIDENTIAL
- A. 62 UNITS ON 6.01 ACRE PARCEL (DENSITY IS 10.32 UNITS PER ACRE)
 - B. APARTMENTS TO BE COMPRISED OF UP TO (08) APARTMENT BUILDINGS
PLAN WILL ACCOMMODATE A COMBINATION OF 1,200 UNITS ACCESSIBLE FROM WADSWORTH ROAD, AND 40-48 UNITS ACCESSIBLE FROM ASHERBRAND DRIVE.
EACH BUILDING WILL HOUSE 6-8 INDIVIDUAL APARTMENTS
UNITS WILL BE 1 OR 2 BEDROOM UNITS
 - C. PROPOSED PARKING = 2 SPACES PER UNIT + 1 SPACE PER 5 UNITS FOR VISITOR PARKING
 - D. CONSTRUCTION IS TO BE WOOD FRAMED
OPEN WEB FLOOR JOIST
PRE-ENGINEERED WOOD ROOF TRUSSES
 - E. BUILDING FOOTINGS TO BE FOUNDATION OR SUBMIT TO CURRENT DESIGN STANDARDS AND ELEMENTS FOUND IN ADJACENT PROPERTIES.
 - F. SITE DESIGN ELEMENTS:
 - 1. ZONING DISTRICT CHANGES
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1 PLAN CONCEPTUAL ARCHITECTURAL SITE
1" = 50'-0"

2007 City of Medina
Comprehensive Plan
Update – Future Land
Use Map (the entire City
generally and the subject
property and its
immediate vicinity
specifically).

Map 8 Future Land Use

11/13/2006

City of Medina, Ohio

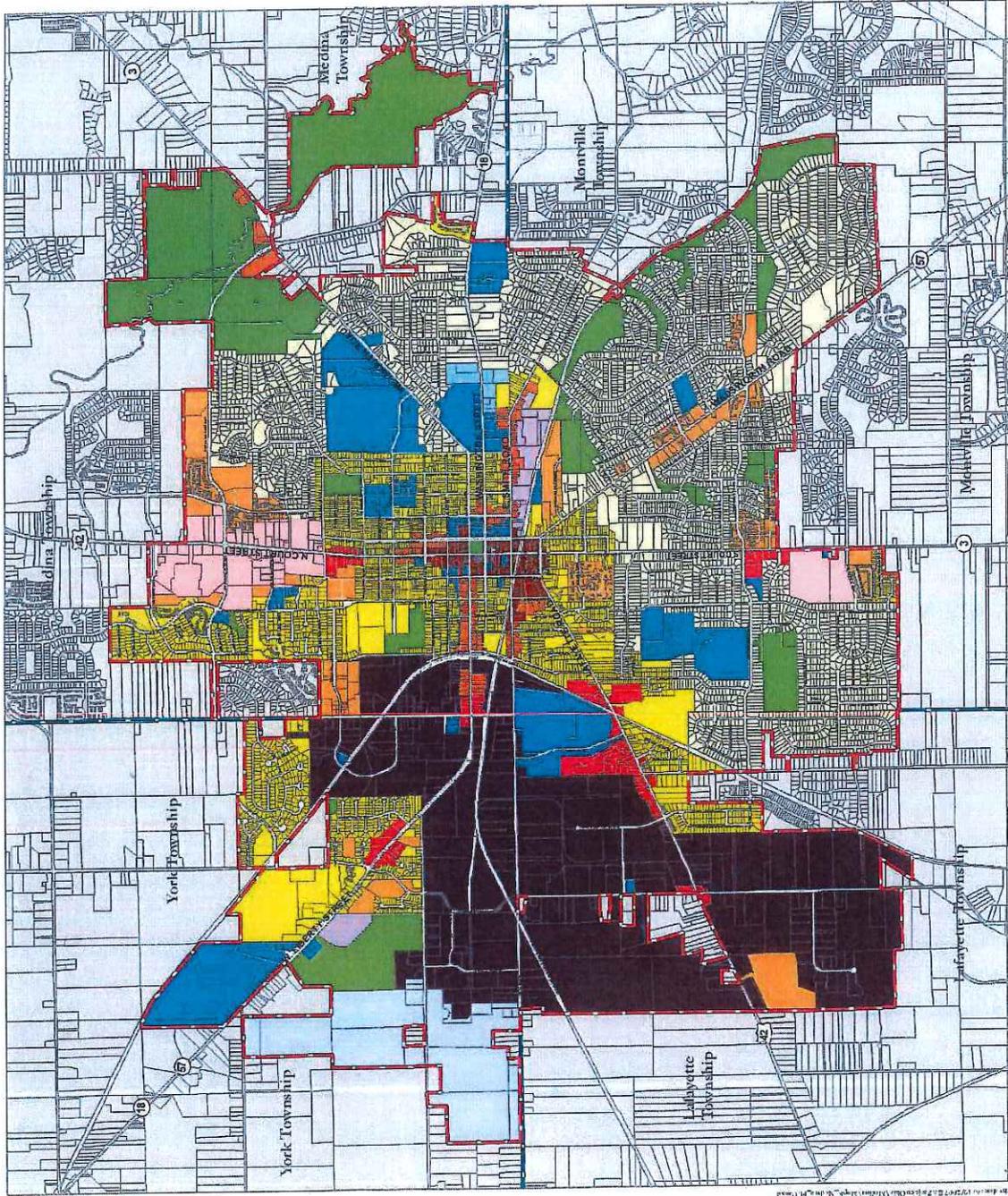
Future Land Use

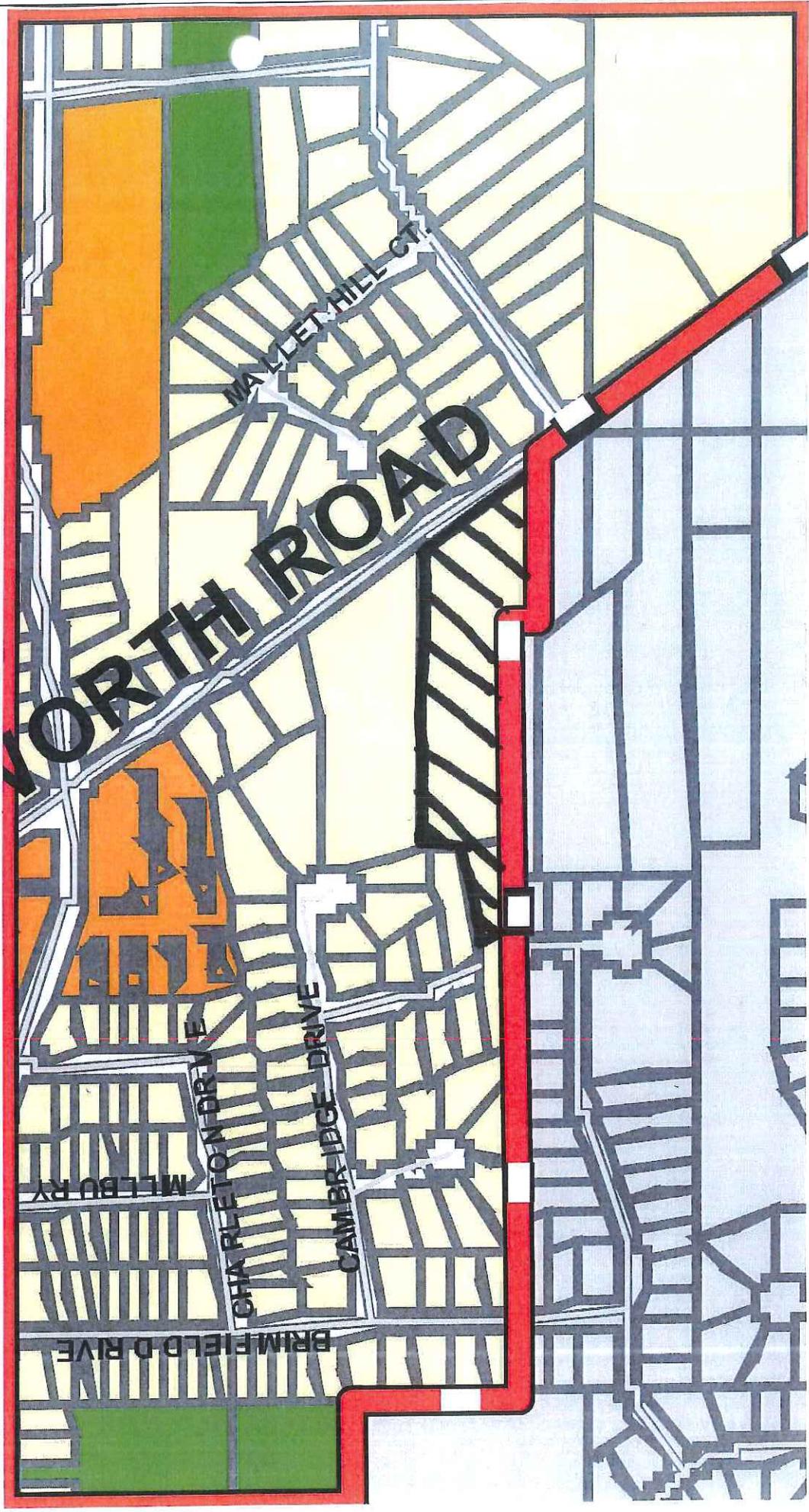
- Residential Low Density
- Residential Medium Density
- Residential High Density
- Mixed Use
- Central Business District
- Thoroughfare Commercial
- Planned Commercial
- Restored Office
- Office / Technology
- Light Industrial
- General Industrial
- Public Facilities
- Conservation / Recreation
- Municipal Boundary
- Township Boundary
- Surrounding Area



Base Map Source: Medina County GIS, 2005
Data Source: McKenna Associates, Incorporated, 2006.

McKenna
ASSOCIATES
INCORPORATED





NORTH ROAD

MALLETT HILL CT

CHAFFETON DRIVE

CAMBRIDGE DRIVE

BRIMFIELD DRIVE

MELBURY

Aerial photograph
with City of Medina
Zoning Districts
overlay

P20-08
1125 Wadsworth
Rezone
R-1 to SPD
July 9, 2020



1 inch = 200 feet

R-1

WADSWORTH RD

Subject Site

R-1

Montville Township

ASHERBRAND DR

CAMBRIDGE DR

ASHERBRAND DR

COLINAS DR

CHARLETON DR

KEMPTON OVAL



July 9, 2020 Planning
Commission meeting
minutes – case P20-08



CITY of MEDINA

Planning Commission

Planning Commission Meeting

Meeting Date: July 9, 2020

Meeting Time: 5:30 pm

Present: Bruce Gold, Rick Grice, Andrew Dutton, Brian Hilberg (alternate), Paul Rose, Jonathan Mendel (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: Monica Russell

Mr. Gold made a motion to accept the minutes from the June 14, 2020 Planning Commission as submitted. The motion was seconded by Mr. Rose.

Vote:
Dutton Y
Grice Y
Gold Y
Hilberg abstain
Rose Y
Approved 4-1

Announcements: There were no announcements

The Court Reporter swore in all attendees.

~~Mr. Grice announced the Board will hear Case P20-09 first.~~

New Business:

~~1. P20-09 Gionino's 203 W. Lafayette COA/TCOV
Mr. Mendel gave a brief overview of the case. Mr. Mendel stated the property is zoned C-2, Central Business District and is also in the Transitional Corridor Overlay District. Mr. Mendel stated the property is located at the northwest corner of Lafayette Road and S. Elmwood Avenue.~~

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, it 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.

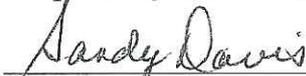
Mr. Mendel stated the applicant can request it be continued or the board can vote now. Mr. Grice stated he does not consider this "conceptual". Mr. Grice stated it does not show anything but just has a narrative stating what they would like but it does not point out any of the property features. Mr.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

Public comment letters

Jonathan Mendel

From: C Eric Funston <ericfunston@mac.com>
Sent: Sunday, August 23, 2020 9:01 AM
To: Dennis Hanwell; John Coyne; Jessica Hazeltine; Dennie Simpson; Eric Heffinger; Jim Shields; Paul Rose; Bill Lamb; Jonathan Mendel
Subject: Special Planning District Rezoning Application, Case No. P20-08, 1125 Wadsworth Rd.

Dear Mayor Hanwell, City Council Members, and Staff:

I have recently learned that a builder named Brian Phillips, dba KMK Development LLC, has submitted an application to the City of Medina for a "special planning district" designation to allow him to build a 62-unit apartment complex on the west side of Rte 57 south of Sturbridge (Case No. P20-08, 1125 Wadsworth Road). The proposed complex would also be accessible from Asherbrand Drive in Marisol Estates. (I live on the cul-de-sac of Asherbrand south of Colinas.)

At 10.3 units per acre, Mr. Phillips' scheme would exceed the highest residential density allowable in Medina (R-4 at 8 units per acre) and be completely out of character with the surrounding R-1 (single-family detached houses) neighborhoods.

In my opinion, contrary to the traffic study Mr. Phillips has bought and paid for, it would likely also significantly impact traffic flow along Rte 57 and in the Sturbridge, Marisol Estates, and Lexington Ridge neighborhoods. Those coming and going through the proposed Asherbrand access would probably also utilize Colinas, a street ill-suited to such increased traffic and one along which many children play, ride bicycles, etc. In addition, many adults in the area use Colinas and Asherbrand as part of their daily walking or running route. Mr. Phillips' proposal would greatly increase the traffic on this narrow residential street and endanger these children and pedestrians.

From a purely economic standard, it is very likely Mr. Phillips' proposed apartment complex would decrease property values in the area, both within and without the city limits, to the detriment of residents of the city and surrounding townships.

As you've no doubt discerned, I am opposed to this project, but not being a Medina City resident I have no standing or voice to make objection (my home is in Montville Township and, as I said, is very near to the proposed development). I raised Mr. Phillips' proposal in an internet neighborhood discussion group, and it appears to be universally disfavored those who live in the area, both city residents and those of us outside the city limits.

I urge the Medina City Council and the city's Planning Department to disallow the proposal, Case No. P20-08.

Sincerely,
The Rev. Dr. C. Eric Funston
Retired
Former rector, St. Paul's Episcopal Church, Medina

Jonathan Mendel

From: Candi Baumann <princess_rn@sbcglobal.net>
Sent: Sunday, August 23, 2020 12:08 PM
To: Jonathan Mendel
Subject: Wadsworth rd apartments

Dear Mr. Mendel,

I was just made aware of the proposed building of an apartment complex on Wadsworth rd. I am adamantly against this build. My property is directly next door to the propose build. I moved to Medina for the peaceful aesthetic it possessed. Cramming 130+ people into a 5 acre parcel will look horrible. This would be in the middle of single family homes, disrupt traffic flow, lower our property values. Medina has many other areas to build such a project. Please don't let the art of "making money" ruin this Beautiful and peaceful city.

Sincerely,
Candi Baumann
5800 Wadsworth rd
440-655-8654

Sent from my iPhone

Jonathan Mendel

From: Susan Hudson <sailingcnm@gmail.com>
Sent: Monday, August 24, 2020 8:58 AM
To: Dennis Hanwell; Patrick Patton; Jonathan Mendel; Daniel Gladish; Eric Heffinger; Paul Rose; Bill Lamb
Cc: Diann Heck
Subject: Case No. P20.08. 1125Wadsworth Rd.

Dear gentlemen,

I am writing to express my concern about the proposed building of a 62 unit apartment complex on the south side of Medina. The builders, KMK Development, LLC, have requested rezoning of the space to allow this high density complex to be built in an area that has already been diminished by excessive building.

The traffic from the building on the south end has created horrible congestion going north. The schools are already overcrowded. The nature of high density occupancy includes transience and instability. While there is literature to support and refute all of these concerns, the studies are all from major URBAN areas. Ergo, the data makes no sense when trying to apply it to a small community.

The charm of Medina, which has kept my family here for over 35 years, is that it is a small, EXURBAN community. If we wanted to live in an urban area, I would most assuredly be in Cleveland. The attraction of Medina is (and always has been) its community feel and its tight-knit nature.

While one complex does not necessarily change the balance as much as I am suggesting, your willingness to make exceptions to codified building codes can only lead to future requests. I only wish I had faith in the city to curb developers in our town. Sadly, I have seen the likes of Jim Burson, Jim Navritil, the Gerspachers and so many others simply railroad our community leaders to build anywhere they can for whatever profit they can procure at the expense of anyone who may oppose them.

Please use common sense when considering this rezoning request. I stand in opposition to this request.

Sincerely,
Susan J Hudson
607 Falling Oaks Dr.
Medina, OH. 44256

Jonathan Mendel

From: Terri Hayes <thayes44256@gmail.com>
Sent: Monday, August 24, 2020 11:39 AM
To: Dennis Hanwell; John Coyne; Jessica Hazeltine; Dennie Simpson; Eric Heffinger; Jim Shields; Paul Rose; Bill Lamb; Jonathan Mendel
Subject: Apartment Proposal

Good Morning,

I'm writing with regard to a project I recently learned about submitted by Brian Phillips, KMK Development, LLC. As I know you're all aware, residents of Montville Township who live along the border with the city of Medina are not at all happy to know that Mr. Phillips has proposed building an apartment complex in close proximity to our properties. There are a number of reasons we don't like the project.

- The project requires that the property be re-designated as a Special Planning District, exceeding Medina's highest classification for residential living areas, R-4. It's my understanding that Mr. Phillips presented his project to the Montville Township Zoning Office, as he also owns property within their boundaries. I'm told that Mr. Phillips was told "it wasn't what Montville Township considered appropriate and in keeping with the existing properties in the area."
- The project requires completion of two sections of Asherbrand Drive that are currently separated by a lot owned by Mr. Phillips. Building the apartments and completing the road would mean Colinas Drive would no longer end in a cul de sac. It would connect to Asherbrand and would become an instant throughway between SR 57 and SR 3. Colinas Drive is home to many elementary and middle school children who ride bicycles and scooters, play games, and participate in other activities in relative safety, because they live on a dead end street. High volume traffic was not a consideration when families purchased homes on our street; in fact, many of us bought here BECAUSE it's a dead end street that discourages cars/drivers who don't live here, and more importantly, naturally slows the speed of vehicles traveling our street.
- Several years ago Guilford Blvd was re-designated "No Parking" on both sides because of the volume of traffic using it as a throughway from SR 18 to SR 57. The same potential exists if Colinas Drive becomes a throughway between SR 57 and SR 3. High volume traffic was not a consideration when we purchased our homes. We shouldn't have to worry that parking on our street might become restricted. Where would friends and family park when they visited for get-togethers, holiday gatherings, etc.?
- A crowded apartment complex would negatively impact the property values of all nearby homes, in both the City of Medina and Montville Township.
- Mr. Phillips commissioned a traffic study to consider the impact to traffic flow on SR 57 and the surrounding area. His study conveniently stated that "there would be minimal increase in delay due to the proposed development. Further, all future levels of service remain the same as in the no build condition." Mr. Phillips is proposing to add 62 new residences in a very small area. I think it's safe to say the addition will significantly impact traffic flow, and it's deceitful to imply that levels of service will not be affected.
- I wonder if public safety concerns have been addressed. The proposed development would be entirely within Medina City lines. But police response would almost certainly come from Montville Township officers, based on proximity. Are there jurisdictional issues that must be addressed? What if a Montville Township resident had complaint about an apartment resident? Who should we call?

These are just a few of my concerns. I'm sure there are others that I haven't thought of yet (street maintenance, trash pick-up, USPS and other delivery vehicles come to mind). For myself and other Montville Township residents, I strongly encourage you to disapprove this proposal.

Sincerely,
Theresa Hayes
4553 Colinas Drive
Medina OH 44256

Jonathan Mendel

From: Rob Mutnansky <frmut@yahoo.com>
Sent: Monday, August 24, 2020 6:47 PM
To: Dennis Hanwell; John Coyne; Jessica Hazeltine; Dennie Simpson; Eric Heffinger; Jim Shields; Paul Rose; Bill Lamb; Jonathan Mendel
Subject: Proposed Apartment Complex

Greetings,

I am writing in regards to a project that was submitted by Brian Philips, KMK Development, LLC. I am a resident of Montville Township who was one of the original homes built on Asherbrand Drive by Brian Philips working under the name of Providence Construction. I know that you cannot take Brian's background into consideration but I cannot sleep at night without letting you know the hardship and lies that Brian has put on this development and others who attempted to build with him. He sold us our lot with the understanding that he would be building single family homes on the lots that are owned by his family which are now owned by his latest LLC of KMK Development LLC. He also sold on us with the knowledge that he provided to us that the median connecting the two Asherbrands would not be connected because of the City of Medina did not want it to be connected. This is just a couple of the many lies that Brian has told residences in my community. In addition, Brian filed for bankruptcy and left many homes in our community unfinished. The day after he filed for bankruptcy, I will NEVER forget. There was a women in TEARS due to the fact she provided him a security deposit check of \$40,000 (to be used to build her home) that he cashed and conveniently and the next day filed for bankruptcy. This women went door to door trying to find Brian. She expressed that was her life savings. As I mentioned, I know that you cannot use this information to make any determination on what type of man or builder Brian Philips is but you should be aware of who you would be approving.

I am technically 2 lots away from what will be the driveway onto Asherbrand Drive. That would make my house a corner house near this proposed development with increased traffic coming down Colinas Drive and Asherbrand Drive. Since Colinas Drive is a hill all of the neighborhood children use the cul-de-sac to ride their bikes, skate boards and play ball. This may not be important to the town counsel but we are a community that like to look out for our children and community. With the proposed access to Asherbrand Drive you are taking away the safety of our children. I'm sure if you were to ask your constituents on the Asherbrand Drive side of Medina they would tell you the same thing. I have reviewed the proposal that Brian has submitted and do not agree with the amount of traffic will be coming out onto Asherbrand Drive.

What public safety would you be providing with this new development? Will you be working with Montville Township?

Thank you,
Felicia Mutnansky

Jonathan Mendel

From: Renee Kucera <reneekucera@gmail.com>
Sent: Monday, August 24, 2020 8:17 PM
To: Dennis Hanwell; John Coyne; Jessica Hazeltine; Dennie Simpson; Eric Heffinger; Jim Shields; Paul Rose; Bill Lamb; Jonathan Mendel
Subject: Proposed Housing on Wadsworth Rd South

I am writing in regards to a proposed apartment complex to be located at the 1100 Block of Wadsworth Rd. South. This project, submitted to you by Brian Phillips and his company, KMK Development, LLC is requesting that the R1 zoned property be changed to a SPD (Special Planning District) in order to accommodate his desire to erect 8 apartment buildings with 48 units total.

As a property owner on Colinas Drive, these units will affect me, as well as my neighborhood. I have several concerns about the project in general.

- 1.) In the proposal, it was stated that these units could be 1, 2, or 3 stories tall. Any building taller than the homes already present and surrounding this area will affect homeowner privacy. It will also detract from the overall aesthetic of the neighborhood, which could ultimately impact the values of our homes.
- 2.) The property in question has a pond and a stream located on it. Several residents on Colinas Drive who live near the planned apartment complex have had issues with flooding any time there are heavy rainstorms. My concern with this planned development is that by adding 8 large buildings and the appropriate amount of parking spaces (approximately 112), along with the street, a garbage dumpster pad, etc., these added areas for runoff, will only exacerbate the flooding issues in this area.
- 3.) Increased traffic. With 48 housing units, this will increase traffic on Asherbrand and Colinas Drives (the proposal states that the majority of the units will be accessible from Asherbrand and Colinas, with a minority number of units using Route 57). These two streets are both dead end roadways and many of the homeowners, myself included, purchased these homes BECAUSE there was less traffic and it was safer for all the kids living in this area. It was a selling point for me and my family. On the other end of things, Route 57 already has high amounts of traffic during school hours (7:00am-9:00am and again in the afternoon from 2:30pm-3:45pm) as well as during the evening rush hour time. Trying to exit Sturbridge Drive going east and either cross Route 57 to get to the other side of Sturbridge, or even trying to make a left hand turn onto Route 57 can sometimes cause traffic backups where we have had to sit for almost 10 minutes waiting to proceed. And due to this excessive amount of traffic, there have been several accidents as drivers try to quickly exit Sturbridge Drive. With 48 more potential living units bringing 96 additional cars in that small of an area it will definitely have an impact on traffic flows. This runs contrary to the 3 year old estimated traffic study Mr. Phillips submitted. With the increase in traffic, a light would definitely have to be installed on Route 57 and not just turn lanes.

I appreciate any consideration you can give to my concerns.

Thank you for your time,
Renee Kucera
4578 Colinas Dr.
Medina, OH

Jonathan Mendel

From: Jeff Kucera <jeffkucera@gmail.com>
Sent: Tuesday, August 25, 2020 9:17 AM
To: Dennis Hanwell; John Coyne; Jessica Hazeltine; Dennie Simpson; Eric Heffinger; Jim Shields; Paul Rose; Bill Lamb; Jonathan Mendel
Subject: Proposed Apartment Complex on Wadsworth Rd South

Hello,

I am writing in regards to a proposed apartment complex to be located at the 1100 Block of Wadsworth Rd. South. This project, submitted to you by Brian Phillips and his company, KMK Development, LLC is requesting that the R1 zoned property be changed to a SPD (Special Planning District) in order to accommodate his desire to erect 8 apartment buildings with 48 units total.

As a property owner on Colinas Drive, these units will affect me and my neighborhood. As such, I have several concerns about the project:

- The proposal states that the units could be 1, 2, or 3 stories tall. Buildings taller than the nearby homes will affect homeowner privacy as the occupants of the higher levels of the complex will be able to look directly into the homes and yards of the existing homeowners. It will also detract from the overall aesthetic of the neighborhood, which will impact the values of our homes.
- Another concern that I have is increased traffic. Opening a 48 unit apartment complex onto our street will greatly increase traffic especially since it will now connect to RT57. We built our home in this area because it is quiet and safe for kids. Colinas Drive ends at a cul-de-sac, so traffic is light. This was one of the features that drew us to this area. I have serious concerns for the safety of our kids if an entrance to the apartment complex and subsequently RT57 is opened onto our street. This is yet another element that has the potential to reduce our property values. Perhaps if the apartment complex is approved, the entrance could be opened to RT57 only. I also feel it important to mention that the traffic study that Phillips conducted is 3 years old. This study needs to be conducted again as we have seen a significant increase in traffic on and crossing RT57 in this area in recent years.
- Lastly, the property where the apartment complex is proposed contains a pond. Homeowners at the end of the street near where the entrance to the apartment complex is proposed already suffer from flooding due to poor drainage. The apartment complex and the large parking lot that is going to be associated with it will greatly increase runoff to this area that already drains poorly. It appears that there will be nowhere for the water to go. I believe that this will increase the flooding issues that those homeowners are already suffering from.

As I understand it, this land is zoned as residential which means that homes could be built there. I suppose if something is going to be constructed on that land, I would prefer a small housing or cluster home development as this would bring less traffic. Also, perhaps with a smaller development the run-off situation could be improved.

Thank you for considering my concerns.

Sincerely,

August 25, 2020

Mayor Dennis Hanwell
Community Development Director Jonathan Mendel
Council Representative Jim Shields
132 North Elmwood Avenue
Medina, Ohio 44256

RE: Case No P20-08- 1125 Wadsworth Road- proposed 62-unit complex

Dear Mayor Hanwell, Mr. Mendel and Mr. Shields,

I am a resident at 1114 Asherbrand Drive Medina, Ohio living in this family neighborhood since June 2002. When my husband and I were looking for a home, this neighborhood attracted us because it was on a quiet and dead-end street. Our children, as well as the neighbor's children, have been able to have a safe street to play where traffic is low, and neighbors are aware and cautious when driving due to the many children in the neighborhood.

There are several concerns I have regarding the approval and construction of the complex. First, our area are single-family homes. According to the Zoning Map, we are zoned R-1 Low Density Urban Residential (detached single family dwelling). According to the Medina Planning and Zoning Chap. 1121, R-1 Low Density Urban Residential District is to provide for single-family residences in areas that are or may reasonably be expected to be provided with central sewer and water facilities. The stipulated densities are intended to provide for areas of suburban character in the community and to prevent excessive demands on sewerage and water systems, streets, schools and other community facilities. Mr. Phillips is wanting R-4 Multi-Family or SPD. R-4 Multi-Family Urban Residential would not be appropriate for the aesthetics of our neighborhood as well as other issues that will discussed below. Special Planning District is to regulate the development and use of property in areas of the City that contain sensitive or unique environmental, historic, architectural, or other features which require additional protections and flexibility not provided through the application of the standard zoning district regulations. According to Mr. Mendel, "the proposed SPD would result in a distinctly multi-family development that would be consistent with the Residential High-Density Comprehensive Plan Update. He continued to state, "the proposed unit density would exceed the existing R-4 zoning district's maximum 8 units/acre". It appears Mr. Philips wants to claim section C or D, but he doesn't meet either one of these based on our understanding of those areas. SPD, along with R-4, are not appropriate options for development of this land as Mr. Philips will still be attempting to build Multi-Family units and this is not the intended use of a Special District.

Density of family units in relation to our single-family homes is a major concern. What is the buffer around Asherbrand Drive and the neighbor at 1118 Asherbrand Drive? According to the Setbacks section, a minimum 40 feet from rear property line of existing property at 1118 Asherbrand Drive. I feel this not acceptable. In addition, approval of this construction as multi-family will increase the traffic significantly. Two spaces for each dwelling unit plus one for each five dwellings for visitors will increase

traffic by at least 100+ vehicles. Allowing Asherbrand Drive be the main outlet for this development will lead to an influx of traffic which will produce heavy traffic load with a high potential of safety issues in our neighborhood. Mr. Philips stated, "the parcel is away from most of the residential neighbors". If this is true, which it is not, it's not only about parcel but the vehicles and traffic. Why is the aim to have 2/3 of the traffic come off Asherbrand Drive? Is it because Mr. Philips doesn't want to fix the creek crossing so traffic will be directed to Rt. 57? Is it "cheaper" for him to have it come off Asherbrand Drive versus correcting the creek crossing and having the traffic directed off Rt. 57? It would be beneficial for traffic to come off Rt.57 as it is wider, visibility is better, decrease in encountering the children playing on and adjacent to Asherbrand Drive, and currently, Sturbridge and Rt.57 are very busy at times because a lot of residents use it as a cut through from South Court. Sometimes I can be waiting 3-4 minutes to safely cross over. More traffic coming down Asherbrand Drive to Sturbridge will lead to a significant increase in traffic and time delay. I suggest a traffic study be completed on multiple days to show the volume coming from Sturbridge and Rt. 57 intersection.

It was mentioned, a single-family home will go up next to 1111 Asherbrand Drive. When we moved into the neighborhood, we noticed mattresses, tires and garbage thrown into that barren area. Now it is covered in tall grass and weeds and if you walk through, water pools in areas. I would consider this filled land/wetland. Will a study be done prior to building a house or road? We do not want a road or house sinking or becoming unstable due to a potential issue.

There are more reasons I have concerning the statements Mr. Philips has made in his statement. People that are moving into the neighborhood are looking for single-family homes not family/apartment units. Has he taken a poll to see what people in this area prefer? Mr. Philips stated, "A one- or two-family unit would add some diversity to the housing options on that side of town"? Does diversity equal rental units? There are many places within the Medina City limits that are housing rentals, and I am sure Medina City has more rental units currently than Montville Township. Single-family homes should be made available to people from diverse races and cultures at a reasonable price so diverse groups can own their home and feel accomplished instead of throwing their money into a rental unit with nothing to show for themselves. Has anyone considered the effect of having multi-family dwelling on our school system in this area? Will classes increase at a number that is not acceptable for adequate teaching and will we need to redistrict again?

In concluding, thank you for taking the time to read the concerns I put before you. As a neighborhood, those that I have spoke to would prefer no development to occur as it is quiet and safe for our children to play outside with minimal vehicles coming through. If a complex is built, please consider all the above concerns and keep our neighborhood as single-family homes with either no access to Asherbrand Drive or open to Rt. 57 and Asherbrand Drive so vehicles can pass through equally.

Thank You,

Lisa Marie Koval

Lisa Marie Koval
1114 Asherbrand Drive
Medina, Ohio 44256
330-241-1079

Jonathan Mendel

From: bf1118@zoominternet.net
Sent: Tuesday, September 1, 2020 2:19 PM
To: Jonathan Mendel
Subject: case P20-08 Property at 1125 Wadsworth Rd

To: Jonathan Mendel
Re: KMK Development at 1125 Wadsworth Rd. (Case P20-08)

My husband and I are very much opposed to the planned development behind our home at 1118 Asherbrand Dr. The building of apartments behind our home will more than likely impact our current property value and also hinder any future sale of our home. I just found out that the existing gravel road into the property is in Montville. Considering the shape of this property, the only location for the road accessing the apartments will be directly adjacent to our property. Forty feet from the property line isn't that much of a buffer for traffic coming and going at all times.

From what I have been able to learn, two thirds of these apartments will have access from Asherbrand. Rather than increasing traffic on a residential street with the majority of streets being no outlet, such as culdesacs and dead ends. Why is the entire development not being accessed from Wadsworth road. I see a study was done on the impact to Sturbridge. Has any one considered or care about the impact to Asherbrand, Cambridge and Brimfield? Why send all this traffic down residential streets when Wadsworth is all ready designed for the traffic. I understand the state as an issue with keeping traffic moving. Anyone living in the area will tell you making a left turn into Sturbridge from from the south or a right turn north is all ready dangerous. Adding to this congestion will not help traffic flow. My understanding is that turn lanes will be added on Wadsworth. Does it not make more sence to have all the traffic directly to and from Wadsworth?

Trudy Firestone
220 721-7197
Bf1118@zoominternet.net

Planning Commission
City of Medina, Ohio

Case: P20-08

Dear City Planning and Zoning staff,

As a long-time city resident and concerned neighbor, I wish to express my strong objection to request for district rezoning and the conceptual development plan offered by KMK Development, LLC for the R-1 parcel located at 1125 Wadsworth Road in Medina.

The applicant requests a spot zoning change to allow for the addition of a multi-family apartment complex that is wholly incongruous with the single-family homes in the surrounding area. Approval and construction would result in aesthetically undesirable and functionally inconsistent rental housing that will exacerbate local traffic issues; negatively influence community infrastructure; reduce greenspace and wildlife habitat; and undoubtedly lower property values in the affected area.

All properties contiguous with the parcel in question, as well as those opposite the site on Wadsworth Road and in the nearby Montville Farms and Marisol Estate subdivisions are zoned R-1. The applicant proposes spot rezoning to permit construction of multiple buildings, to include 48 individual rental units on the appropriately zoned R-1 parcel. Multi-family rental housing, particularly on the scale proposed, is both aesthetically and functionally in conflict with the community's master plan and well-established character of the surrounding area.

Spot rezoning to allow for over-densification of the R-1 parcel will naturally produce markedly greater traffic in the area. Traffic on Wadsworth Road has steadily increased with the simple addition of single-family housing on the south side of Medina and adjoining Montville Township. The intersections of Sturbridge and Brandywine Drives at Wadsworth Road, as well other residential access roadways, are becoming increasingly dangerous, particularly as they disproportionately surge during morning and evening rush hours. The avoidable addition of traffic commensurate with 48 rental units, where current city planning permits a single family home, would immediately amplify the danger. Further, the increased number of vehicles will produce more road noise; create greater pedestrian and biker risk; as well as exaggerate animal strikes and road debris issues now common to the area.

The proposed roadway through the complex, linking Wadsworth Road and Asherbrand Drive, will cause harmful traffic pattern changes on the west side of the site. Access to Wadsworth Road through the parcel will effectively make Asherbrand, Colinas and Cambridge Drives through-streets. Dramatically increasing vehicle flow through a fully residential neighborhood.

Multi-family units on a planned single-family parcel will stress community infrastructure exponentially. 48 times the number of housing units on a planned R-1 parcel logically equates to 48 times the likelihood of local police, fire and EMS contact. Similarly, impact on city services such as water, sewage, garbage, telecommunications, roads, etc. must be assessed.

A wide variety of wildlife is evident on the vacant parcel. Property development, especially the high-density construction proposed, will destroy greenspace and habitat. Any planned development of the site should consider the continuing impact on local wildlife.

Finally, property values are certain to decrease in the affected areas. Several homes are in direct line-of-sight and undoubtedly within noise proximity of the proposed rental units. In addition to the broader negative effects discussed above, the mere presence of multiple large buildings, a new roadway and parking lots, allied exterior lighting, accompanying signage, general tenant noise and other ancillary factors naturally associated with rental apartment dwellings will be on full display for numerous homeowners nearby. These factors were not considerations when those homes were purchased, recognizing 1125 Wadsworth Road as an R-1 zoned parcel. Approval of this plan will negatively influence current homeowner quality of life and the relative value of the home to prospective future buyers.

I urge you to deny the proposed spot rezoning request. Anecdotal neighborhood conversation and multiple social media posts suggest these opinions are shared by many in the area. Of note, neighborhood concern was expressed much before official notification of this action was received from the city. I trust the affected community will continue to have a voice in this process and ask that you please keep all stakeholders apprised of future meetings and other actions on this matter.

Thank you for your continued service in support of our community.

Sincerely,

Jeffrey J. Lynn
912 Brandywine Drive
Medina, OH 44256

August 25, 2020

Mayor Dennis Hanwell
Community Development Director Jonathan Mendel
Council Representative Jim Shields
132 North Elmwood Avenue
Medina, Ohio 44256

RE: Case No P20-08 -- 1125 Wadsworth Road -- proposed 62 unit complex

Dear Mayor Hanwell, Mr. Mendel and Mr. Shields -

Please consider the following concerns with regard to the above referenced proposed multi-family complex: (1) substantial increase in traffic in an established single family neighborhood and at major intersections (Brimfield/Sturbridge and Rt 57/Sturbridge); (2) need to rezone R-1 Low Density Urban Residential area.

I am a 22 year resident of Medina, Ohio - residing at 1113 Asherbrand Drive. Asherbrand Drive is a dead end street (both in Medina and Montville Township). We are a quiet neighborhood of single family homes. Our children play in the streets and backyards. We have very low traffic flow - which was one of the reasons we purchased our single family home and continue to live here.

The approval and construction of a 62 unit apartment complex which could afford an increase of approximately 120+ cars in and out of our neighborhood is unacceptable to me and I would believe that others in my neighborhood would feel the same way if they were informed of this proposal.

I read the traffic analysis and find it hard to believe that building this complex would in no way affect the traffic at Rt 57 and Sturbridge -- how can that be? Without this complex and its 120+ vehicles Rt 57 and Sturbridge is a beast during certain times of the day.

I appreciate the fact that the owner of the land/builder (Brian Phillips) would like to develop the land - but why not comply with the single family home zoning and build single family homes? We are and want to remain a single family neighborhood.

Thank you for your time and consideration.

Respectfully submitted,



Donna J. Toth
1113 Asherbrand Drive
Medina Ohio 44256
3304168194