



# CITY of MEDINA

## Planning Commission

### Regular Meeting Minutes

#### April 10, 2025

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Meeting Date: April 10, 2025

Meeting Time: 6:00 PM

Present: Nathan Case, Bruce Gold, Rick Grice, Paul Rose, Monica Russell, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

#### Approval of Minutes

Mr. Gold made a motion to approve the minutes from March 13, 2025, as submitted.

The motion was seconded by Mr. Rose.

Vote:

Case            Y            Gold            Y

Grice           Y            Rose           Y

Russell        Y

Approved      5-0

The Court Reporter swore in all attendees.

#### Applications

1.    P25-03                      Tim Pelton                      129 North Broadway Street                      SPA

Mr. Dutton stated that on September 12, 2024, the applicant received Historic Preservation Board approval to demolish the building on the site, which had experienced significant fire damage. He continued that the applicant proposed to construct a four-space parking lot with a single access drive off of North Broadway Street. Mr. Dutton noted that a portion of the parking lot was located between the building and the street, which required a variance to Section 1135.08(a)

Mr. Dutton indicated that Section 1145.08 required ninety-degree parking spaces to be 9 ft. in width by 19 ft. in length, with a 24 ft. wide drive aisle. Mr. Dutton stated that the proposed parking spaces were 9 ft. in width and 16 ft. 10 in. in length, with a 21.7 ft. wide drive aisle. He added that the applicant had submitted a variance application to Section 1145.08.

Mr. Dutton stated that Section 1145.09(b) required a 10 ft. wide landscaping strip to be located between parking spaces and the right-of-way, which may be reduced to 5 ft. by the Planning Commission. He noted that the site included a 10 ft. wide landscape strip, however, it was approximately 1 ft. away from the right-of-way. He added that the applicant had also submitted a variance to Section 1145.09(b).

Mr. Dutton stated that staff recommended the approval of application P25-03 with the condition that the project shall comply with Section 1135.08(a) to allow parking in the front yard, Section 1145.08 to allow parking and drive less than the minimum size, and Section 1145.09(b) to allow parking within the required landscaped strip or receive variance approval from the Board of Zoning Appeals.

He noted that the Historic Preservation Board had reviewed the project earlier in the evening and had approved the revision.

Present for the case was Tim Pelton, 125 North Broadway Street.

Mr. Rose inquired if the proposed parking spaces would only be used by the applicant. Mr. Pelton stated that Landmark Homes intended to use the spaces for their staff and clients. He noted that a temporary sign would be placed at the entrance to let people know that the drive would no longer access Cups Café. Mr. Pelton stated that eliminating the cut through would improve the safety of both their lot and Cup's Café's lot to the west.

Gold made a motion to approve application P25-03 with the condition that the project shall receive approval of the requested variances from the Board of Zoning Appeals.

Mr. Case seconded the motion.

Vote:

Gold	<u>Y</u>	Grice	<u>Y</u>
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Rose	<u>Y</u>	Russell	<u>Y</u>
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Case	<u>Y</u>		
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Approved	<u>5-0</u>		
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2.	P25-04	William Adams	665 Lafayette Road	TC-OV
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Mr. Dutton stated that the building had previously incorporated an uncovered front deck used for outdoor dining, located 16 ft. 5 in. from the right-of-way. He noted that, recently, the uncovered deck had been roofed and enclosed without the necessary permits.

Mr. Dutton stated that the Section 1141.05 required a minimum front setback of 25 ft. for principal buildings. He noted that Section 1113.04(k)(3) provided an exception allowing unenclosed porches to project into the front setback up to 10 ft. Mr. Dutton stated that the previously uncovered deck had a required minimum front setback of 15 ft. from the right-of-way. He noted that the enclosed deck did not qualify for the exception and required a minimum front setback of 25 ft. He added that, as the enclosed deck was located 16 ft. 10.5 in. from the right-of-way, it did not meet the requirement. Mr. Dutton stated that the applicant had submitted an area variance to Section 1141.05 to allow a principal structure in the front setback.

Mr. Dutton stated that the enclosed deck included a dark metal roof, unfinished wood siding, and windows on the side facing Lafayette Road. He noted that the area incorporated a mixture of zoning and uses. He stated that adjacent buildings on the north side of the road were

commercial and industrial, with setbacks of around thirty to thirty-five feet from the right of way. Mr. Dutton stated that the residences across the street were set back around 20 ft. from the right-of-way.

Mr. Dutton stated that staff recommended the approval of application P25-04 as submitted with the condition that the project shall comply with Section 1141.05 to allow a principal structure in the front setback or receive variance approval from the Board of Zoning Appeals.

Present for the case was Reed Richins of Windfall Architects Ltd., 5189 Park Drive, representing Bill Adams, the owner of 665 Lafayette Road. Mr. Richins stated that the property had previously been a tavern. He noted that Mr. Adams had purchased the property in 2017 and had opened Diner 42. Mr. Richins stated that Mr. Adams had received approval in 2018 to extend the dining deck, provide an accessible entrance, and allow for outdoor dining. He noted that Mr. Adams had recently enclosed the deck without approval and had been unaware that it required Planning Commission review. He added that Mr. Adams was seeking approval of the enclosed deck as he felt it was critical to the running of his business.

Mr. Grice asked if there were any other permits the applicant needed besides Planning Commission approval. Mr. Dutton stated that the applicant was proceeding through the Building Permit approval process. Mr. Case asked if the structure had been inspected to ensure it was safe for public use. Mr. Dutton stated that, as no permits were pulled prior to construction, the Building Department was working with the applicant and his architect to ensure that the structure met code requirements. Mr. Richins stated that plans had been submitted to the Building Department.

Mr. Rose asked if customers were currently using the deck. Mr. Dutton responded that the applicant had addressed an issue with egress and the Building Official was comfortable allowing the use of the structure while the applicant worked through the approval process.

Mr. Gold made a motion to approve the application as presented with the condition that the project shall receive approval of the requested variance from the Board of Zoning Appeals. He added that the approval was also conditional on the final approval of the structure by Chief Building Official Dan Gladish and its conformity to the City of Medina Building Code.

Ms. Russell seconded the motion.

Vote:

Grice	<u>Y</u>	Rose	<u>N</u>
Russell	<u>Y</u>	Case	<u>Y</u>
Gold	<u>Y</u>		
Approved	<u>4-1</u>		

Mr. Dutton stated that the site was located in Special Planning District #1 (SPD-1), which required a three step approval process:

1. Conceptual Plan and Development Guidelines – In January of 1999, Special Planning District #1 (SPD-1) was established by Ordinance 249-98. The Ordinance included a Conceptual Plan of the approximately 42-acre site and Development Guidelines, which supersede the underlying C-3 district standards.
2. Preliminary Plan –The Planning Commission granted Preliminary Plan approval for the grocery store, future expansion, and outlot in November of 2023.
3. Final Site Plan – The current Final Site Plan application requested the development of 0.89 acres of the site for a 2,460 sq. ft. restaurant with a drive through.

Mr. Dutton stated that the applicant was proposing a restaurant with a drive through, which was a permitted use in Subdistrict “A” of SPD-1. He noted that the proposal located the building in the center of the lot with parking to the north. He added that the building met all development standards, including setbacks and lot coverage. Mr. Dutton stated that access to the site was provided through an access drive shared with the future Chipotle to the north. He noted that circulation on the site included two-way on the north side, with the west, south, and east sides having one-way circulation to accommodate the drive through.

Mr. Dutton stated that one parking space was required for every two seats, with the proposed restaurant requiring a minimum of 15 spaces. He added that the code also allowed the minimum to be exceeded by twenty percent, or 18 spaces, which could be waived by the Planning Commission. Mr. Dutton noted that the site plan incorporated 24 spaces, which exceeded the maximum. He continued that the proposed parking appeared to be appropriate for the use, which could experience a higher than average parking demand at peak times.

Mr. Dutton stated that the building would be clad in brick with wood panel accents. He noted that the brick used would be similar to that on the Acme building, as the SPD-1 required that all commercial buildings must have a similar look. Mr. Dutton stated that staff recommended the approval of application P25-05 as submitted.

Present for the case were Erick Allen of Alber and Rice, 31913 Cook Road in North Ridgeville, and Joe Albrecht of Albrecht Inc., 17 South Main Street in Akron.

Mr. Grice asked if the Chipotle on the township property would also be complimentary. Mr. Dutton stated that it would. He noted that Montville Township had sent the plans to the city for review and had incorporated his comment to change the brick to be similar to the Acme building.

Ms. Russell made a motion to approve the application as submitted.

Mr. Rose seconded the motion.

Rose	<u>Y</u>	Russell	<u>Y</u>
Case	<u>Y</u>	Gold	<u>Y</u>
Grice	<u>Y</u>		
Approved	<u>5-0</u>		

Mr. Dutton stated that the existing parking lot contained approximately 40 parking spaces. He noted that the lot was in poor condition and had an inefficient design. Mr. Dutton stated that the applicant was proposing to remove the existing lot and construct a parking lot with 81 parking spaces. He noted that the proposal would include storm water management, landscaping, and hard wired lighting, which the current parking lot lacked.

Mr. Dutton stated that the site would have a single access point on South Elmwood Avenue, located across from a future parking lot for the Hotel/Event Center. He noted that the access point complied with width requirements and that circulation on the site was two way in a circular pattern with ninety-degree parking.

Mr. Dutton stated that the proposed lot coverage was 73 percent. He noted that, per Section 1130.05, the maximum lot coverage for a property in the P-F district was 60 percent. He added that the applicant had filed a variance to Section 1130.05 regarding lot coverage.

Mr. Dutton stated that the site plan included the required landscaping strip between the parking lot and the right-of-way. He continued that Section 1145.09(b) stated that 5 sq. ft. of interior parking lot landscaping shall be provided per 100 sq. ft. of parking area. He noted that the proposed parking lot provided 3.4 sq. ft. of interior parking lot landscaping per 100 sq. ft. of parking area, which was less than required. He added that the applicant had filed a variance to Section 1145.09(b) regarding interior parking lot landscaping.

Mr. Dutton stated that Section 1149.05(c)(4) required screening between an institutional or commercial land use and a single-family residential zoning district. He noted that screening could be accomplished by a 5 ft. or 6 ft. wall or a 10 ft. wide open space with 6 ft. tall landscaping. Mr. Dutton stated that, though no building was located on the proposed site with a specific use, the parking lot should contain a buffer from adjacent single-family residences. He noted that the proposed site included:

- North Side – Conifers providing screening from an adjacent single-family residence with a minimum open space width of 6 ft.
- South Side – Conifers providing screening from an adjacent single-family residence with a minimum open space width of 8 ft.
- West Side – No screening from an undeveloped portion of a single-family residential with a minimum open space width of 3 ft.

Mr. Dutton stated that the applicant had filed a variance to Section 1149.05(c)(4) regarding screening requirements. He noted that the northwest corner of the side abutted a wooded section of a residential property.

Mr. Dutton stated that a lighting plan had been submitted. He noted that the lighting height was proposed at 25 ft., which was over the maximum 20 ft. permitted in the P-F district. He added that the Planning Commission had the ability to approve the greater height per Section 1145.09(c)(4)(B.).

Mr. Dutton stated that staff recommended the approval of application P25-06 as submitted, including a lighting height of 25 ft., with the condition that the project shall comply with Section 1130.05 to exceed the maximum lot coverage, Section 1145.09(b) to allow reduced interior parking lot landscaping, and Section 1149.05(c)(4) to allow reduced screening for a property or receive variance approval from the Board of Zoning Appeals.

Present for the case was Nils Johnson of Cunningham and Associates, 203 West Liberty Street. Mr. Johnson stated that the project was a joint venture between the city and the applicant. He noted that the plan aimed to maximize the lot and provide adequate parking.

Kimberly Marshall, representing the Medina City Development Corporation, 132 North Elmwood Avenue, stated that the Corporation had met with the developer to review the proposed site plan. She stated that once the project was approved by the Commission and the Board of Zoning Appeals, the applicant would bid the project to determine its cost. She added that the current parking lot was underutilized and in bad shape and the redeveloped parking lot would benefit the hotel project and downtown.

Mr. Grice opened the public hearing.

Chet Simmons, 431 West Washington Street, asked if the increased lighting height would affect residents in the area. Mr. Johnson stated that the additional height would provide uniformity and better coverage on the lot. He noted that all of the fixtures around the perimeter of the lot were equipped with backlight control, which would ensure that the lighting at the property line would meet city standards. Mr. Dutton stated that the lighting plan submitted by the applicant was compliant, with the exception of the lighting height.

David Loomis, 224 West Washington Street, stated that he owned the R-3 zoned property to the west of the subject site. He stated that he supported the hotel and he thought the parking lot was important. However, Mr. Loomis expressed concern regarding lighting from the parking lot onto his property. He suggested that the Commission include the additional screening on the northwest corner of the lot.

Mr. Case inquired about the possibility of moving the curb cut as he felt the proposed entrance would be congested. Mr. Johnson stated that he had looked into the option of having two curb cuts, but that it was discouraged by the city. He added that he would like to have the entrance line up with that of the hotel parking lot to the east. Mr. Case asked if it was possible to have one-way traffic on the site. There was further discussion as to traffic patterns and parking within the proposed parking lot.

Ms. Russell stated that she felt the lighting should be kept to 20 ft. in height. There was an additional discussion on lighting.

Mr. Rose stated that he was a non-voting member of the Medina City Development Corporation. He noted that he had conferred with the City Law Director and that it was appropriate for him to vote on the application.

Mr. Loomis stated that he was not as worried about the height of the light poles as his concerns were regarding car headlights from the lot.

Mr. Gold made a motion to approve the application as submitted with the following conditions:

1. The project shall receive approval of the requested variances from the Board of Zoning Appeals.
2. The northwest corner of the parking lot shall incorporate low growth landscaping.
3. Traffic flow within the parking lot shall be one-way counterclockwise.

Mr. Case seconded the motion.

Vote:

Russell	<u>Y</u>	Case	<u>Y</u>
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Gold	<u>Y</u>	Grice	<u>Y</u>
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Rose	<u>Y</u>		
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Approved	<u>5-0</u>		
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### **Adoption of Final Decision and Conclusions of Fact**

Mr. Dutton stated that the Planning Commission had reviewed application P25-02 at their previous meeting regarding a convenience store with a fueling station and drive through. He continued that the approval of the application had been appealed to the Board of Zoning Appeals. Mr. Dutton added that the City Law Director had requested that the Planning Commission adopt a Final Decision and Conclusion of Fact for the case, which memorialized what was presented to the Commission at the meeting, testimony given, and the decision of the Planning Commission.

Mr. Gold, made a motion to accept the Final Decision and Conclusions of Fact for application P25-02 noting that the Planning Commission had received and reviewed the submitted document.

Mr. Rose seconded the motion.

Vote:

Case	<u>Y</u>	Gold	<u>Y</u>
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Grice	<u>Y</u>	Rose	<u>Y</u>
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Russell	<u>Y</u>		
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Approved	<u>5-0</u>		
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**Adjournment**

Having no further business, the meeting was adjourned.

Respectfully submitted,

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Sarah Tome

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Rick Grice, Chairman