

RECORD OF PROCEEDINGS

Minutes of

COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK INC., FORM NO. 10148

Held

September 6, 2018

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Ms. Scott convened the Zoning Commission meeting at 6:00 p.m. Present were Tim Couch, Mark Wasick, Jane Scott, Robert Kocsis, Bill Daniel, John Heer and James Berry. Sue Schultz, Shawna Gfroerer and Jeff Newman from the Department of Community and Economic Development were also present.

REVIEW OF MINUTES

Mr. Daniel moved to approve the August 2, 2018 minutes as submitted, Mr. Couch, second. Ms. Scott called for the vote and the motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X		X	X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X	X		X		
John Heer (alt.)	X					
James Berry (alt.)	X					

The next item on the agenda was New Business. There was no New Business to discuss.

OLD BUSINESS

Ms. Scott called for a motion to open the continued public hearing for:

APPLICANT: Echo Realty, Attn: Joseph Tassone, P.E.
LANDOWNER: Ronald G. Noland
LOCATION: 4640, 4660, 4666, 4672 Medina Road
PPN: 1700158, 1702590, 1702051, 1702589
CURRENTLY: Commercial Office Retail (C-OR)
PROPOSED: Commercial General Retail (C-GR)

Mr. Kocsis moved to open the continued public hearing for 4640, 4660, 4666, 4672 Medina Road. Mr. Daniel second. Ms. Scott called for the vote and the motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X			X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X	X		X		
Bill Daniel	X		X	X		
John Heer (alt.)	X					
James Berry (alt.)	X					

Ms. Scott called for a motion to open the continued public hearing for:

APPLICANT: Matt Manteghi
LANDOWNER: Ghoham (Matt) Manteghi
LOCATION: 4608, 4612 Medina Road
PPN: 1700135
CURRENTLY: Commercial Office Retail (C-OR)
PROPOSED: Commercial General Retail (C-GR)

Mr. Kocsis moved to open the continued public hearing for 4608, 4612 Medina Road. Mr. Couch second. Ms. Scott called for the vote and the motion carried.

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COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10140

Held September 6, 2018 20

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X		X	X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X	X		X		
Bill Daniel	X			X		
John Heer (alt.)						
James Berry (alt.)						

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Ms. Scott called for a motion to open the continued public hearing for:

- APPLICANT: Ronald Noland Managing Partner-WWRT LLC
- LANDOWNER: Ronald Noland Managing Partner-WWRT LLC
- LOCATION: 22 Scenic View Drive
- PPN: 1700134
- CURRENTLY: Commercial Office Retail (C-OR)
- PROPOSED: Commercial General Retail (C-GR)

Mr. Kocsis made a motion to open the continued public hearing for 22 Scenic View Drive. Mr. Daniel second. Ms. Scott called for the vote and the motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X			X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X	X		X		
Bill Daniel	X		X	X		
John Heer (alt.)						
James Berry (alt.)						

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Ms. Scott asked Ms. Schultz to verify that the Public Hearings were advertised in accordance with the Ohio Revised Code. Ms. Schultz stated, yes, the hearings were advertised in the West Side Leader and Landowner/Applicant notifications had been sent.

Ms. Scott asked that everyone wishing to speak regarding the Map Amendment Applications presented this evening stand to be sworn in. All of those wishing to speak were sworn in.

Ms. Scott asked for the Zoning Inspectors presentation.

Ms. Gfroerer presented on behalf of the Department of Community & Economic Development.

Ms. Gfroerer stated that there are three applications this evening for the Board to consider, however, the three applicants requested that the applications be presented together as they are all seeking the same rezoning classification from Commercial-Office Retail to Commercial-General Retail.

Ms. Gfroerer began the presentation with an overview of all three properties:

- REQUEST: Rezone from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR)**
 1. Applicant, Echo Realty-Joseph Tassone, P.E. and Landowner, Ronald G. Noland are requesting a Map Amendment to rezone their properties located at 4640, 4660, 4666 and 4672 Medina Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).

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DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held

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- 2. Applicant/Landowner, Ghobam (Matt) Manteghi, is requesting a Map Amendment which would rezone the properties located at 4612/4608 Medina Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).
- 3. Applicant/Landowner Ronald Noland Managing Partner-WWRT LLC is requesting a Map Amendment which would rezone the property located at 22 Scenic View Drive from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).

Ms. Gfroerer stated that the properties are located on Medina Road/Scenic View Drive, east of Hametown Road and West of Heritage Woods Road and surrounded by Residential Districts located in Copley Township to east, west and south. Ms. Gfroerer stated that the Residential Districts include high density, medium density (Fire Station 2) and multi-family units and are adjacent to the B-4 Restricted Business District located in Bath Township to the north. Ms. Gfroerer stated that the B-4 District is designed to encourage a functional and aesthetically pleasing office environment and to protect the residential character of adjacent areas.

Ms. Gfroerer reviewed the uses available for the current Zoning District, Commercial-Office Retail (C-OR).

PERMITTED USE

- Office Use
- Small Retail Ancillary to Office Use-Up to 2,500 square feet such as convenience stores, restaurants and personal care establishments
- Accessory uses associated with the primary office use
- Governmental offices designed to serve the residents of Copley & surrounding area

CONDITIONAL USE

- Bed and Breakfast
- Churches
- Clubs and Lodges
- Day Care Center
- Drive-up Window Facility
- Life care facility
- Live/Work Use
- Schools/educational facilities
- Wind Turbines

PROHIBITED USE

- Uses not in accordance with the Land Use Plan
- Uses which impact land-use in regards to but not limited to traffic, noise, storm water control, parking, effect on the value of surrounding properties, and the effect of the proposed use on the normal and orderly development and improvement of the surrounding properties.

Ms. Gfroerer stated that the Commercial-Office Retail (C-OR) District, is established to create an environment primarily, but not exclusively, for the development of well-located and designed office building sites to accommodate professional offices, sales offices, non-profit organizations and limited commercial activities ancillary to the office uses, including provision for some retail use and this District does not permit large-scale retail establishments or other similar high intensity retail and service uses.

Ms. Gfroerer reviewed the uses available for the proposed Zoning District, Commercial-General Retail (C-GR)

PERMITTED USE

- Retail goods and personal services including high intensity retail and service uses, such as large-scale retail establishments
- Restaurants and Nightclubs
- Accessory uses associated with the primary use
- Governmental offices designed to serve the residents of Copley & surrounding area

PERMITTED WITH CONDITIONS

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COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held

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- 1 • Air-conditioning, cabinet making and carpentry, heating and plumbing, painting, roofing,
- 2 sheet metal, and upholstering.
- 3 • Dry cleaning, cleaning and dyeing, and laundry service.
- 4 • Repair services for machinery and equipment establishments
- 5 • Uses that are substantially similar to those listed above as regards their land-use impacts
- 6 on surrounding properties.
- 7

CONDITIONAL USE

- 8 • Bed and Breakfast
- 9 • Churches
- 10 • Clubs and Lodges
- 11 • Day Care Center
- 12 • Drive-up Window Facility
- 13 • Gasoline service station – Full Service or Multi-Use
- 14 • Hotel/motel
- 15 • Life care facility
- 16 • Recreational Facility
- 17 • Schools / educational facilities
- 18 • Theatre and assembly uses.
- 19 • Wind Turbines
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PROHIBITED USE

- 22 • Uses not in accordance with the Land Use Plan
- 23 • Uses which impact land-use in regards to but not limited to traffic, noise, storm water
- 24 control, parking, effect on the value of surrounding properties, and the effect of the
- 25 proposed use on the normal and orderly development and improvement of the
- 26 surrounding properties.
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29 Ms. Gfroerer stated that the uses "Permitted with Conditions" are permitted when conducted no
30 closer than fifty (50) feet from an R-District. Where the C-GR District abuts an R-District, but is
31 separated from the R-District by a street, the width of the street shall not be considered as part of
32 the fifty (50) foot required setback.

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34 Ms. Gfroerer stated that since the property abuts a Residential District, the Uses described in the
35 Permitted with Conditions, would not apply to the applications presented.

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37 Ms. Gfroerer reviewed the Comprehensive Land Use Plan and stated that the properties are
38 designated as Commercial, with specific use as Office, in the current Comprehensive Land Use
39 Plan-Future Land Use Map. The current plan was adopted by the Board of Trustees in 2009 and is
40 currently under review for update in 2020.

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42 Ms. Gfroerer stated that the Comprehensive Land Use Plan is currently under review for update.
43 Meetings regarding the update are currently taking place monthly at each Zoning Commission
44 Meeting and through a Public Engagement Outreach Plan.

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46 Ms. Gfroerer stated Copley Township has received a total of 35 letters in opposition of the proposed
47 Map Amendments for: 4640, 4660, 4666, 4672 Medina Road, 4608/4612 Medina Road and 22
48 Scenic View Drive

49 **The letters expressed concerns about rezoning in regards to the following:**

Additional Traffic	Disease
Cut-through traffic to Hametown Rd.	Rats
Litter	Personal Safety
Light Pollution	Freedom of Movement
Noise Pollution	Potential Loss of Property Value
Speeding Cars	Concern of effects on wells
	Crime

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51 Ms. Gfroerer and Ms. Schultz read into the record letters received from the following landowners:
52 1. Ms. Ramona Green, 40 S. Hametown Road
53 2. Roger Wolarski, 4248 Janwood
54 3. William Zavertnick, 125 Pinewood Drive

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COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAVIDSON LEGAL, PLLC, INC., FORM NO. 1014H

Held

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- 4. Pat & Kim Sarakelli
- 5. John Loeffler, 213 Pineland Drive
- 6. Mark & Sue Whitmoore
- 7. Kathryn Jenkinson, 181 Scenic View Drive

Ms. Gfroerer presented an overview of the Criteria utilized to evaluate the Map Amendment Applications proposed for: 4640, 4660, 4666, 4672 Medina Road, 4608/4612 Medina Road and 22 Scenic View Drive and stated that the findings were supported by a 2016 Community Perspective Survey which showed that 80% of the respondents supported policies which pace growth in targeted areas.

MAP AMENDEMENT REVIEW CRITERIA

a) Is the proposed zoning change reasonable given the nature of the surrounding area? No. The surrounding areas consists of residential uses (medium & high) and the Bath Township B-4 Restricted Business District which is designed to complement the surrounding Districts. A Commercial-General Retail District would not compliment the surrounding districts.

b) Can the property reasonably be used as currently zoned? Yes.

c) Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan? No. The Current Comprehensive Land Use Plan-Future Land Use Map designates the land as Commercial with an Office/Retail Use. The Proposed Comprehensive Land Use Plan-Future Land Use Map designates the land as Office. The Future Land Use Plan is supported by results of the 2016 Community Survey and Township goal to infill and revitalize existing commercially zoned properties.

d) Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts? No. The Commercial-General Retail District is designed for large high intense retail use.

e) How will the proposed zoning change impact public services & facilities? Any new Use would be required to connect to centralized services.

f) How will the proposed zoning change impact traffic, especially traffic safety? The intensity of the Uses in the proposed district would be increased.

g) Will the proposed zoning change adversely affect adjoining properties? Yes.

h) Is this an appropriate location for the proposed use or are there locations better suited for the use. Permitted uses in the Commercial-General Retail District would be better suited in existing retail areas.

i) Will the proposed zoning change, change the character of the neighborhood? Yes.

j) Has there been a change in conditions that renders the original zoning inappropriate? No.

Ms. Gfroerer reviewed the recommendation received by the Summit County Planning Staff for Map Amendment applications requesting to rezone 4640, 4660, 4666, 4672 Medina Road, 4608/4612 Medina Road and 22 Scenic View Drive from Commercial-Office Retail to Commercial-General Retail. Ms. Gfroerer stated that on June 28, 2018 the Summit County Planning Staff recommended to the County of Summit Planning Commission that the requested rezonings be disapproved based on the following:

- (1) Proposed change is not reasonable given the nature of the surrounding area
- (2) Property can be used as zoned
- (3) Proposed use is not in line with the Future Land Use Plan
- (4) Proposed use is not consistent with the intent of the Zoning Resolution & applicable districts
- (5) Intensity of proposed use could adversely affect adjacent residential properties
- (6) Proposed use could change the overall character of the neighborhood
- (7) No change in conditions which leaves current zoning inappropriate

Ms. Gfroerer reviewed the recommendation received by the Summit County Planning Commission for Map Amendment applications requesting to rezone 4640, 4660, 4666, 4672 Medina Road, 4608/4612 Medina Road and 22 Scenic View Drive from Commercial-Office Retail to Commercial-General Retail. Ms. Gfroerer stated that on August 23, 2018 the Summit County Planning Commission stated that after proper review and consideration, the Summit County Planning Commission recommended that the proposed rezonings be disapproved.

Ms. Gfroerer presented the application for Applicant, Echo Realty-Joseph Tassone, P.E. and Landowner, Ronald G. Noland who is requesting a Map Amendment which would rezone their

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DAYTON LEGAL BLANK, INC. FORM NO. 10140

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1 properties located at 4640, 4660, 4666 and 4672 Medina Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR).
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4 Ms. Gfroerer stated that the application consists of the following parcels:
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- 6 **4672 MEDINA ROAD**
- 7 1.12 ACRES, VACANT PARCEL, TWO EXISTING CURB CUTS, (STRUCTURE SHOWN IN PHOTO WAS TORN DOWN)
- 8 **4666 MEDINA ROAD**
- 9 0.97 ACRES, VACANT PARCEL (HOME SHOWN IN PHOTO WAS TORN DOWN)
- 10 **4660 MEDINA ROAD**
- 11 0.91 ACRES, VACANT PARCEL
- 12 **4640 MEDINA ROAD**
- 13 1.86 ACRES, EXISTING GAS STATION
- 14

15 Ms. Gfroerer stated that per the applicant, the existing zoning is inconsistent with the current use of a gasoline service station and convenience retail which are non-conforming and serve to preclude redevelopment and development due to lack of demand and inadequate size for marketable office development.
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20 Ms. Gfroerer stated that per the applicant, the rezone will allow for the existing gasoline service station use and facilities development of the properties as conditionally permitted use as a convenience store with gasoline sales and other uses permitted with the Zoning district along Medina Road.
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25 Ms. Gfroerer stated that based on the Review Criteria and Comprehensive Land Use Plan, the Department of Community & Economic Development would recommend disapproval of the Map Amendment Application request to rezone 4640, 4660, 4666 and 4672 Medina Road from Commercial-Office Retail to Commercial-General Retail.
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30 Ms. Scott asked if there was anyone who wished to speak in favor of the proposed amendment.
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32 Mr. William Snow, Stouffer Realty, Inc. located 130 North Miller Road, Fairlawn, Ohio 44333, stated that he represents the applicant and knows the applicant would like to find a compromise.
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34 Mr. Snow stated that the Department of Community & Economic Development recommended the applicant apply for rezoning to Commercial-General Retail as the parcels are over 2 acres and that the applicant would prefer a rezoning to Commercial-Neighborhood Retail area.
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38 Mr. Snow stated that many Copley residents use this gas station and the applicants understand the neighbors' concerns and want to remind everyone that we need to go through the zoning process in order to get to the variance to upgrade a gas station.
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42 Mr. Snow stated that the applicant would like to address some concerns of the residents and that based on ODOT studies traffic is getting worse on SR 18 and there isn't much we can do to stop that. Mr. Snow stated that a newer gas station would look much better than the station there now.
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45 Mr. Snow stated that based on the purchase price and sale of the property, they would not anticipate having tenants which would bring rats and disease. Mr. Snow stated that a new owner or a rehabbed gas station would be much better than what is there now in regards to the potential effects on wells.
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49 Mr. Snow stated that they would have liked to submit similar answers to the Summit County Planning Commission but they denied us simply based on the Comprehensive Land Use Plan.
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52 Mr. Snow stated that the applicant would like to see the zoning as neighborhood with the potential for small retail and possibly a restaurant which would benefit the residents.
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55 Mr. Snow presented a list of signatures for the record and stated that the signatures were collected from users of the station of which approximately 500 are Copley residents. Mr. Snow presented a map to show where the supporting signatures came from.
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59 Ms. Scott called for any others who would like to speak in favor of the Map Amendment.
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61 Mr. Wesley Noland, 247 Fairway, stated that his father has owned the gas station for 45 years. Mr. Noland stated that the station is family owned and much has changed in the gas station world over
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COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10140

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this time period. Mr. Noland stated that now, gas stations make their money from the retail part of the gas station and not just gas. Mr. Noland stated that in order to expand their business, they would need a rezone because of the way they exist in zoning today. Mr. Noland stated that everything they do is done in house and this has been the way they have functioned since his father started the business. Mr. Noland stated that if they were able to rezone the land, they could expand their business.

Ms. Scott asked if there was anyone else wishing to speak in favor of the Map Amendment. There were no others.

Ms. Scott asked if there was anyone who wished to speak in opposition of the Map Amendment.

Mr. Mike Scosos, 134 Scenic View Drive, stated that the residents in Bath View Estates enjoy the ruralness of their neighborhood. Mr. Scosos stated that they enjoy being outside riding bikes and and walking.

Mr. Scosos stated that while the gas station does pre-date the Zoning Resolution, the current size does not disrupt the neighborhood. Mr. Scosos presented the following in opposition of the Map Amendment application:

- o 6% of robberies happen at convenience stores
- o Car jackings & robberies increase for areas near a highway
- o Declining values-FHA will not insure a mortgage for a home located within 3000' of a gas storage area
- o Viewshed impacted by tops of retail buildings & dumpsters
- o Fast food brings debris & litter
- o Odors & vapors disseminated downwind from the potential restaurants and gas station fueling operations
- o Benzene from gas is cancer causing, EPA recommends cancer screening for children within 1000' of gas fueling operations, benzene can pollute wells
- o Alcohol sales associated w/ increase of domestic violence, underage drinkers,
- o Would encourage traffic west of 77 which would normally not go that way
- o Not enough connecting roads to support additional traffic
- o Noise from a diesel truck in idle is equal to 140 decibels,
- o Opportunities for a Get Go are available in other areas of the Township
- o Other options for the existing space-professional offices, life care facilities,
- o Precedence-Summit county disapprove in 2013, Copley denied in 2014, previous decisions should be maintained

Ms. Scott asked if there was anyone else wishing to speak in opposition of the Map Amendment.

Ms. Ramona Green, 40 S. Hametown Road, stated that we must remember that all conditional talk is hypothetical and the only sure thing is what we see as far as the permitted uses.

Ms. Green stated that the hearing in 2014 was for CNR zoning, not CGR and this was denied.

Ms. Green stated that she concurs with Community & Economic Development & Summit County Planning Commission that these properties can be used as zoned and that the zoning follows the land.

Ms. Scott asked if there was anyone else wishing to speak in opposition of the Map Amendment.

Ms. Patricia Wolarski, 4248 Janwood Drive, stated that of those who signed the petition many were not even from the county. Ms. Wolarski stated that if this is a Get Go, Get Go does not run the station and does not own the property, and we are talking about the unknown if it is rezoned to C-GR, it could be something today and another tomorrow.

Ms. Wolarski submitted into the record a petition of 100 signatures from homeowners in Bath View Estates who oppose the rezoning.

Ms. Scott asked if there was anyone else wishing to speak in opposition of the Map Amendment.

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COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10 (4)

Held

September 6, 2018

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- 1 Panolos Constantonopus, would like to remind us that if we have 35 letters who oppose the Map
2 Amendment, there are double or triple who oppose as many would not write a letter. Mr.
3 Constantonopus stated that the petition he was told about was not what the true intention of the
4 petition was. He is thankful for Mr. Snow's help with getting the Fire Station, and just wanted more
5 communication to know there was not an adverse impact as opposed to the gas station where they
6 already know the adverse impacts. Mr. Constantonopus wanted to know why the applicant isn't
7 just considering an upgrade to the existing gas station.
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- 9 Ms. Scott asked if there was anyone else wishing to speak in opposition of the Map Amendment.
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- 11 Mr. Doug Jamison stated that he signed a petition to support Stony Hill because they would like to
12 see the current gas station upgraded, not a new rezoning. Mr. Jamison stated that he was opposed
13 to the rezoning which would increase noise, light pollution, crime and property values.
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- 15 Ms. Scott asked if there was anyone else wishing to speak in opposition of the Map Amendment.
16 There were no others wishing to speak in opposition.
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- 18 Ms. Gfroerer presented the application for Applicant/Landowner, Ghoham (Matt) Manteghi, who
19 is requesting a Map Amendment which would rezone the properties located at 4612/4608 Medina
20 Road from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR). The parcel
21 consists of 0.87 acres and is currently utilized as a single family residential structure.
22
- 23 Ms. Gfroerer stated that per the applicant, the existing zoning is unreasonable because the residence
24 is fully located in a commercial district and applicant is surrounded by a gas station, truck stop,
25 Fire Station and Hospital. There are 55,000 + cars which pass in front of the home which produce
26 non-stop sound, fumes and health concerns. A Get Go is in discussion and applicant fully supports
27 this, but requests that the entire block become commercial as applicant is trapped on all sides and
28 cannot use property for anything other than commercial. Ms. Gfroerer stated per the applicant the
29 rezoning would be better because it is almost impossible to use property as residential or
30 commercial office due to the factors above. Property value has decreased and maintenance costs
31 are high. Property has been for sale for three years with two different companies with no interest
32 to lease or buy. Grade would have to be dropped to street level in order to get full use. Investment
33 costs do not make sense as currently zoned.
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- 35 Ms. Gfroerer stated that based on the Review Criteria and Comprehensive Land Use Plan, the
36 Department of Community & Economic Development would recommend disapproval of the Map
37 Amendment Application request to rezone 4608/4012 Medina Road.
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- 39 Ms. Scott asked if there was anyone wishing to speak in favor of the Map Amendment.
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- 41 Mr. William Snow stated that he believes a true hardship exists for the applicant. Mr. Snow stated
42 that the applicant submitted his application in order to fulfill a recommendation from Copley that
43 the request come on behalf of the whole block.
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- 45 Ms. Scott asked if there was anyone wishing to speak in favor of the Map Amendment.
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- 47 Mr. Jim Oberdorfer stated that he was speaking on behalf of Mr. Manteghi. Mr. Manteghi is in a
48 bad spot with his residential location and he has tried to sell his land but has not been successful.
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- 50 Ms. Scott asked if there was anyone wishing to speak in favor of the Map Amendment. There were
51 no others wishing to speak in favor.
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- 53 Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment.
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- 55 Ms. Patricia Wolarski stated that she was certain that when Mr. Manteghi bought his property, it
56 served his purpose and now it doesn't so Mr. Manteghi now wants to sell it for more than it is worth
57 and this is why he can't sell it, not because it can't be sold.
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- 59 Mr. Panolos Constantonopus stated that Mr. Manteghi bought the property 1997 and it would have
60 been evident what was happening in Montrose at the time as it was clear that growth was fast and
61 not going to end any time soon. He stated that Mr. Manteghi has no problem renting the property
62 and everyone shouldn't suffer just so he can make more money.

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Meeting

COPLEY TOWNSHIP ZONING COMMISSION MEETING

DAYTON LEGAL BLANK INC., P.O. BOX NO. 1040

Held September 6, 2018 20

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Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment. There were no others wishing to speak in opposition.

Ms. Gfroerer presented the application for Applicant/Landowner Ronald Noland Managing Partner-WWRT LLC who is requesting a Map Amendment which would rezone the property located at 22 Scenic View Drive from Commercial-Office Retail (C-OR) to Commercial-General Retail (C-GR). The parcel consists of 0.85 acres and is currently utilized as a two-family residential structure.

Ms. Gfroerer stated that per the applicant, the existing zoning is unreasonable because Copley Township Representatives requested this application and the rezoning would be better because it would bring conformity to the land use in the area.

Ms. Gfroerer stated that based on the Review Criteria and Comprehensive Land Use Plan, the Department of Community & Economic Development would recommend disapproval of the Map Amendment Application request to rezone 22 Scenic View Drive.

Ms. Scott asked if there was anyone wishing to speak in favor of the Map Amendment.

Mr. Wesley Noland stated that two or three years ago the applicant came in for zoning and approached the Township several times this year to discuss the rezoning. Mr. Noland stated that there is no Get Go on the table as Get Go is going to go into Montrose. Mr. Noland stated that they would like to keep their residential property residential and would deed restrict this in order to keep their station successful.

Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment.

Mr. Willis, 4619 Linda Lane, stated that he has been in a duplex since 1974. Mr. Willis stated that Copley has been a great place to live and he lives directly behind the gas station. Mr. Willis stated that he has had good and bad experiences with people at the gas station and it is much better now than it was when he moved in.

Mr. Willis stated that he understands that they would like to go commercial and keep the business but he has the following concerns:

- o Young trees which border his property are the only buffer and if a gas station comes, all of the buffer would go away
- o Water run-off is a concern
- o Property is only 250' deep and a big business would come with a lot of large lights and they would need to control the extreme lighting
- o Need a barrier between the properties to keep people out of his yard

Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment.

Ms. Ramona Green reminded the Commission of creeping commercial and stated this property is actually inside of the Bath View Estates neighborhood and a rezone will encourage others to want the same rezoning inside the residential neighborhood.

Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment.

Mr. Scosos stated that this property is within the neighborhood so this commercial development will change the character of the neighborhood of the development as this address has the street address of a residential street.

Ms. Scott asked if there was anyone wishing to speak in opposition of the Map Amendment. There were no other wishing to speak in opposition.

Ms. Scott called for a motion to close the Public Hearing for 4640, 4660, 4666, 4672 Medina Road. Mr. Daniel made a motion to close the Public Hearing for 4640, 4660, 4666, 4672 Medina Road. Mr. Couch second. Ms. Scott called for the vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain

RECORD OF PROCEEDINGS

Minutes of

COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10140

Held September 6, 2018 20

Tim Couch	X		X	X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X	X		X		
John Heer (alt.)						
James Berry (alt.)						

1
2 Ms. Scott called for a motion to close the Public Hearing for 4608/4612 Medina Road. Mr.
3 Daniel made a motion to close the Public Hearing for 4608/4612 Medina Road. Mr. Couch
4 second. Ms. Scott called for the vote. The motion carried.
5

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X		X	X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X	X		X		
John Heer (alt.)						
James Berry (alt.)						

6
7 Ms. Scott called for a motion to close the Public Hearing for 22 Scenic View Drive. Mr.
8 Daniel made a motion to close the Public Hearing for 22 Scenic View Drive. Mr. Couch
9 second. Ms. Scott called for the vote. The motion carried.
10

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X		X	X		
Mark Wasick	X			X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X	X		X		
John Heer (alt.)						
James Berry (alt.)						

11
12 Ms. Scott called for discussion from the Commission regarding the Map Amendment applications
13 requesting to rezone 4640, 4660, 4666, 4672 Medina Road, 4608/4612 Medina Road and 22 Scenic
14 View Drive from Commercial-Office Retail to Commercial-General Retail.
15

16 Mr. Wasick stated that he would recommend some type of sit down to find a way that may work
17 for the applicants & residents maybe some deed restrictions, etc.
18

19 Mr. Couch had no comments.
20

21 Mr. Kocsis wished to thank the Zoning Staff for the new format of the report and deep analysis.
22

23 Mr. Heer stated that this is a very tough situation and we are seeing how progress effects each party
24 in different ways. Mr. Berry concurred.

25 Mr. Daniel stated that he agrees with the opposing comments and appreciates that the residents who
26 want to preserve the character of the neighborhood. Mr. Daniel stated that he has worked with the
27 Land Use Plan and believes office is the best use of the property as medical offices are going up
28 across from site on 18 and believes that there will be possibilities for medically related office
29 buildings.

RECORD OF PROCEEDINGS

Minutes of

COPLEY TOWNSHIP ZONING COMMISSION MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1040

Held

September 6, 2018

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Ms. Scott called for a motion to make a recommendation to the Board of Trustees for the proposed Map Amendment for 4640, 4660, 4666 and 4672 Medina Road. The current Zoning Classification is C-OR (Commercial-Office Retail) and the proposed is C-GR (Commercial-General Retail). Mr. Wasick made a motion to make a recommendation of disapproval for 4640, 4660, 4666, 4672 Medina Road rezoning from Commercial-Office Retail to Commercial-General Retail to the Board of Trustees. Mr. Daniel second. Ms. Scott called for the vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X			X		
Mark Wasick	X	X		X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X		X	X		
John Heer (alt.)						
James Berry (alt.)						

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Ms. Scott called for a motion to make a recommendation to the Board of Trustees for the proposed Map Amendment for 4608/4612 Medina Road. The current Zoning Classification is C-OR (Commercial-Office Retail) and the proposed is C-GR (Commercial-General Retail). Mr. Wasick made a motion to make a recommendation of disapproval for 4608/4612 Medina Road rezoning from Commercial-Office Retail to Commercial-General Retail to the Board of Trustees. Mr. Daniel second. Ms. Scott called for the vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X			X		
Mark Wasick	X	X		X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X		X	X		
John Heer (alt.)						
James Berry (alt.)						

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Ms. Scott called for a motion to make a recommendation to the Board of Trustees for the proposed Map Amendment for 22 Scenic View Drive. The current Zoning Classification is C-OR (Commercial-Office Retail) and the proposed is C-GR (Commercial-General Retail). Mr. Wasick made a motion to make a recommendation of disapproval for 22 Scenic View Drive rezoning from Commercial-Office Retail to Commercial-General Retail to the Board of Trustees. Mr. Daniel second. Ms. Scott called for the vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Tim Couch	X			X		
Mark Wasick	X	X		X		
Jane Scott	X			X		
Bob Kocsis	X			X		
Bill Daniel	X		X	X		
John Heer (alt.)						
James Berry (alt.)						

26

RECORD OF PROCEEDINGS

Minutes of

Meeting

COPLEY TOWNSHIP ZONING COMMISSION MEETING

DAYTON LEGAL BLANK, INC., FORM NO. 10/48

Held September 6, 2018 20

1 Ms. Scott reminded the Commission that this will go to the Board of Trustees and a notice will be
2 sent the public and the public may come and give comments to Board.

3
4 Ms. Scott asked for any additional Old Business.

5
6 Ms. Gfroerer updated the Board on the Comprehensive Land Use Plan. Ms. Gfroerer presented an
7 update on the results from surveys conducted at Heritage Days. Ms. Gfroerer stated that 60+
8 surveys were completed. Below are the findings reported to the Commission:

- 10 • Montrose Area
11 o 80% of respondents stated they would like to see more pedestrian-friendly
12 retail in the Montrose Area
13 o 40% of respondents stated they would like to see more residential options
14 in the Montrose Area
15
16 • Ridgewood/Industrial Corridor
17 o 55% of respondents stated they have a negative perception of the term
18 "industrial"
19 o 90% of respondents stated they would prefer the name "Research &
20 Development Corridor" as an alternative to "Industrial Corridor"
21
22 • Copley Square
23 o 58% of respondents stated they would like to see more residential options
24 such as Town homes/Condos
25 o 85% of respondents stated they would like to see more Uniform Standards
26 for this area

27 Ms. Gfroerer stated that the department is currently working on updates to Chapters 4 and 5 of the
28 Comprehensive Land Use Plan.

29
30 BUSINESS FROM THE DEPARTMENT OF COMMUNITY & ECONOMIC
31 DEVELOPMENT

32 Ms. Gfroerer highlighted large and small to mid-scale commercial and residential "Projects On the
33 Move" ongoing in the Township. Ms. Gfroerer stated that Omni Senior Living was in the process
34 of requesting an expansion to their current project in Heritage Center and Dan's Wholesale Carpet
35 was in the process of submitting plans to expand the current footprint of their building. Ms. Gfroerer
36 highlighted the Architectural Review Board's work on the Tree City USA. Mr. Newman, Code
37 Enforcement Officer, provided an update on the Betula Home Build and encourage the Commission
38 to get involved in one of the upcoming work days.

39 Ms. Gfroerer concluded her report with the August Activity Update stating that we have processed
40 21 permits resulting in over \$2.7 million dollars in new investment. With no further questions, Ms.
41 Gfroerer concluded her report.

42 BUSINESS FROM THE FLOOR

43
44 Ms. Scott opened up Business From the Floor.

45
46 Ms. Scott reviewed information for the upcoming APA Conference in Cleveland and asked those
47 who wished to attend to contact Ms. Gfroerer or Ms. Schultz. Ms. Scott stated that the next Zoning
48 Commission Meeting is October 4, 2018.

49
50 With no further business to come before the Zoning Commission, Mr. Couch made a motion to
51 adjourn the meeting, Mr. Daniel second, all in favor. The meeting was adjourned at 8:11 p.m.

52
53
54 Approved By:
55 [Signature]
56 Jane Scott, Chair

Submitted By:
57 [Signature]
58 Shawna Gfroerer, Asst. Zoning Inspector
Community & Economic Development