Z25-09 Appeal of the City of Medina Planning Commission's Approval of P25-02





CITY OF MEDINA

Community Development Department 132 North Elmwood Ave., Medina, OH 44256

Phone: 330-722-9023

<u>MEMORANDUM</u>

DATE: May 1, 2025

TO: City of Medina Board of Zoning Appeals

FROM: Andrew Dutton, Community Development Director

SUBJECT: Application Z25-09, Appeal of the Planning Commission's Approval of P25-02

Application History

On March 13, 2025, the City of Medina Planning Commission reviewed application P25-02: Stephen Berry requesting Site Plan and Conditional Zoning Certificate approval for a convenience store, motor vehicle filling station, and drive through at 999 Lafayette Road in a C-3 (General Commercial) zoning district. Based on the testimony of witnesses and exhibits submitted and accepted, the Planning Commission approved application P25-02 with the following conditions:

- 1. The approval of the requested variances by the Board of Zoning Appeals.
- 2. The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road.
- 3. Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
- 4. A light fixture detail shall be submitted in compliance with Section 1145.09.
- 5. Semi-trucks shall be prohibited from turning into the property at the Lafayette Road entrance.

On March 25, 2025, an appeal of the Planning Commission's approval of P25-02 was submitted by Majeed Makhlouf on behalf of Minit Mart, LLC, a neighboring property owner.

On April 10, 2025, the Planning Commission reviewed and approved the Final Decision and Conclusions of Fact regarding application P25-02.

Documents Provided for Review

The following information has been provided for the Board's review of the subject appeal:

- The appeal request submitted by Majeed Makhlouf
- Final Decision and Conclusions of Fact adopted by the Planning Commission on 4/10/25
- Documents submitted to the Planning Commission for their review on 3/13/22
- Transcripts from the 3/13/25 and 4/10/25 Planning Commission meetings
- Meeting minutes from the 3/13/25 and 4/10/25 Planning Commission meetings. The meeting
 minutes from the 4/10/25 Planning Commission meeting are in draft form and will be reviewed for
 approval by the Planning Commission prior to the Board of Zoning Appeals' review of Z25-09.

Appeal

The following sections of the City of Medina Codified Ordinances apply to appeals. Please consider Section 1107.08(i)14) when reviewing application Z25-09.

Section 1107.08(b)(1)

<u>Appeals.</u> Generally, an appeal may be taken to the Board by a person, or by any office, department, board, or bureau aggrieved by a decision of any administrative or enforcement official or body charged with enforcement of this Ordinance. An appeal must be filed within fourteen (14) days of issuance of the applicable written decision, and such appeal shall be made on forms made available by the Planning Director.

Section 1107.08(i)(4)

<u>Criteria applicable to appeals.</u> The Board shall reverse an order of a zoning official only if it finds that the action or decision appealed:

- A. Was arbitrary or capricious; or
- B. Was based on an erroneous finding of a material fact; or
- C. Was based on erroneous interpretation of this Ordinance or zoning law; or
- D. Constituted an abuse of discretion.



Appeal Request





BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue 330-722-9038 www.medinaoh.org

Application Number _____Z25-09___

	0/05/0005			
	Date of Application 3/25/2025			
AL	Property Location 999 Lafayette Road			
GENERAL	Description of Project Appealing Planning Commission Decision P25-02 (approval of site plan			
GE	and conditional zoning certificate for a convenience store, motor vehicle filling station, and drive through).			
	A copy of the March 14, 2025 approval letter is attached. Requesting that stay of decision be immediately implemented.			
2	Applicant Minit Mort J. C (through logal counsel Majaed G. Makhlouf)			
10	Name Minit Mart, LLC (through legal counsel Majeed G. Makhlouf) 1040 Lafavetta Road Modina OH 44256			
MA	Address 1010 Lafayette Road City Medina State OH Zip 44256			
OR	Phone (216) 346-8433 Email mmakhlouf@bernsockner.com			
Z	Property Owner			
ל	Name Shetler Leonard F JR & Sandra M			
CONTACT INFORMATION	Address 999 Lafayette Road City Medina State OH Zip 44256			
8	Phone Email			
TYPE	Planning Commission Site Plan Conditional Zoning Certificate Code or Map Amendment			
8	Historic Preservation Board Certificate of Appropriateness Conditional Sign Board of Zoning Appeals Variance Appeal			
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RE	By signing this application, I hereby certify that:			
T.	1) The information contained in this application is true and accurate to the best of my knowledge;			
By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of				
Si	3) I assume sole responsibility for correspondence regarding this application; and			
A P	4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application.			
	Signature Date 3/25/2025			
APPLIC	Signature Date 3/25/2025			
	C-3			
OFFICIAL USE	Zoning District Fee (See Fee Sheet) \$			
<u>\</u>	Meeting Date 5/8/25 Check Box when Fee Paid -			
0				

BERNS, OCKNER & GREENBERGER, LLC

Douglas V. Bartman Jordan Berns Sheldon Berns Paul M. Greenberger Majeed G. Makhlouf* Benjamin J. Ockner

Attorneys at Law 3201 Enterprise Parkway - Suite 220 Beachwood, Ohio 44122 Telephone (216) 831-8838 Fax (216) 464-4489

Extension 4 rshell@bernsockner.com

Elizabeth Wells Rothenberg, Of Counsel

*Also admitted in New York and D.C.

www.bernsockner.com

March 26, 2025

VIA FEDERAL EXPRESS AND EMAIL adutton@medinaoh.org

Board of Zoning Appeals City of Medina, Ohio 132 N. Elmwood Avenue Medina, Ohio 44256,

Community Attn: Andrew Dutton,

Development Director

Re: Minit Mart, LLC v. Planning and Zoning Commission, City of Medina, Ohio

Dear Mr. Dutton:

Enclosed is the Boards & Commissions Application for the Planning Commission decision.

Thank you.

Very truly yours,

Robin Shell

Assistant to Majeed G. Makhlouf

Encl.

The Planning Commission erred in approving the Site Plan and Conditional Use:

- 1. The Applicant had to prove its case beyond a reasonable doubt, but presented no credible evidence in support of its application.
- 2. The Commission's decision is contrary to the standards required by the City's Zoning Code.
- 3. The approval fails to comply with Chapter 1153 of the City's Zoning Code, including failing to meet the criteria established in 1153.03 and 1153.04 of the City's Zoning Code.
- 4. The approval fails to comply with Sections 1109.02(c) and 1137.09 of the City's Zoning Code.
- 5. The approval is unconstitutional, illegal, arbitrary, capricious, unreasonable, or unsupported by the preponderance of substantial, reliable, and probative evidence on the whole record.
- 6. Appellant reserves the right to raise additional grounds for reversal at the hearing.



CITY OF MEDINA

Community Development Department 132 N. Elmwood Ave. Medina, OH 44256 Phone: 330-722-9023

March 14, 2025

Steve Berry Architectural Design, Inc. 374 Boardman-Poland Rd. Suite 201 Youngstown, OH 44512

Dear Mr. Berry,

At the March 13, 2025 meeting of the Planning Commission, the Commission considered application **P25-02**: Stephen Berry requesting Site Plan and Conditional Zoning Certificate approval for a convenience store, motor vehicle filling station, and drive through at 999 Lafayette Road in a C-3 (General Commercial) zoning district.

After discussion, a motion was made to approve the application as presented with the following conditions:

- 1. The approval of the requested variances by the Board of Zoning Appeals.
- The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road.
- 3. Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
- 4. A light fixture detail shall be submitted in compliance with Section 1145.09.
- 5. Semi-trucks shall be prohibited from turning into the property at the Lafayette Road entrance.

The motion received the necessary votes of the Commission, and the application was approved.

This action of the Planning Commission does not constitute approval of a Zoning Certificate, Variance, Building Permit, Engineering Permit, or other application required by the City of Medina Codified Ordinances.

Site Plan approval shall expire if construction has not commenced within one year of the Commission's approval or completed within two years of the Commission's approval. Conditional Zoning Certificate approval shall expire if the use has not commenced within two years of the Commission's approval.

Please feel free to contact me at (330) 722-9023 or adutton@medinaoh.org if you have any questions or need any further information.

Sincerely,

Andrew Dutton

Community Development Director

Andrew Dutton

From: Andrew Dutton

Sent: Thursday, March 27, 2025 4:48 PM

Cc: Greg Huber; Sarah Tome

Subject: Appeal of P25-

Attachments: Z25-09 Appeal File 5-8-25.pdf

Board of Zoning Appeals (BZA) Members,

As required by Section 1107.08(e) of our Codified Ordinances, I am required to forward an appeal request to the BZA within 30 days. Attached is an appeal request to the Planning Commission's conditional approval of P25-02: Stephen Berry requesting Site Plan and Conditional Zoning Certificate approval for a convenience store, motor vehicle filling station, and drive through at 999 Lafayette Road in a C-3 (General Commercial) zoning district.

The appeal will be scheduled for your review at the BZA meeting on 5/8/25.

In addition, an appeal to the Court of Common Pleas has been filed regarding your approval of Z24-04: Stephen Berry requesting an area variance to Sections 1145.10(e) and 1153.04(a)(15)(B.) to allow a wider driveway width and more driveways than permitted at 999 Lafayette Road in a C-3 (General Commercial) zoning district.

Please let me know if you have any questions and be aware that any written correspondence regarding a BZA case may be included in a public records request.

Andrew Dutton, AICP

Community Development DirectorCity of Medina
adutton@medinaoh.org





BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue 330-722-9038 www.medinaoh.org

Application Number P25-02

GENERAL	Date of Application 11/20/2024 Property Location 999 LAFAYETTE P.O., MEDINA, OH 44256 Description of Project DEMOLISH EXISTING BUILDINGS ON SITE, PREPARE SITE FOR CONSTRUCTION OF NEW 4,177 SF CONVENIENCE STOPE, VEHICLE FILLING STATION AND ASSOCIATE SITE IMPROVEMBNTS. PLEASE PEFER TO PRELIMINARY PLANS FOR MOYER DETAILS.
CONTACT INFORMATION	Applicant Name STEPHEN BETFY, PRES., ARCHITECTURAL DESIGN (NC.) Address 374 BOARDMAN-POLAND RD., ZOI City YOUNGSTOWN State OH Zip 44512 Phone 330,726-6390 Email Property Owner Name HARPREET SINGH AUSLA, DAVINDER PAUL SINGH Address 1155 TOP OF THE HILL POAD City AKRON State OH Zip 44333 Phone (917) 428-7633 Email Singh harry @ aol. com, Sdavinder 74 Cyahoo.com (419) 790-90360
APPLICATION TYPE	Planning Commission Site Plan Conditional Zoning Certificate Code or Map Amendment Preliminary Plan Final Plat Conditional Sign (EMC/Shopping Ctr) Cert. of Appr. (TCOV) Other Mistoric Preservation Board Certificate of Appropriateness Conditional Sign Board of Zoning Appeals Wariance Appeal
APPLICANT SIGNATURE	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature PRES., A.D.I. Date 2/21/25
OFFICIAL USE	Zoning District

Final Decision and Conclusions of Fact Adopted by the Planning Commission 4/10/25



City of Medina

Planning Commission

Case No. P25-02

Applicant: Stephen Berry

Subject Property: 999 Lafayette Road, Medina, Ohio

Final Decision and Conclusions of Fact

The Planning Commission (hereinafter the "Commission") of the City of Medina, Ohio (hereinafter the "City"), makes the following conclusions of fact in support of its final decision in the above-referenced case.

After the hearing of all evidence and arguments of the interested parties in this matter at a quasi-judicial administrative hearing held at a public meeting of the Commission on March 13, 2025 (hereinafter the "Commission Hearing"), and considering the standards set forth in the City of Medina Codified Ordinances (hereinafter the "Code"), the Commission granted Site Plan and Conditional Zoning Certificate approval for a convenience store, motor vehicle filling station, and drive through at 999 Lafayette Road in a C-3 (General Commercial) zoning district.

The Commission's conclusions of fact supporting its decision are:

- The Subject Property is known as 999 Lafayette Road in the City of Medina, Ohio, with Medina County PID#: 028-19C-12-023, and is comprised of approximately 1.96 acres (hereinafter the "Property").
- The Property is located in the "C-3 General Commercial" zoning district as described in the City of Medina Planning and Zoning Code and Zoning Districts Map, adopted pursuant to Chapter 1113 of the Code.
- 3. The Property is currently owned by Leonard and Sandra Shetler and contains two buildings, parking, one access point on Lake Road, and one access point on Lafayette Road.
- 4. Stephen Berry of Architectural Design, Inc. (hereinafter the "Applicant") requested development of the Property for a convenience store, motor vehicle filling station, and drive through.
- 5. The Applicant submitted a Site Plan application as required per Code Section 1109.01 for the demolition of the existing site and the construction of a building, two canopies, parking, access drives, site lighting, landscaping, and related items. The application was reviewed by the Commission.

- The Applicant submitted a Conditional Zoning Certificate application as required per Code Section 1153.02 for a motor vehicle filling station and a restaurant with drive through. The application was reviewed by the Commission.
- 7. The Applicant submitted an area or size type variance to Code Sections 1145.10(e) and 1153.04(a)(15)(B.) to allow a wider driveway width and more driveways than permitted. The application would be reviewed by the City of Medina Board of Zoning Appeals (hereinafter the "Board").
- The Commission was provided relevant information regarding the request including, but not limited to:
 - An existing conditions plan, site plan, landscaping plan, lighting plan, exterior building elevations, and a floor plan submitted by the Applicant.
 - b. A staff report submitted by Andrew Dutton, Community Development Director.
 - c. Comments submitted by Patrick Patton, City of Medina Engineer.
 - d. Photographs of traffic in the area submitted by William Deluca.
- Code Chapter 1109, "Site Plan Review", includes Code Section 1109.02(c), "Review and Action by the Planning Commission". Code Section 1109.02(c) was reviewed by the Commission and states:

The Planning Commission's review and action shall be based on the following standards:

- The site plan shows that a proper relationship does exist between thoroughfares, service roads, driveways and parking areas to encourage pedestrian and vehicular traffic safety.
- All the development features including the principal buildings, open spaces, service roads, driveways and parking areas are so located and related as to minimize the possibility of any adverse effects upon adjacent development.
- 3. The site plan includes adequate provision for the screening of parking areas, service areas and active recreation areas from surrounding properties by landscaping and/or ornamental walls or fences. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- Grading and surface drainage provisions are reviewed and approved by the City Engineer.
- The design and construction standards of all private streets, driveways and parking areas
 are to be built following approval of plans by the City Engineer according to
 construction standards specified in the Codified Ordinances.
- 6. Maximum possible privacy for multi-family dwellings and surrounding residential properties shall be provided through good design and use of proper building materials and landscaping. Visual privacy should be provided through structural screening and landscaping treatment. Auditory privacy in multi-family dwellings should be provided through soundproofing. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- The architectural design of buildings should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, materials, line and pattern and character.
- Building location and placement should be developed with consideration given to minimizing removal of trees and change of topography. Any trees to be removed which

- are planted in a public right-of-way or on municipal property shall be reviewed by the Shade Tree Commission.
- 9. In multi-family developments, television and other antennas shall be centralized.
- 10. On-site circulation shall be designed to make possible adequate fire and police protection.
- 11. Off-street parking facilities shall be provided in accordance with Chapter 1145. In large parking areas, visual relief shall be provided through the use of tree planted and landscaped dividers, islands and walkways. In multi-family developments no parking or service areas shall be permitted between any street and the main building. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- 12. Signs shall be provided in accordance with these Codified Ordinances.
- 13. Any trees planted on site shall be on approved list of Shade Tree Commission and planted in accordance with Commission standards.
- 10. Code Chapter 1153, "Conditional Zoning Certificates", includes Code Section 1153.03, "Basis of Determination". Code Section 1153.03 was reviewed by the Commission and states:
 - (a) <u>Planning Commission Duties</u>. The Planning Commission shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein are satisfied by the completion and operation of the proposed development. The Planning Commission may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for the insuring that the intent and objectives of this Zoning Ordinance will be observed.
 - (b) <u>General Standards.</u> The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use on the proposed location:
 - 1. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;
 - 2. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
 - 3. Will not be hazardous or disturbing to existing or future neighboring uses;
 - 4. Will not be detrimental to property in the immediate vicinity or to the community as a whole;
 - 5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;
 - 6. Will be in compliance with State, County and City regulations;
 - 7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.

11. Code Section 1145.10(e) states:

<u>Driveway Width.</u> The width of driveways at the curb line and at the right-of-way line shall comply with the requirements in Table 2. The Commission may permit wider driveways for three or more entrance/exit lanes for those drives with a high volume of traffic. In the case of a four-lane drive, the lanes shall be designed as two adjacent entrance and exit lanes divided by a minimum six-foot wide barrier.

TABLE 2 WIDTH OF DRIVEWAYS

	Maximum Width at Curb Line (feet)	Width at R.O.W. Line (feet)	
	والماليم الأساس	Minimum	Maximum
Residential	22	10	20
Commercial or Public Facility	38	12	24
Industrial	120	24	75

 Code Section 1153.04(a)(15)(B.) applies to the proposed motor vehicle filling station use and states:

No more than two (2) driveway approaches shall be permitted directly from any thoroughfares and shall not exceed thirty (30) feet in width at the property line.

13. The Applicant proposed three access drives with the following widths:

Access Drive	Width at Curb Line	Width at Right-of-Way*
Lafayette Road	67 ft.	44 ft.
North Lake Road	43 ft.	37 ft.
South Lake Road	100 ft.	65 ft.

- 14. Andrew Dutton, City of Medina Community Development Director, testified under oath at the Commission Hearing that:
 - a. The proposal was for a convenience store with a counterclockwise drive through in the center of the Property, passenger vehicle filling on the south side of the Property, and tractor-trailer filling on the north side of the Property.
 - The site plan met most general development standards, such as setbacks, building height, and lot coverage.
 - c. The site plan incorporated three access drives with widths between 37 ft. and 65 ft. at the right-of-way and 43 ft. and 100 ft. at the curb. The number and widths of access drives did not comply with Code Section 1153.04(d)(15)(B.) and Code Section 1145.10(e). An area variance was submitted to the Board and would be reviewed later in the evening.

- d. The Code stated that parking, to the extent feasible, shall be located behind the front wall of the building. The application incorporated passenger vehicle parking in front of the front wall of the building, which was a common configuration for a convenience store with a filling station.
- e. The Code required a 10 ft. wide landscaping strip between a parking area and the right-of-way, though a 5 ft. wide landscaping strip may be permitted by the Commission. The proposed parking was setback 10 ft. from the right-of-way with a 5 ft. landscaped strip to accommodate a public sidewalk. The City Engineer preferred to locate the public sidewalk on the Property, which was not a typical configuration, in order to provide a buffer between the public sidewalk and the roadway.
- f. The Community Development Department recommended approval of application P25-02, as submitted with the following conditions:
 - The project shall comply with Code Sections 1145.10(e) and 1153.04(d)(15)(B.)
 regarding the number and width of access points or receive variance approval from
 the Board.
 - The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road and a private sidewalk shall connect from the public sidewalk to the convenience store building per Code Section 1130.10.
 - Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
 - A light fixture detail shall be submitted in compliance with Code Section 1145.09(c)(6).
- 15. The Applicant testified under oath at the Commission Hearing that:
 - a. The site layout intended to segregate truck traffic from automobile traffic.
 - Access points were located as far away as possible from the intersection to prevent stacking issues.
 - c. A sign could be installed prohibiting trucks from entering the site from Lafayette Road.
- 16. Majeed Makhlouf, representing Minit Mart LLC, the property owner of 1010 Lafayette Road, stated at the Commission Hearing that:
 - a. His client requested that the Commission reject the application, or at the minimum, table the application.
 - The Commission should know the outcome of the requested variance prior to deciding on the application.
 - The application would devalue his client's property and create safety issues for their customers.

- d. The application would produce more traffic than the previous use and no information on traffic generated or traffic impacts had been provided.
- William Deluca, Regional Manager for Minit Mart, testified under oath at the Commission Hearing that the proposed application would create additional traffic.
- Cammie Reust testified under oath at the Commission Hearing that the proposed application would create additional traffic.
- Troy Gerspacher testified under oath at the Commission Hearing that the application would benefit industrial users in the area.
- 20. Based on all of the forgoing Paragraphs I through 19, the testimony of the witnesses, and the exhibit submitted and accepted at the Commission Hearing, the Commission found the application complied with Code Section 1109.02(c), "Review and Action by the Planning Commission" and Code Section 1153.03, "Basis of Determination" and approved the application with the following conditions:
 - a. The approval of the requested variances by the Board of Zoning Appeals.
 - The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road.
 - c. Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
 - A light fixture detail shall be submitted in compliance with Code Section 1145.09.
 - Semi-trucks shall be prohibited from turning into the property at the Lafayette Road entrance.
- The adoption of these Conclusions of Fact constitutes the final decision of the Commission in this case.

APPROVED BY:

Motion of the City of Medina Planning Commission on April 10, 2025.

Confirmed:

Rick Grice.

Chair of the Planning Commission

Documents Submitted to the Planning Commission for Review





BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue 330-722-9038 www.medinaoh.org

Application Number P25-02

GENERAL	Date of Application 11/20/2024 Property Location 999 LAFAYETTE P.O., MEDINA, OH 44256 Description of Project DEMOLISH EXISTING BUILDINGS ON SITE, PREPARE SITE FOR CONSTRUCTION OF NEW 4,177 SF CONVENIENCE STOPE, VEHICLE FILLING STATION AND ASSOCIATE SITE IMPROVEMBNTS. PLEASE PEFER TO PRELIMINARY PLANS FOR MOYER DETAILS.
CONTACT INFORMATION	Applicant Name STEPHEN BETFY, PRES., ARCHITECTURAL DESIGN (NC.) Address 374 BOARDMAN-POLAND RD., ZOI City YOUNGSTOWN State OH Zip 44512 Phone 330,726-6390 Email Property Owner Name HARPREET SINGH AUSLA, DAVINDER PAUL SINGH Address 1155 TOP OF THE HILL POAD City AKRON State OH Zip 44333 Phone (917) 428-7633 Email Singh harry @ aol. com, Sdavinder 74 Cyahoo.com (419) 790-90360
APPLICATION TYPE	Planning Commission Site Plan Conditional Zoning Certificate Code or Map Amendment Preliminary Plan Final Plat Conditional Sign (EMC/Shopping Ctr) Cert. of Appr. (TCOV) Other Mistoric Preservation Board Certificate of Appropriateness Conditional Sign Board of Zoning Appeals Wariance Appeal
APPLICANT SIGNATURE	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature PRES., A.D.I. Date 2/21/25
OFFICIAL USE	Zoning District



P25-02 Lafayette Road Convenience Store/Gas Station/Drive Through

Property Owner: Leonard and Sandra Shelter

Applicant: Stephen Berry

Location: 999 Lafayette Road

Zoning: C-3 (General Commercial)

Request: Site Plan and Conditional Zoning Certificate approval for a convenience store, motor

vehicle filling station, and drive through

LOCATION AND SURROUNDING USES

The subject site is composed of 1.96 acres located on the northeast corner of Lafayette Road and Lake Road. Adjacent properties contain the following uses and zoning:

• North - Industrial (I-1)

 South – Commercial and Automotive Repair (C-3)

- East Industrial (I-1)
- West Single-Family Residential and Auto Sales (Unincorporated)



BACKGROUND & PROPOSED APPLICATION

The applicant is proposing the construction of a 4,177 sq. ft. convenience store with a food service drive through. The proposal also includes passenger vehicle fueling on the south side of the site and tractor-trailer fueling on the north side of the site. A canopy is located over both passenger vehicle and tractor-trailer fueling areas.



CONDITIONALLY PERMITTED USES

The site is located in the C-3 zoning district. Section 1137.02 allows a convenience store as a Permitted Use and Section 1137.04 allows a "Motor Vehicle Filling Station" and "Restaurant with Drive Through" as Conditionally Permitted Uses.

A Motor Vehicle Filling Station has the following additional Conditionally Permitted Use regulations found in Section 1153.04(a):

- (5) No lighting shall constitute a nuisance or shall in any way impair safe movement of traffic on any street or highway. No lighting shall shine directly on adjacent properties.
- (7) Such developments should be located on major thoroughfares or at intersections of major and/or collector thoroughfares.
- (15) Such uses shall be permitted under the following conditions:
 - A. Provided that such facilities are located at the extremity of the business districts so as not to interfere with the pedestrian interchange between stores in the district, and provided further, that it would not limit expansion of the pedestrian-oriented facilities.
 - B. No more than two (2) driveway approaches shall be permitted directly from any thoroughfares and shall not exceed thirty (30) feet in width at the property line.
 - C. If the property fronts on two (2) or more streets, the driveways shall be located as far from the street intersections as is practical.
 - D. At least a six (6)-inch high pedestrian safety curb shall be installed along all street right-of-way lines, except at driveway approaches, where parking and/or service areas adjoin any right-of-way lines.
- (21) All activities, except those required to be performed at fuel pumps, shall be carried on inside a building. If work is performed on a vehicle, the vehicle shall be entirely within a building.
- (23) Such uses shall be permitted under the following conditions:
 - A. The premises shall be used for vehicle servicing only. No rental, storage, parking or sales of trailers or vehicles of any type, or tools or other equipment, shall be permitted.
 - B. The sale of seasonal products, such as Christmas trees, landscaping materials, garden materials and equipment, etc. shall not be permitted.
 - C. The rental, leasing or permitting of parking of vehicles, except for servicing and/or emergency purposes, shall not be permitted.

A Restaurant with a Drive Through has the following additional Conditionally Permitted Use regulations found in Section 1153.04(a):

- (2) Loudspeakers which cause a hazard or annoyance shall not be permitted.
- (7) Such developments should be located on major thoroughfares or at intersections of major and/or collector thoroughfares.
- (15) Such uses shall be permitted under the following conditions:
 - A. Provided that such facilities are located at the extremity of the business districts so as not to interfere with the pedestrian interchange between stores in the district, and provided further, that it would not limit expansion of the pedestrian-oriented facilities.
 - B. No more than two (2) driveway approaches shall be permitted directly from any thoroughfares and shall not exceed thirty (30) feet in width at the property line.
 - C. If the property fronts on two (2) or more streets, the driveways shall be located as far from the street intersections as is practical.



D. At least a six (6)-inch high pedestrian safety curb shall be installed along all street right-of-way lines, except at driveway approaches, where parking and/or service areas adjoin any right-of-way lines.

The project meets the applicable development standards with the exception of Section 1153.04(d)(15)(B.), which limits the number of drive approaches to two and the width of drive approaches to 30 ft. at the property line. The proposed plan includes three drive approaches with widths greater than 30 ft., as discussed below. The applicant has submitted a variance application to Section 1153.04(d)(15)(B.), which will be reviewed by the Board of Zoning Appeals.

DEVELOPMENT STANDARDS

The proposed building is located in the C-3 zoning district. The following table indicates general development standard requirements in the zoning district:

	Required	Proposed
Minimum Lot Frontage	40 ft.	538 ft.
Minimum Front Setback	None	44 ft.
Minimum Side Setback	None	36 ft.
Minimum Rear Setback	30 ft.	216 ft.
Maximum Building Height	40 ft.	14 ft.

The project meets the applicable development standards.

PARKING, ACCESS, AND CIRCULATION

<u>Access and Circulation</u> – The site has an access point off of Lafayette Road located on the eastern side of the property, which will be accessed by passenger vehicles. In addition, two access drives are located on Lake Road, which will be accessed by tractor-trailers.

Access points incorporate the following widths at the right-of-way and curb:

Access Point	Width at R/W	Width at Curb
Lafayette Road	44 ft.	67 ft.
North Lake Road	37 ft.	43 ft.
South Lake Road	65 ft.	100 ft.

Section 1145.10(e) limits the maximum commercial driveway width to 24 ft. at the right-of-way and 38 ft. at the curb. The applicant has submitted a variance application to Section 1145.10(e), which will be reviewed by the Board of Zoning Appeals.

In addition, a drive to the east of the convenience store building connects the north and south fueling areas.

<u>Required Off-Street Spaces</u> – A convenience retail business requires a minimum of 1 parking space for every 300 sq. ft. The 4,177 sq. ft. convenience store thus requires 14 spaces, which have been provided. In addition, the northing fueling area includes 5 parking spaces for tractor-trailers.



<u>Parking Location</u> – Section 1109.04(c)(13) states that parking, to the extent feasible, shall be located behind the front wall of the building. The proposed plan incorporates parking in front of the building, which is a common configuration for a convenience store with a fueling station.

<u>Parking Dimensions</u> – Ninety-degree parking spaces must be 9 ft. in width and 19 ft. in length with a 24 ft. wide drive aisle. Parallel parking spaces must be 9 ft. in width and 23 ft. in length with an 18 ft. drive aisle. The proposed site meets these standards.

<u>Sidewalk</u> – A public sidewalk is shown on Lake Road and Lafayette Road, as required. The sidewalk will need to be configured to access the existing crosswalk ramp at the corner. In addition, Section 1130.10 requires a sidewalk connection from the public sidewalk to the convenience store building.

<u>Drive Through</u> – Section 1155.10 requires that drive throughs must be located on an arterial road and have a minimum of 5 stacking spaces. The drive through complies with these requirements.

LANDSCAPING, SCREENING, AND BUFFERING

<u>Parking Setback</u> – Section 1145.09(b) requires that a 10 ft. wide landscaped strip must be located between the parking and the right-of-way. A reduction of the landscape strip to 5 ft. may be permitted by the Planning Commission if there are found to be site constraints.

Though parking is located 10 ft. from the right-of-way, the landscape strip is 5 ft. in width to the south and west of the passenger vehicle fueling area, which requires Planning Commission approval.

<u>Parking Lot Landscaping</u> – Landscape features or other visual barriers are required between parking and the right-of-way. Plans show landscaping between parking and the right-of-way. As there are no trees located to the south of the building, two trees could be located in the area marked "LAWN" adjacent to Lafayette Road.

Interior parking lot landscaping is provided at the required 5 sq. ft. per 100 sq. ft. of parking area.

<u>Buffering and Screening</u> – Residential uses in Lafayette Township are located on the west side of Lake Road, across from the site. Significant landscaping, including Giant Arborvitae, has been incorporated to the west of the convenience store and the tractor-trailer fueling area.

<u>Trash Enclosure</u> – A trash enclosure is shown in the northeast corner of the site, which is compliant with setback and screening requirements.

UTILITIES AND STORMWATER

The site has access to public water and sanitary sewer service. The narrative for the project indicates an underground storm water management system.

ENGINEERING AND FIRE DEPARTMENT COMMENTS

The Engineering Department acknowledges the need for storm water management analysis and the installation of a water quality treatment structure.

At this time, the Fire Department has no comments regarding the project.



BUILDING ELEVATIONS AND LIGHTING

Architectural plans illustrate a flat roofed commercial building predominantly incorporating EIFS in two colors with recessed sections. All building elevations include a lower stone section and the front of the building incorporates a parapet at varying heights.

Section 1109.04(c)(10)(D.) states that a stucco appearance should be discouraged unless it is utilized with bands of accent color, recessed or protruding belt courses, wide reveals, or combinations thereof. Though EIFS, a stucco appearance, is used, it incorporates different colors and recessed panels.

A lighting plan has been submitted with a compliant photometric plan and a maximum lighting height of 22 ft. Light fixtures appear to be full cut-off, as required, though the applicant will need to verify the fixture type.

CONDITIONAL ZONING CERTIFICATE BASIS OF DETERMINATION

The Planning Commission shall establish beyond reasonable doubt that the general standards and the specific standards pertinent to each use indicated herein are satisfied by the completion and operation of the proposed development. The Planning Commission may also impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for the insuring that the intent and objectives of this Zoning Ordinance will be observed.

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use on the proposed location:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;
- (6) Will be in compliance with State, County and City regulations;
- (7) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.

SITE PLAN REVIEW STANDARDS

The Planning Commission's review and action shall be based on the following Standards per Section 1109.02(c):

- (1) The site plan shows that a proper relationship does exist between thoroughfares, service roads, driveways and parking areas to encourage pedestrian and vehicular traffic safety.
- (2) All the development features including the principal buildings, open spaces, service roads, driveways and parking areas are so located and related as to minimize the possibility of any adverse effects upon adjacent development.
- (3) The site plan includes adequate provision for the screening of parking areas, service areas and active recreation areas from surrounding properties by landscaping and/or ornamental walls or fences. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- (4) Grading and surface drainage provisions are reviewed and approved by the City Engineer.



- (5) The design and construction standards of all private streets, driveways and parking areas are to be built following approval of plans by the City Engineer according to construction standards specified in the Codified Ordinances.
- (6) Maximum possible privacy for multi-family dwellings and surrounding residential properties shall be provided through good design and use of proper building materials and landscaping. Visual privacy should be provided through structural screening and landscaping treatment. Auditory privacy in multi-family dwellings should be provided through soundproofing. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- (7) The architectural design of buildings should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, materials, line and pattern and character.
- (8) Building location and placement should be developed with consideration given to minimizing removal of trees and change of topography. Any trees to be removed which are planted in a public right-of-way or on municipal property shall be reviewed by the Shade Tree Commission.
- (9) In multi-family developments, television and other antennas shall be centralized.
- (10) On-site circulation shall be designed to make possible adequate fire and police protection.
- (11) Off-street parking facilities shall be provided in accordance with Chapter 1145. In large parking areas, visual relief shall be provided through the use of tree planted and landscaped dividers, islands and walkways. In multi-family developments no parking or service areas shall be permitted between any street and the main building. All trees planted shall be as found in specifications approved by the Shade Tree Commission.
- (12) Signs shall be provided in accordance with these Codified Ordinances.
- (13) Any trees planted on site shall be on approved list of Shade Tree Commission and planted in accordance with Commission standards.

COMMUNITY DEVELOPMENT DEPARTMENT STAFF RECOMMENDATION

Staff recommends **approval** of application P25-02 for Conditional Zoning Certificate and Site Plan approval as submitted with parking in the front yard and a 5 ft. parking setback, with the following conditions:

- (1) The project shall comply with Sections 1145.10(e) and 1153.04(d)(15)(B.) regarding the number and width of access points or receive variance approval from the Board of Zoning Appeals.
- (2) The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road and a private sidewalk shall connect from the public sidewalk to the convenience store building per Section 1130.10.
- (3) Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
- (4) A light fixture detail shall be submitted in compliance with Section 1145.09(c)(6).

Andrew Dutton

From: Patrick Patton

Sent: Tuesday, March 4, 2025 12:44 PM

To: Andrew Dutton **Subject:** FW: Site Plan Review

Attachments: P25-02 File 3-13-25.pdf; Engineering Checklist for Commercial Site Plan.pdf

Andrew-

My comments for the attached:

1. Please refer to the attached engineering checklist for site plan approval.

- 2. The owner will be required to enter into a Storm Water Operations and Management Agreement with the City. This agreement will be recorded with the property.
- 3. A stormwater management analysis will be required. It is anticipated that due to the extend of the area to be disturbed by construction that a storm water quality treatment structure will be required.

Patrick Patton, PE City Engineer City of Medina, Ohio

Phone: (330) 721-4721

Email: ppatton@medinaoh.org
Website: www.medinaoh.org

Medina City Hall / 132 N. Elmwood Avenue / Medina, Ohio 44256



stephen berry

ARCHITECTURAL DESIGN INC

February 21, 2025

Planning Commission
Board of Zoning Appeals
Andrew Dutton, Community Development Director
The City of Medina
132 North Elmwood Avenue
Medina. Ohio 44256

Re: Written Narrative for

Proposed Convenience Store and Motor Vehicle Filling Station

999 Lafayette Road Medina, Ohio 44256

Dear Commissioners, Board Members and Director Dutton:

Submitted herewith are an application and plans for a proposed convenience store and motor vehicle filling station (the project) to be located at 999 Lafayette Road in Medina, Ohio. The application is for 1) A Conditional Use Permit, 2) A site Plan Approval and 3) A Variance for the three (3) oversized curb-cuts including one (1) additional curb-cut, that are proposed for the project. The oversized and additional curb-cuts are necessary for the effective routing of automobiles (cars, SUVs and pick-up and light trucks) at the front or southern part of the site and tractor-trailers at the rear or northern part of the site.

The project, as proposed, will consist of demolition of the existing two (2) buildings on-site, a "clean and scrape" of the site; re-grading and paving of the site; construction of a new convenience store; fuel dispensers for automobiles and tractor trailers; two (2) canopies for the fuel dispensers; and an underground storm-water management and water quality control system that will be designed to meet Medina County standards.

The site has been designed to segregate automobile traffic from tractor-trailer traffic, with automobiles accessing the site from Lafayette Road and tractor trailers accessing the site from Lake Road.

It is acknowledged that only two (2) curb-cuts are allowed per the zoning code and those are required to be no larger than 30 feet wide. In order to accommodate two (2) lanes of automobiles exiting the site on Lafayette Road, one for a left turn and right turn, in addition to one lane entering the site we are requesting a variance that will allow a 36 foot wide curb cut at Lafayette Road.

The variance request also includes a 63 foot wide curb-cut and a 36 foot wide curb-cut along Lake Road placed as far away from the intersection as possible to accommodate an in-only access for tractor –trailers and an exit-only curb-cut for tractor trailers.

On behalf of my clients, Harry Singh and Paul Singh, thank you for your consideration in reviewing this request for A Conditional Use Permit, a site Plan Approval and a Variance for the project.

Sincerely.

Stephen Berry, AIA, NCARB, ICC President, Principlal Architect

ARCHITECTURE . 374 boardman-poland road

PLANNING

DESIGN

youngstown, ohio

PHOTOGRAPHY

suite 201

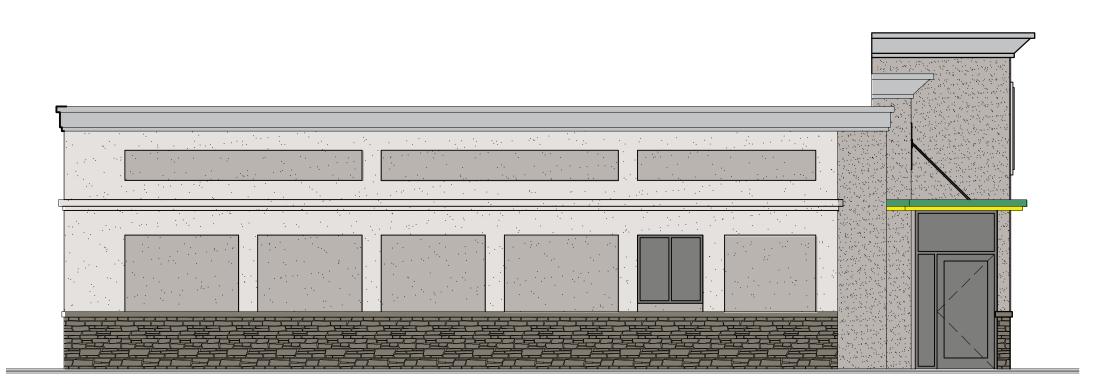
www.architecturaldesigninc.com web

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

999 LAFAYETTE RD, MEDINA OH



2 SOUTH ELEVATION
SCALE: NTS



WEST ELEVATION
SCALE: NTS

		DRAWING INDEX
•		LOCATION MAP, CODE DATA, \$ SITE PLAN EXIST SITE CONDITION PLAN
•	AS115	LANDSCAPING PLAN
•	SE100	TRASH ENCLOSURE PLAN & DETAILS SITE LIGHTING PLAN RENDERED ELEVATIONS
•	A100	FLOOR PLAN
•		EQUIPMENT PLAN EXTERIOR ELEVATIONS
.		CANOPY PLANS \$ ELEVATIONS COLOR EXTERIOR ELEVATIONS
•		SPECIFICATIONS SPECIFICATIONS

ZONING CLASS: C3 GENERAL COMMERCIAL DISTRICT PROPOSED CONDITIONAL USE: MOTOR VEHICLE FILLING STATION

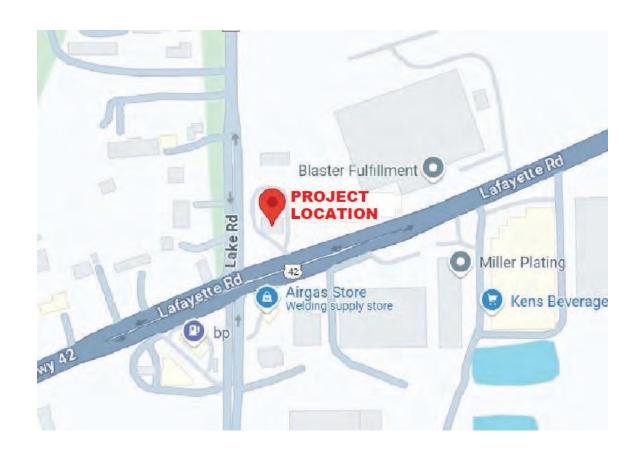
<u>PARKING RATIO</u>

PARKING REQUIRED:

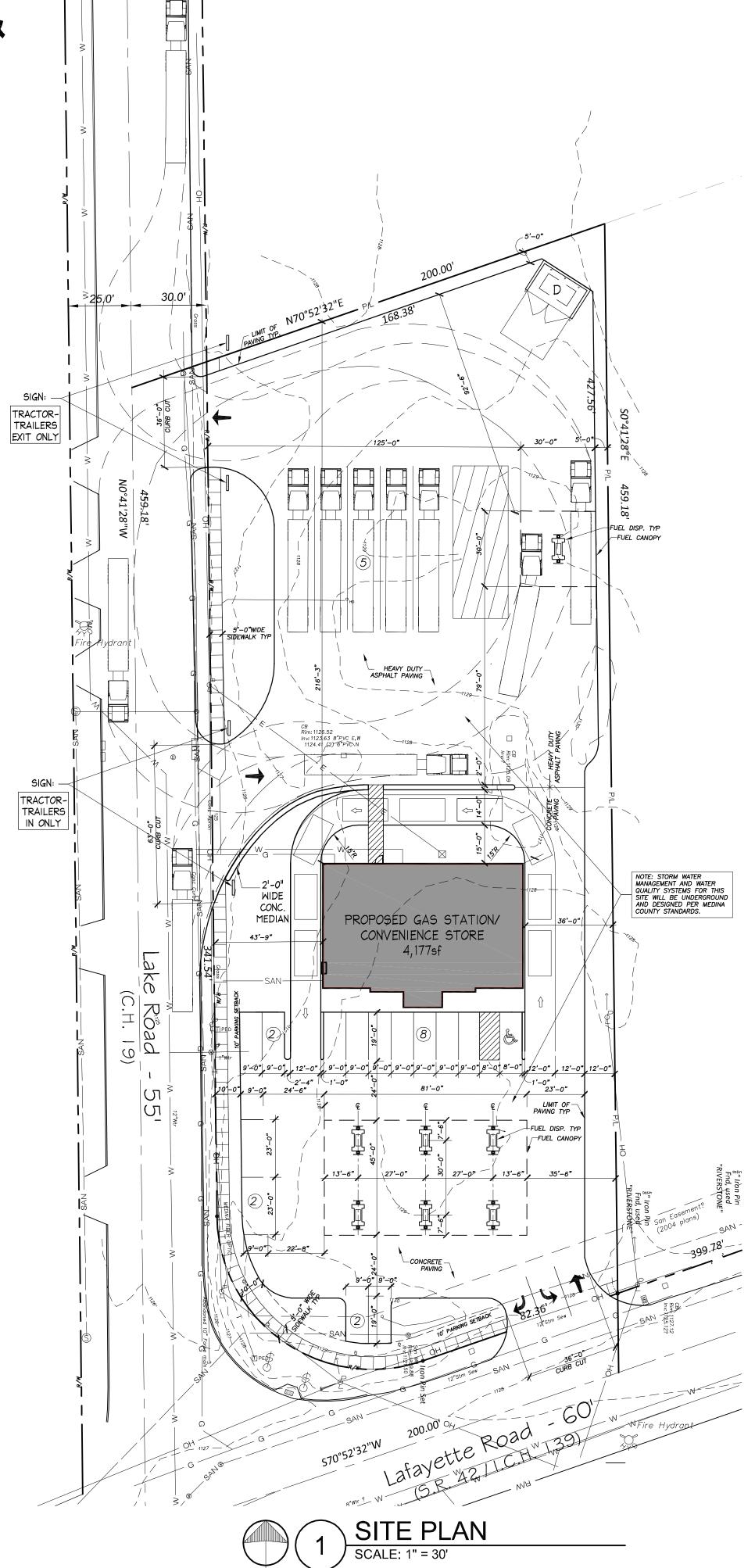
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1 SPACE / (2) FUEL PUMPS $1/2$ PUMPS X 8 = 4	JU S.F. 4,1// / JUU S.F. –	14 SPACES
	?) FUEL PUMPS $1/2$ PUMPS X 8 =	4 SPACES
TOTAL PARKING SPACES REQUIRED: 18	G SPACES REQUIRED:	18 SPACES

PARKING	INDICATED:

AUTOMOBILES:	14 SPACES
TRACTOR TRAILERS:	5 SPACES
TOTAL INDICATED:	19 SPACES

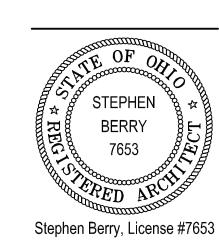






REV. 2/21/25 ZONING 11/20/24

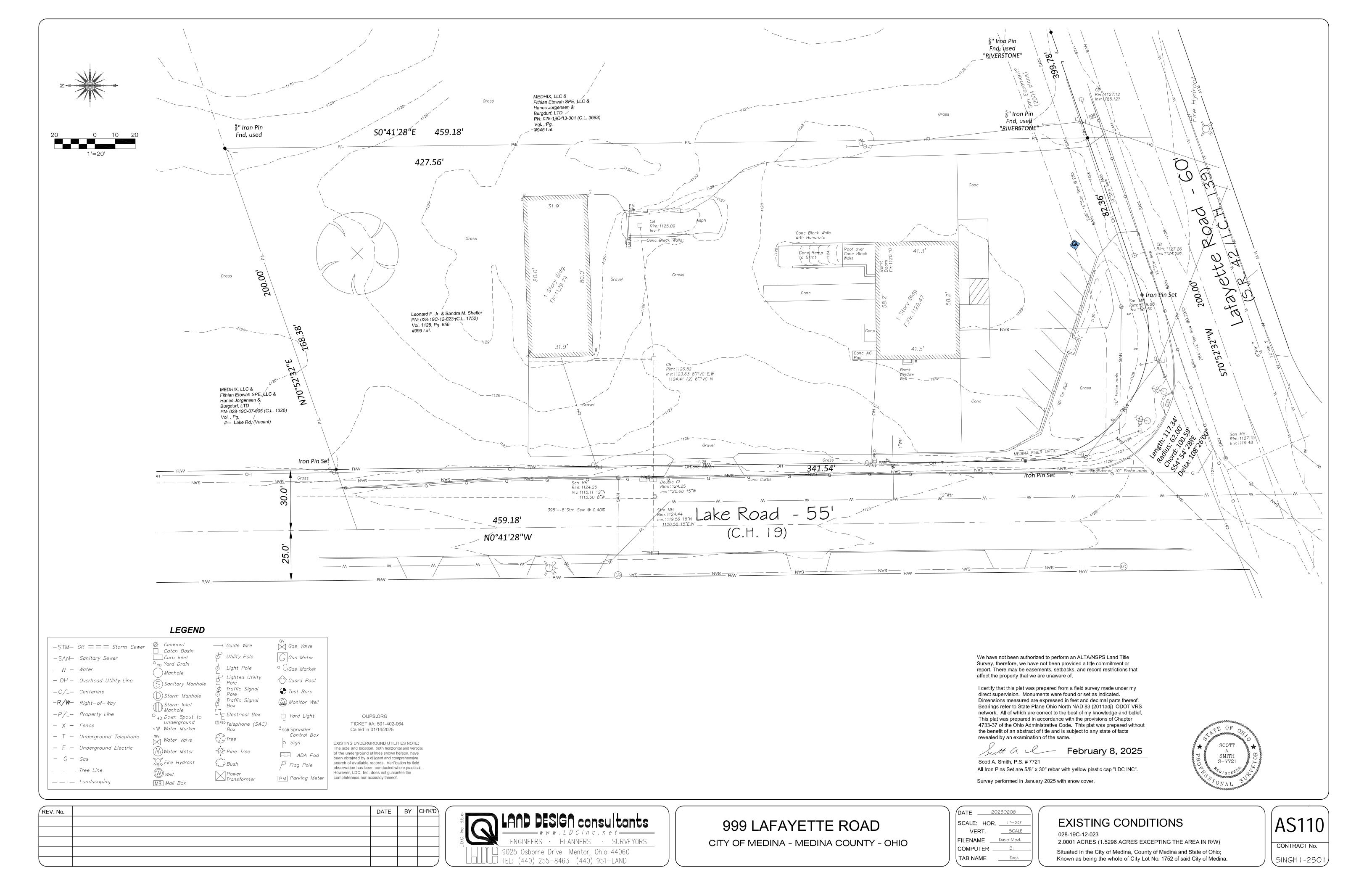
stephen berry/ ARCHITECTURAL DESIGN INC



Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

02/21/25 PROJECT NUMBER: 5*0*71*00*



LANDSCAPE INSTALLATION NOTES

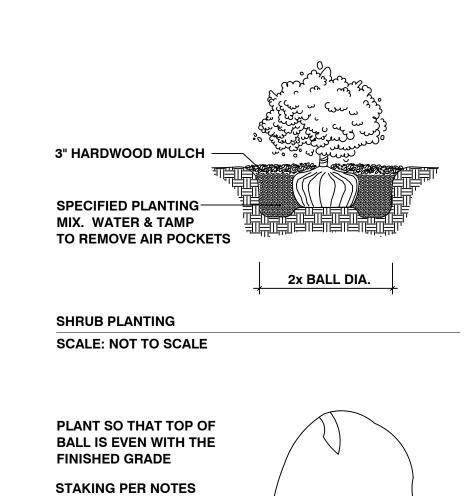
- 1. LANDSCAPE CONTRACTOR SHALL KEEP A FIELD SET OF PLANTING AND LANDSCAPE SPECIFICATIONS/NOTES ON SITE AT ALL TIMES DURING LANDSCAPE CONSTRUCTION AND DEVELOPMENT PHASES.
- 2. LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES OF MATERIAL SHOWN ON DRAWINGS PRIOR TO SUBMITTING THEIR BID. PLANTING PLAN SHALL TAKE PRECEDENCE OVER PLANT LIST. FINAL QUANTITIES OF SOD, TOPSOIL, STONE, GRAVEL, ETC; TO BE VERIFIED ON SITE BY LANDSCAPE CONTRACTOR WHEN APPLICABLE.
- 3. ANY BUILDING CONSTRUCTION MATERIAL OR FOREIGN MATERIAL SHALL BE REMOVED FROM ALL PLANTING AREAS AND REPLACED WITH APPROVED TOPSOIL.
- 4. ABSOLUTELY NO 'PARK GRADE' PLANT MATERIAL WILL BE ACCEPTED.
- 5. ALL SIZES SHOWN FOR PLANT MATERIAL ON THE PLAN ARE TO BE CONSIDERED MINIMUM. ALL PLANT MATERIAL SHALL MEET OR EXCEED THESE MINIMUM REQUIREMENTS FOR CONTAINER SIZE, HEIGHT, WIDTH, ETC. ANY OTHER REQUIREMENTS FOR SPECIFIC SHAPE OR EFFECT AS NOTED ON THE PLAN SHALL ALSO BE REQUIRED FOR ACCEPTANCE. ALL TREES TO BE SINGLE TRUNK, UNLESS OTHERWISE NOTED ON PLAN.
- 6. ALL TREES 8' HEIGHT AND TALLER SHALL BE STAKED ACCORDING TO THE APPLICABLE PLANTING DETAIL. ALL NON-BIODEGRADEABLE WRAPPING SUCH AS WIRE, TWINE, OR NYLON CORD SHALL BE REMOVED FROM THE PLANT AND ROOT AREA BEFORE PLANTING. BURLAP SHALL BE REMOVED AND CUT BACK FROM THE TOP 1/3 OF THE ROOT BALL. TOP OF ROOT BALL SHALL BE PLANTED FLUSH WITH FINISHED GRADE
- 7. 3" DEPTH DOUBLE SHREDDED HARDWOOD MULCH SHALL BE USED IN ALL LANDSCAPE BEDS AND TREE RINGS UNLESS NOTED OTHERWISE.
- 8. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL PLANT MATERIAL ON SITE WITH THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. THE LANDSCAPE ARCHITECT SHALL BE GIVEN A 48 HOUR MINIMUM NOTICE PRIOR TO PLANT ARRIVAL ON SITE.
- 9. CARE SHALL BE TAKEN NOT TO DISTURB OR DAMAGE ANY UNDERGROUND CONSTRUCTION OR UTILITIES. ANY DAMAGE TO THESE FACILITIES DURING LANDSCAPE OPERATIONS WILL BE REPAIRED AT THE EXPENSE OF THE LANDSCAPE CONTRACTOR IN A MANNER APPROVED BY THE OWNER, LANDSCAPE ARCHITECT OR UTILITY COMPANY. WHERE UNDERGROUND CONSTRUCTION OR OBSTRUCTIONS WILL NOT PERMIT LANDSCAPE CONSTRUCTION IN ACCORDANCE WITH THE PLANS, NEW LOCATIONS FOR THE MATERIALS WILL BE DESIGNATED BY THE LANDSCAPE ARCHITECT
- 10. THE LANDSCAPE CONTRACTOR SHALL EXERCISE CAUTION TO PROTECT ALL EXISTING SOD AND IRRIGATION, IF APPLICABLE. ANY DAMAGE TO THE SOD OR IRRIGATION SHALL BE REPLACED OR REPAIRED TO IT'S ORIGINAL STATE BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- 11. THE LANDSCAPE CONTRACTOR SHALL AT ALL TIMES KEEP THE JOB SITE CLEAN AND FREE FROM ACCUMULATED WASTE MATERIAL, DEBRIS, AND RUBBISH.
- 12. THE LANDSCAPE CONTRACTOR SHALL FULLY INSPECT AND FAMILIARIZE THEMSELVES WITH THE SITE AND ALL WORK CONDITIONS SO AS TO INCLUDE IN THEIR BID A COST FOR PLANT REMOVALS, TRANSPLANTS, SOD ADJUSTMENTS, DEBRIS REMOVAL, FINISH GRADING, AND ANY OTHER ITEMS WHICH WILL BE ADDRESSED BEFORE, DURING, AND AFTER THE CONSTRUCTION PROCESS.
- 13. ALL PLANTS SHALL BE LOCATED ON SITE BY THE CENTER OF THE SYMBOL REPRESENTING SAID PLANT ON THE PLANTING PLAN. THE PLANT SYMBOL ON THE PLANTING PLAN REPRESENTS ALL OR A PORTION OF THE FULL MATURE SPREAD OF THE PLANT AND NOT THE INSTALLED SPREAD.
- 14. SITE PREPARATION SHALL INCLUDE REMOVAL OF ANY WEEDS, PATCHES OF GRASS, STICKS, LARGER ROCKS, DEBRIS AND DEAD MATERIAL, AND FINISH GRADING.
- 15. THE LANDSCAPE CONTRACTOR SHALL REVIEW THE EXISTING IRRIGATION SYSTEM (IF APPLICABLE) PRIOR TO SUBMITTING THEIR BID TO COVER ANY COSTS RESULTING FROM ADJUSTMENTS THAT MAY NEED DONE TO ACCOMMODATE THE NEW LANDSCAPE LAYOUT.
- 16. LOCATION OF PLANT MATERIALS, WALKS, AND LANDSCAPE FEATURES MAY BE RELOCATED AT THE DISCRETION OF THE LANDSCAPE ARCHITECT OR OWNER.
- 17. QUANTITIES AND SPECIFICATIONS OF LANDSCAPE MATERIALS MAY BE SUBJECT TO CHANGE DURING THE INSTALLATION AT THE DISCRETION OF THE LANDSCAPE ARCHITECT OR OWNER.
- 18. INSTALL CURLEX BLANKET ON ALL SLOPES GREATER THAN 2:1 AND STRAW NETTING ON ALL SLOPES 3:1. SECURELY STAKE IN PLACE TO PREVENT MOVEMENT. 3:1 SLOPES MAY BE HYDROSEEDED.
- 19. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. ANY UTILITIES WHICH ARE DAMAGED DURING CONSTRUCTION, SHALL BE REPLACED AND/OR REPAIRED AT NO ADDITIONAL COST TO THE OWNER.
- 20. ALL PLANTING BEDS TO RECEIVE 1" COMPOST/PEAT TO BE TILLED INTO THE EXISTING SOIL BEFORE PLANTING.
- 21. BACKFILL MIX-ALL INDIVIDUAL PLANTING PITS SHALL BE BACKFILLED WITH 50% IMPORTED SCREENED TOPSOIL AND 50% NATIVE SOIL.
- 22. PLANT MAINTENANCE-TRIM AS NEEDED TO REMOVE DEAD/DYING BRANCHES. DO NOT SHEAR.
- 23. PLANT MATERIAL SUBSTITUTIONS ARE STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT. ALL PLANT SUBSTITUTIONS MUST BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR REVIEW PRIOR TO INSTALLATION.

SEED MIX

LAWN SEED MIX
AREAS SHALL RECEIVE A 50/50 BLUEGRASS/RYEGRASS SEED
MIX BLEND AT A RATE OF 8 LBS/1000 SF WITH A 12-12-12
STARTER FERTILIZER APPLIED AT A RATE OF 8 LBS/1000 SF.

PLANT LIST

QTY. SCIENTIFIC NAME **COMMON NAME DESCRIPTION** 4 ACER RUBRUM 'BOWHALL' **BOWHALL MAPLE** 1.5" CAL, B&B 4 GINKGO BILOBA 'JN9' SKY TOWER GINKGO 1.5" CAL, B&B 24 | HELICTOTRICHON SEMPERVIRENS BLUE OAT GRASS 2 GAL 28 | LIRIOPE MUSCARI 'VARIEGATA' **VARIEGATED LIRIOPE** 14 THUJA 'GREEN GIANT' **GREEN GIANT ARBORVITAE** 6' HT, B&B **NEWPORT VIBURNUM** 40 VIBURNUM PLICATUM 'NEWZAM'



ARBORTIE

(2) 2"x2" HARDWOOD

STAKES DRIVEN (MIN. 18")
FIRMLY INTO SUBGRADE
PRIOR TO BACKFILLING

3" HARDWOOD MULCH

2x BALL DIA.

SPECIFIED PLANTING MIX WATER & TAMP TO REMOVE AIR POCKETS ——

TREE PLANTING
SCALE: NOT TO SCALE

PLANT SO THAT TOP OF
BALL IS EVEN WITH THE
FINISHED GRADE

HARDWOOD STAKE 2" X 2"
SET AT APPROX. 70 DEG
DRIVEN (MIN. 18") FIRMLY
INTO SUBGRADE PRIOR
TO BACKFILLING

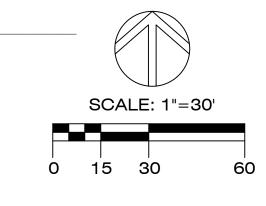
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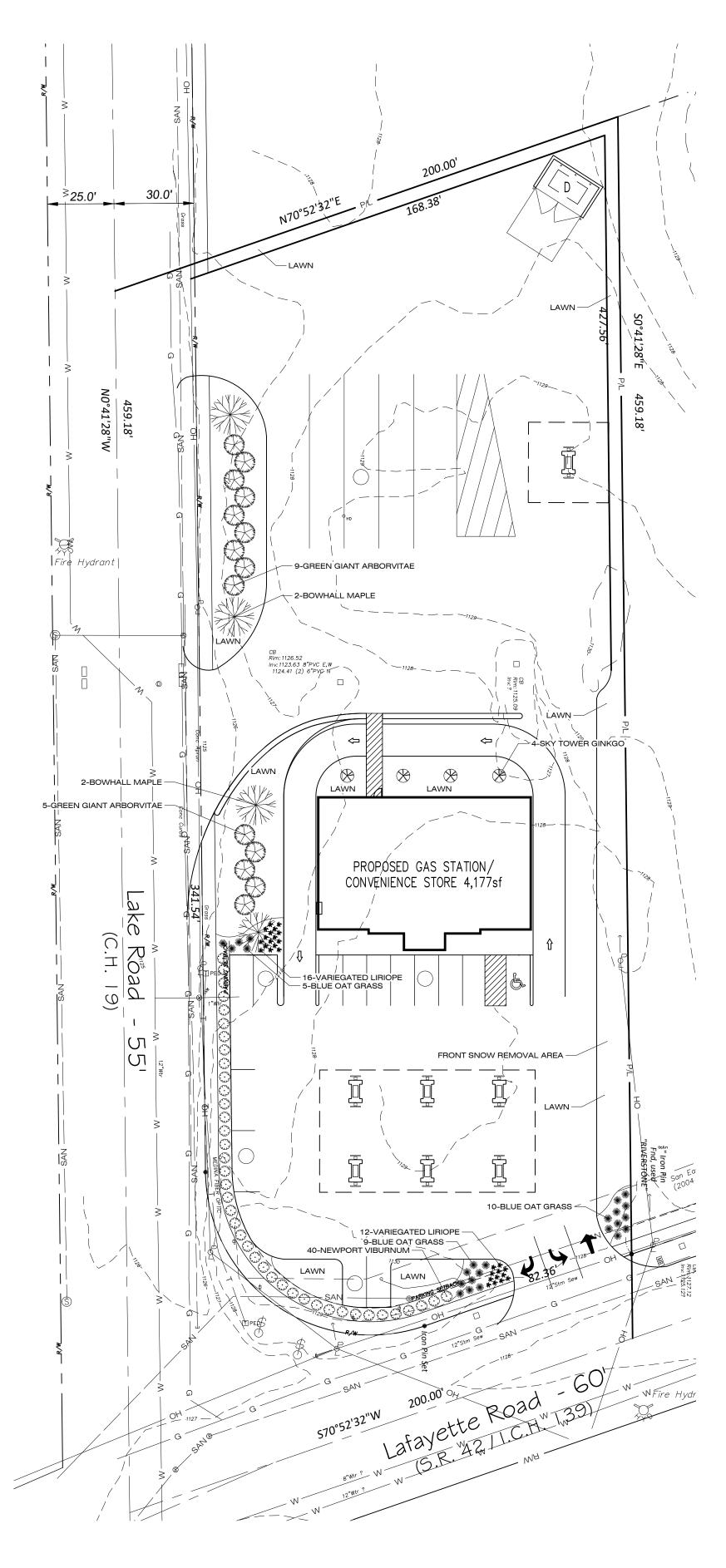
3" HARDWOOD MULCH

SPECIFIED PLANTING MIX
WATER & TAMP TO
REMOVE AIR POCKETS

2x BALL DIA.

EVERGREEN PLANTING - ANGLE STAKE SCALE: NOT TO SCALE





DATE: <u>2-19-25</u>

REVISIONS:

GREGORY GREGORY No. 930

2-19-25

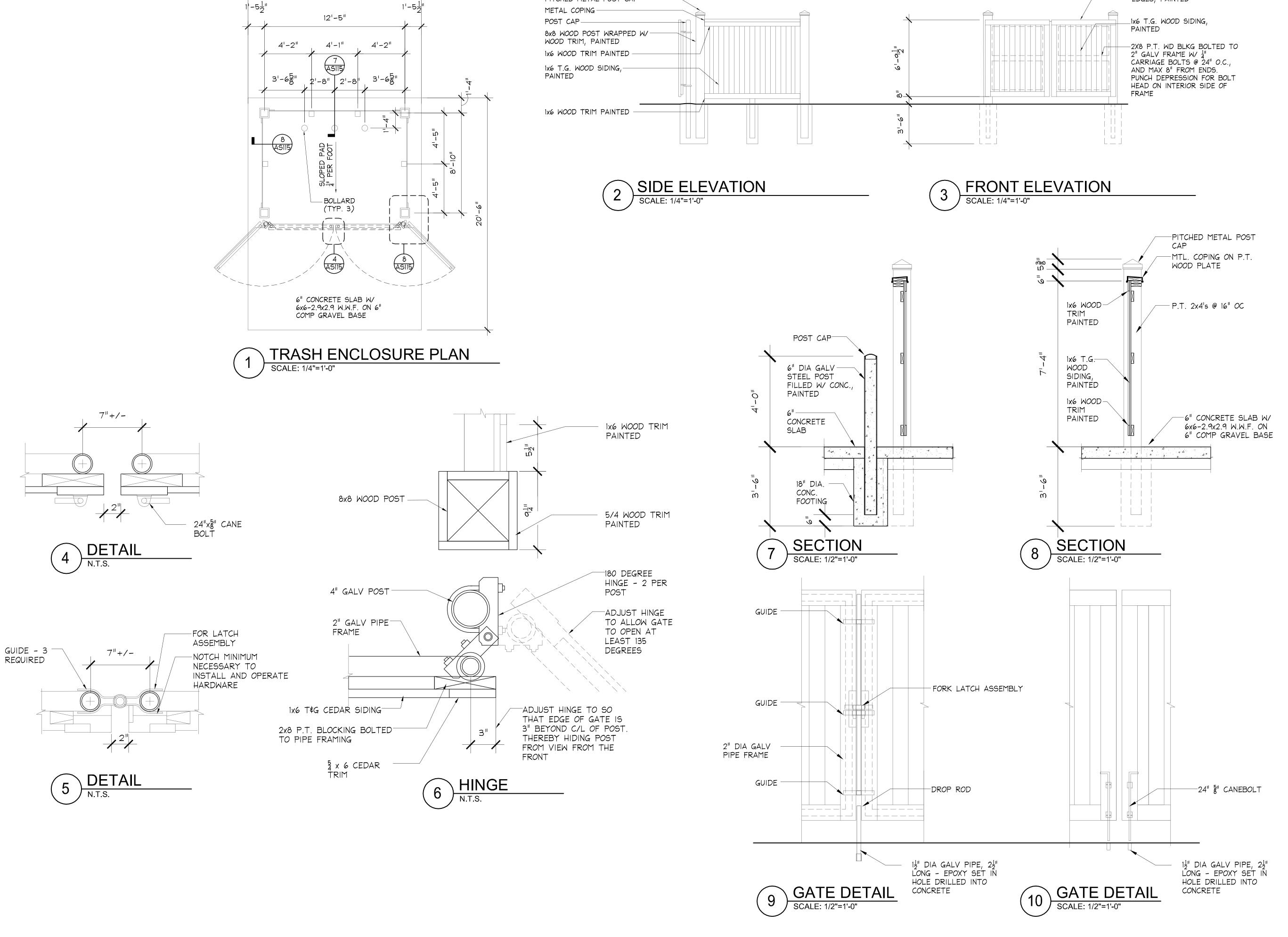
landscape architecture

8805 Blossom Circle NW Massillon, OH 44646
330-209-9674 www.gsblarch.com

SCAPE PLAN
POSED CONVENIENCE STORI
TOR VEHICLE FILLING STATION
AFAYETTE RD. MEDINA, OH 44256

JOB NO. 25-0201

AS115



PITCHED METAL POST CAP

15'-4"

REV. 2/21/25 ZONING 11/20/24

 $-rac{5}{4}$ wood trim on all 4 edges, painted

> NING 11/20/22

Stephen berry/
ARCHITECTURAL DESIGN INC
ARCHITECTURE. PLANNING. DESIGN. PHOTOGRAPHY
374 boardman - poland road. suite 201. youngstown, ohio. 44512
330 726 6390 studio. 374bprd@sbcglobal.net. www.architecturaldesigninc.com

Stephen Berry License #7653

Stephen Berry, License #7653
Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

999 LAFAYETTE RD MEDINA OH 44256

DATE: 02/21/25

PROJECT NUMBER: 507100

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SCALE: 1" = 30'

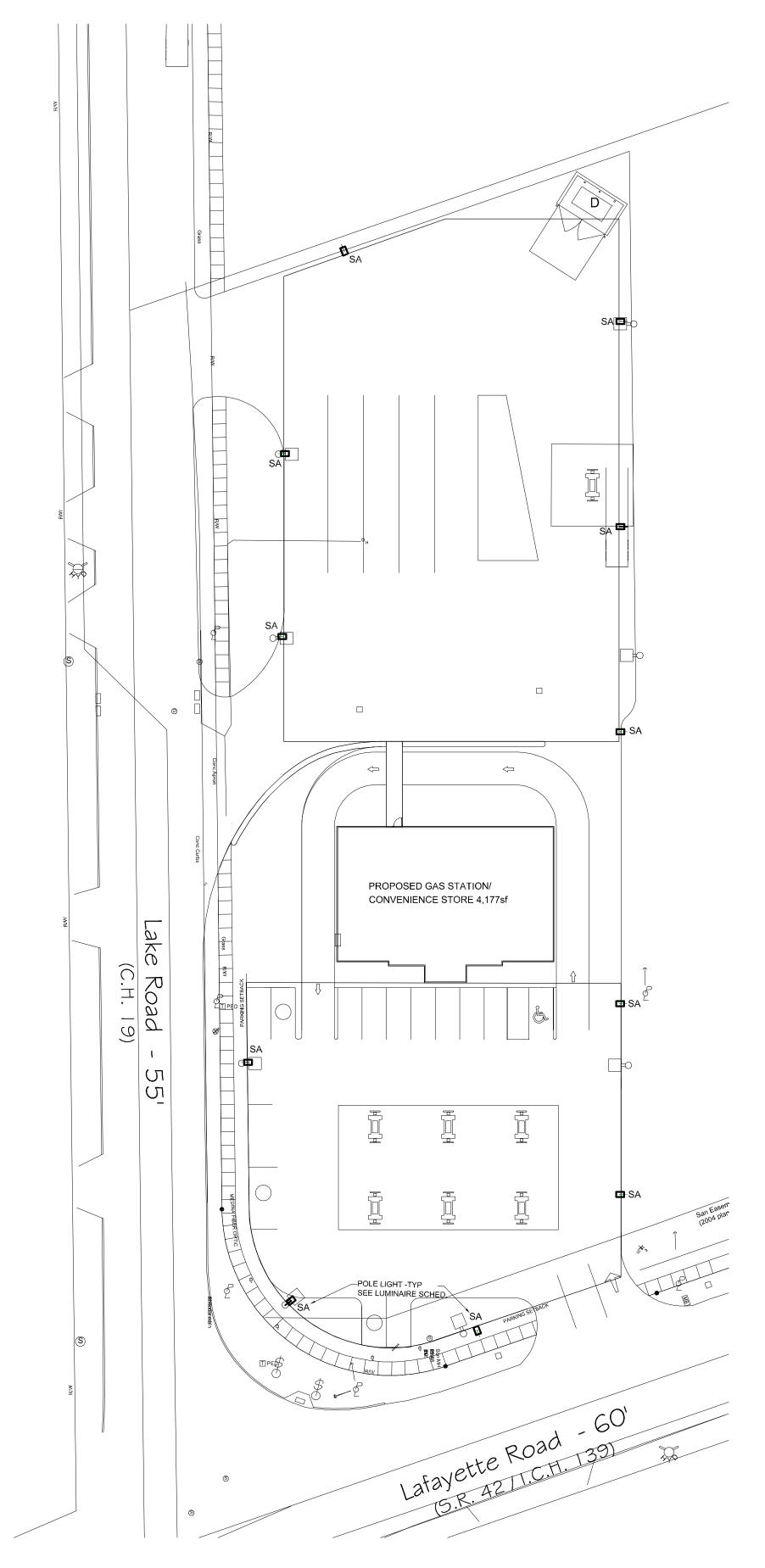
Luminaire Schedule														
Symbol	Qty	Label	LLF	Luminaire Lumens	[MANUFAC]	Description	Filename	Luminaire Watts	Mounting Height					
—	11	SA	0.900	13182	BEACON	VP-ST-2-72L-115-4K7-4F-UNV-A-DBT-BC-(MOUNT TO 20' POLE)	VP-ST-2-72L-115-4K7-4F-BC.ies	115	22					
Coloulation Summany														

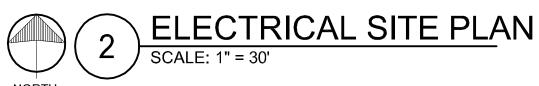
Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min				
front parking and pedestrian area	Illuminance	Fc	2.71	4.8	0.7	3.87	6.86				
rear parking and pedestrian area	Illuminance	Fc	2.51	4.7	0.8	3.14	5.88				

1. ILLUMINANCE LEVELS TAKEN ON THE PAVEMENT

2. DARK BRONZE FINISH 3. TYPE-SA OVERALL MOUNTING HEIGHT:

20' POLE + 2' CONCRETE BASE = 22' A.F.G.



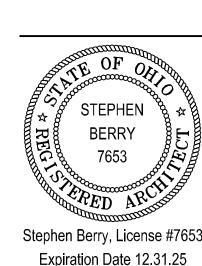


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ZONING 11/20/24



Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

999 LAFAYETTE RD MEDINA OH 44256

DATE: 02/21/25

PROJECT NUMBER: 5*0*71*00*

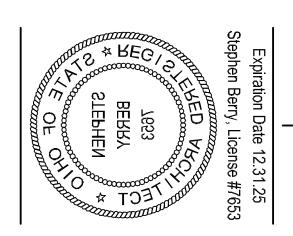


RENDERING

REV. 2/21/25 ZONING 11/20/24

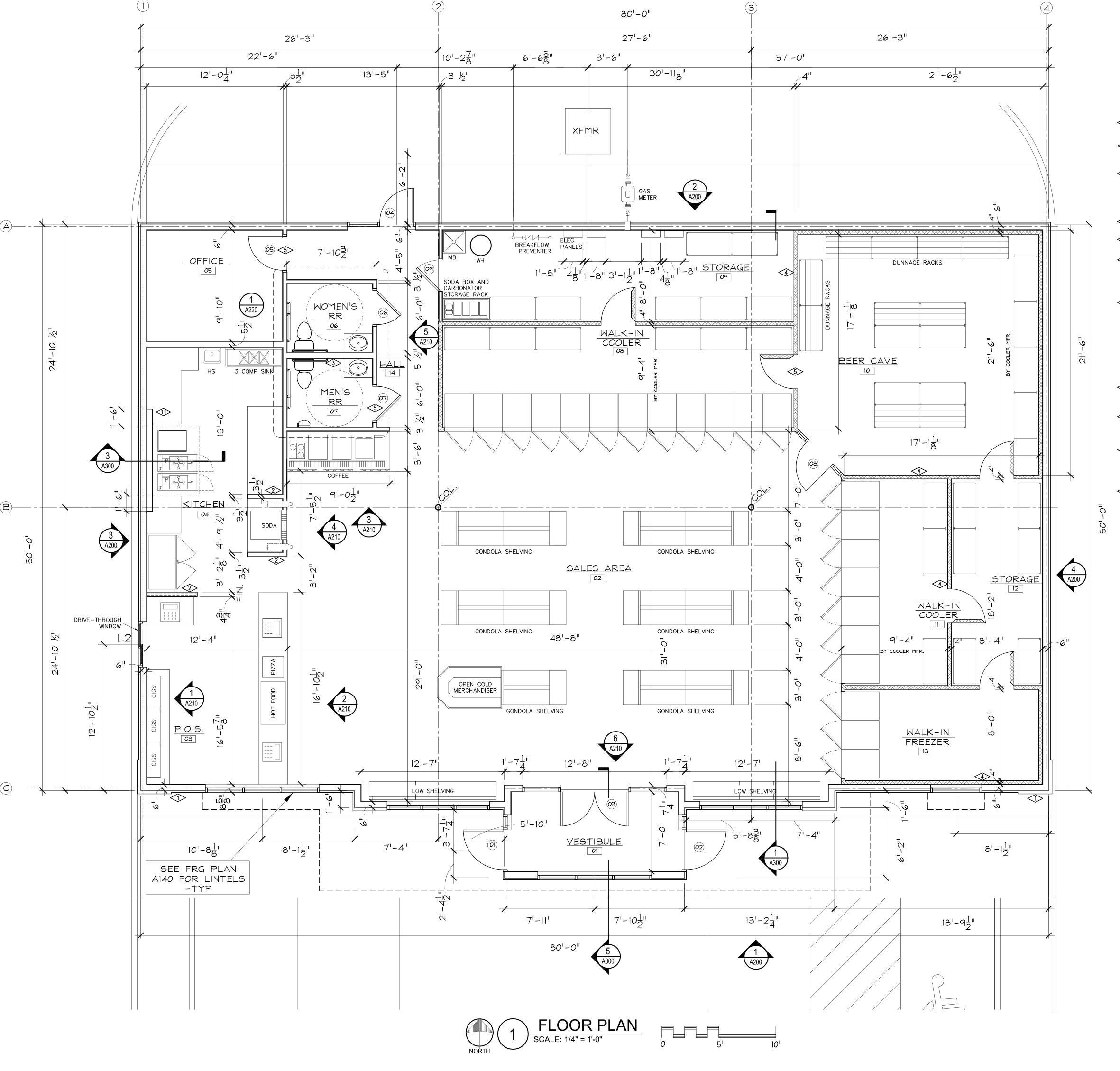
\stephen berry ARCHITECTURAL DESIGN INC

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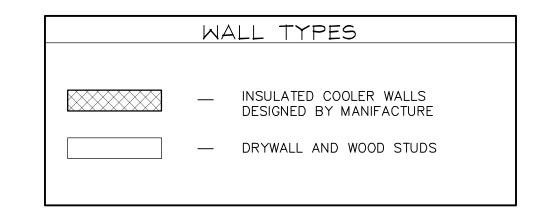
PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

999 LAFAYETTE RD MEDINA OH 44256 02/21/25 TE:



CONSTRUCTION NOTES:

- <1> 1 ½"x11 VERTICAL E.I.F.S BUMP OUT
- INTERIOR PARTITION: 2x4 STUDS @ 16 O.C w/ %"
 GYP BOARD EACH SIDE. UNO.
- PLUMBING WALL w/ 2x6 STUDS @ 16 OC w/ \%" GYP BOARD EACH SIDE EXTEND STUDS AND GYP BOAD TO BOTTOM OF ROOF JOIST, FILL STUD w/ SOUND BATT INSULATION FOR FULL HEIGHT.
- COOLER DESIGNED BY MANUFACTURE SEE A110
- $\langle 5 \rangle$ 3'-0" INTERIOR DOOR- TYP
- PER OMC 306.5, A PERMANENT MEANS OF ROOF ACCESS IS NOT REQUIRED TO SERVICE THE ROOFTOP UNIT WHIC IS LESS THAN 16 FEET ABOVE THE GRAGE PLANE.
- PER OMC 306.5.1 A LEVEL PLATFORM IS NOT REQUIRED TO SERVICE THE ROOFTOP UNIT WHICH IS MOUNTED ON A SLOPING ROOF THAT IS SHALLOWER THAN 3 UNITS VERTICAL IN 12 UNITS HORIZONTAL. ALSO ACCESS DOES NOT REQUIRE WALKING ON ANY ROOF SURFACE HAVING A SLOPE GREATER THAN 4 UNITS VERTICAL AND 12 UNITS HORIZONTAL.
- 8 ERECT SIDE WALLS TO MATCH SLOPING ELEV. OF TOP OF TRUSSES SEE 3/A300 TYP.
- 9 ROOF TRUSS MANF SHALL DESIGN TRUSSES TO SUPPORT ALL ROOF TOP MECHANICAL EQUIPMENT.
- A WEATHERPROOF RECEPTACLE SHALL BE PROVIDED ADJACENT TO THE ROOFTOP UNIT IN ACCORDANCE WITH OMC 306.5.2, NFPA 70 AND REQUIREMENTS.
- PROVIDE SECTION OF 6" METAL STUD WALL @
 16" O.C DIRECTLY ADJACENT TO WOOD FRAMED
 WALL & COVERED IN 24 GAUGE MIN. GALVANIZED
 SHEET STEEL AS REQUIRED TO REDUCE 18" MIN
 REQUIRED CLEARANCE TO COMBUSTIBLES PER
 OMC 507.2.6 TO 6" AS INDICATED IN TABLE
 308.4.2 CLEARANCE REDUCTION METHODS.
 SEE 3/A300



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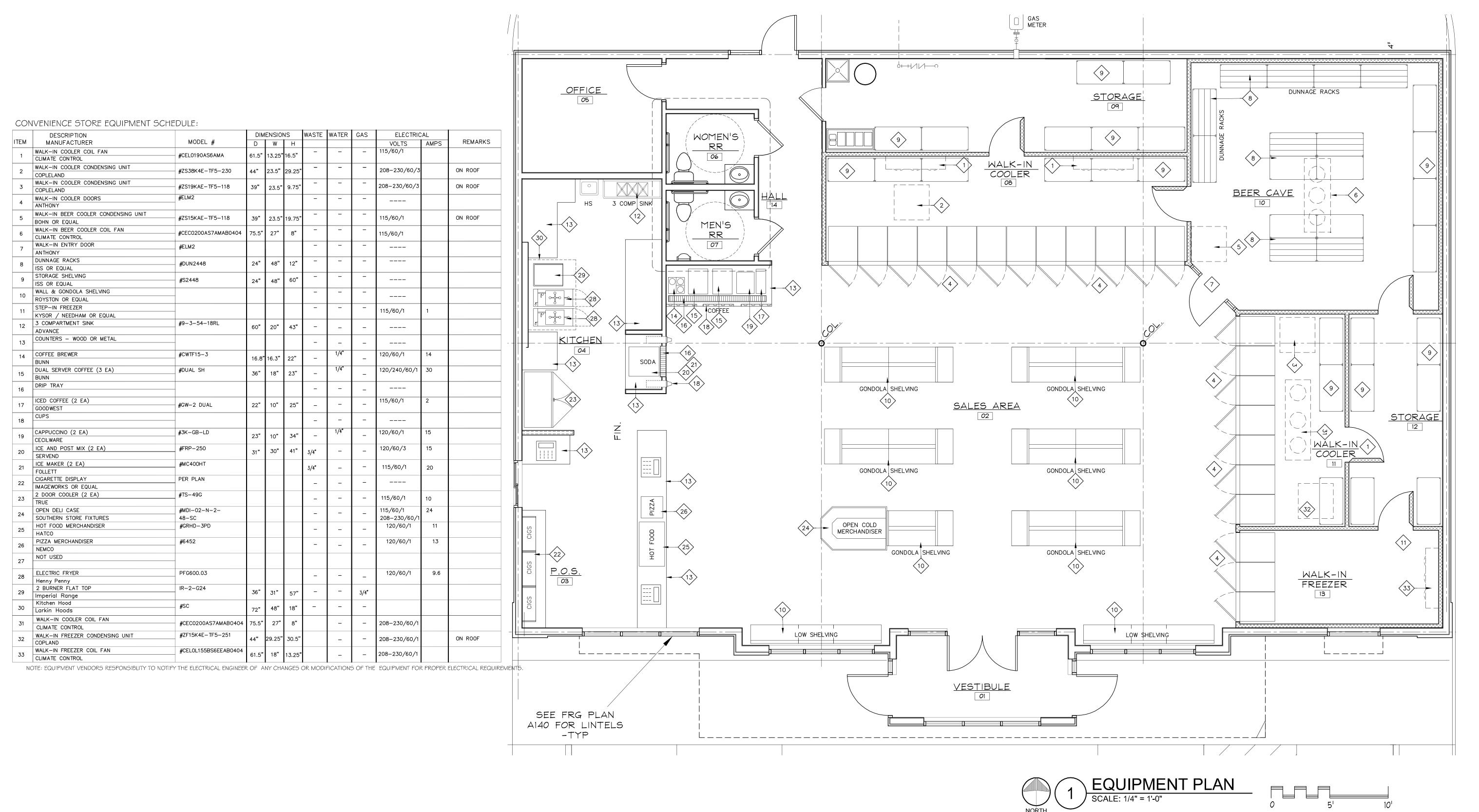
Stephen Berry, License #7653
Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION 999 LAFAYETTE RD MEDINA OH 44256

DATE: 02/21/25

PROJECT NUMBER: 507100

A100



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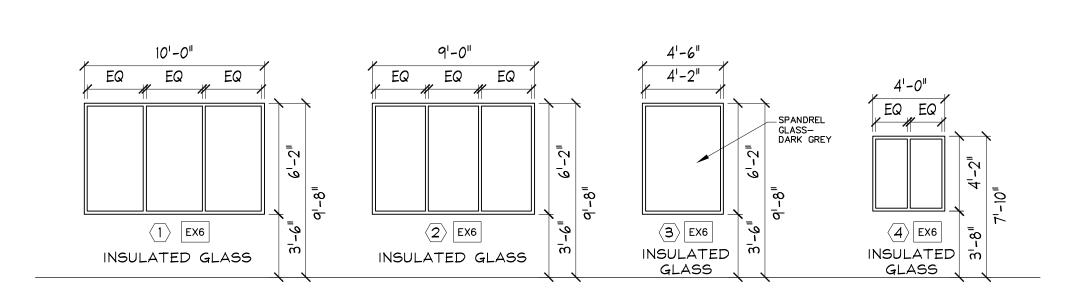
Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION 999 LAFAYETTE RD MEDINA OH 44256

DATE: 02/21/25
PROJECT NUMBER:

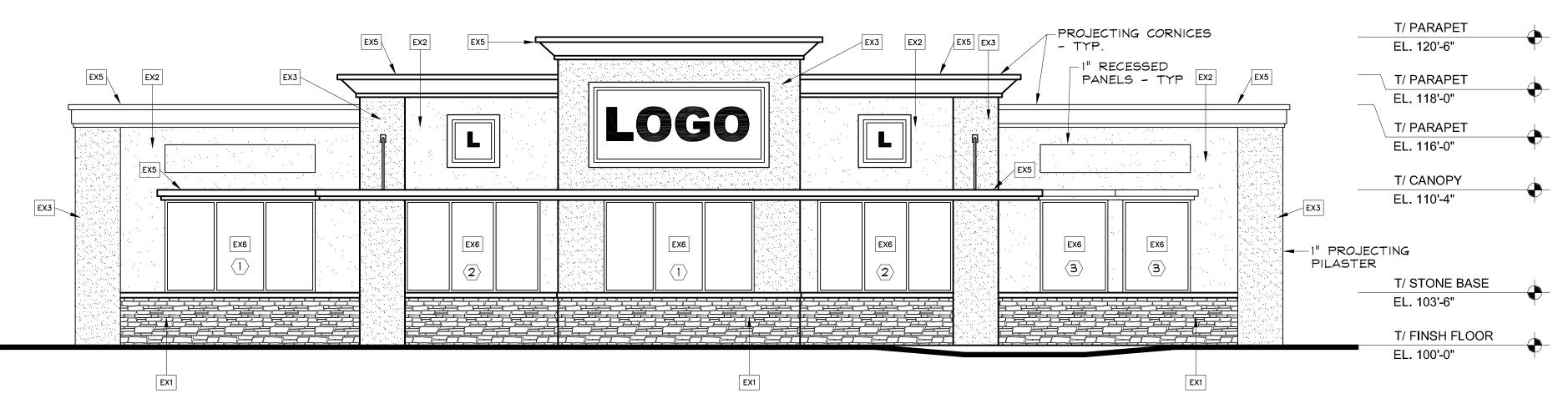
A110

507100

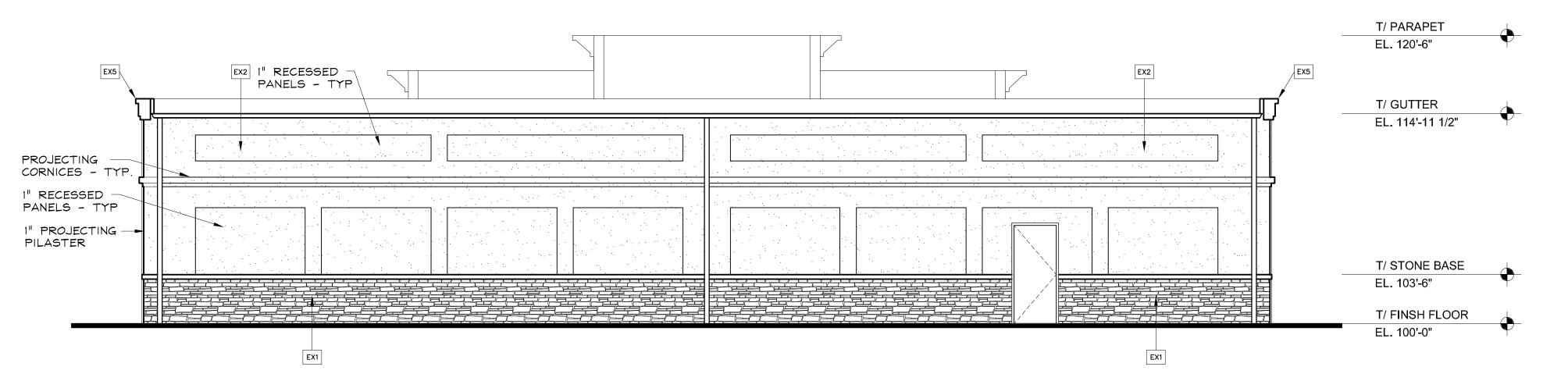


SCALE: 3/16" = 1'-0"

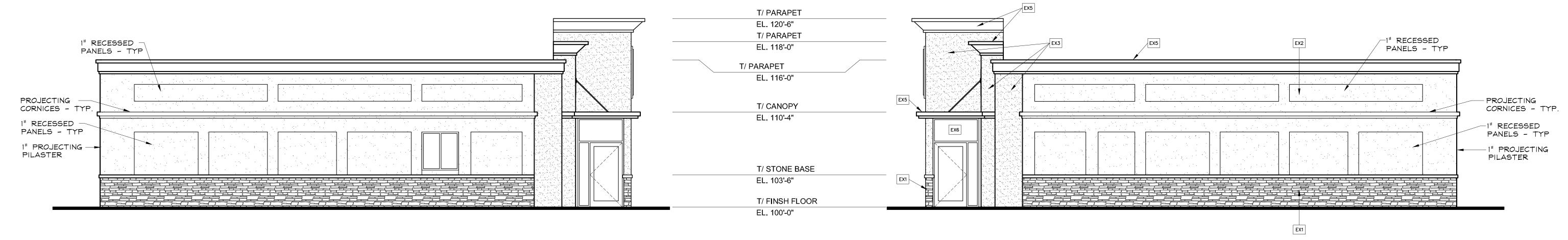
EXTERIOR FINISH SCHEDULE MANUFACTURER CODE DESCRIPTION COLOR CONTACT EXTERIOR STONE | ------EX1 ---DRYVIT E.I.F.S. ---EX2 DRYVIT ---EX3 ---CORRUGATED ROOF PANELS GRAY | ---ARCHITECTURAL SHADE PRODUCTS METAL CANOPY & TRIM EX5 ALUMINUM STOREFRONT ALUMINUM | ---EX6 EXTERIOR GENERAL NOTES 1.) CONSULT LOCAL CONTRACTOR FOR STANDARD MATERIALS.



1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



2 NORTH ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION

SCALE: 3/16" = 1'-0"

2.) MATERIALS MAY NOT BE SUBSTITUTED WITHOUT PERMISSION FROM OWNER.

4 EAST ELEVATION

SCALE: 3/16" = 1'-0"

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NNING DESIGN PHOTOGRAPHY

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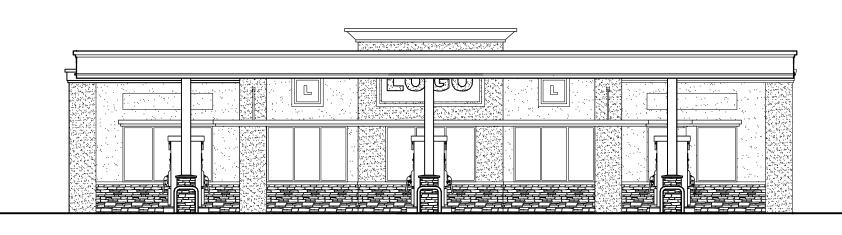
ARCHITECTURE PLANNING DES 374 boardman - poland road suite 201 : 330 726 6390 studio : 374bprd@sbcglobal.net : page 201 : 330 726 6390 studio : 374bprd@sbcglobal.net : page 201 : 330 726 6390 studio : 374bprd@sbcglobal.net : page 201 : page 2

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Expiration Date 12.31.25

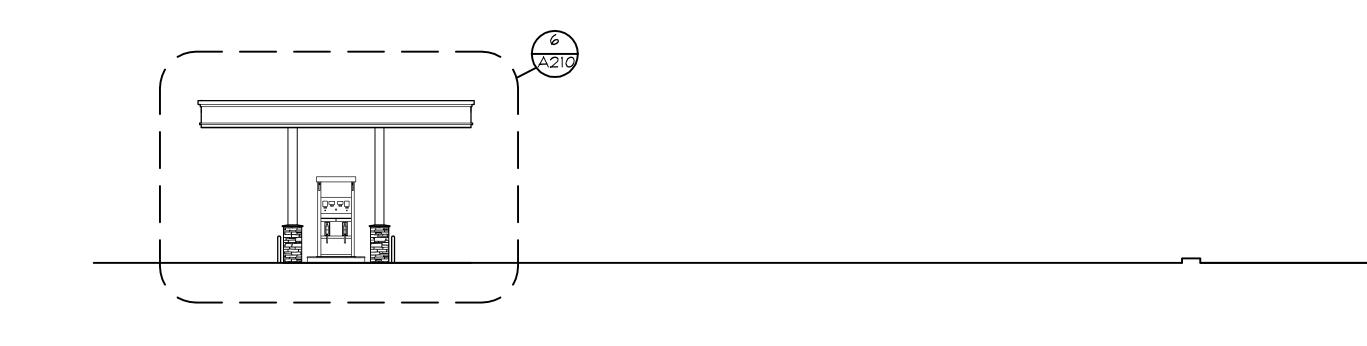
PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

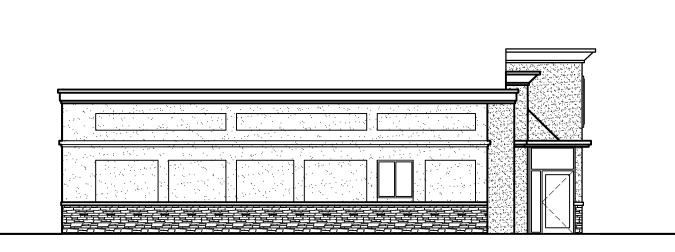
DATE: 02/21/25
PROJECT NUMBER: 507100

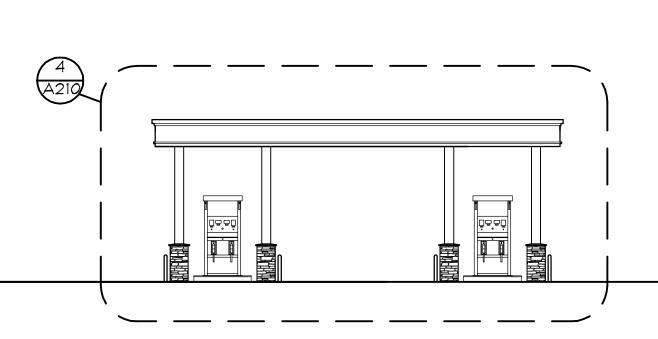
A200





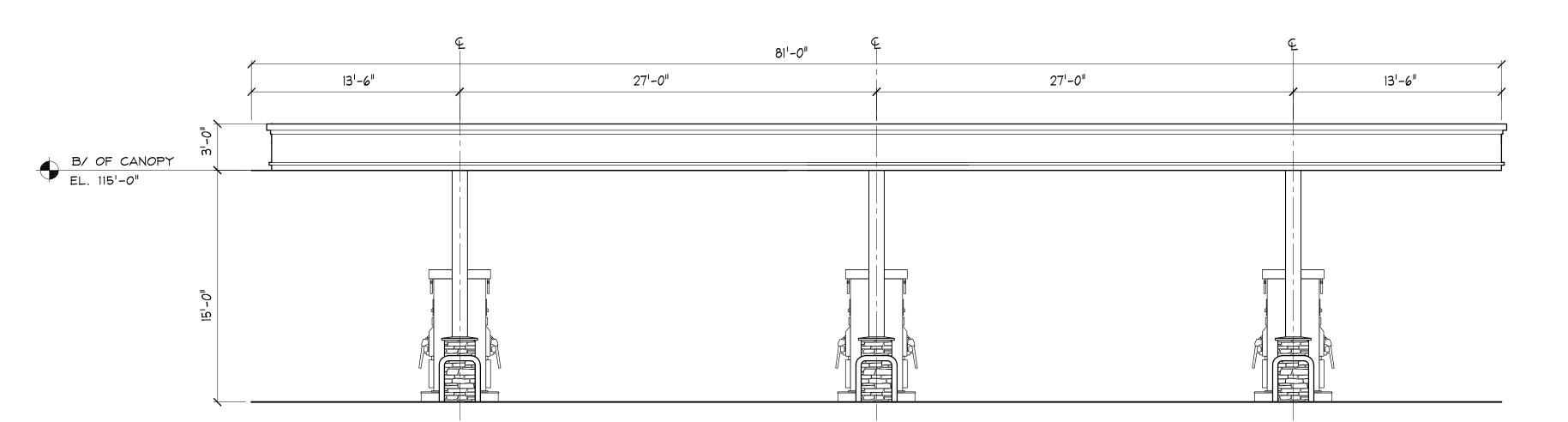






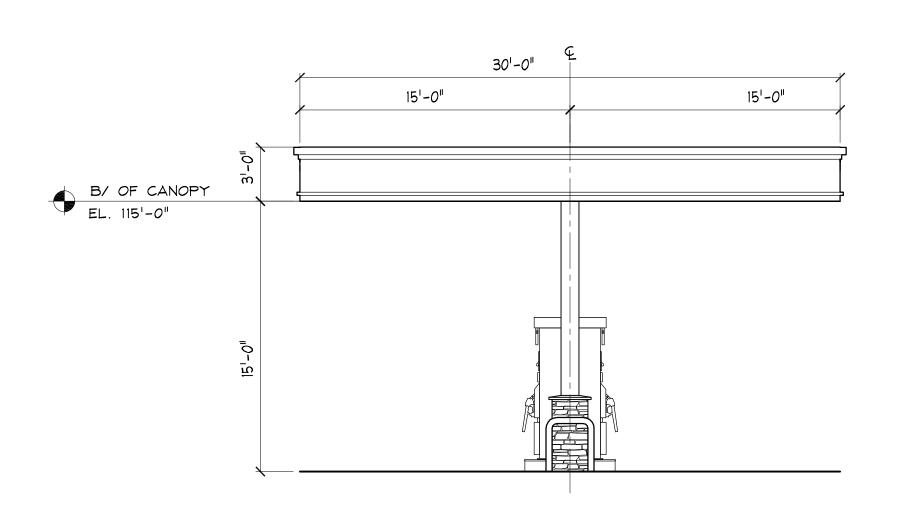
SITE ELEVATION

SCALE: 3/32" = 1'-0"



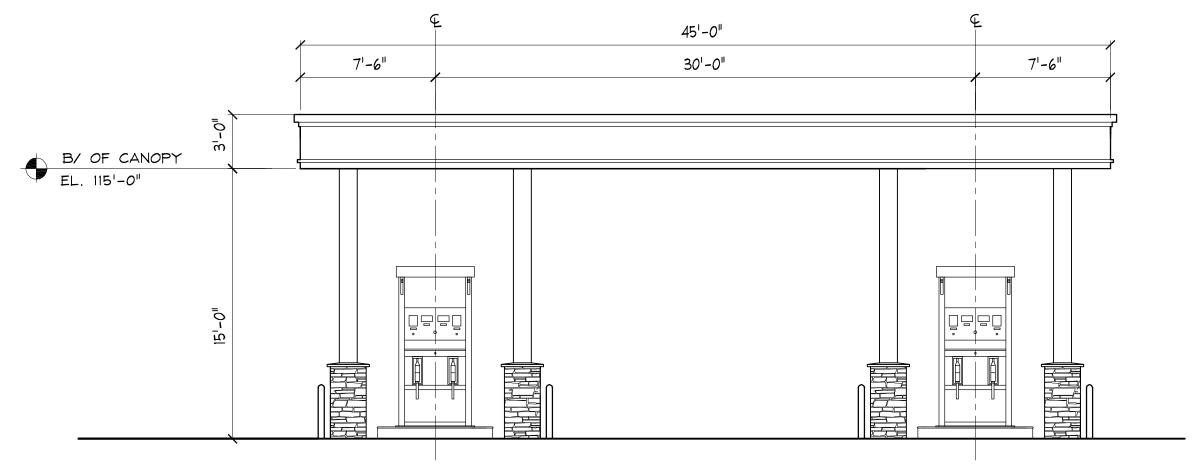
AUTOMOBILE CANOPY ELEVATION

SCALE: 3/16" = 1'-0"



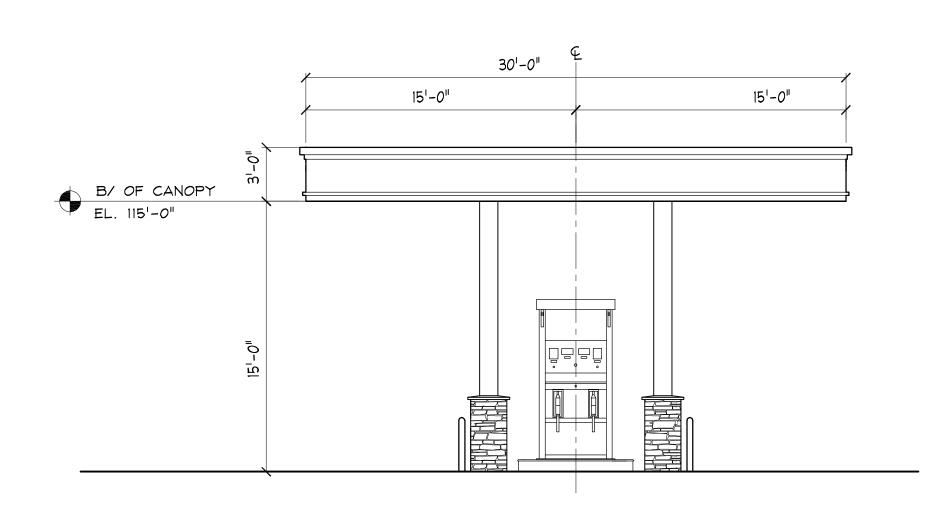
TRACTOR TRAILER CANOPY ELEVATION

SCALE: 3/16" = 1'-0"



AUTOMOBILE CANOPY ELEVATION

SCALE: 3/16" = 1'-0"



TRACTOR TRAILER CANOPY ELEVATION

SCALE: 3/16" = 1'-0"

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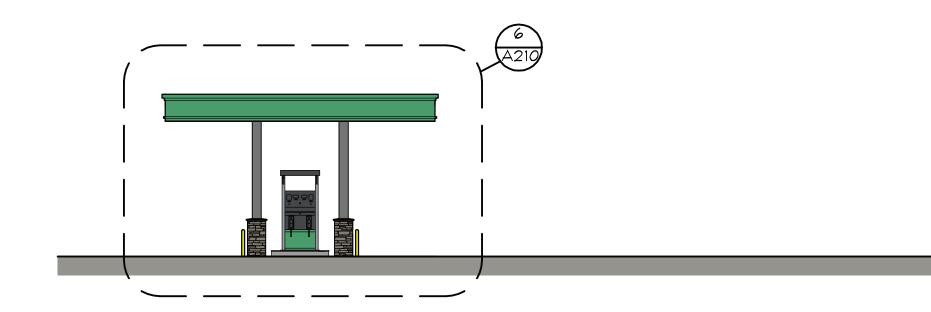
PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION 999 LAFAYETTE RD MEDINA OH 44256

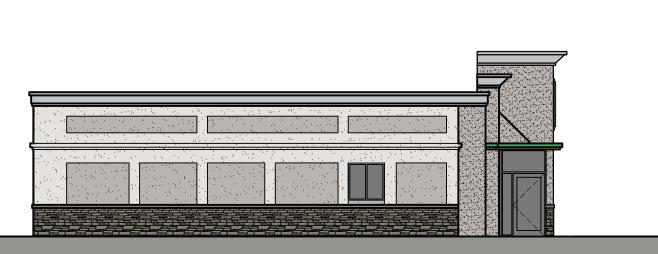
02/21/25 PROJECT NUMBER: 507100

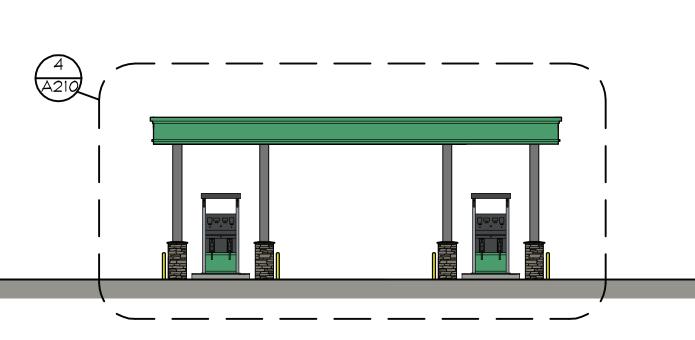


SITE ELEVATION

SCALE: 3/32" = 1'-0"

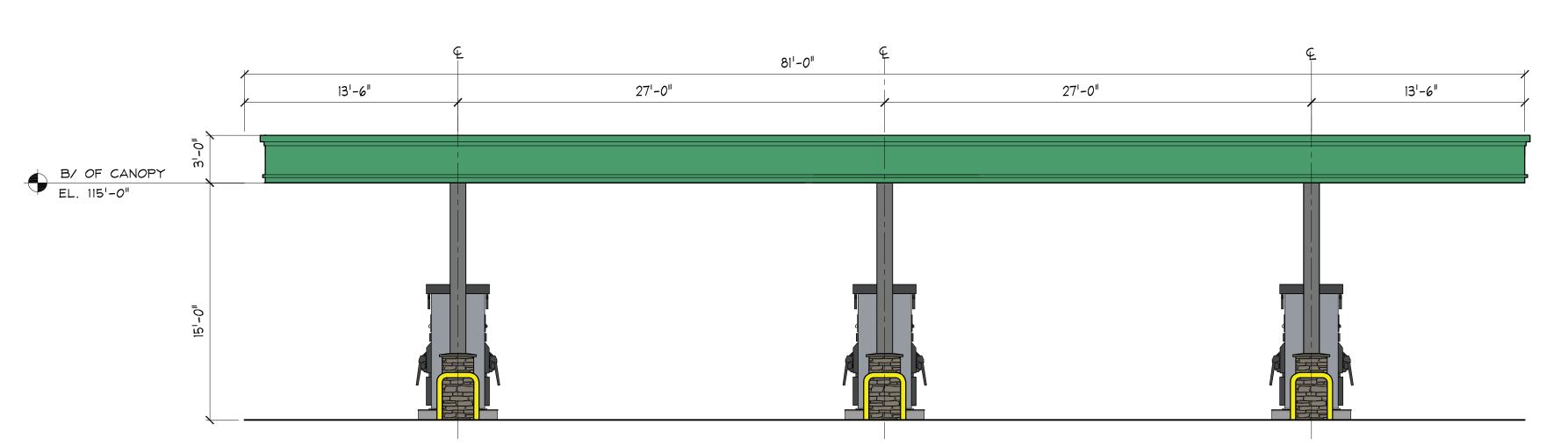


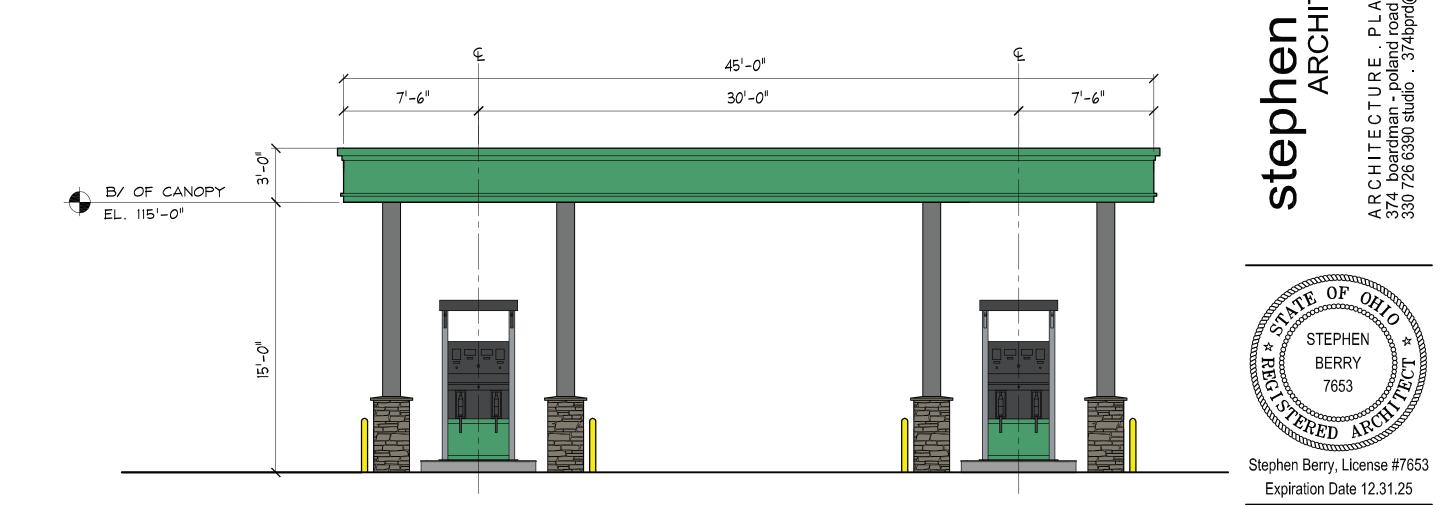




SITE ELEVATION

SCALE: 3/32" = 1'-0"

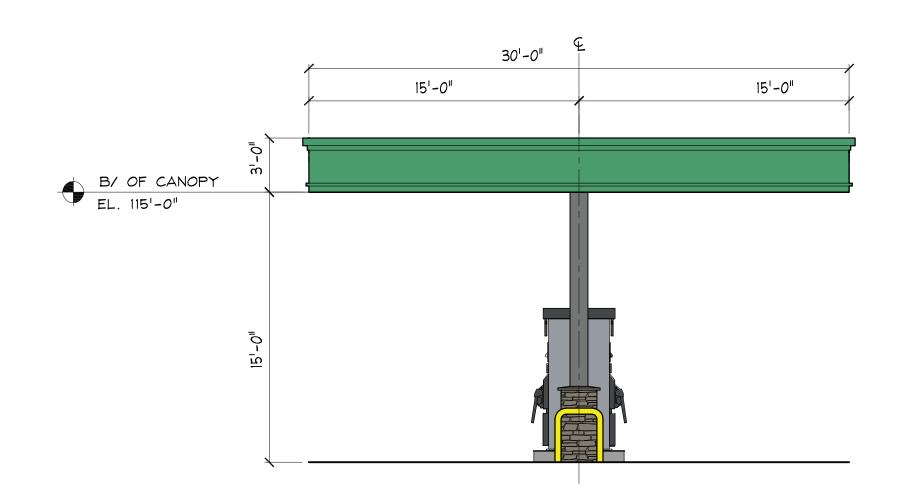


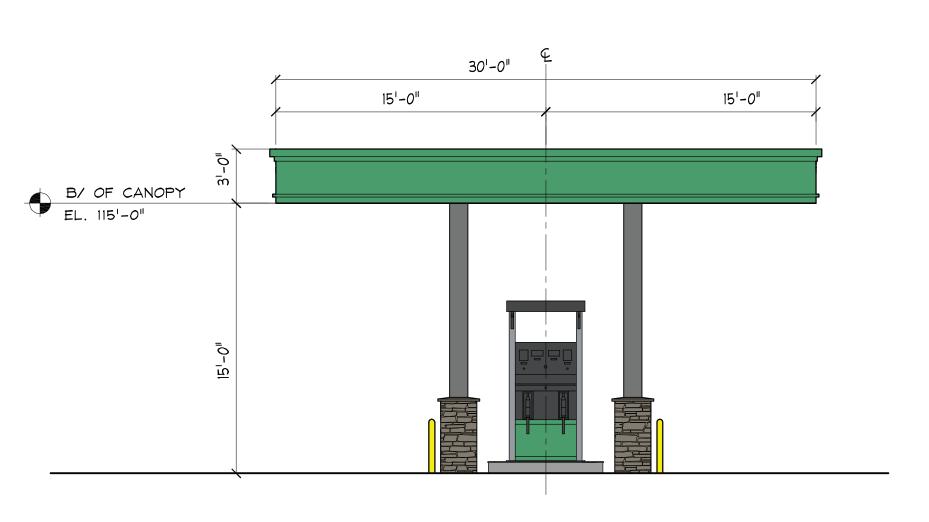


AUTOMOBILE CANOPY ELEVATION

SCALE: 3/16" = 1'-0" AUTOMOBILE CANOPY ELEVATION

SCALE: 3/16" = 1'-0"





6 TRACTOR TRAILER CANOPY ELEVATION

SCALE: 3/16" = 1'-0"

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ZONING 11/20/24

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stephen berry/ ARCHITECTURAL DESIGN INC

PROJECT NUMBER: 507100

TRACTOR TRAILER CANOPY ELEVATION

SCALE: 3/16" = 1'-0"

DIVISION 1 GENERAL REQUIREMENTS

- 1. THIS CONTRACTOR SHALL APPLY FOR AND PAY FOR ALL INSPECTIONS, PERMITS AND LICENSE FEES IN CONNECTION WITH ALL WORK ON THE CONTRACT DOCUMENTS. THIS CONTRACTOR SHALL SUBMIT, UPON COMPLETION OF THIS CONTRACT, ALL CERTIFICATES OF INSPECTION AND APPROVAL THAT MAY BE REQUIRED BY STATE AND LOCAL LAWS, ORDINANCES AND REGULATIONS.
- 2. DIMENSIONS SHOWN SHALL BE VERIFIED BY THE CONTRACTOR IN THE FIELD. DO NOT RELY ON SCALING. ARCHITECTURAL DIMENSIONS GOVERN.
- 3. COORDINATE LOCATION, CONSTRUCTION & MATERIALS OF WALLS, PARTITIONS ROOFS, FLOORS, OPENINGS, THICKENED SLABS, MISCELLANEOUS METAL ETC. WITH ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS.
- 4. THE CONTRACTOR SHALL PROVIDE ALL LABOR AND MATERIALS TO PROPERLY EXECUTE ALL WORK SHOWN ON THESE DRAWINGS, STATED IN NOTES OR REASONABLY IMPLIED IN THE SPECIFICATIONS. ALL WORKMANSHIP AND DETAILS SHALL CONFORM TO THE HIGHEST STANDARDS OF THE TRADE. ALL WORK SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER'S DIRECTIONS.
- 5. THE CONTRACTOR SHALL VISIT THE SITE AND DETERMINE FOR HIMSELF ALL CONDITIONS AFFECTING THE WORK.
- PROVIDE TEMPORARY PROTECTION FOR EXISTING STRUCTURES AND SURFACES AS REQUIRED TO COMPLETE THE WORK SHOWN. TEMPORARY PROTECTION SHALL BE IN PLACE BEFORE DEMOLITION WORK BEGINS
- 7. EXECUTE THE WORK IN A MANNER TO INSURE ADJACENT AREAS AND THE PUBLIC AGAINST DAMAGES AND INJURIES INCURRED BY DEBRIS OR OTHER CAUSES.
- 8. RESPONSIBILITY: THIS CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING SURFACES OR FACILITIES CAUSED BY HIM WHICH ARE DUE DIRECTLY OR INDIRECTLY TO THE WORK OPERATIONS. USE EVERY POSSIBLE PRECAUTION TO PREVENT DAMAGE TO THE EXISTING BUILDINGS, SHRUBBERY, LAWNS, DRIVES, CURBS, AND WALKS ON OR ADJACENT TO THE SITE OF THE WORK AND REPLACE AT NO EXPENSE TO THE OWNER ANY OF SUCH ITEMS DESTROYED. ALL DAMAGES SHALL BE REPAIRED BY SKILLED CRAFTSMEN AND SHALL MATCH THE ADJACENT
- 9. CONDUCT OPERATIONS WITH MINIMUM, INTERFERENCE WITH ROADS, STREETS, DRIVEWAYS, ALLEYS, SIDEWALKS AND OTHER FACILITIES.
- 10. DO NOT PERMIT DEBRIS TO ACCUMULATE ON THE PREMISES. LEAVE THE WORK AREAS BROOM CLEAN AT THE END OF EACH WORK DAY.
- BURNING OF MATERIALS AND DEBRIS WILL NOT BE PERMITTED ON THE PREMISES. 12. REMOVE ALL TEMPORARY PROTECTION AND STRUCTURES WHEN THEY ARE NO LONGER
- 13. PROVIDE SHORING, BRACING OR SUPPORT TO PREVENT MOVEMENT, SETTLEMENT OR COLLAPSE OF STRUCTURES.
- 14. USE TEMPORARY DUST PROOF ENCLOSURES INCLUDING COMPLETE VISQUEEN BARRIERS AS REQUIRED AND OTHER SUITABLE METHODS TO LIMIT DUST AND DIRT RISING AND SCATTERING IN AIR TO LOWEST PRACTICAL LEVEL. COMPLY WITH GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.

DIVISION 2 SITE WORK

- 1. DISPOSITION OF EARTH: SUBSOIL: ALL OTHER EXCAVATED EARTH NOT SUITABLE FOR FILL SHALL BE HAULED AWAY BY THIS CONTRACTOR.
- 2. COMPACTING AND FILLING: FILL MATERIAL SHALL BE AS OBTAINED FROM NORMAL EXCAVATION AT THE SITE, OR HAULED IN FROM OTHER SOURCES IF REQUIRED, AT THE EXPENSE OF THE CONTRACTOR. ALL FILL MATERIAL UNDER PAVEMENT OR BUILDING AREAS SHALL BE COMPACTED AS FOLLOWS:
- 3. ALL FILL SHALL BE CLEAN EARTH FREE OF DEBRIS, OR APPROVED BANK-RUN SAND AND GRAVEL, AND SHALL BE COMPACTED IN HORIZONTAL LAYERS NOT EXCEEDING 9" IN DEPTH BY MEANS OF SHEEPSFOOT ROLLERS OR OTHER APPROVED EQUIPMENT, TO 95% DENSITY AT OPTIMUM MOISTURE CONTENT AS DETERMINED BY THE STANDARD PROCTOR TEST. IN PLACE DENSITY SHALL BE NOT
- LESS THAN 115 LBS. 4. THE CONTRACTOR SHALL OBTAIN AND PAY FOR THE SERVICES OF AN APPROVED INDEPENDENT LABORATORY QUALIFIED IN SOILS WORK. TESTING FOR COMPACTION AND DENSITIES SHALL BE REQUIRED FOR EACH LAYER DURING THE ENTIRE COMPACTION PHASE OF THE WORK. ALL REPORTS OF SUCH TESTING SHALL BE FILED DAILY DIRECTLY TO THE OWNER AND EXCAVATING SUBCONTRACTOR.
- 5. THE METHOD FOR ATTAINING THIS COMPACTION AS SPECIFIED IS A SUGGESTED MINIMUM. THE CONTRACTOR IS FINALLY RESPONSIBLE FOR THE REQUIRED 95% COMPACTION BEING ATTAINED, IN ALL PARTS OF THE FILL. DISC OR HARROW THE COMPACTED SURFACE, IF REQUIRED, TO BOND TO SUCCEEDING LAYERS. CONTROL THE MOISTURE CONTENT BY DAMPENING OR DRYING AS REQUIRED TO MEET THIS SPECIFICATION. TURN OR BLADE MIX THE SOIL TO DRY IT IF REQUIRED IN ORDER TO OBTAIN THE OPTIMUM MOISTURE CONTENT.
- 6. ASPHALTIC PAVING: MIXTURES SHALL CONFORM TO APPLICABLE PROVISIONS OF ASTM D1663 BASE COURSE SHALL BE TWO 4-1/2" LAYERS OF COMPACTED POROUS FILL COMPACTED TO 98% MAXIMUM DENSITY. APPLY PRIME COAT PER ODOT STANDARDS.
- LEVELING COURSE SHALL BE 2-1/2" THICK LAYER PER ODOT STANDARDS ROLLED AND TAMPED. SURFACE COURSE SHALL BE 1-1/2" THICK LAYER PER ODOT STANDARDS ROLLED AND TAMPED TO CONFORM TO LINES AND FINISH GRADES THE PROVISIONS OF THE PRESENT EDITION OF ODOT SPECIFICATIONS SHALL

GOVERN. DIVISION 3 CONCRETE

- 1. FOUNDATIONS SHALL BE BUILT ACCORDING TO ELEVATIONS AND SIZES SHOWN ON DRAWINGS. THESE FOOTING ELEVATIONS ARE TAKEN FROM FINISH FLOOR UNDER IDEAL CONDITIONS AND DO NOT RELIEVE THIS CONTRACTOR OF THE RESPONSIBILITY OF BEARING ON UNDISTURBED SOIL OR COMPACTED FILL. UNDER NO CIRCUMSTANCES SHALL THESE DRAWINGS BE CONSTRUED AS TO RELIEVE THIS CONTRACTOR OF PROVIDING THE CORRECT WIDTH AND DEPTH AND A MAXIMUM OF 1/4" OUT OF LEVEL TOLERANCE AT THE TOP OF WALL FOOTINGS. WALL FOOTINGS ARE TO WORK 8" INCREMENTS WITH FINISH FLOOR. THIS CONTRACTOR SHALL BE HELD RESPONSIBLE AND ANY AND ALL CORRECTIONS SHALL BE AT HIS EXPENSE.
- 2. CONCRETE DATA: F'C = 3000 P.S.I
- FC = 1350 P.S.I.
- FS = 20,000 P.S.I.N = 9.2
- 3. CONCRETE WORK AND REINFORCING SHALL CONFORM TO ACI 301 (SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS) UNLESS NOTED OTHERWISE. MINIMUM YIELD POINT FOR ALL DEFORMED BARS SHALL BE 60,000 P.S.I., GRADE
- 4. USE PORTLAND CEMENT CONCRETE WITH NO LESS THAN 3000 P.S.I. ULTIMATE COMPRESSIVE STRENGTH AT 28 DAYS.

DIVISION 4: MASONRY

- 1. CONCRETE BLOCK WORK SHALL CONFORM TO CHAPTERS 1,2, & 4 OF "SPECIFICATIONS FOR THE DESIGN AND CONSTRUCTION OF LOAD BEARING CONCRETE MASONRY" OF THE NATIONAL CONCRETE MASONRY ASSOCIATION (LATEST EDITION). CONCRETE MASONRY UNITS SHALL BE STANDARD SIZE UNITS, 16" LONG X 8" HIGH, BED DEPTH AS SHOWN. PROVIDE WHERE SHOWN AND REQUIRED SOLIDS. CORNERS, STARTER UNITS, CONTROL JOINTS, ETC. WHERE REQUIRED, BLOCK SHALL BE CLASSIFICATION D-2 FOR 2 HOUR FIRE RATING. SOLID LOAD BEARING CONCRETE MASONRY UNITS ASTM-C145-71, GRADE "N",
- 2. MORTAR FOR MASONRY UNITS SHALL BE TYPE 'S', (GRAY NON-COLORED), ONE PART PORTLAND CEMENT, 1/4 PART HYDRATED LIME AND THREE PARTS SAND BY
- 3. FACE BRICK SHALL BE GRADE SW, TYPE FBX, SIZE AS SELECTED BY OWNER, USE FOR ALL EXPOSED APPLICATIONS. COMPLY WITH ASTM C216, C67 (8,000 PSI AVERAGE COMPRESSIVE STRENGTH). PROVIDE CORED AND SOLID UNITS AS REQUIRED.

DIVISION 5 METALS

- 1. STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF A.S.T.M. STANDARD SPECIFICATIONS FOR STRUCTURAL STEEL FOR BUILDINGS AS ADOPTED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION. (A-36 UNLESS OTHERWISE
- 2. ANY SECTIONS SUBSTITUTED MUST HAVE PHYSICAL PROPERTIES AT LEAST EQUAL TO THAT SPECIFIED. BEFORE SUBSTITUTING, SECURE APPROVAL.
- 3. ALL CONNECTIONS, UNLESS NOTED OTHERWISE, SHALL BE IN ACCORDANCE WITH A.I.S.C. SPECIFICATIONS FOR FRAMED BEAM CONNECTIONS. ALL BOLTED CONNECTIONS SHALL BE BEARING - TYPE W/ ASTM A 325 H.S. BOLTS. BOLTS SHALL BE LONG ENOUGH SO THAT NO THREADS ARE IN THE SHEAR PLANE.
- 4. ALL WELDING SHALL BE IN STRICT ACCORDANCE WITH THE AMERICAN WELDING SOCIETY SPECIFICATIONS.
- 5. SUBMIT SHOP DRAWINGS FOR REVIEW SHOWING ALL STEEL MEMBERS AND CONNECTIONS.

DIVISION 6 WOOD AND PLASTICS

1. ROUGH CARPENTRY:

- LUMBER STANDARD: COMPLY W/ PS-20-70 UNLESS OTHERWISE NOTED. TREATED LUMBER AND TIMBER: YELLOW PINE W/ CELLON PRESSURE TREATMENT AS PRODUCED BY THE KOPPERS CO. INC. MISCELLANEOUS MATERIALS, FASTENERS, AND ANCHORAGE:
- NAILS, SCREWS, BOLTS, WASHERS, CLIPS, SHIELDS, AND OTHER ROUGH HARDWARE SHALL BE OF SIZE AND TYPE INDICATED ON THE DRAWINGS OR AS REQUIRED TO SECURELY ANCHOR ALL MEMBERS. ANCHORS FOR NAILING STRIPS, SILLS AND BLOCKING SHALL HAVE NUTS, WASHERS, AND BOLTS. USE GALVANIZED MATERIALS AT EXTERIOR AREAS.
- FABRICATED WOOD TRUSSES: WOOD TRUSSES SHALL BE ENGINEERED BY A STATE APPROVED TRUSS FABRICATOR. CONTRACTOR IS TO SUBMIT SHOP DRAWINGS SIGNED AND STAMPED BY A STRUCTURAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF OHIO. WOOD TRUSSES SHALL BE ERECTED, BRACED, AND INSTALLED IN STRICT ACCORDANCE WITH THE APPROVED SHOP DRAWINGS AND FABRICATOR'S RECOMMENDATIONS.
- 3. PRIOR TO INSTALLATION, SUBMIT TRUSS DESIGN DRAWINGS SIGNED AND STAMPED BY STRUCTURAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF OHIO TO THE BUILDING DEPARTMENTS FOR REVIEW

DIVISION 7 THERMAL AND MOISTURE PROTECTION

- 1. BATT. OR BLANKET INSULATION FOR ROOFS AND WALLS SHALL BE FIBERGLASS RULLS AS MANUFACTURED BY THE UWENS-CORNING FIBERGLASS CORPORATION OR APPROVED EQUAL. INSULATION SHALL BE VAPOR BARRIER FACED: KRAFT FACED FOR WALLS, FSK FACED FOR ATTIC. ALL INSULATION SHALL HAVE A FLAME SPREAD RATING OF 25 OR LESS AND A SMOKE DEVELOPED RATING OF 450 OR LESS WHEN TESTED IN ACCORDANCE W/ ASTM E84.
- 2. RIGID THERMAL INSULATION FOR FOUNDATIONS AND EXTERIOR WALLS WHERE INDICATED SHALL BE "STYROFOAM SM" AS MANUFACTURED BY THE DOW CHEMICAL CO., OR APPROVED EQUAL.

DIVISION 7: EXTERIOR INSULATION AND FINISH SYSTEM (EIFS) DESIGN REQUIREMENTS:

- A. ACCEPTABLE SUBSTRATES FOR THE SYSTEM SHALL BE:
 - EXTERIOR GRADE GYPSUM SHEATHING MEETING ASTM C 1396 (FORMERLY C 79) REQUIREMENTS FOR WATER RESISTANT CORE OR TYPE X CORE AT THE TIME OF APPLICATION OF THE SYSTEM.
 - EXTERIOR SHEATHING HAVING A WATER-RESISTANT CORE WITH FIBERGLASS MAT FACERS MEETING ASTM C 1177. • EXTERIOR FIBER REINFORCED CEMENT OR CALCIUM SILICATE BOARDS.
 - APA EXTERIOR OR EXPOSURE 1 RATED PLYWOOD, GRADE C-D OR BETTER, NOMINAL 1/2 IN (12.7 MM), MINIMUM, INSTALLED WITH THE C FACE OUT.
 - APA EXTERIOR OR EXPOSURE 1 FIRE RETARDANT TREATED (FRT) PLYWOOD, GRADE C-D OR BETTER, NOMINAL 1/2 IN (12.7 MM), MINIMUM, INSTALLED WITH THE C FACE OUT.
 - APA EXPOSURE 1 RATED ORIENTED STRAND BOARD (OSB) NOMINAL 1/2 IN (12.7 MM), MINIMUM.
 - UNGLAZED BRICK, CEMENT PLASTER, CONCRETE OR MASONRY.
- B. DEFLECTION OF SUBSTRATE SYSTEMS SHALL NOT EXCEED 1/240 TIMES
- C. THE SUBSTRATE SHALL BE FLAT WITHIN 1/4 IN (6.4 MM) IN A 4 FT (1.2
- D. THE SLOPE OF INCLINED SURFACES SHALL NOT BE LESS THAN 6:12. THE LENGTH OF INCLINED SURFACES SHALL NOT EXCEED 12 IN (305 MM).
- E. EXPANSION JOINTS:AS A MINIMUM, EXPANSION JOINTS SHALL BE PLACED AT THE FOLLOWING LOCATIONS:
 - WHERE EXPANSION JOINTS OCCUR IN THE SUBSTRATE SYSTEM.
 - WHERE BUILDING EXPANSION JOINTS OCCUR. • AT FLOOR LINES IN WOOD FRAME
 - CONSTRUCTION. AT FLOOR LINES OF NON-WOOD FRAMED
 - BUILDINGS WHERE SIGNIFICANT MOVEMENT IS EXPECTED.
 - WHERE THE SYSTEM ABUTS DISSIMILAR MATERIALS.
 - WHERE THE SUBSTRATE TYPE CHANGES. WHERE PREFABRICATED PANELS ABUT ONE
 - ANOTHER.
 - IN CONTINUOUS ELEVATIONS AT INTERVALS
 - NOT EXCEEDING 75 FT (23 M). WHERE SIGNIFICANT STRUCTURAL MOVEMENT
 - OCCURS SUCH AS CHANGES IN ROOFLINE, BUILDING SHAPE OR STRUCTURAL SYSTEM
- 2. PRIOR TO THE INSTALLATION OF THE SYSTEM THE CONTRACTOR SHALL ENSURE THAT ALL NEEDED FLASHINGS AND OTHER WATERPROOFING DETAILS HAVE BEEN COMPLETED. ADDITIONALLY THE CONTRACTOR SHALL ENSURE THAT:
- A. METAL ROOF FLASHING HAS BEEN INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS STANDARDS AND DRYVIT OUTSULATION LCMD INSTALLATION DETAILS, OR AS
- OTHERWISE NECESSARY TO MAINTAIN A WATERTIGHT ENVELOPE B. OPENINGS ARE FLASHED IN ACCORDANCE WITH THE OUTSULATION LCMD SYSTEMS INSTALLATION DETAILS, OR AS OTHERWISE NECESSARY TO
- PREVENT WATER PENETRATION. C. WINDOWS, DOORS, ETC. ARE INSTALLED AND FLASHED PER MANUFACTURER'S REQUIREMENTS AND THE OUTSULATION LCMD
- INSTALLATION DETAILS. D. FLUID MEMBRANE WATER-RESISTIVE BARRIERS HAVE BEEN INSTALLED IN ACCORDANCE WITH BUILDING CODE AND MANUFACTURER'S REQUIREMENTS.
- 3. PRIOR TO THE INSTALLATION OF THE SYSTEM, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND/OR OWNER OF ALL DISCREPANCIES.
- 4. THE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE E.I.F.S. MANUFACTURER'S APPLICATION INSTRUCTIONS.
- 5. THE OVERALL MINIMUM BASE COAT THICKNESS SHALL BE SUFFICIENT TO FULLY EMBED THE MESH. THE RECOMMENDED METHOD IS TO APPLY THE BASE COAT IN TWO (2) PASSES. SEALANT SHALL NOT BE APPLIED DIRECTLY TO TEXTURED FINISHES OR BASE COAT SURFACES.
- 6. HIGH IMPACT MESHES SHALL BE INSTALLED AT THE PORTE COCHERE COLUMNS.
- 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER APPLICATION OF MATERIALS. THE CONTRACTOR SHALL CERTIFY IN WRITING: A. THE QUALITY OF WORK PERFORMED RELATIVE TO
 - THE SUBSTRATE SYSTEM, DETAILS, INSTALLATION PROCEDURES, WORKMANSHIP AND THE SPECIFIC PRODUCTS USED.
- THE EPS USED MEETS E.I.F.S. MANUFACTURER'S SPECIFICATIONS. C. THE SEALANT APPLICATION USED ARE IN ACCORDANCE WITH THE SEALANT MANUFACTURER'S AND E.I.F.S. MANUFACTURER'S RECOMMENDATIONS.
- 8. ALL EXCESS MATERIALS SHALL BE REMOVED FROM THE JOB SITE BY THE CONTRACTOR IN ACCORDANCE WITH CONTRACT PROVISIONS AND AS REQUIRED BY APPLICABLE LAW.
- 10. ALL SURROUNDING AREAS, WHERE THE SYSTEM HAS BEEN APPLIED, SHALL BE LEFT FREE OF DEBRIS AND FOREIGN SUBSTANCES RESULTING FROM THE CONTRACTOR'S WORK.
- 11. THE E.I.F.S. SYSTEM SHALL BE PROTECTED FROM INCLEMENT WEATHER AND OTHER SOURCES OF DAMAGE UNTIL DRY AND PERMANENT PROTECTION IN THE FORM OF FLASHINGS, SEALANTS, ETC. ARE INSTALLED.

DIVISION 8 DOORS AND WINDOWS

- 1. HOLLOW METAL DOORS AND FRAMES SHALL BE MANUFACTURED BY REPUBLIC, STEELCRAFT, AMWELD, OR APPROVED EQUAL. MINIMUM STEEL GAUGES: DOOR FACES - 18 GA., FRAMES 16 GA. INTERIOR HOLLOW METAL WORK SHALL BE BONDERIZED AND FACTORY FINISHED WITH ONE COAT OF BAKED-ON PRIMER. EXTERIOR DOORS SHALL BE FULLY INSULATED WITH FOAMED-IN-PLACE SOLID URETHANE CORE. FIRE-RATED DOORS SHALL HAVE SOLID MINERAL FIBER CORE. ALL FIRE RATED HOLLOW METAL WORK SHALL BE LABELED CONSTRUCTION AND SHALL BE CORRESPONDING U.L. OR F.M. LABEL
- 2. CLEAR FLOAT GLASS: Q3 (GLAZING SELECT) QUALITY, ANNEALED, HEAT STRENGTHENED OR TEMPERED AS INDICATED. PROVIDE DOUBLE STRENGTH (DS) GLASS, 1/4-INCH THICK.
- 3. TEMPERED GLASS: ASTM C1048, KIND FT, CONDITION A, TYPE I, CLASS 1 OR 2, QUALITY Q3, LOF TUF-FLEX, PPG HERCULITE OR EQUAL, CLASS 1, 1/4-INCH THICK UNLESS OTHERWISE NOTED. TEMPER GLASS BY HORIZONTAL (ROLLER HEARTH, "TONGLESS") PROCESS, TO BE FREE OF TONG MARKS OR AS INDICATED ON THE DRAWINGS.
- 4. INSULATING GLASS: EACH INSULATING GLASS UNIT SHALL COMPLY WITH SEALED INSULATING GLASS MANUFACTURERS ASSOCIATION (SIGMA) STANDARDS FOR CONSTRUCTION AND INSULATING VALUE AND SHALL HAVE PASSED CLASS CBA TEST IN ACCORDANCE WITH ASTM E774. LABEL EACH INSULATING GLASS UNIT. DO NOT START FIELD GLAZING WORK UNTIL THE OUTDOOR TEMPERATURE IS ABOVE 40 DEGREES F AND RISING, UNLESS APPROVED PROVISIONS ARE MADE TO WARM THE GLASS AND RABBET SURFACES. CREATE AN ENVIRONMENT SUFFICIENTLY DUST FREE FOR SEALANT AND GLAZING WORK. DO NOT PERFORM GLAZING WORK DURING DAMP OR RAINY WEATHER.
 - COMPLY WITH GLASS MANUFACTURER'S TECHNICAL REFERENCES AS APPLICABLE TO GLASS PRODUCTS PROVIDED AND TO INSTRUCTIONS AND RECOMMENDATIONS OF GLASS AND GLAZING PRODUCTS MANUFACTURERS AS APPLICABLE TO PROJECT INSTALLERS WARRANTY: GLASS PRODUCTS AND INSTALLATION SHALL BE FREE
 - CERTIFICATE OF COMPLETION. PROVIDE FABRICATOR'S WARRANTY FOR INSULATING GLASS UNITS, WARRANTING SEAL FOR 5 YEARS FROM DATE ESTABLISHED IN CERTIFICATE OF COMPLETION. PROVIDE PRIMARY GLASS WHICH COMPLIES WITH ASTM C1036 REQUIREMENTS. PROVIDE HEAT-TREATED GLASS WHICH COMPLIES WITH ASTM C1048

FROM DEFECTS FOR NOT LESS THAN TWO YEARS FROM DATE ESTABLISHED IN

- REQUIREMENTS. SEALED INSULATING GLASS UNITS, GENERAL: PRE-ASSEMBLED UNITS CONSISTING OF ORGANICALLY SEALED LITES OF GLASS SEPARATED BY DEHYDRATED AIR SPACES COMPLYING WITH ASTM E774 AND WITH OTHER REQUIREMENTS INDICATED GLASS SETTING BLOCKS, EDGE BLOCKS, SPACERS AND GASKETS: CHLOROPRENE
- (NEOPRENE), EPDM OR SILICONE. SHIMS AND SPACERS FOR LEVELING AND SECURING FRAMING MEMBERS: ALUMINUM, COMPATIBLE STAINLESS STEEL, OR OTHER PLATED OR CORROSION RESISTANT NON-RESILIENT MATERIAL. DO NOT USE WOOD FOR SHIMS. SHOP PREPARE ALL GLASS TO BE FIELD INSTALLED. UNLESS OTHERWISE SPECIFIED OR APPROVED, CONFORM TO APPLICABLE RECOMMENDATIONS IN THE FGMA GLAZING MANUAL AND GLAZING SEALING SYSTEMS MANUAL. CONFORM TO APPLICABLE RECOMMENDATIONS IN THE FGMA GLAZING MANUAL AND GLAZING SEALING SYSTEMS MANUAL. INSTALL GLAZING SYSTEMS IN ACCORDANCE WITH MANUFACTURERS' INSTRUCTIONS AND RECOMMENDATIONS.

DIVISION 9 FINISHES

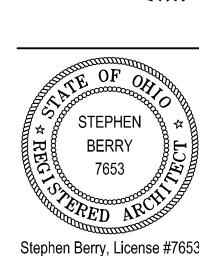
- 1. GYPSUM WALLBOARD SHALL BE "USG" OR APPROVED EQUAL, REGULAR TYPE AND TYPE "X" AS REQUIRED, 4'-0" WIDE W/ TAPERED EDGES. SCREWS SHALL BE TYPE 'S' BUGLE HEAD, SELF DRILLING FOR APPLICATION TO METAL OR WOOD STUDS AS REQUIRED. JOINT TAPE AND COMPOUND SHALL BE AS RECOMMENDED BY THE GYPSUM WALLBOARD MANUFACTURER. PROVIDE CONTINUOUS CORNER, BEADS, CASINGS, AND TRIM BEADS AS REQUIRED.
- WALLS SHALL BE PAINTED W/ TWO COATS OF SEMI-GLOSS ACRYLIC. ALL FERROUS METAL, INCLUDING DOORS AND FRAMES SHALL HAVE FACTORY APPLIED PRIMER AND THEN RECEIVE TWO COATS OF ALKYD ENAMEL, WOOD DOORS, FRAMES AND TRIM SHALL RECEIVE STAIN, COLOR TO BE SELECTED BY ARCHITECT. CONTRACTOR SHALL PROVIDE SAMPLES FOR APPROVAL PRIOR TO PERFORMING WORK. FINISH SHALL BE 2 COATS CLEAR URETHANE SATIN.
- 3. PROVIDE ONE GALLON MAINTENANCE STOCK OF EACH COLOR USED.
- 4. ACOUSTICAL CEILINGS:
- SUSPENSION SYSTEM SHALL BE CHICAGO METALIC CORP. NO. 500 "SNAP GRID" SYSTEM OR APPROVED EQUAL. EXPOSED TEES SHALL BE FACTORY APPLIED WHITE, BAKED ON ENAMEL FINISH. ACOUSTICAL TILE SHALL BE ARMSTRONG OR APPROVED EQUAL, NONDIRECTIONAL. LAY-IN PANEL SHALL BE 5/8" THICK WITH PANEL SIZE, STYLE AND EDGE DETAIL AS SELECTED BY OWNER. FINISH SHALL BE WASHABLE WHITE VINYL LATEX PAINT, PANELS SHALL MEET FEDERAL SPECIFICATION SS-S-118A, CLASS A, 25 FLAMESPREAD AND CARRY A U.L. LABEL.

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Expiration Date 12.31.25 **ං**ර

PROPOSED CONVENIENCE STORE MOTOR VEHICLE FILLING STATION TTE RD 44256

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DATE 02/21/25

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PROJECT NUMBER:



DIVISION 15 MECHANICAL

- 1. FURNISH ALL LABOR, MATERIALS, TOOLS AND INCIDENTALS AND DETAILS NECESSARY FOR A COMPLETE JOB. INCLUDE ANY LABOR AND MATERIAL NOT SPECIFICALLY MENTIONED, BUT NECESSARY TO PROVIDE A COMPLETE AND OPERATING SYSTEM. ALL WORK SHALL MEET ALL THE REQUIREMENTS OF THE STATE BUILDING CODE, SAFETY AND HEALTH CODES, CITY BUILDING CODE, NEPA CODES AND ALL OTHER APPLICABLE CODES AND REQUIREMENTS.
- 2. THE SUBCONTRACTOR SHALL SECURE AND PAY FOR ALL REQUIRED PERMITS AND INSPECTIONS AND PERFORM ALL TESTS CALLED FOR OR REQUIRED AS A PART OF HIS WORK
- 3. ITEMS SPECIFIED BY MANUFACTURER'S NAME AND/OR MODEL NUMBER INDICATES THE MINIMUM QUALITY, SIZE, AND CAPACITY REQUIRED. OTHER MANUFACTURER'S PRODUCTS OF EQUAL SPECIFICATION WILL BE CONSIDERED ONLY WITH THE WRITTEN CONSENT OF THE ARCHITECT.
- 4. MECHANICAL PLANS ARE PARTIALLY DIAGRAMMATIC, NOT SHOWING EVERY ITEM IN EXACT LOCATION OR DETAIL. MEASUREMENTS AND LOCATIONS MUST BE COORDINATED WITH ARCHITECTURAL, PLUMBING, HVAC, STRUCTURAL, ELECTRICAL, AND OTHER BUILDING DRAWINGS.
- 5. ALL SHEET METAL WORK SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE LATEST EDITION OF THE DUCT MANUAL AND SHEET METAL CONSTRUCTION FOR VENTILATING AND AIR CONDITIONING SYSTEMS, PUBLISHED BY SMACNA. DUCTS SHALL BE SECURELY SUPPORTED AND ANCHORED TO THE BUILDING CONSTRUCTION WITH DOUBLE STRAP HANGERS NOT EXCEEDING FOUR FEET SPACING.
- 6. TESTS AND ADJUSTMENTS OF ALL WORK SHALL BE MADE BY THE MECHANICAL SUBCONTRACTOR, INCLUDING THE PAYMENT OF ALL COSTS RELATED TO SUCH TESTS. CERTIFICATE OF INSPECTION SHALL BE TURNED OVER TO THE OWNER AT COMPLETION OF WORK.
- 7. BALANCE AIR QUANTITIES TO BE WITHIN THOSE NOTED ON THE DRAWINGS AND LOCK VOLUME REGULATORS.
- 8. THIS SUBCONTRACTOR SHALL GUARANTEE ALL MATERIALS AND WORKMANSHIP TO BE IN PERFECT CONDITION AT COMPLETION OF WORK AND TO REMAIN SO FOR A PERIOD OF ONE YEAR AFTER FINAL ACCEPTANCE. THIS SUBCONTRACTOR SHALL AGREE TO MAKE GOOD ANY DEFECT WHICH MAY OCCUR WITHIN THAT TIME.
- 9. EVERY GAS OUTLET SHALL HAVE AN INDIVIDUAL SHUTOFF VALVE.
- 10. ALL BRANCH DUCTS TO INDIVIDUAL SUPPLY DIFFUSERS TO HAVE BALANCING
- 11. THE LOCATION OF THE OUTLETS AND EQUIPMENT SHOWN ON DRAWINGS ARE APPROXIMATE AND THE ARCHITECT SHALL HAVE THE RIGHT TO RELOCATE ANY OUTLETS AND EQUIPMENT BEFORE THEY ARE INSTALLED, WITHOUT ADDITIONAL COST.
- 12. GAS APPLIANCES AND EQUIPMENT SHALL BE CONNECTED BY RIGID PIPE, TUBING, OR FLEXIBLE CONNECTORS. A UNION SHALL BE INSTALLED BETWEEN THE APPLIANCE AND THE EQUIPMENT SHUTOFF VALVE.
- 13. THE GAS PIPING SHALL BE TESTED. PORTIONS OF THE GAS PIPING SYSTEM INSTALLED IN CONCEALED LOCATIONS SHALL BE TESTED BEFORE INSTALLATION IS CONCEALED.
- 14. THE HVAC CONTRACTOR SHALL FURNISH AND INSTALL SMOKE DETECTORS IN RETURN AIR DUCTS OF AIR HANDLING UNITS OF 2000 CFM OR MORE. DETECTORS SHALL BE WIRED TO SHUT DOWN FANS.
- 15. COMPLY WITH ASHRAE AND SMACNA STANDARDS.
- 16. USE EXTREME CARE IN THE INSTALLATION OF EQUIPMENT TO INSURE THAT NOISE AND VIBRATION ARE HELD TO AN ABSOLUTE MINIMUM. CORRECT OBJECTIONABLE NOISE AND VIBRATION. PROVIDE VIBRATION ELIMINATORS REQUIRED FOR PROPER RESULTS
- 17. MAKE KNOWN ARRANGEMENT OF WORK AND CHECK ARRANGEMENT OF OTHER TRADES TO AVOID CONFLICTS. EXAMINE DRAWINGS OF OTHER TRADES TO DETERMINE EXACT EQUIPMENT LOCATIONS FOR ROUGH IN.
- 18. THE MECHANICAL CONTRACTOR SHALL DO CUTTING AND PATCHING REQUIRED FOR INSTALLATION OF WORK. DO NO MORE CUTTING THAN IS NECESSARY. CUTTING OF STRUCTURAL MEMBERS WILL NOT BE PERMITTED.
- 19. GRILLES, REGISTERS, AND DIFFUSERS SHALL BE MANUFACTURED OF EXTRUDED ALUMINUM AND SHALL BE MANUFACTURED BY HART & COOLY, OR APPROVED EQUAL.
- 20. ALL PLUMBING FIXTURES SHALL BE FURNISHED AS SHOWN. FIXTURES SELECTED BY
- OWNER.

 21. ALL PLUMBING FIXTURES TO BE VENTED AS PER CODE.
- 22. ALL WATER LINES SHALL HAVE SHUTOFF VALVES, OR ANGLE STOPS AT FIXTURE LOCATIONS.
- 23. PIPE HANGERS TO BE SPACED PER INDUSTRY STANDARDS OR GOVERNING CODES.
- 24. SANITARY LINES TO HAVE A MIN. 1/8 INCH/FOOT SLOPE.
 WATERLINES IN CEILING TO BE ADJUSTED TO CLEAR DUCTWORK OR OTHER OBSTACLES.
- 25. PLUMBING CONTRACTOR SHALL FURNISH AND INSTALL ALL PIPE, FITTINGS, VALVES, FIXTURES OR ANY OTHER MATERIAL AND LABOR NECESSARY TO COMPLETE SYSTEM.
- 26. PLUMBING CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS AND FEES.
- 27. PLUMBING CONTRACTOR SHALL INSTALL GAS LINES TO ALL GAS FIRED EQUIPMENT. HVAC CONTRACTOR TO MAKE FINAL CONNECTION.
- 28. PLUMBING CONTRACTOR SHALL VISIT PROJECT SITE AND FAMILIARIZE HIMSELF WITH ALL CONDITIONS INHERENT WITH THIS PROJECT. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR PROBLEMS NOT INCORPORATED ON DRAWINGS. THE OWNER WILL NOT ALLOW EXTRA FEES FOR ANY CONDITION OVERLOOKED, OR OBSTACLES IN WAY OF COMPLETION OF THIS PROJECT THAT ARE NOT PRESENTED TO THE ENGINEER PRIOR TO SUBMITTING BID.
- 29. PLUMBING CONTRACTOR SHALL CONSULT UTILITY COMPANIES REGARDING EXISTING AND PROPOSED LOCATIONS OF ALL UTILITY LINES SERVICING SITE PRIOR TO COMMENCING CONSTRUCTION, AND SHALL PROTECT ALL UTILITY LINES DURING CONSTRUCTION.
- 30. ALL WORK SHOWN ON DRAWINGS PERTAINING TO SANITARY SYSTEM, AND INTERIOR DOMESTIC WATER SERVICE BY PLUMBING CONTRACTOR.

DIVISION 16 FLECTRIC

- THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE WORK OF OTHER TRADES AND MAKE REASONABLE MODIFICATIONS REQUIRED TO PREVENT CONFLICT AND FOR PROPER EXECUTION OF THE WORK AS DIRECTED BY THE ARCHITECT OR ENGINEER, WITHOUT EXTRA COST TO THE OWNER.
- 2. ALL WORK SHALL BE INSPECTED BY THE AUTHORITY HAVING JURISDICTION.
- 3. UPON COMPLETION OF THE WORK, THIS CONTRACTOR SHALL FURNISH TO THE ARCHITECT A CERTIFICATE OF INSPECTION AND APPROVAL FROM SAID AUTHORITY BEFORE FINAL PAYMENT ON CONTRACT WILL BE ALLOWED.
- 4. FEE FOR THE INSPECTION SHALL BE A PART OF THE CONTRACT, THE COST OF WHICH SHALL BE INCLUDED IN THE CONTRACTOR'S BID
- 5. PERFORM ALL WORK IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRIC CODE, NATIONAL ELECTRICAL SAFETY CODE, STANDARDS OF THE NATIONAL BUREAU OF FIRE UNDERWRITERS, BOCA CODE, AND ANY STATE AND LOCAL CODES OR ORDINANCES.
- 6. ALL MATERIAL AND EQUIPMENT SHALL BE NEW AND OF THE TYPE LISTED BY UNDERWRITERS LABORATORIES, INC. AND SHALL BE IN STRICT CONFORMITY WITH THE LATEST APPLICABLE STANDARDS:
 - A. UNDERWRITER'S LABORATORIES, INC.
 B. NATIONAL FIRE PROTECTION ASSOCIATION
 C. ILLUMINATION ENGINEERS ASSOCIATION
- 7. WHERE MATERIALS, EQUIPMENT, APPARATUS OR OTHER PRODUCTS ARE SPECIFIED BY BRAND NAMES, TYPE OR CATALOG NUMBER, SUCH DESIGNATION IS TO ESTABLISH STANDARDS OF DESIRED QUALITY AND STYLE.
- 8. ALL PENETRATIONS OF FIRE RATED WALLS OR CEILINGS SHALL BE SEALED ADEQUATELY AND SHALL MAINTAIN THE INTEGRITY OF THE RATED WALL OR CEILINGS.
- THE ELECTRICAL CONTRACTOR SHALL DO ALL CUTTING, PATCHING, TRENCHING AND BACK FILLING REQUIRED TO PERFORM HIS WORK.
 THE ELECTRICAL CONTRACTOR SHALL INCLUDE ALL LABOR, MATERIALS,
- SUPERVISION, TOOLS AND EQUIPMENT NECESSARY TO PERFORM THE ELECTRICAL WORK AS SHOWN ON THE DRAWINGS OR AS NECESSARY TO THE COMPLETE THE PROJECT.
- 11. THE ELECTRICAL CONTRACTOR SHALL GUARANTEE HIS WORKMANSHIP AND MATERIAL FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE.
- 12. IT IS THE INTENT THAT THE FOREGOING WORK SHALL BE COMPLETE IN EVERY RESPECT AND THAT ANY MATERIAL OR WORK NOT SPECIFICALLY MENTIONED OR SHOWN ON DRAWINGS BUT NECESSARY TO FULLY COMPLETE THE WORK SHALL BE
- 13. THE LOCATION OF OUTLETS AND EQUIPMENT SHOWN ON DRAWINGS ARE APPROXIMATE AND SHALL BE VERIFIED WITH THE OWNER BEFORE INSTALLATION.

DIVISION 16 ELECTRICAL

REV.

ZONING 11/20/24

2/21/25

HITECTURAL DESIGN INC

LANNING DESIGN PHOTOGRAPHY

oad suite 201 youngstown, ohio 44512

oprd@sbcglobal.net www.architecturaldesigninc.com

STEPHEN **
BERRY 7653

7653

Stephen Berry, License #7653 Expiration Date 12.31.25

PROPOSED CONVENIENCE STORE & MOTOR VEHICLE FILLING STATION

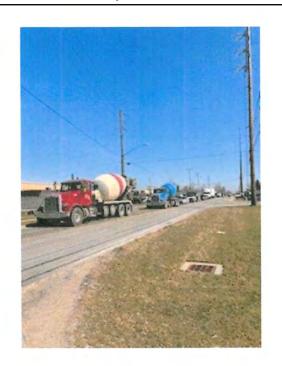
999 LAFAYETTE RD MEDINA OH 44256

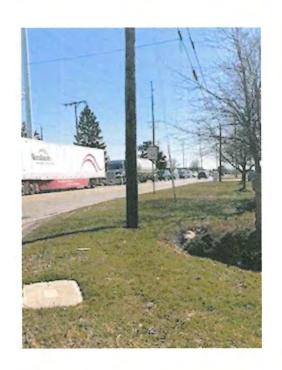
DATE: 02/21/25

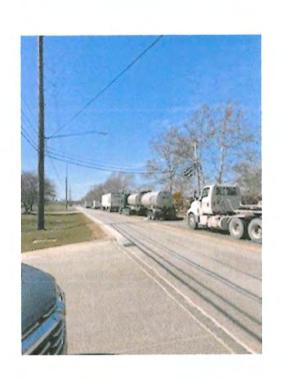
PROJECT NUMBER: 507100

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Submitted by M. Deluca 3-13-25









Transcripts

3/13/25 - Planning Commision Review of P25-02

4/10/25 - Planning Commission Adoption of Final Decision and Conclusions of Fact



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3	
4	CITY OF MEDINA PLANNING COMMISSION
5	CASE P25-02
6	999 LAFAYETTE ROAD
7	
8	
9	
10	Transcript of Proceedings held on Thursday,
11	the 13th day of March, 2025, before the
12	City of Medina Planning Commission, commencing
13	at approximately 6:00 p.m., as taken by
14	Makenzie J. Sabo, RPR, Notary Public within and for
15	the State of Ohio, and held in Medina City Hall,
16	132 North Elmwood Avenue, Medina, Ohio 44256.
17	
18	
19	
20	
21	
22	
23	MEDINA COURT REPORTERS 209 North Broadway Street
24	Medina, Ohio 44256 (330) 723-2482
25	office@crmedina.com

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1
      APPEARANCES:
 2
       Rick Grice, Chairman,
       Nathan Case, Member,
 3
       Bruce Gold, Member,
       Monica Russell, Member,
 4
       Paul Rose, Member.
 5
       City of Medina Planning and Community
       Development Department,
 6
       Andrew Dutton, Community Development Director,
       Sarah Tome, Administrative Assistant.
 7
 8
      Applicant:
 9
       Stephen Berry, President, Architectural Design Inc.
       Harry Singh, Property Owner.
10
       Paul Singh, Property Owner.
11
12
      Also present:
13
       Berns, Ockner & Greenberger, LLC
       by Majeed G. Makhlouf, Esq.
14
       on behalf of Minit Mart, LLC.
15
16
17
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21
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25
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(Whereupon, all persons in attendance 1 2 were previously placed under oath by the 3 notary.) 4 PROCEEDINGS 5 6 7 Next item on the CHAIRMAN: agenda is Case 25-02. This is for the property 8 9 at 999 West Lafayette Road. This is a conditional zoning certificate and site plan 10 11 approval. Andrew. 12 MR. DUTTON: 13 (Displaying case packet.) 14 15 Here we have the property on the northeast corner of Lake Road and Lafayette Road. 16 17 shown on the map, we have industrial uses to 18 the north east and southeast, commercial to the south and southwest, and to the west, on the 19 20 other side of Lake Road, we have single-family homes and then an automobile sales lot a little 21 22 bit further to the north there. 23 Here we have the site plan for the project, the convenience store in the center of the lot 24

with a counterclockwise drive-through. On the

south side of the lot is a passenger vehicle fueling area, and the north side is a truck fueling area. They're connected on the -- to the east of the convenience store with a drive connecting them.

This site meets most of our typical development standards, such as setbacks and building height, lot coverage. We'll note there's three access points here. We've got one on Lafayette Road pushed as far east as possible with three lanes - that will be for passenger vehicle traffic - and then there's two access points on Lake Road for the truck traffic.

thirty-seven and sixty-five feet at the right-of-way and forty-three feet and a hundred feet at the curb. So there are a couple of sections that restrict the right-of-way width. One is 1153.04, which is specific to fueling stations or gas stations, limits the maximum drive width to thirty feet, and you're only allowed to have two, so we have three and they're wider here; and then 1145.10(e) also limits the width to twenty-four feet at the

right-of-way and thirty-eight feet at the curb. So the applicant has requested a variance to those two code sections which will be heard later tonight.

The parking -- the passenger vehicle

parking on the south side of the lot meets the

number requirements. I'll note that the code

states that parking, to the extent feasible,

shall be located behind the front wall of the

building. Obviously here it's all in the front

of the building, between the building and

Lafayette Road; however, that is a common setup

for a gas station in this kind of instance.

We have sidewalks shown on the plan here, and the applicant has provided a revision as well, so the -- as shown here, they're on the property and they don't connect to a curb ramp in the southeast corner. A revised version shows them in the right-of-way, which is where they usually are. It connects them to the curb ramp there.

The issue is, on Lake Road - you can see a little bit on the map there - that puts the sidewalk right onto the curb if you put it in the right-of-way, so the City Engineer would

prefer this plan where the sidewalk's actually on the property to provide a little bit of a buffer for pedestrians from the street. So that's not the typical setup. We can get an easement to make that all straightforward and above board.

The second part is that a sidewalk should connect the public sidewalk to the convenience store, which will need to be included.

Next is the landscaping. So I know that we have some homes to the west on the other side of Lake Road. They've provided some buffering from the west side of the truck area and to the west side of the convenience store. Also a ten-foot-wide strip is required between the passenger parking area and the right-of-way. So here on the original plan we're showing that ten-foot setback but only a five-foot strip, so the Planning Commission would need to basically waive that requirement, which they're permitted to do, to incorporate that sidewalk onto the property, which is, as I said, the preference of the Engineer.

The applicant's also noted stormwater, which is not shown on the plans. Certainly

would be underground. The City Engineer has reviewed as well as accepted that as he will need to review the underground storage rather than a detention or retention pond.

2.0

So here we have some -- the front and west building elevations, so these will be the ones facing the street. We've got a flat roof with varying roof lines. It's predominantly EIFS with two colors and recessed sections, and then we've got a lower stone section. And I know we've talked about use of EIFS. The code actually states it's permitted -- or stucco is permitted, which basically EIFS is a synthetic stucco, with bands of accent color or recessions, which it includes, so in this case the EIFS would be permitted.

And here is just a rendering of -- a 3D rendering of what the building would look like.

So staff recommends approval of the application as submitted with parking in the front yard and a five-foot parking setback, with the following conditions:

The project shall comply with Sections 1145.01(e) and 1153.04(d)(15)(B) regarding the number and width of access points or receive a

variance from the Board of Zoning Appeals; 1 2 The proposed public sidewalk shall connect 3 with the curb -- existing curb ramp at the corner of Lafayette Road and Lake Road and a 4 private sidewalk shall connect from the public 5 sidewalk to the convenience store building per 6 Section 1130.10; 7 And a light fixture detail shall be 8 9 submitted in compliance with Section 1145.09(c)(6). 10 11 Thank you. 12 CHAIRMAN: Okay. Thank you. For the applicant, if you'd give us your 13 14 name and address and anything you'd like to add to what Mr. Dutton said. 15 16 MR. BERRY: Yes. My name Push. Okay, I'm sorry. 17 is -- am I on? 18 My name is Stephen Berry. I'm the 19 project architect for the owners. I have 20 Mr. Harry Singh and Mr. Paul Singh here beside 21 And my address is 374 Boardman Poland 22 Road, Youngstown, Ohio. 23 CHAIRMAN: Anything you'd 24 like to add? 25 MR. BERRY: Well, Mr. Dutton

did a great job of explaining the project to 1 2 I would add that, you know, we try to segregate the semitruck traffic from the 3 automobile traffic and keep the curb accesses 4 furthest away from the intersection as possible 5 because of the stacking issues and -- but 6 7 again, I think he's explained it pretty well. I guess I would just, you know, throw it back 8 9 to you and say if you have any questions about the project, we'd be happy to answer them for 10 11 you. 12 CHAIRMAN: Okay. Good 13 enough. Thank you. This is a conditional zoning certificate, 14 so at this time I'll open a public hearing and 15 ask if anyone has any comments regarding this 16 17 application, for or against; and if so, if 18 you'd find an open mic and give us your name and address. 19 20 MR. MAKHLOUF: Good evening, 21 Mr. Chairman. My name is Majeed Makhlouf. I'm a partner with the law firm of 22 23 Berns, Ockner & Greenberger in Beachwood, 24 Ohio, and I represent Minit Mart, LLC and the

property owner at 1010 Lafayette Road, right

across the street, an impacted property owner with respect to this proposed development.

We plead with you to reject this
application or, at a bare minimum, table it
today because it's premature, at a bare
minimum. They are asking for very, very
substantial variances that will go before
the Board of Zoning Appeals, and for the
Planning Commission to jump and grant approval
of the conditional use and of a site plan
without knowing whether the variances will be
granted or not would be a big undertaking.

But I think, even putting that aside, on the merits of the application - and this is a conditional use - the applicant bears the burden to prove its case to you beyond a reasonable doubt. That's the standard in your code, and that's almost like the criminal standard. It's not just sort of the regular standard. The applicant, respectfully, made no case to the Planning Commission.

A couple of issues. One of the primary issues, why my client is up here, is one of the primary criteria that this Commission has to consider is the impact on the surrounding

properties and if there's a detriment to the surrounding properties, and this development will directly devalue my client's property and create safety issues for our customers.

2.0

I have with me here Mr. William Deluca, who's the regional operations manager, and he'll talk a little bit more about the existing site conditions and the traffic issues that are there and how this will exacerbate it.

But I will just point to the Board, we're talking about a site that was used effectively for a used car, you know, operation. That does generate some traffic, but it's not continuous operational traffic. We're changing it with two, or three for that matter, uses that are continuously generating a significant amount of traffic; a drive-through for food, a gas station.

We've heard zero testimony before this

Board about the number of trips that this is

expected to generate, the impact on this

two-lane road, what will happen with all this

amount of traffic. There is no traffic impact

study in front of the Commission, and I would

submit that the traffic issues that are -- that

will be caused by this operation will cause safety concerns to our customers who will access our site and make it more dangerous for them to use our site, and that's a direct impact on us that will cause a significant harm with this operation.

I think if the Commission just listened to the number -- and I do have a history with Mr. Dutton from history, and I have the utmost respect for him. If you listen to the number of times in presenting the case to you where he talked about "This is not the typical setup for an operation like this, we need to deviate for this or that," it very much feels like we're trying very hard to sandwich a use on a site that doesn't make sense for it, and we're saying "We're going to turn a blind eye to all these issues."

"Ten-foot landscaping strip, we'll cut it back to five to make the site work. There -- our code has limitations on curb cuts, how many curb cuts can be in, we'll add another one to make it work. The width of the curb cuts, we'll expand them to make it work."

The curb cut on Lafayette is going to be

three lanes; one going in, one coming out -one coming out left turn, right turn, and one
going in. We have absolutely nothing before
the Commission tonight when it wants to rule on
this application as to visibility, as to safety
issues. When you have three lanes and with
this amount of traffic that we're talking
about, gas station and food, how safe is this
kind of operation going to work?

None of that is before the Planning

Commission. I very much ask the Commission to

deny the application, but at a bare minimum I

would ask you to table it. It just was

submitted on February 21. The Commission at

least has forty-five days under its rules.

Give us the chance - because we just learned of

this - to bring you the traffic experts who

would testify as to the impact of this.

Right now you will have the pictures presented to the Board and submitted into the record, that Mr. Deluca will put into the record, but we submit that we need, ourselves, the opportunity to make an opposition to you. But nonetheless, the burden rests with the applicant and it's a burden beyond a reasonable

1	doubt, and they presented pretty much nothing.
2	And with that I'll turn it to Mr. Deluca.
3	Thank you.
4	MR. GOLD: Excuse me.
5	MR. MAKHLOUF: Sure.
6	MR. GOLD: You made the
7	claim that we shouldn't do the we should
8	table the applicant due to the fact that he
9	does not have an approval from the BZA.
10	MR. MAKHLOUF: Correct.
11	MR. GOLD: BZA meets after
12	us. Our approval would be on the condition
13	that the BZA passes it, and that is acceptable
14	per our code, so we can do that.
15	Secondly, you haven't brought any case as
16	to how the traffic implications are going to
17	affect the surrounding area. You have just
18	claimed that the applicant hasn't provided
19	enough information. In your counterclaim you
20	have provided no evidence that there's going to
21	be a detrimental effect to the traffic pattern.
22	I pass your client's place of business
23	every day, including stopping in there several
24	times during the week before work. I see the
25	traffic pattern. I don't understand how you're

making this claim and you're not providing any 1 2 evidence for that. MR. MAKHLOUF: So a number of 3 issues. And I understand that the Commission 4 can always grant conditional approvals. I 5 submit, though, with the substantial variances 6 7 that we're talking about here and the -- that that would not make sense here to rush --8 9 MR. GOLD: What substantial variances are you referring to? The fact 10 11 that they want a seventy-five-foot curb cut? Which is allowed and which should be in the 12 13 industrial area, especially when semis are turning into the property. 14 15 MR. MAKHLOUF: What is -- and I don't want to get into an argument, but the --16 it's a substantial variation from what the code 17 18 allows. The difference is pretty substantial. 19 It's not a one-percent or two-percent variance, 2.0 it's a pretty substantial variance from what the code allows. 21 22 There's another driveway altogether that's 23 not allowed for by the code. The distance 24 between the intersection and the driveway on 25 Lafayette, none of that -- I mean -- and again,

1	I understand in terms of we do not have a
2	counterclaim before the Board. The this is
3	not a sort of a complaint and a counterclaim
4	situation. This is an application for a
5	conditional conditional approval that the
6	applicant bears the burden, and we have the
7	ability to identify the issues where they
8	failed to meet their burden.
9	And Mr. Deluca will show you the pictures
10	of the traffic as it exists today. We're
11	talking about being near a train line, and when
12	the traffic is stopped, the amount I'm
13	trying not to I'm not the person who lives
14	at the property, who knows the traffic. I'm
15	trying to wait for Mr. Deluca to address that,
16	but
17	MR. GOLD: What train
18	crossing are you talking about?
19	MR. DELUCA: On Smith Road.
20	MR. GOLD: Two miles away.
21	(Whereupon, a discussion amongst the
22	board members was then had out of the hearing
23	of the notary.)
24	MR. MAKHLOUF: We're putting in
25	the record the pictures of

1	MR. DELUCA: These are
2	pictures of Smith Road today right at the
3	entrance of the Medina Fairgrounds at roughly
4	two o'clock (providing).
5	MR. ROSE: Okay, yeah, all
6	right, but that's a totally different road.
7	Smith Road does not cross Lake and Lafayette.
8	Smith Road is the next road north.
9	MR. DELUCA: Yep.
10	MR. ROSE: Okay?
11	MR. DELUCA: Here's pictures
12	at roughly five or ten minutes to 3:00 right on
13	Lafayette (providing).
14	MR. ROSE: One truck.
15	MR. DELUCA: This here is the
16	corner of the store, and you can see all the
17	cars going back (indicating). There's roughly
18	ten cars.
19	MR. GOLD: But that occurs
20	at your property as well.
21	MR. DELUCA: Correct.
22	MR. GOLD: So then
23	theoretically, to your point, we shouldn't have
24	allowed your property the permit to put a
25	gas/convenience store because of the traffic.

i	
1	Your property blocks you're going in and
2	entering into your store, there's plenty of
3	times when I am going down Lafayette and I go
4	through the intersection, go to turn left, and
5	have to wait until traffic clears so I can make
6	a left into your facility.
7	MR. DELUCA: Correct. I'm not
8	sure
9	MR. GOLD: So
10	MR. DELUCA: of the year
11	that that property was approved of. I've been
12	overseeing that property for seven years, and I
13	know that if this is allowed the amount of
14	traffic that is going to get created in that

two-lane highway.

MR. MAKHLOUF: And I think
that's the point, what's there is there, but
with what's there, that's there. To come and
add another use that is very traffic-intensive
without any traffic study, without -- literally
we don't even have any testimony before the
Commission on the number of trips that would be
generated on the -- you know, just sort of -- I
think the Commission correctly identifies that
there's a traffic issue today, and to just add

to it without the requisite studies and expert testimony in the record is not proper.

MS. RUSSELL: I guess my question here would be, why would there be more traffic? I think the issue is that there would be less traffic going to your business and some going to the competitor across the street because it's a similar business. So I don't know why there would be more traffic. It's just it's a similar business that's across the street, so I don't see why there would be more people coming down to service the businesses.

MR. MAKHLOUF: This is not a case of competition, and I think it's almost the -- it's called the gravitational model that always happens, which is why you have fast food restaurants locate next to each other, or you have gas station -- you know, it's when -- when you have a number of similar uses next to each other, they often generate more people coming to the area because of the power to compare and it does very much increase traffic as opposed to take from one to the other.

MR. DUTTON: And I'd just like to add, so our site plans are always sent to

the City Engineer for his review prior to the Planning Commission getting them. He has the ability to request a traffic impact study or a traffic analysis. He did not require those in this case. Usually site developments this size he would not require it. Something like Acme, that required a traffic impact study. So he did not require that. He is qualified to make that decision.

And just -- and I know it's kind of ancillary, but with the ten-foot setback for the landscaping, the applicant is willing to meet it. We prefer they didn't so we keep the sidewalk further from the road. So that's actually -- we'd rather them not meet -- well, it's not actually a variance, it's something you can waive, but we prefer it be five foot rather than ten foot for safety of the residents.

CHAIRMAN: Thank you.

Anything else?

MR. MAKHLOUF: No, I think that's it for now. We very much ask you to deny it or, at a bare minimum, table it to give us the opportunity to come back with -- we

1	literally just got notice of this very
2	recently.
3	And again, the other issue is where the
4	parking is, you know, being in the front as
5	opposed to being in the back for this area,
6	what your code expects, but would leave it at
7	that for now.
8	Thank you.
9	CHAIRMAN: Thank you.
10	MR. MAKHLOUF: I understand
11	there are other individuals who wish to speak,
12	but at least on behalf of this property owner
13	that's it.
14	CHAIRMAN: Okay. Got it.
15	Thank you.
16	Anyone else with us this evening have any
17	comments regarding this application?
18	MR. BERRY: May I make an
19	observation?
20	MS. REUST: (Indicating.)
21	CHAIRMAN: Find an open mic,
22	give us your name and address and anything
23	you'd like to add.
24	NOTARY: Ma'am, before you
25	speak, can you raise your right hand so I can

1 swear you in. 2 (Whereupon, CAMMIE REUST was then 3 placed under oath by the notary.) MS. REUST: 4 I'm Cammie Reust. I live in Medina. 5 I travel that way every day, same as you do 6 7 as well. What I see from -- as a resident, I 8 have to agree with the fact that it is probably 9 going to generate more traffic to that area. With the factories and stuff that are over 10 11 there now, I think it's just -- for me, it's 12 like -- that intersection right there I think is what's going to be the issue because it's 13 14 going to be a buildup of traffic of people trying to get to work, people trying to get out 15 of work and stuff, and the back and forth. 16 My biggest concern is the extra traffic 17 18 that it's going to generate to the area as far 19 as, you know, what that's going to do for us 20 sitting there waiting in line, trying to get 21 through that light and everything else, to get in and out of town. 22 23 So that's the big issue right there. 24 CHAIRMAN: Okay. Thank you. Anyone else? 25

1 MS. TOME: Excuse me, ma'am. 2 Ma'am, we need your address for the record. MS. REUST: Oh. I live at 3 4 580 North Harmony Street. MS. TOME: 5 Thank you. MR. GERSPACHER: Troy Gerspacher, 6 7 5734 Trystin Tree Drive, Medina, Ohio. I am with Gerspacher Real Estate Group. I represent 8 9 the seller in the transaction. The seller is not here tonight, and I just want to, I guess, 10 11 recommend to the Board that I encourage you to 12 pass this. I think it's a commercially zoned 13 property, it's a good use, economic development 14 use of the property. There's tons of industrial buildings that 15 surround the areas. They do need to fill up 16 17 for gas. I really think that the in-and-out 18 access with the trucks not being on the main road of Lafayette and being on Lake is a very 19 20 good use of the property, so I'm recommending 21 that you pass it, and I think it will be a 22 positive thing for the users that -- the 23 industrial users that are around the park. 24 Thank you. 25 CHAIRMAN: Thank you.

1	Anyone else?
2	(No response.)
3	CHAIRMAN: Okay. I will
4	close the public hearing at this time and ask
5	the Commission if they have any other
6	questions, comments, et cetera.
7	MR. GOLD: Andrew, do we
8	need to have a lighting plan submitted with it?
9	MR. DUTTON: There was a
10	lighting plan in the packet that was compliant.
11	The only thing I needed was just the light
12	fixture.
13	MR. GOLD: Okay.
14	(Whereupon, a discussion amongst the
15	board members was then had out of the hearing
16	of the notary.)
17	MR. CASE: Could we add a
18	required sign to Lafayette saying that no truck
19	traffic can enter in that way?
20	CHAIRMAN: Sure.
21	MR. DUTTON: I guess I would
22	ask the applicant what the plan is for that
23	access point for the truck traffic.
24	(Whereupon, a discussion amongst
25	Stephen Berry, Harry Singh, and Paul Singh was

then had out of the hearing of the notary.) 1 2 MR. BERRY: The owners say that's not a problem to have a sign for that, 3 for the trucks at the Lafayette Road access. 4 And if I -- may I make just an observation? 5 Just quickly hearing this, I mean, the business 6 7 across the street catty-corner also has parking out front. It is the same use as our project 8 9 and, also, appears to have both sides curb cuts bigger than thirty feet, so that's just an 10 11 observation that might be relevant. 12 CHAIRMAN: Thank you. Ms. Russell, do you have anything? 13 MS. RUSSELL: 14 (Nodding 15 negatively.) MR. ROSE: Mr. Chairman, I 16 17 just --18 CHAIRMAN: Mr. Rose. MR. ROSE: I drive this 19 20 every day around noon-ish, between 11:00 and 1:00 every day, so I see a different flavor of 21 22 the traffic, and there's times where I breeze 23 right through and there's other times where 24 I'm sitting there waiting for a truck to either 25 pull in or pull out of the gas station there on

42. Okay? So --

In looking at an aerial photograph of this, there's a turn lane at each aspect, each street it has a turn lane, so I don't think we're going to be backing up traffic all the way to Smith Road and the railroad track for this here.

CHAIRMAN: Okay. Any other

questions? Comments?

MR. GOLD: Mr. Chairman,

I'd like to put forth a motion to approve the application as submitted with the caveat of the passage of the requested approvals to the Board of Zoning Appeals, that the proposed sidewalk shall not connect with the existing -- or shall connect with the existing curb ramp at the corner of Lafayette and Lake, that two trees shall be located adjacent to Lafayette Road in the marked "LAWN" on the landscape plan, and the lighting fixture detail shall be submitted in compliance with Section 1145.09, and that -- also that the -- there be prohibited turning into the property off of Lafayette by trucks. And "by trucks," that would be semis.

1	Good enough?
2	CHAIRMAN: We have a motion.
3	MR. CASE: Second.
4	CHAIRMAN: We have a motion
5	and a second. Is there any other discussion?
6	MR. MAKHLOUF: Mr. Chairman?
7	CHAIRMAN: Roll call.
8	I'm sorry, there was a
9	MR. MAKHLOUF: I just I
10	apologize for having to do this, but it's a
11	legal requirement that I just have to do it.
12	I need to put on the record that my client,
13	if there's approval, intends to appeal to the
14	Court of Common Pleas. It's a requirement by
15	law that I have to say this.
16	So thank you.
17	CHAIRMAN: Anything else?
18	(No response.)
19	CHAIRMAN: Roll call.
20	MS. TOME: Grice?
21	CHAIRMAN: Yes.
22	MS. TOME: Rose?
23	MR. ROSE: Yes.
24	MS. TOME: Russell?
25	MS. RUSSELL: Yes.

1	MS. TO	OME:	Case?
2	MR. CA	ASE:	Yes.
3	MS. TO	OME:	Gold?
4	MR. GC	DLD:	Yes.
5	MS. TO	OME:	Motion carried.
6	CHAIRM	: NAM	Thank you,
7	everyone.		
8	MR. BE	ERRY:	Thank you.
9	(Cas	se concluded.)	
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STATE OF OHIO 1 ss: 2 COUNTY OF MEDINA. CERTIFICATE 3 4 I, Makenzie J. Sabo, RPR, Notary Public within and for the State of Ohio, duly commissioned and 5 qualified, hereby certify that before the giving of 6 7 their testimony, all persons were first duly sworn to testify to the truth, the whole truth, and 8 9 nothing but the truth in this case aforesaid. I further certify that said hearing was held at 10 11 the time and place specified in the above case and was concluded on the 13th day of March, 2025. 12 IN WITNESS WHEREOF, I have hereunto set my hand 13 and affixed my seal of office at Medina, Ohio this 14 15 28th day of March, 2025. 16 Makenzie (). Sabo 17 Makenzie J. Sabo, RPR 18 and Notary Public within and for the State of Ohio. 19 My commission expires 09/19/28. 20 21 22 23 24 25

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4	CITY OF MEDINA PLANNING COMMISSION
5	CASE P25-02
6	999 LAFAYETTE ROAD
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9	
10	Transcript of Proceedings held on Thursday,
11	the 10th day of April, 2025, before the
12	City of Medina Planning Commission, commencing
13	at approximately 6:00 p.m., as taken by
14	Makenzie J. Sabo, RPR, Notary Public within and for
15	the State of Ohio, and held in Medina City Hall,
16	132 North Elmwood Avenue, Medina, Ohio 44256.
17	
18	
19	
20	
21	
22	
23	MEDINA COURT REPORTERS 209 North Broadway Street
24	Medina, Ohio 44256 (330) 723-2482
25	office@crmedina.com

1	APPEARANCES:
2	Rick Grice, Chairman, Nathan Case, Member,
3	Bruce Gold, Member, Monica Russell, Member,
4	Paul Rose, Member.
5	City of Medina Planning and Community
6	Development Department, Andrew Dutton, Community Development Director,
7	Sarah Tome, Administrative Assistant.
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CHATRMAN:

And the last item

we have on our agenda tonight is Case 25-02. This is the adoption of the Final Decision and Conclusions of Facts for the applicant that we had at 999 West Lafayette Road.

Andrew.

MR. DUTTON:

Thank you.

Yes. You heard P25-02 at your last meeting regarding a convenience store with fueling stations and a drive-through. At this time that has been appealed to our Board of Zoning Appeals. That's our process for Planning Commission appeals, and that decision has been appealed to the Court of Common Pleas. The law director has requested that we -- that the Commission adopt these Final Decision and Conclusions of Fact. Basically just memorializes the documents you receive, the testimony at the meeting, and your decision.

So we're not opening up for any new information, this is basically just adopting a record of which you did at the previous meeting, and it's recommended that the member

1	making the motion acknowledge that the document				
2	was received and reviewed.				
3	Thank you.				
4	CHAIRMAN: Thank you.				
5	Members of the Commission.				
6	MR. GOLD: Mr. Chairman, I				
7	would like to with the case study and the				
8	additional information submitted to us prior				
9	to this meeting, that we approve with the				
10	Final Decision and Conclusion of Fact for				
11	Case Number P25-02.				
12	THE COURT: We have a motion.				
13	Is there a second?				
14	MR. ROSE: Just did I hear				
15	in your words that we've reviewed this, per				
16	your request?				
17	Is that what you requested, Andrew?				
18	MR. DUTTON: Yeah.				
19	MR. GOLD: Yes.				
20	You're getting old.				
21	MR. ROSE: I'm getting old.				
22	I just wanted to make sure.				
23	All right. I'll second.				
24	CHAIRMAN: We have a motion				
25	and a second. Is there any other discussion?				

1	(No response.)
2	CHAIRMAN: Roll call.
3	MS. TOME: Case?
4	MR. CASE: Yes.
5	MS. TOME: Gold?
6	MR. GOLD: Yes.
7	MS. TOME: Grice?
8	CHAIRMAN: Yes.
9	MS. TOME: Rose?
10	MR. ROSE: Yes.
11	MS. TOME: Russell?
12	MS. RUSSELL: Yes.
13	MS. TOME: Motion carried.
14	THE COURT: Thank you very
15	much.
16	If there's nothing else to come before the
17	Commission this evening, we are adjourned.
18	(Meeting concluded.)
19	
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1	STATE OF OHIO)
2) ss: COUNTY OF MEDINA.)
3	CERTIFICATE
4	I, Makenzie J. Sabo, RPR, Notary Public within
5	and for the State of Ohio, hereby certify that the
6	above and foregoing is a true and correct
7	transcription of my stenographic notes as taken by
8	me on the 10th day of April, 2025.
9	I further certify that this is a full and
10	complete transcription of the above-entitled cause.
11	IN WITNESS WHEREOF, I have hereunto set my hand
12	and affixed my seal of office at Medina, Ohio this
13	11th day of April, 2025.
14	
15	Makenzie J. Sabo
16	Makenzie J. Sabo, RPR
17	and Notary Public within and for the State of Ohio.
18	My commission expires 09/19/28.
19	
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Meeting Minutes

3/13/25 - Planning Commission Review of P25-02

4/10/25 - Planning Commission Adoption of Final Decision and Conclusions of Fact (DRAFT - Scheduled for Adoption on 5/8/25 prior to the Board of Zoning Appeals Meeting)





CITY of MEDINA

Planning Commission Regular Meeting Minutes March 13, 2025

Meeting Date: March 13, 2025

Meeting Time: 6:30 PM

Present: Nathan Case, Bruce Gold, Rick Grice, Paul Rose, Monica Russell, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant). As stated below, prior to the motion to approve the Final Decision and Conclusions of Fact for the February 2025 meeting, Mr. Rose recused himself from the Planning Commission and Jeremy Sack joined the Planning Commission.

Approval of Minutes

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

Mr. Case seconded the motion.

Vote:

Case Y Gold Y

Grice Y Rose Abstain

Russell Y

Approved 4-0 with Mr. Rose abstaining

The Court Reporter swore in all attendees.

Applications

1	P25-01	Katelyn Friedl	818 E Washington Street	TC-OV
100	12501	Natcivii i i i cai	OLO E Washington Street	1001

Mr. Dutton stated that the applicant was proposing a new single-story 1,914 sq. ft. home with an attached two-car garage. Mr. Dutton stated that the proposed home met the required setbacks. He noted that the setback from the right-of-way was 168 ft. and was in line with adjacent homes. He added that the home had a front porch with a metal roof and a front elevation primarily clad with board and batten siding and stone. Mr. Dutton stated that the section of East Washington Street contained a variety styles including single-story homes and split-level homes.

Mr. Dutton stated that staff recommended approval of application P25-01 as submitted.

Present for the case was Karen Friedl, 818 East Washington Street. Ms. Friedl stated that the pillars would not have the lateral braces shown on the submitted plans. She added that the house would be white, have a black roof, and would have red brick accents.

Mr. Gold made a motion to approve the application P25-01, as submitted.

Mr. Rose seconded the motion.

Vote:

Gold \underline{Y} Grice \underline{Y} Rose \underline{Y} Russell \underline{Y} Case \underline{Y} Approved $\underline{5}$ -0

2.	P25-02	Steve Berry	999 Lafayette Road	CZC/SPA
۷.	1 23 02	Steve Berry	333 Edia Cette House	

Mr. Dutton stated that the applicant was proposing a convenience store in the center of the lot with a counterclockwise drive through. He noted that the proposal also included passenger vehicle fueling on the south side of the site and tractor-trailer fueling on the north side of the site. He added that the site plan met most of the required development standards, such as setbacks, building height, and lot coverage.

Mr. Dutton continued that the site plan included three access points with one located on Lafayette Road for passenger vehicles and two located on Lake Road for truck traffic. He noted that the widths of the drives were between 37 ft. and 67 ft. at the right-of-way and 43 ft. and 100 ft. at the curb. Mr. Dutton stated that Section 1153.04(d)(15)(B.) limited the width of an access drive to 30 ft. at the right-of-way and only permitted two access drives. He continued that Section 1145.10(e) limited the maximum commercial driveway width to 24 ft. at the right-of-way and 38 ft. at the curb. He noted that the application had submitted a variance application to the two code sections, which would be reviewed by the Board of Zoning Appeals later in the evening.

Mr. Dutton stated that the passenger vehicle parking located on the south side of the lot met the minimum number required. He noted that the code stated that parking, to the extent feasible, shall be located behind the front wall of the building. He added that the proposed plan incorporated parking in front of the building, which was a common configuration for a convenience store with a filling station.

Mr. Dutton stated that the applicant had provided a revision to the sidewalks shown on the plan. He noted that the originally submitted plans showed sidewalks located on the subject property without a connection to the corner curb ramp. He added that the revised version showed the sidewalks in the public right-of-way, which was the typical location, and connected them to the curb ramp. Mr. Dutton continued that locating the sidewalk in the right-of-way on

Lake Road would place the sidewalk adjacent to the roadway. He stated that the City Engineering preferred the plan with the sidewalks located on the subject property and would execute an easement with the property owner for the sidewalk. Mr. Dutton added that a sidewalk would also need to connect the public sidewalk to the convenience store.

Mr. Dutton stated that the landscaping plan provided by the applicant included sufficient landscape buffering to the west side of the truck fueling area and the convenience store, where residential properties were located. He noted that the zoning code required a 10 ft. wide landscaping strip between the passenger parking area and the right-of-way. He stated that in the original plan, parking is shown at the 10 ft. setback, but with only a 5 ft. landscaping strip. Mr. Dutton stated that the Planning Commission would need to waive the 10 ft. requirement, which they were permitted to do.

Mr. Dutton stated that the applicant had noted that storm water management would be located underground, which was generally acceptable to the City Engineer.

Mr. Dutton stated that building elevations indicated a flat roof with varying roof lines, walls of predominantly two colors with recessed sections, and stone lower sections. Mr. Dutton stated that stucco, of which EIFS was a synthetic version, was permitted in bands of accent color or recessions. He added that the proposed structure incorporated these elements.

Mr. Dutton stated that staff recommended approval of application P25-02 for Conditional Zoning Certificate and Site Plan approval as submitted with parking in the front yard and a 5 ft. parking setback, with the following conditions:

- 1. The project shall comply with Sections 1145.10(e) and 1153.04(d)(15)(B.) regarding the number and width of access points or receive variance approval from the Board of Zoning Appeals.
- 2. The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road and a private sidewalk shall connect from the public sidewalk to the convenience store building per Section 1130.10.
- 3. Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
- 4. A light fixture detail shall be submitted in compliance with Section 1145.09(c)(6).

Present for the case was Stephen Berry of Architectural Design Inc., 374 Boardman-Poland Road, Suite 201 in Youngstown, representing Harpreet Singh Aujla and Davinder Paul Singh. Mr. Berry stated the plan aimed to segregate truck traffic from automobile traffic. He added that access points were located as far away from the intersection as possible to prevent stacking issues.

Mr. Grice opened the public hearing.

Majeed Makhlouf of Berns, Ockner & Greenberger, 3201 Enterprise Parkway, Suite 220, in Beachwood, representing Minute Mart LLC, the property owner of 1010 Lafayette Road, stated that his client requested the Planning Commission to reject the application, or at a minimum

table it, as he felt approval would be premature. He noted that the applicant was asking for substantial variances and the Planning Commission should not grant approval without knowing if the variances would be granted. Mr. Makhlouf stated that the applicant bore the burden to prove his case beyond a reasonable doubt. He contended that the applicant had made no case for approval to the Planning Commission.

Mr. Makhlouf continued that the proposed project would have impacts on surrounding properties. He stated that the project would devalue his client's property, result in safety issues for their customers, and create significantly more traffic than the property's previous use. Mr. Makhlouf indicated that no information had been provided regarding the amount of traffic that would be generated by the project.

Mr. Gold noted that the Board of Zoning Appeals met right after the Planning Commission, and that approval from the Commission would be contingent on the Board's approval of the variances. He noted that Mr. Makhlouf had not presented a case as to how the traffic implications would affect the surrounding properties. Mr. Makhlouf indicated that the variances were substantial and the proposal would result in additional traffic.

William Deluca, Regional Manager for Minit Mart, 1010 Lafayette Road, presented the Commission with a picture of traffic on West Smith Road. Mr. Rose noted that West Smith was a different road which did not cross either Lake Road or Lafayette Road. Mr. Deluca also presented the Commission with pictures of traffic on Lafayette Road. He noted that he had been overseeing the Minit Mart for seven years and stated that the proposal would create more traffic. There was a discussion as to traffic.

Ms. Russell stated that she would not expect more traffic to be generated by the proposed project and there would likely be less traffic going to Mr. Deluca's business with the introduction of a similar business across the street. Mr. Makhlouf responded that the gravitational model would occur which contends that when similar uses are located next to one another, they generate more traffic to the area.

Mr. Dutton stated that Site Plan applications were always sent to the City Engineer for review prior to the Planning Commission meeting and the City Engineer did not request a traffic impact study or traffic analysis. Mr. Dutton added that the application was willing to meet the 10 ft. setback for the landscaping, but that the city would prefer a reduced amount of landscaping so the sidewalk would not be directly adjacent to the roadway.

Cammie Reust, 580 North Harmony Street, stated that she believed the proposed convenience store would generate more traffic in the area.

Troy Gerspacher, 5734 Trystin Tree Drive, was present representing the property's seller. He supported the approval of the application and stated that the project would be positive for industrial users in the surrounding area.

Mr. Gold inquired as to the staff's requirement for a lighting plan. Mr. Dutton stated that the applicant had submitted a compliant lighting plan and staff only needed a light fixture detail.

Mr. Case inquired as to the possibility of requiring a sign at the Lafayette Road entrance prohibiting truck access to the site from that road. After conferring with the business owners, Mr. Berry stated that they had no objection to including the sign.

Mr. Berry noted that the business across the street with the same use had parking in the front yard and appeared to have oversized curb cuts.

Mr. Gold made a motion to approve the application P25-02, as submitted, with the following conditions:

- 1. The approval of the requested variances by the Board of Zoning Appeals.
- 2. The proposed public sidewalk shall connect with the existing curb ramp at the corner of Lafayette Road and Lake Road.
- 3. Two trees shall be located adjacent to Lafayette Road in the area marked "LAWN" on the Landscaping Plan.
- 4. A light fixture detail shall be submitted in compliance with Section 1145.09.
- 5. Semi-trucks shall be prohibited from turning into the property at the Lafayette Road entrance.

Mr. Case seconded the motion.

Mr. Makhlouf stated that he was obligated to put on the record that his client intended to appeal to the Court of Common Pleas if the case was approved.

Vote:

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

3. P24-16 David Myers 028-19C-17-041 & 028-19C-17-040 Revised CZC/SPA

Mr. Dutton stated that the project had previously been approved by the Planning Commission for 55 manufactured home lots. Mr. Dutton noted that, following the approval, the gas easement located on the subject site was found to be 75 ft. wide rather than 50 ft. wide. He added that the easement width resulted in a necessary reconfiguration of the site's layout.

Mr. Dutton stated that the current Conditional Zoning Certificate and Site Plan applications proposed two drives connecting at a single cul-de-sac for 54 manufactured home lots. He noted that the proposal met the required setbacks from adjacent property lines.

Mr. Dutton stated that there was industrial zoning to the east and residential uses to the west. He noted that the landscaping plan provided by the applicant provided partial screening to the east, though it was limited by the gas easement. He added that the recommendation was to

add more screening to the east and fill in the gaps in the screening for the residential homes to the west.

Mr. Dutton stated that Staff recommended approval of application P24-16 with the following conditions:

- Improvements to Lafayette Road at the entrance/exit to the Brookdale Mobile Home Park shall be installed as required by the City Engineer.
- Year round screening shall be provided from all industrial properties to the east of the Brookdale Mobile Home expansion and residential properties to the west of the Brookdale Mobile Home expansion that currently have insufficient screening as required by the Planning Director.

Present for the case was Jim Huach, 217 East Main Street in Kent. Mr. Hauch stated that the gas company had initially verbally indicated the easement width was 50 ft. He continued that after the project had gone out to bid, the gas company presented a document stating that the easement was actually 75 ft. wide. He noted that plans were reconfigured to accommodate for the larger easement.

Mr. Grice opened the public hearing.

Dori Nelson, 5807 Deerview Lane, stated that her biggest concern was screening. She noted that all of the trees to the rear of her lot were dying and she was concerned about sufficient screening. Mr. Hauch stated that they had been working with a Lafayette Township Trustee to contact property owners. He added that screening would be planted on neighboring properties as requested by the property owners. Mr. Huach noted that the subject property would be regraded, which should improve water runoff. There was a discussion as to the placement of the trees.

David Myers of Thorson Baker Engineering, 3030 West Streetsboro Road in Richfield, stated that there was a sanitary sewer easement adjacent to the western property line. He added that the original approval had been to install trees on neighboring properties, as the Medina County Sanitary Engineers would not allow trees to be planted within the easement.

John Emory, 5901 Deerview Lane, inquired if the size of the retention pond was still being increased. Mr. Myers stated that the retention pond size had not changed from the original proposal, which was an increase from its existing size. There was an additional discussion as to trees and drainage.

Mr. Gold made a motion to approve the application P24-16, as submitted with the following conditions:

- Improvements to Lafayette Road at the entrance/exit to the Brookdale Mobile Home Park shall be installed as required by the City Engineer.
- Year round screening shall be provided from all industrial properties to the east of the Brookdale Mobile Home expansion and residential properties to the west of the Brookdale Mobile Home expansion that currently have insufficient screening as required by the Planning Director.

Ms. Russell seconded the motion.

Vote:

Rose \underline{Y} Russell \underline{Y} Case \underline{Y} Gold \underline{Y}

Grice Y

Approved <u>4-0</u>

Adoption of Final Decision and Conclusions of Fact

Mr. Dutton stated that there were two Final Decision and Conclusions of Fact documents regarding the Planning Commission's TCOV review for a two-family dwelling at 322 West Smith Road. He stated that the documents memorialized what was presented to the Commission at the meeting, testimony given, and the decision of the Planning Commission. Mr. Dutton noted that the first document was for the November 2024 meeting, when Mr. Rose was present, and the second document was for the February 2025 meeting, when Mr. Sack was present.

Having received the documents and reviewed them, Mr. Gold made a motion to accept the first Final Decision and Conclusions of Fact for the November 2024 meeting as submitted.

Mr. Rose seconded the motion.

Vote:

Russell \underline{Y} Case \underline{Y} Gold \underline{Y} Grice \underline{Y} Rose \underline{Y} Approved 5-0

At this time, Mr. Rose recused himself from the Planning Commission and Mr. Sack joined the Planning Commission.

Mr. Gold made a motion to accept the second Final Decision and Conclusions of Fact for the February 2025 meeting as submitted.

Ms. Russell seconded the motion.

Vote:

Case \underline{Y} Gold \underline{Y} Grice \underline{Y} Russell \underline{Y} Sack \underline{Y}

Approved <u>5-0</u>

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Rick Grice, Chairman



CITY of MEDINA

Planning Commission Regular Meeting Minutes April 10, 2025

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 \underline{Y} Gold \underline{Y} Grice \underline{Y} Rose \underline{Y}

Russell \underline{Y} Approved $\underline{5-0}$

The Court Reporter swore in all attendees.

Applications

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1	P25-03	Tim Pelton	129 North Broadway Street	SPA
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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 \underline{Y} Grice \underline{Y} Rose \underline{Y} Russell \underline{Y} Case \underline{Y} Approved $\underline{5-0}$

2. P25-04 William Adams 665 Lafayette Road TC-OV

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 \underline{Y} Rose \underline{N} Russell \underline{Y} Case \underline{Y} Gold \underline{Y} Approved 4-1

P25-05

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.

Vote:

Rose \underline{Y} Russell \underline{Y} Case \underline{Y} Gold \underline{Y}

Grice \underline{Y} Approved $\underline{5-0}$

4. P25-06 Lisa Reau 028-19A-21-265 SPA

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.
- <u>South Side</u> 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>
Gold	<u>Y</u>	Grice	<u>Y</u>
Rose	<u>Y</u>		
Approved	<u>5-0</u>		

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

Adjournment
Having no further business, the meeting was adjourned.
Respectfully submitted,
Sarah Tome
Rick Grice, Chairman