

**MEDINA TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
REGULAR MEETING  
OCTOBER 17, 2006**

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:33 p.m. Board members Gardner, Overmyer, Williams, Alber and Strogin were in attendance.

The Zoning Commission minutes to the September 19, 2006 meeting were approved as amended. The Trustees have scheduled site plan reviews to be heard on November 2, 2006 at 7:30 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan.

**SITE PLANS**

**Asian Martial Arts-3267 B Pearl Rd.**

Mr. James Briola from Northcoast Sign and Lighting represented Asian Martial Arts. This business already is in operation and is located on Pearl Rd. Mr. Briola stated Asian Martial Arts was now requesting a 32 sq. ft. wall sign. The business has 43 feet of linear frontage.

Mrs. Gardner made a motion to approve a wall sign not to exceed 32-sq. ft. for Asian Martial Arts located at 3267 (B) Pearl Rd. as presented. It was second by Mr. Williams. ROLL CALL-Gardner-yes, Williams-yes, Overmyer-yes, Alber-yes, Strogin-yes.

**Bil-Jac-3337 Medina Rd.**

Mr. Kerry Illes from Illes Architects represented Bil-Jac. They are requesting a 32 sq. ft. ground sign on Rt. 18. Above the wording "Bil-Jac" would be a logo design.

Mrs. Gardner made a motion to approve a ground sign for Bil-Jac not to exceed 32-sq. ft. as presented. It was second by Mr. Overmyer. ROLL CALL-Gardner-yes, Overmyer-yes, Alber-yes, Williams-yes, Strogin-yes.

**Smoothie King-4887 Pearl Rd.**

Mr. Kerry Illes from Illes Architects represented Smoothie King. Smoothie King had its site plan approved by the Commission last month, and they would be locating in Medina Grande Shoppes. They were now requesting a 16.99 sq. ft. wall sign that was part of the corporate package for signage. This business has 18 ft. of linear frontage.

Mr. Overmyer made a motion to approve a wall sign for Smoothie King in Medina Grande Shoppes fronting on Pearl Rd. not to exceed 17-sq. ft. as presented. It was second by Mrs. Gardner. ROLL CALL-Overmyer-yes, Gardner-yes, Alber-yes, Williams-yes, Strogin-yes.

**Cantina Per Vini-3571 Medina Rd.**

Mr. Kerry Illes from Illes Architects represented Cantina Per Vini. This restaurant would be occupying the former location of Raffine and The Glass Garden.

Mr. Overmyer made a motion to approve the site plan for Cantina Per Vini as presented. It was seconded by Mr. Williams.

ROLL CALL-Overmyer-yes, Williams-yes, Gardner-yes, Alber-yes, Strogin-yes.

Mr. Illes stated Cantina Per Vini was also requesting a 56.43 sq. ft. wall sign. The business has 60 ft. of linear frontage.

Mrs. Gardner made a motion to approve a wall sign for Cantina Per Vini not to exceed 56.43 sq. ft. as presented. It was second by Mr. Alber.

ROLL CALL-Gardner-yes, Alber-yes, Overmyer-yes, Williams-yes, Strogin-yes.

**Fifth Third Bank-3303 Medina Rd.**

Mr. Robert Milburn from Boyer Signs and Graphics represented Fifth Third Bank. The bank's use was previously approved. Mr. Milburn stated he was now before the Commission to request a 44.41 sq. ft. wall sign, a 31.93 sq. ft. ground sign and several directional signs.

The first sign to be considered was the ground sign. Mr. Overmyer made a motion to approve a ground sign for Fifth Third Bank not to exceed 32 sq. ft. to be located a minimum of 10 ft. from road right of way as presented. It was seconded by Mr. Williams. ROLL CALL-Overmyer-yes, Williams-yes, Gardner-yes, Alber-yes, Strogin-yes.

Mr. Boyer stated Fifth Third Bank was requesting a 44.41 sq. ft. wall sign. This business has 63 ft. of linear frontage.

Mrs. Gardner made a motion to approve a wall sign for Fifth Third Bank not to exceed 45-sq. ft. as presented. It was second by Ms. Williams.

ROLL CALL-Overmyer-yes, Gardner-yes, Williams-yes, Alber-yes, Strogin-yes.

Mr. Boyer stated their last request was for several directional signs such as enter, exit handicapped parking designation, etc.

Mr. Overmyer made a motion to approve the miscellaneous directional signs for Fifth Third Bank each not to exceed 4-sq. ft. as presented. It was second by Mr. Williams.

ROLL CALL-Overmyer-yes, Williams-yes, Gardner-yes, Alber-yes, Strogin-yes.

**Q'Doba (Retail Space I-1 of Medina Grande Shoppes)**

Mr. Matt Casey from Zarembo Group LLC represented Q'Doba. Mr. Casey stated this restaurant would be taking the place of the formerly approved "Fosters Grille". This would be a Mexican restaurant and would be located Retail space I-1 of Medina Grande Shoppes. There is no signage being requested at this time.

Mrs. Gardner made a motion to approve the site plan for Q'Doba to be located in Retail Space I-1 of Medina Grande Shoppes as presented. It was seconded by Mr. Overmyer. ROLL CALL-Gardner-yes, Overmyer-yes, Williams-yes, Alber-yes, Strogina-yes.

**Citgo (formerly Marathon) 2855 Medina Rd.**

Mr. Kelleher from Century Sign Co. and the owner of the gas station Mr. Greg Shue represented <sup>Marathon</sup> Citgo. Mr. Kelleher stated that Citgo is in the process of leaving Ohio and Mr. Shue needs to change his petroleum affiliation, which will now be Marathon. Therefore, they would need to replace the Citgo name on the existing pole sign and remove the 4 illuminated canopy signs, and replace them with only 3 non-illuminated signs. Mr. Kelleher stated the 4 existing illuminated signs which measured 104-sq. ft., would be replaced with 3 non-illuminated signs measuring 56 sq. ft. Mr. Kelleher stated the existing pole sign measures 114 sq. ft. but only 96 sq. ft. would be changed which involves the top three panels on the pole sign. Chair Strogina stated the pole sign for Shue's was approved via a variance. Mr. Kelleher continued that the existing Citgo high-rise sign would be removed and not replaced. Also, one of the panels on the pole sign would be a digital price board for fuel and would not blink. Chair Strogina stated there is a reader board on the pole that could be used to advertise pop and cigarettes etc., and asked that the rest of the pole be kept neat and uncluttered.

Mr. Williams made a motion to approve the existing pole sign to reflect the Marathon brand not to exceed 114 sq. ft. and 27 ft. in height with the face replacement panels as presented, for Shue's Marathon formerly Shue's Citgo located at 2855 Medina Rd. It was so noted that the existing Citgo high-rise sign would be removed and not replaced. It was seconded by Mr. Overmyer.

ROLL CALL-Williams-yes, Overmyer-yes, Gardner-yes, Alber-yes, Strogina-yes.

Regarding the island signs, Mr. Kelleher stated that three canopy signs would be replaced (there were 4 signs at 26-sq. ft. each) at 20-sq. ft. each, as well as the pump toppers at 5-sq. ft. each.

Mr. Overmyer made a motion to approve the canopy sign changes to 3 Marathon logos not to exceed 20-sq. ft. each, and pump toppers to replace the name Citgo with Marathon not to exceed 5-sq. ft. each. It was seconded by Mr. Alber.

ROLL CALL-Overmyer-yes, Alber-yes, Gardner-yes, Williams-yes, Strogina-yes.

Chair Strogin asked ZI Ridgely to contact Mr. Shue that the "Coming Soon- Marathon" banner needed to be removed or a permit applied and issued for it.

**Lifetime Family Chiropractic-3848 Medina Rd.**

Dr. Dave Pamer represented Lifetime Family Chiropractic. This business would be locating in the Russell Park complex on Medina Rd. There is no signage being requested at this time.

Mrs. Gardner made a motion to approve the use for Lifetime Family Chiropractic to be located at 3848 Medina Rd. in the Russell Realty Building as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Gardner-yes, Overmyer-yes, Williams-yes, Alber-yes, Strogin-yes.

**Vell's Party Center-3526 Pearl Rd.**

Mr. Vel Vasiljevich represented Vell's Party Center. Mr. Vasiljevich was requesting a modification to his site plan to add a new 7,000 sq. ft. building to be known as Vell's Bed and Breakfast; and a second request to incorporate a 484 sq. ft. gazebo and 750 sq. ft. fountain.

Mr. Vasiljevich stated that he already contacted the County Engineer about sanitary sewer and water availability and they stated that he needed to get approval by the Township first. Mr. Vasiljevich stated the Engineer's office told him that they would give approval for a ¾" water line for the fountain and then they could approval a larger line if and when the building was erected. Mr. Vasiljevich stated he wanted approval for the gazebo, the fountain and the building due to the cost involved to piece meal the project. He repeated again that the County Engineer told him he needed to get approval from the Township first.

Chair Strogin stated that the existing storm sewer line runs right through the proposed building site. Mr. Vasiljevich stated that the sewer line has been relocated. Chair Strogin stated the plan was dated 9/26/06 and the site plan shows it running through the proposed building. Mr. Vasiljevich stated it was just changed a month ago but it was not noted on the site plan.

Chair Strogin then asked if the bed and breakfast was going to be opened everyday or just the weekends. Mr. Vasiljevich stated just the weekends. It would accommodate 10-12 individuals. Chair Strogin stated the issue with this property is that it is zoned commercial but abuts residentially used/zoned property. In such a case the Zoning Resolution calls for a 100-ft. buffer. She continued that there have been numerous variances granted to this property and in lieu of the landscaping in the front, the Township consented to the brick wall and gate. However, the code calls for the rear yard setback to be 100 ft. with 50 ft. of it to be landscaped or screened and the remaining 50 feet could be used for parking. Per

the site plan there is only 56 ft. Mr. Vasiljevich stated the proposed building for the bed and breakfast could be moved forward somewhat but not an additional 40+ feet.

Instead of landscaping, Mr. Vasiljevich continued that he would like to incorporate a retaining wall to screen the neighbor next to him who works on cars and other things in his garage. Mr. Vasiljevich added he already has grass and would rather put in a retaining wall. Chair Strogin stated that per the Zoning Resolution, there needs to be a buffer between commercial and residential used/zoned properties to protect both interests. Chair Strogin added that per the site plan submitted, the Commission could not approve the plan. The building would have to be moved, made smaller or Mr. Vasiljevich could apply for a variance. Mr. Vasiljevich stated he would like to apply for a variance.

Mr. Williams's suggested eliminating the fountain and then the new building could be brought forward. Mr. Vasiljevich stated he wanted the fountain and the gazebo to be able to offer a nice setting for wedding pictures to be taken. The bridal party could go right from taking pictures to the party center and then to the bed and breakfast if they desired. He added there would be nice landscaping incorporated to make it a beautiful setting. The Commission stated there was no landscaping shown on the site plan. The Commission suggested Mr. Vasiljevich take this plan back to the firm he hired and rework the building to bring it as close as it could be into compliance with the zoning code. The Commission continued that the site plan needs to show the exact location of the building, gazebo, fountain, all the landscaping that will be incorporated, where the dumpster will be located, the lighting, etc. Chair Strogin stated that the firm that Mr. Vasiljevich hired knows what was required by the Township and Mr. Vasiljevich needed to go back and get an accurate, complete and detailed site plan drawn and submitted before the Commission could take action.

Mrs. Gardner made a motion to table the modification to Vell's Party Center site plan for a 7,000 sq. ft. building (bed and breakfast) a 484 sq. ft. gazebo and a 750 sq. ft. fountain until a complete, accurate site plan is submitted for the next Zoning Commission meeting scheduled for November 21, 2006. It was seconded by Mr. Williams.

ROLL CALL-Gardner-yes, Williams-yes, Overmyer-yes, Alber-yes, Strogin-yes.

**Rick Roush Motor Sports-3057 Eastpointe Dr.**

Mr. Norman Mayes from Medina Signs represented Rick Roush Motor Sports. Mr. Mayes stated that Rick Roush Motor Sports was requesting a 31.5 sq. ft. ground sign.

Mrs. Gardner made a motion to approve a ground sign for Rick Roush Motor Sports not to exceed 32-sq. ft. as presented. Landscaping will be added to base of sign. It was seconded by Mr. Williams.

ROLL CALL-Gardner-yes, Williams-yes, Overmyer-yes, Alber-yes, Strogin-yes.

**Russell Real Estate Services-3848 Medina Rd.**

Mr. Ron Russell owner of Russell Real Estate Services was present. He stated that Russell Real Estate Services was requesting a 44.33-sq. ft. ground sign. He added that the unique architecture of the sign took it over the 32-sq. ft. ground sign size requirement.

Chair Strogin stated that Mr. Russell has already been before the BZA for Russell Real Estate Services back in August of this year, and a motion was made to grant a variance of Section 605 I-1 to allow for a second wall sign stating "Russell Park" to be located on the clock tower of the building located at 3848 Medina Rd. as submitted. Specifically conditioned upon the "on the record" waiver by Russell Realty (J & RR Investments LLC) of any right under the Zoning Resolution of Medina Township the request for any identification sign for Russell Park and or any future tenants of Russell Park."

Mr. Russell stated that was correct, however, they did not give up the ground sign on the street, but gave up erecting an identification sign. Mrs. Gardner asked what was going to be placed on the ground sign. Mr. Russell stated the name of all the tenants. Chair Strogin stated the Commission could not approve the ground sign, as it did not conform to the zoning code as written.

Mr. Overmyer made a motion to deny the ground sign for Russell Real Estate Services as it does not comply with the Zoning Resolution regarding ground sign size requirement of 32 sq. ft. It was seconded by Mr. Williams.

ROLL CALL-Overmyer-yes, Williams-yes, Gardner-yes, Alber-yes, Strogin-yes.

**Russell Real Estate Services-3848 Medina Rd.**

Mr. Ron Russell owner of Russell Real Estate Services was present. The request was for approval of ingress/egress by Medina Twp. to backland to be developed that was located in Montville Township.

Mrs. Gardner commented that there would be a lot of traffic entering/exiting only one means of access as shown on the plan. Mr. Russell stated he has shown this preliminary plan to Montville Township and they would like a turning lane incorporated. He added that the backland would be developed into office buildings, a retail building for Pat Catans and other retail space.

Chair Strogin then asked for the Fire Chief and Police Chief to be contacted for their comments. There was a lengthy discussion with the Zoning Commission, the Police and Fire Chief and the representatives from Pat Catan's and Russell Realty about a permanent access being incorporated between the two properties not only from a traffic ingress/egress concern, but also for emergency access for police and fire. Mr. Ron Russell and Mr. Rayes agreed to a permanent access between the two properties i.e. Russell Realty and Pat Catans.

Mrs. Gardner made a motion to approve, for Russell Realty the access frontage to the office buildings on backland that is located in Montville Township, with an additional turning lane to be put in on the Medina Township side of the driveway, and an agreement for a mutual curb cut into the adjacent property on the east under contract with Pat Catans for a permanent second means of ingress/egress for police/fire emergency access. This has been agreed to by Mr. Ron Russell on behalf of Russell Real Estate Services and Mr. John Rayes, on behalf of Pat Catans. It was seconded by Mr. Overmyer.  
ROLL CALL-Gardner-yes, Overmyer-yes, Williams-yes, Alber-yes, Strogin-yes.

**Pat Catan's (3814 Medina Rd.)**

Mr. John Schamalz and Mr. John Rayes from Star Inc. represented Pat Catans. They stated they were before the Commission this evening to request approval for ingress/egress to the Pat Catans property in Montville Twp. They were proposing a new drive for this property and would be maintaining access to the Danelly property next door. Mr. Rayes stated they would be clearing a lot of brush on the property and incorporating extensive landscaping. They would also be maintaining the retention pond area, (which was existing) with the incorporation of a fountain. The height of the light poles would be 20 ft. Lastly; Pat Catans would maintain a permanent access to the Russell Realty property as previously discussed.

Mr. Rayes stated that the Pat Catans building in Montville Twp. would be approximately 38,000 sq. ft. They were also proposing a retail building to consist of approximately 29,000 sq. ft. The size of this building may vary and would not be built right away but as tenants presented themselves to do the build out. Chair Strogin asked if this has been approved by Montville Twp. Mr. Rayes responded, yes it has.

Regarding the landscaping, Chair Strogin stated she personally would like additional or other landscaping to be incorporated other than the large amount of burning bushes proposed. Mr. Schamalz stated he would relay Chair Strogin's comments to the landscaping firm. Mr. Russell stated he would appreciate if the large trees proposed were not planted so that they blocked the view of his building. Chair Strogin stated that was something that could be worked out between Mr. Russell and the representatives from Pat Catans.

Chair Strogin stated that at the retail building property line, the Zoning Resolution states that there must be a 15 setback with 5 ft. of that setback to be landscaped and the other 10 ft. could be used for parking. Mr. Rayes stated that could be accommodated and added they had the same issue in Montville Twp. Montville suggested and accepted putting landscaping planter boxes/benches all along the walkway because it was 10 ft. deep and there was a canopy overhang. This landscaping could also be continued along the Medina Twp. side. The Commission agreed.

Mr. Rayes continued that when the met with Montville, they stated they would incorporate landscaping along Mr. Danelly's property as a buffer and will maintain access to his property. Chair Strogin commented that an easement would need to be recorded regarding the maintenance of the retention pond.

Fire Chief Crumley asked that a guardrail or some type of large landscape screening be placed along the west side of the driveway to prevent someone from sliding into the retention pond. Mr. Rayes suggested instead of large trees that would block the view of Mr. Russell's building that they could incorporate large concrete balls to provide a barrier. The Commission agreed.

Mr. Overmyer made a motion to approve ingress/egress access to Pat Catans to the development of the back property located in Montville Township through Medina Township with the agreement of a permanent curb cut to the adjacent Russell Realty property for additional means of ingress/egress. Pat Catans will meet the requirement of a landscaped buffer strip for the parking at the south border of the Township property (Medina). An easement will be recorded for drainage on the retention pond and a safety barrier to be put in place on the west side of Pat Catans main driveway as requested by the Medina Twp Fire Dept.; and permanent access to the private property currently owned by John Danelly will also be maintained. It was seconded by Mr. Alber.  
ROLL CALL-Overmyer-yes, Alber-yes, Gardner-yes, Williams-yes, Strogin-yes.

**Muddy Waters Coffee Cafe-3609 Medina Rd.**

No one was present to represent Muddy Waters. Mr. Overmyer made a motion to table the site plan and signage request for Muddy Waters Coffee Café due to non-representation. It was seconded by Mr. Williams.

ROLL CALL-Overmyer-yes, Williams-yes, Gardner-yes, Alber-yes, Strogin-yes.

Having no further business before the Board, the meeting was officially adjourned at 10:25 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary

  
Alliss Strogin Chairperson