

March 7, 2022

Held _____ 20 _____

Mr. Mong convened the Architectural Review Board meeting at 6:00 p.m. Present were Dale Couch, Christopher Mong, Randy Grigson, Kelly McPherson and Christine Davis. Joe Gregory was absent. Also present were Shawna Gfroerer, Loudan Klein and Clarissa Hunt from the Department of Community & Economic Development.

REVIEW OF MINUTES

Mr. Mong called for a motion. Mr. Couch made a motion to continue the review of the February 7, 2022, meeting minutes. Ms. McPherson second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X	X		X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X		X	X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

BUSINESS FROM THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

Ms. Gfroerer stated that the Department processed 18 applications for a total investment of approximately \$2,495,000 in February.

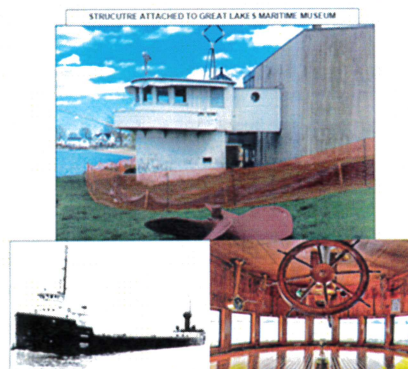
Mr. Klein gave an update from the Tree Commission on the Arbor Day 2022 celebration which will be held on April 29 and 30, 2022.

NEW BUSINESS

Applicant: Bill Gribble
On Behalf of: Plasteak
Landowner: Bileve LLC
Property Location: 3489 Sawmill Road Parcels 1501709/1501708/1501707
Acreage: 3.5 Acres; Parcels 1501709 & 1501707 to be consolidated
Zoning District: Industrial
Proposal: Accessory Building
Case #: ARB202205

Ms. Gfroerer presented the application for the applicant, Bill Gribble, on behalf of PlasTeak, who is requesting approval to place a Captain's House (accessory building) in the front of the building. The Captain's House will be connected to the building entryway via a ramp.

The Captain's House is 19' x 29' (402 square feet) in overall area. The applicant would like to utilize the building to enhance the overall architectural features of the primary business located on-site, PlasTeak. PlasTeak provides synthetic teak for the marine industry including custom teak replacement, swim platforms, pulpits, handrails, interior flooring, and PlasDeck boat decking. PlasTeak also specializes in recycled plastic furniture and custom signs.



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The Captain's House was originally part of a Great Lake Ore Boat and has been purchased by the applicant. The applicant desires to repurpose the structure and bring it back to life in Copley Township.

Placement of the accessory building will require a lot consolidation of Parcels 1501707 and 1501709. Per a lot consolidation, the applicant is proposing the following setbacks:

ARTICLE 5-SECTION 5.01 D. DEVELOPMENT STANDARDS

25' Minimum Front Yard Setback: Upon consolidation, the structure will be set back 375+' from the road right of way S. Cleveland Massillon Road

25' Minimum Rear Yard Setback: Upon consolidation, the structure will be set back 400+' from the rear property line

25' Minimum Side Yard Setback: Upon consolidation, the structure will be set back 160+' from the northern side yard property line; upon consolidation, the structure will be set back 30' from the southern side yard property line.

50' Maximum Building Height: The structures will be 11' in overall height

The structure will be setback 20' from the existing building and connected with a ramp structure. The existing accessible spaces will be relocated adjacent to the building.

SUMMIT COUNTY PLANNING

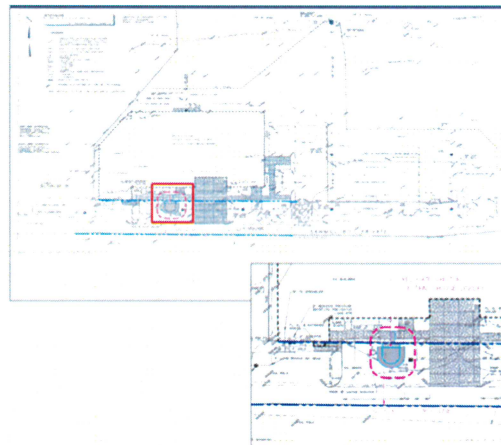
Lot Consolidation

COPLEY TOWNSHIP FIRE DEPARTMENT

No objections

COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

The Community and Economic Development Department is in support of the applicant's request to place an accessory building on the site which is designed to enhance the architectural feature of the business, PlasTeak. The Captain's House is a unique structure which is being repurposed and will serve to welcome customers into the business.



RECOMMENDATION: Approval conditioned upon lot consolidation.

Mr. Mong asked if anyone wished to speak for or against this application.

Bill Gribble, 3489 Sawmill Road

Ms. McPherson asked if additional parking will be needed. Mr. Gribble stated, no.

Ms. McPherson stated that the existing structure looks to be in disrepair, and asked if there are plans for outside improvements. Mr. Gribble stated yes, and work has already started with the replacement of the windows and painting will begin once the weather breaks.

Ms. McPherson asked if the Captains' House was already in place. Mr. Gribble stated that it is on the side lot.

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Ms. McPherson asked about improvements to the Captains' House. Mr. Gribble stated that they are going to restore it the best they can by installing their flooring inside the house and painting the outside.

Ms. McPherson asked how far off the ground it will be placed. Mr. Gribble stated about two feet off ground level.

Ms. McPherson asked about landscape requirements. Ms. Gfroerer stated that this is being looked at as an accessory building, not an addition. So there are no additional landscape required elements.

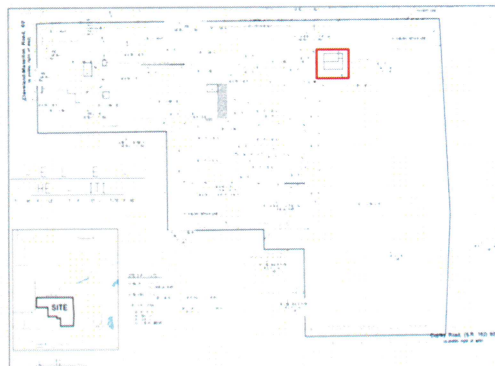
Mr. Mong called for a motion. Ms. McPherson made a motion to approve the placement of an accessory building (Captains Ship) as proposed conditioned upon lot consolidation of Parcels 1501707 and 1501709. Mr. Couch second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

Applicant: Jeremy Simmons
On Behalf of: Graves Lumber
Landowner: Graves Lumber Co.
Property Location: 1315 S Cleveland Massillon Road Parcel 1507037
Acreage: 39 Acres
Zoning District: Industrial
Proposal: New Commercial Building
Case #: ARB202206

Ms. Gfroerer presented the application for the applicant, Jeremy Simmons, on behalf of Graves Lumber who is requesting approval to construct a new saw building. The building will be enclosed. The building is 35' x 70' (2450 square feet) in overall area.

Per the applicant, due to the demands in recent years for special cut lengths of lumber, Graves Lumber has decided to invest in a large commercial saw to expedite this process. Up to this time, they brought crews in to cut lumber by hand. It has been a time-consuming and expensive process. The saw is an electric machine which is quiet and will be located in its own building. All the scrap lumber and sawdust will be contained and, when possible, recycled. Utilizing this new saw will be much more efficient and cost-effective not only for Graves Lumber but for the customers we serve.



ARTICLE 5-SECTION 5.01 D.
 DEVELOPMENT STANDARDS

RECORD OF PROCEEDINGS

COPLEY TOWNSHIP ARCHITECTURAL REVIEW BOARD

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

March 7, 2022

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1 25' Minimum Front Yard Setback: Upon parcel consolidation, the structure will be set back
2 1000+ from the road right of way on S Cleveland Massillon Road.

3 25' Minimum Rear Yard Setback: The structure will be set back 485' from the rear property
4 line.

6 25' Minimum Side Yard Setback: The structure will be set back 139' from the northern side
7 yard property line and 1000' from the southern side yard property line.

9 50' Maximum Building Height: The structure will be 30' in overall height
10 The building will be comprised of metal siding to match existing sheds/warehouses. The
11 building will include a hanger/airport-
12 style door for access.

SUMMIT COUNTY ENGINEERS OFFICE

Comments pending

SUMMIT SOIL & WATER CONSERVATION DISTRICT

Comments pending

COPLEY TOWNSHIP FIRE DEPARTMENT

No objections



COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

The Community and Economic Given that this construction will add additional impervious surface and runoff to the property, our approval would be subject to comments from the Summit County Engineers Office and Summit County Soil and Water for review of those impacts.

RECOMMENDATION: Approval conditioned upon satisfying all agency reviews.

Mr. Mong asked if anyone wished to speak for or against this application.

Jeremy Simmons, Applicant, 1315 S. Cleveland-Massillon Rd.

Mr. Grigson asked if the building will be insulated. Mr. Simmons stated that it will.

Mr. Mong called for a motion. Ms. Davis made a motion to approve the construction of a new accessory building (Saw House) as requested conditioned upon satisfying all agency reviews. Ms. McPherson second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X			X		
Christine Davis	X	X		X		
Joe Gregory	Absent					
Kelly McPherson	X		X	X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

Applicant: Cody Free

On Behalf of: MedVet

Landowner: Broadstone MV Portfolio LLC/Copley Road Holdings LLC

Property Location: 1321 Centerview Circle/3675 Copley Road/Parcels 1508153 & 1502424

Acreage: 1321 Centerview Circle: 2.80 3675 Copley Road: 1.93

Zoning District: Industrial

Proposal: Addition/Parking

March 7, 2022

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Case #: ARB202207

Ms. Gfroerer presented the application for the applicant, Cody Free, of Korda, on behalf of MedVet Akron, who is requesting approval to construct an addition and parking expansion.

The applicant requires a variance for this project. The variance request is to exceed the maximum parking requirements.

The addition will be located on the north side of the building. The addition will be utilized to house two MRI cassettes totaling 1740 square feet in overall area and a 41 square foot entry vestibule.



Additionally, the updates will include renovation of existing space to accommodate additional exam rooms, ophthalmology services, dentistry, and a pet relief area.

SUMMIT COUNTY ENGINEERS OFFICE

No objection to the proposed conceptual layout. Detailed stormwater calculations have not yet been submitted, as the location of the underground storage has not been finalized. There is an existing LTMA for the previous improvements. The LTMA will need to be updated to include these improvements. LTMA to address neighboring property. Awaiting Traffic Impact Questionnaire.

SUMMIT SOIL & WATER CONSERVATION DISTRICT

There are no riparian setbacks, no wetlands, and no floodplains on site. Include limits of disturbance on the plan as well as any sediment and erosion controls. Provide for SWPPP details on the updated plan.

COPLEY TOWNSHIP FIRE DEPARTMENT

No objections

COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

The Department of Community and Economic Development is supportive of the major site plan application along with an increased parking variance request from MedVet. The proposed addition is a sign of a successful and growing business and one that we want to do our best to accommodate properly. If possible, we want to encourage expansion on-site to keep a thriving business in our community. The parking expansion will allow them to accommodate the additional square footage of the office, while also accommodating the large increase in staff and medical services that have occurred since MedVet took over in 2017. As the parking demand letter outlines, their current goal is to work towards 135 employees with a long-term projection of up to 200 in 5 years making them one of the largest employers in Copley Township. The methodology that created the current parking requirements for veterinary services did not necessarily consider this type of office which operates on a much larger and regional scale than traditional vet offices, accounting for nearly an 80% larger footprint and staff structure. In conclusion, the project supports our efforts to retain existing businesses within Copley, and the proposed parking request is a reasonable request to make the project viable

**ARTICLE 5-SECTION 5.01 D.
 DEVELOPMENT STANDARDS**

This is a corner lot-Copley/Centerview

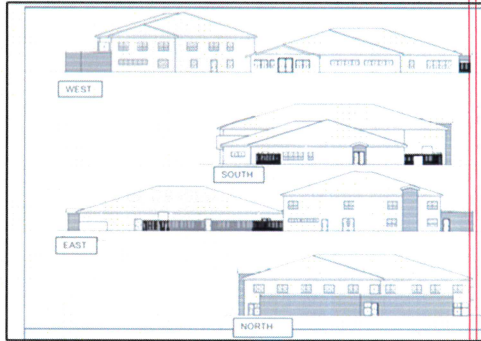
25' Minimum Front Yard Setback: Copley Road is the primary front yard. The addition will be set back 209' from the road right of way.

25' Minimum Side Yard Setback (Secondary Front Yard): Centerview Drive is the secondary front yard. The addition will be set back 56' from the road right of way.

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- 1 25' Minimum Rear Yard Setback: The addition will be set back 58' from the northern property
- 2 line.
- 3 25' Minimum Side Yard Setback. The addition will be set back 163' from the eastern property
- 4 line.
- 5
- 6 50' Maximum Building Height: The addition is 11'-10" in overall height (one story)
- 7



LANDSCAPING, BUFFERING, SCREENING

- 14.06 Building Façade Landscaping
- 75% of Façade Landscaped
- 3 Deciduous Trees for every 100' linear feet

The applicant plans to update the façade landscape on the north side of the building to accommodate for the addition. Landscape to include a Frontier Elm, Princeton Sentry, common boxwood, and ground cover.

- 14.08 Screening and Landscaping of Parking Lots
- Perimeter landscaping 10' in width 160 square feet of interior landscape per 10 spaces

The applicant plans to maintain a 10' landscape buffer inclusive of boxwood, holly, juniper, Bald Cypress, yew. The applicant plans to install 3 interior islands inclusive of Celebration Maples, and American Elms. Recommend adding a small interior island in the center parking

Article 9, Section 9.03 Parking Requirements

As part of the building addition, the applicant is seeking a variance to increase the maximum parking requirements.

Per Article 9, Section 9.03, and approval of the parking plan dated 9/5/2013, the applicant is permitted 85 spaces.

The applicant is requesting an increase of 71 additional parking spaces for a total of 155 spaces.

The new parking surface will be 25,738 square feet in overall area.
 Parking calculations were provided for a similar MedVet Site located in Cleveland Ohio.

- Copley MedVet: 31,000 square feet (155 spaces requested)
- Cleveland MedVet: 35,000 square feet (175 spaces)

Additional parking will be provided via an easement agreement with 3675 Copley Road.

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The adjacent lot will be illuminated and buffered.

3675 meets the parking required for the existing building. The land proposed for the parking expansion has been underutilized as a vacant parking area for the existing building.

Per the applicant, *the practical difficulties that justify this application include: To be able to meet the parking demand of not only the existing MedVet Akron building but also parking for the new staff and customers that the building addition will bring, MedVet is seeking to expand its parking lot, therefore is requesting the necessary variances to do so. The MedVet site is limited on space, which is why they are leasing the neighboring gravel lot to expand parking.*

Per the applicant, *the granting of this variance would have no effect on the immediate neighborhood and community. Granting these variances and allowing MedVet to expand its parking lot will assure there is always the proper amount of parking for not only its staff but also its customers. In an emergency situation with a pet, it is important that there is always ease of access to the MedVet building.*

The neighboring lot that is being leased is already an existing gravel lot, so in that sense, it will not be affected too much. Landscaping/screening will be provided to ensure neighboring parcels are not affected by car lights, etc.

Ms. Gfroerer reviewed the parking requirements as found in the Zoning Resolution.

a) Can the property in question yield a reasonable return or can there be a beneficial use of the property without the variance? **Parking will limit the applicant's ability to provide the highest and best level of service to customers at this location.**

b) Is the variance substantial? **Yes.**

c) Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance? **No. The adjoining property will be improved by the variance.**

d) Does the variance adversely affect the delivery of governmental services (i.e. water, sewer, garbage)? **No. The applicant is required to submit stormwater plans to Summit County Engineers and Summit Soil and Water Conservation District. These improvements will enhance the site aesthetically and bring the site, which is currently impervious, into compliance with stormwater regulations.**

e) Did the applicant purchase the property with knowledge of zoning restrictions? **Uncertain.**

f) Can the property owner's predicament be obviated through some other method than a variance? **The applicant is at maximum capacity for parking on the existing site.**

RECOMMENDATION: Approval conditioned upon removal of illegal parking spaces along Copley Road, satisfying all agency requirements and recorded lease agreement

Mr. Mong asked if anyone wished to speak for or against this application.

Cody Free and Justin Grimm, Applicant, 1321 Centerview Circle

Ms. McPherson asked about crossing over the property lines and if the same person owns both parcels. Ms. Gfroerer stated they do not. This has been researched quite significantly. Per our zoning regulations, initially, we thought we had restrictions on offsite parking. Those restrictions are not in the Industrial District, they are found in the Planned Development District where parking needs to be provided on-site, and if off site an easement for the life of use is to be recorded.

We did request that the applicant use what's required in the Planned Development District by recording an easement for the life of the building.

RECORD OF PROCEEDINGS COPELEY TOWNSHIP ARCHITECTURAL REVIEW BOARD

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

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Ms. McPherson asked about the landscaping and if the trees and material comply with the diversity, and plant species. Ms. Gfroerer stated that it does.

Mr. Mong called for a motion. Ms. McPherson made a motion to approve the applicants' site plan as requested inclusive of an addition comprised of 1740 square feet on floor one and 24 square feet on floor two conditioned upon approval of a variance to exceed the maximum parking requirements, satisfying all agency requirements, recorded lease agreement, and removal of temporary gravel parking spaces located adjacent to Copley Road on the south side of the building. Upon removal of gravel, the applicant will install impervious vegetation in this area. Mr. Couch second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

Applicant: Christopher Schmidt-Davey Resource Group
On Behalf of: Storage King USA
Landowner: AGAP Akron LLC
Property Location: 1252 Mina Ave/3284 Copley Road Parcels 1506659 & 1500946
Acreage: 15.1 (Lots to be Consolidated)
Zoning District: Industrial
Proposal: New Commercial Buildings
Case #: ARB202208

Ms. Gfroerer presented the application for the applicant, Christopher Schmidt-Davey Resource Group, on behalf of Storage King USA is requesting approval to construct a new flex office/warehouse building, two self-storage buildings, and covered RV storage.

A lighting plan has been submitted for this project.

The applicant plans to secure the storage buildings with an automatic gate and keypad. A 6' black vinyl chain link fence will surround the storage area.

The plan is inclusive of three products:

1. Flex Building
2. Personal Storage
3. RV Storage

Product 1: Flex Building

9,100 square feet in overall area (130' x 70') comprised of six proposed flex units plus one self-storage sales office. The building will be comprised of vertical metal panels in light and dark gray, metal cornice and canopy in yellow, and storefront glazing. The applicant is proposing a wall-mounted building sign per storefront. There will be light fixtures on either side of the storefront. Each unit will include access to a rear 12' x 14' roll-up door



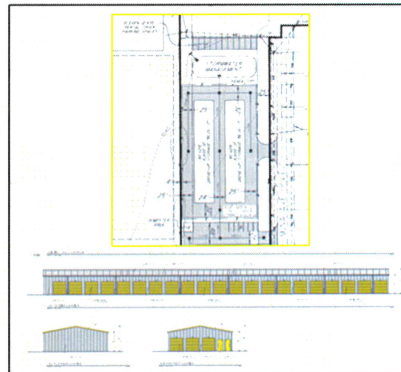
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Product 2: Personal Storage

Two Enclosed Personal Storage Buildings: Each building will be 8,600 square feet in overall area (40' x 215'). 11 Rental Truck Parking Spaces. The building will be comprised of gray vertical metal panels and yellow roll-up storage doors. Units will range in size 10' x 10'-10' x 30' and include an 8' x 8' roll-up door



Product 3: Personal Storage

2 Single Story RV Canopy Buildings. Building 1 is 40' x 200' in overall area and will house 10 RVs. Building 2 is 80' x 200' in overall area and will house up to 22 RVs. Each space is approximately 17' 5" x 40'.

The applicant will consolidate parcels 1506659 and 1500946 to meet the required setbacks. The plan meets all of the required setbacks.

ARTICLE 5-SECTION 5.01 D. DEVELOPMENT STANDARDS

25' Minimum Front Yard Setback (Copley Road):

Flex Building-95'+

Personal Storage Buildings-245'+

Covered RV Storage-650'+

25' Minimum Rear Yard Setback (Northern Property Line):

Flex Building-975'+

Personal Storage Buildings-700'+

Covered RV Storage-350'+

25' Minimum Side Yard Setback (Western Property Line):

Flex Building-25'+

Personal Storage Buildings-25'+

Covered RV Storage-650'+

25' Minimum Side Yard Setback:

Flex Building-25'+ (Mina Ave.)

Personal Storage Buildings-25'+ (Mina Ave.)

Covered RV Storage-50'+ (Eastern Property Line)

50' Maximum Building Height:

Flex Building-22'3"

Personal Storage Buildings-15' 8"

Covered RV Storage-17' 10.25"

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SIDEWALK

The applicant has provided for a 5' sidewalk along Copley Road. Copley Township requests that an 8' easement be recorded in this area for future installation of a potential shared-use path.

SUMMIT COUNTY ENGINEERS OFFICE

3/7/2022 No objection to the conceptual layout. A detailed stormwater analysis will need to be provided. Addition of detention basin to the site plan. The site will be subject to an LTMA.

SUMMIT SOIL & WATER CONSERVATION DISTRICT

3/7/2022 Indication of wetlands present onsite. Submission of Delineation/ORAM requested. Add overall disturbed acreage/limits of disturbance and stormwater control/measurements to plan.

COPLEY TOWNSHIP FIRE DEPARTMENT

No Objections

COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

The Community and Economic Development Department is in support of the major site plan application for Storage King USA. The proposed use of self-storage is an approved use within the Industrial District and a compatible use with their continuous storage development to the north. The site plan also includes a flex building on the south end of the site along Copley Road. The flex building will provide an inviting street-level appearance for an industrial site based upon the renderings submitted. These flex spaces should be highly sought after based upon the inquiries our office has received for this type of space. Furthermore, the numerous small businesses and craftsmen within the Copley community will now be able to expand and grow operations in buildings just like this.

We would encourage the applicant to review the potential to increase the 5' sidewalk to 8' or a multi-use path to be part of a long-term plan to connect Copley Circle to Copley Community Park for bikes and pedestrians. At a minimum, we ask a pedestrian easement be placed along the Copley Road frontage to accommodate the trail at such time. Copley Township is in the early stages of developing centralized sewer to these parcels along Copley Road, ideally, coupled with the trail development which would further enhance the value of these and surrounding properties.

RECOMMENDATION: Approval conditioned upon agency approvals. Recommended addition to plan-8' recorded easement along Copley Road.

Mr. Mong asked if anyone wished to speak for or against this application.

Christopher Schmidt, Davey Resource Group, Cheryl Travor, and Frank Relf, Architect, 1252 Mina Ave. Storage King USA

Ms. Davis stated that she appreciates the flex space, and asked if the applicant could clarify the RV parking, and how people will drive around to get there. Mr. Schmidt stated that there's an access road that goes to the back of the property or the east side of the property.

Ms. Davis stated with all of the great new improvements to the front path, will everything be repaved? Mr. Schmidt stated that could be explored with the owner.

The Board discussed in length the condition of the road pavement.

Mr. Mong asked with regards to the flex space, are there any intended occupants at this point? Mr. Schmidt stated, not that I'm aware of.

Mr. Mong asked, how they intend to furnish the spaces and be flexible with the needs of individuals. How do they plan to meet the building code requirements for individual tenants? At this point, are you generating a cookie-cutter space with the furnishings in

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1 **that manner or are you going to spec out each space as it is leased or rented?** Mr. Relf
2 stated there would be separation between each of the individual spaces per the building code.

3
4 This space is for business owners, not for personal storage. This storage is more for a
5 plumber or ceramic tile business. Instead of operating out of their home or a large building,
6 this will afford a small business owner to have a smaller space.

7
8 **Mr. Mong stated that he was more concerned about the opportunity before occupancy**
9 **for folks that are coming into a space that may be the space was originally classified, as**
10 **that certain type of user group. He wouldn't want to create any additional hazards that**
11 **the Fire Department or the building department would not be aware of at the original**
12 **inception of the project.** Mr. Relf stated there is typically a strict lease, and specifically in
13 the lease they identify no storage of combustible or hazardous materials. Any of the
14 managers that would rent any of these spaces typically keep tabs of who is coming and going.
15 There are security systems throughout the facility connected to CPD cameras with DVR
16 recorders. So if anyone should bring in things contrary to the lease, the manager would be
17 fairly aware vis-a-vis their surveillance.

18
19 Ms. Gfroerer expanded on the question regarding the uses. Each unit of the proposed six units
20 would be split as follows. The front portion of the unit, about 330 square feet would be set up
21 as an office, the rear one thousand square feet would be set up for the warehouse. The office
22 portion is where they're going to talk to the clients, take their orders, or talk about the site
23 plans. To the rear, that's where they're pulling in their company truck or bringing in tile
24 samples and things of a warehouse nature. When the building department looks at it, they
25 will evaluate construction requirements for office space as well as warehouse space for each
26 of the units.

27
28 **Mr. Mong stated, ultimately, he was trying to go back to the point of, how are we going**
29 **to manage the occupants. If it's a contiguous yearly lease, it's basically six individually**
30 **spaces that are being leased by whatever terms. Do we have the means to be able to**
31 **monitor what comes through those, as we would with any other space within the**
32 **Township?** Ms. Gfroerer stated that we do. We had some pretty significant discussions of
33 the original plan. They wanted to include a retail restaurant as that flex space, but they don't
34 have the parking. They can't meet the parking requirements at the minimum to do that. So
35 they revised the plan to do Office and Warehouse. Those would be the only uses that would
36 be available in that flex space.

37
38 **Mr. Grigson stated that in the past if there were six individual tenants, the landlord**
39 **would pull what we called a shell permit, then each individual tenant would have to**
40 **pull their own permit for the build-out of their individual space. Is that the direction**
41 **we're heading for there?** Ms. Gfroerer stated that we don't oversee the construction, but
42 that as far as zoning-wise, we will review a modified site plan.

43
44 **Mr. Grigson stated that would be the building department correct.** Ms. Gfroerer stated
45 yes, we will issue a zoning certificate for the shell. In that zoning certificate, it will list out the
46 approvals of the site plan that the Architecture Review Board has approved. But as far as
47 monitoring, each of those individual spaces will be submitted to the building department.
48 Then the Zoning Department will issue what's called a Business Use Certificate.

49
50 Mr. Klein stated that he didn't want to speak for the Architecture Review Board, and he knows
51 it's premature for this project because there's no signage proposed, but we have been
52 exploring uniform signage guidelines, and criteria. He would encourage, or at least state for
53 the record that the owner and the engineer look at such time as tenants are going into the
54 space, to have some kind of uniform signage plan. To have some cohesiveness between the
55 different tenants. Also, whether there's a business center sign in advance of having tenants in
56 the space.

57
58 *Mr. Relf explained there were sign placeholders on the plan for each tenant.* Ms. Gfroerer stated
59 that the ARB has the opportunity to make requirements of the sign placeholders during the
60 review.

61 Mr. Schmidt asked for clarification on the request for an 8' easement along Copley Rd.

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Mr. Klein stated to have the sidewalk in place the easement would be for the future trail access. The Trustees are trying to expand trail networks within the Township, this being one of them. As we look towards sewer expansion in this area, we were hoping to time it with some kind of trail development. We don't know if the timing will work out, but this would be able to get residents and visitors from Copley Circle to the community park, just east of this.

Ms. McPherson asked if the eight-foot easement would include the sidewalk. Mr. Klein stated that the sidewalk could be installed now. The trail is a long term planning opportunity. But while this project is going through development, and they've got survey work going on and engineers out there, we would like to have the easement put in place rather than going back after the fact and getting an easement from the property owners one by one. We see this as an opportunity to establish an easement while we are in the development phase.

Ms. Davis asked if a five-foot sidewalk is okay at this point than the eight-foot easement in addition.

Ms. McPherson asked for clarification, are we saying that there is an eight-foot easement and in that easement is a five-foot sidewalk. Mr. Klein stated that it's up to the property owner where they want to place it. Typically the sidewalks are placed within the right away, but this is a state route. He doesn't know if they want to place it on their property. Ideally, the way we wrote it, is requesting that just an eight path be installed on the property. If there are no other pedestrian improvements out there, at minimum, we would like to see the five-foot sidewalk.

Mr. Schmidt stated that is something they can look into as they get into engineering, to make sure, as there is limited open space on the property. Mr. Klein stated that it would be great if when the asphalt trucks are out there to grade it and put the eight-footpath that would be tremendous. But like he said, given the limited pedestrian infrastructure there, he thinks at minimum, we would like to see us start with sidewalk.

Mr. Schmidt stated that once they have an actual topo and see what is going on outside of the right-of-way, they will be better prepared to address the request. Mr. Klein said that is understood.

Mr. Mong asked who owns Mina Ave. He has concerns with the Board stating a motion that the property owner or someone thereof, repair the road if it's not theirs' to repair. As part of our motion moving forward, Mr. Mong stated that he thinks they have to have a better understanding of whose responsibility the roadway is.

The Board continued to discuss ownership of the road, and proposed required improvements.

Ms. McPherson asked if we know who maintains or plows Mina Ave. Ms. Gfroerer stated that Mina Ave. is a private road. The Architectural Review Board can make that, as a condition of the motion, and then, if the applicant is unable to, for whatever reason, make that change, they would bring it back to the Architectural Review Board. There are many times where commercial businesses are required to make improvements on public roads in order to expand their business or as in the parking expansion they have to complete a traffic questionnaire. There are opportunities for the applicant to improve roadways that are not theirs through every site plan.

Mr. Couch asked if the Board would like to continue this application until next month in order to obtain more road information. Ms. Gfroerer stated that she would recommend approval of the site plan conditioned upon those, but the Architecture Review Board may certainly can continue.

Mr. Relf asked, if this is a private road, how does the Board have jurisdiction over having it being paved. Wouldn't that be shared by everyone that has access to that road? How can Storage King be responsible when there are other landowners that use the same road? **Ms. Davis stated that with all those new buildings, there's absolutely no way that they're going to leave that road in that condition, the road is going to crumble with the first piece of construction equipment that comes onto it.** Ms. Gfroerer stated that the

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Architectural Review Board has authority to review recommended changes to site plans, and recommended approval to site plans. So if this is the access drive that they're proposing to utilize to access their site, it is part of the site plan.

Ms. Gfroerer stated that we can't require that the applicant pays for it, so the applicant can cost-share with whomever the other property owners are. We are not determining who has to pay for the improvement, we're just stating that as part of your site plan review that is an improvement that would need to be made.

The Board continued to discuss how the motion should be made. Mr. Couch began to make a motion, although no clear motion was made. Mr. Couch repeating his request to continue the application. Mr. Mong asked Mr. Couch if he would like to rescind his motion. Mr. Couch did rescind his motion and repeated his request to continue the application.

Mr. Mong called for a motion. Ms. McPherson made a motion to continue the application. Mr. Mong second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X			X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X		X	X		
Randy Grigson (alt.)	X			X		

Applicant: Matthew J. Birch
Landowner: One Hundred Three LLC
Property Address: 506 Rothrock Road
Property Location: Parcel #1504432
Acreage: 21 Acres (Parcels to be consolidated)
Zoning District: C-GR (Commercial General Retail)
Proposal: Tree Clearing Phase 2A of Proposed MUCD

Ms. Gfroerer stated that this is a continuation of the site plan review for the Mixed-Use Compact Development District, Rothrock Road. for the applicant and landowner, Matthew J. Birch who is requesting approval of a Tree Clearing Permit for Phase 2A of the MUCD in advance of the Zoning Certificate for the purpose of preparing the site for development. Approval is conditioned upon approval of the plan by Summit Soil & Water Conservation District.

The Tree Inventory Assessment for Phases 1 & 2 and the Phase 1 Tree Clearing Plan were conditionally approved by the Architectural Review Board on 2/7/2022.

The applicant is permitted to request a Tree Clearing Permit in advance of Major Site Plan approval for the purpose of clearing and grading the land in preparation for the development of the property with new structures.



Per Article 16, Section 16.02 B. 1., a minimum of 50% of woodlands shall be preserved.

Per Article 16, Section 16.03 A. 1., the applicant may off-set the loss of trees by depositing funds into the Copley Township Tree Fund as the Fair Market Value Calculation as follows:

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- 1 The applicant has identified 3.21 acres of woodland canopy located within the Phase 2A
- 2 project boundary.
- 3
- 4 The applicant is permitted to clear 1.6 acres of woodland canopy.
- 5
- 6 The applicant has requested to clear 3.21 acres of woodland canopy.
- 7
- 8 The applicant is requesting a Fee In Lieu Fair Market Value Calculation of for 1.60 acres to
- 9 meet the regulations of Article 16.
- 10
- 11 FMV=\$32,200 x 1.6 acres
- 12 Total Fee=\$51,520
- 13
- 14 RECOMMENDATION: Approval as recommended by Summit County Engineers for tree
- 15 cutting only. No clearing or grading on 506/444 Rothrock is to be permitted until the
- 16 applicant has satisfied Summit Soil & Water and Summit County Engineers office review.
- 17
- 18 **Mr. Mong asked if the department had received any feedback with any of the other**
- 19 **agencies with regard to confidence level of passage of their request for the entire plan.**
- 20 Ms. Gfroerer stated that she has received no objections to the applicants' final development
- 21 plan proposed to the Architectural Review Board. The applicant, again, is proposing full civil
- 22 engineering documents, which you see before you, as well as a full stormwater report for
- 23 Phase 1.
- 24
- 25 They've submitted their traffic questionnaire to the Summit County Engineers Department
- 26 for Phase 1. There has been no feedback for improvements that will be required for Phase 1.
- 27 They've also drafted an agreement with Summit County Engineer's Office for a long term
- 28 maintenance agreement for the basin that's proposed for Phase 1 as well.
- 29
- 30 **Mr. Mong asked if there was a high probability of approval of passage so that we are**
- 31 **not cutting down all the trees and then having a hiccup in the road without a positive**
- 32 **outcome.** Ms. Gfroerer stated that here have been no objections to the Phase, however, we
- 33 can't speak on behalf of those agencies, as they have not seen a civil plans for Phase 2A of the
- 34 project.
- 35
- 36 **Ms. McPherson stated that there's a recommendation for the use of tree funds. Are we**
- 37 **to assign that?** Ms. Gfroerer stated that she had an opportunity to speak with Mr. Gregory,
- 38 who is a certified arborist, on the Architectural Review Board. He did recommend that the
- 39 Tree Board, of which the Architecture Review Board serves, reconvene to prioritize the
- 40 canopy plan in the township.
- 41 The Architecture Review Board and the Board of Trustees have embraced our regulations on
- 42 fair development, development that meets the goals and objectives of Copley Townships'
- 43 Comprehensive Land Use Plan, while also ensuring that there's some mitigation that stays
- 44 locally for any canopy that's removed.
- 45
- 46 The fee in lieu of; Fair market Value Restoration Fee, as well as, replanting on-site and
- 47 variances are four ways that the applicant can keep like replanting's local through the tree
- 48 fund. The ARB does not need to determine, at this time, exactly how those funds would be
- 49 used. But we would recommend that the Board reconvene at a time that's convenient for you
- 50 to develop that canopy plan.
- 51
- 52 Currently, we've been utilizing funds for the celebration and preparation of Arbor Day, which,
- 53 to date, with those funds, we've been able to put at least 900 trees into the community
- 54 through community giveaways, which occurred for three years in a row now. Through those
- 55 giveaways, we put at least 300 seedlings or small trees into the hands of residents and
- 56 stakeholders in the Township over three years for 900 trees. We've planted two community
- 57 tree gardens with those tree funds, one at Copley Township Middle School and one at Copley
- 58 Community Park. We also did a mature tree planting at Copley Community Park as well as a
- 59 Mature Tree planting at Arrowhead Elementary School with those tree funds to date.
- 60

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Ms. McPherson asked if once all of the final grading and phases are complete is there not any room beyond the proposed landscaping to force mitigation on the property itself. Ms. Gfroerer stated that she did look at the cost to restore with the applicant and CEC. The funds to restore were exorbitant beyond the fair market value. We looked at replanting's on-site, there is not enough open land to replant. Ms. Gfroerer said that she believes they would be up to about 3.2 acres at this point. They do have an opportunity to enhance the canopy along the western portion of Phase 1, but that would not meet the reforestation goal. Really filling in that landscape buffer to the west of the detached single-family along the interstate. They can replant in there but they wouldn't be able to reforest type on the site.

Ms. Gfroerer discussed other opportunities for use of funds established in the Tree Fund. Including canopy banks which are similar to wetland banks.

Mr. Mong asked if there were any questions from the floor or online. There were none.

Mr. Mong called for a motion. Mr. Mong made a motion to approve the 2A Fee In Lieu of for 2A and approval of tree clearing for Phase 2A Limits of Disturbance in advance of the Zoning Certificate conditioned upon approval from Summit Soil & Water Conservation District and express approval by the property owner for Parcel 1501804. Mr. Couch second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X			X		
Christopher Mong	X	X		X		
Randy Grigson (alt.)	X			X		

Applicant: Wesley Noland
On Behalf of: Stoney Hill's Station
Landowner: Estate of Ronald G. Noland
Property Location: 4640 Medina Road Parcel 1700158
Acreage: 1.86 Acres
Zoning District: Commercial Office Retail (C-OR)
Proposal: Ground Sign
Case #: ARB202113

Ms. Gfroerer continued review of a Ground Sign associated with the approval of a Major Site Plan application on 10/4/2021.

Per Article 8, Section 8.07 D. Table 2, the applicant is permitted one ground sign at 8' in overall height. Per a variance granted 3/21/1990, the applicant is permitted 48 square feet in overall area and placement 2' from the road right of way.

The applicant is requesting a ground sign at 12'4 in overall height, 73 square feet in overall area, 2' from the road right of way. The applicant requires variance approval for this request.
 Ground Sign Approved 3/21/1990
 8' in overall height, 48 square feet in overall area, 2' from the road right of way.

Per Section 8.11 all legal non-conforming signs must come into compliance no later than December 2022.

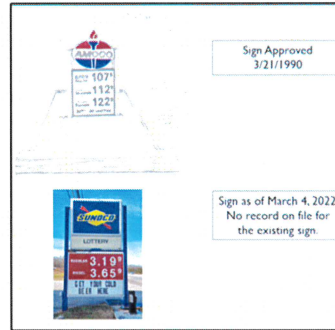


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VARIANCE REVIEW

Section 8.07 D. Table 2 4' 4" INCREASE IN THE OVERALL PERMITTED HEIGHT: The applicant is proposing to lower the sign to 12' 4" and is seeking review and approval of a variance to maintain this height. The applicant is permitted 8' in overall height. The applicant is requesting a height variance increase of 4' 4".



Section 8.07 D. 8. Table 2 25 SQUARE FEET INCREASE IN THE OVERALL PERMITTED AREA: The applicant is proposing to revise the sign panels to 73 square feet and is requesting a variance for the overall square footage. The applicant is permitted 48 square feet in overall area per a previous variance. The applicant is requesting an area variance increase of 25 square feet.

Section 8.07 D. 3.5 SQUARE FEET INCREASE IN THE OVERALL PERMITTED AREA OF CHANGEABLE COPY: The applicant is proposing digital changeable price panels and changeable copy signage at 39.5 square feet in overall area. Based on 48 square feet of the panel, the applicant is permitted up to 75% in changeable copy for a total of 36 square feet permitted. The applicant is requesting an area variance increase of 3.5 square feet.



Section 10.04 2. Expansion of a structure devoted to a legal non-conforming use.

Section 8.11 C: Variance to maintain a legal non-conforming sign.

Per the applicant, the Practical Difficulties that justify this application include: This sign has been out there since the early 1990s. Currently, the Sunoco brand is making us bring everything up to the current branding. This sign is the first thing you see and needs to be its current height to be seen over traffic. We are not looking to change anything about the current sign, just the facing and numbers which will digital, being that's what the brand is going to.

Per the applicant, the granting of this variance will have no effect on the immediate neighborhood as we plan to keep the same size and shape but there will be positive impact of a newer cleaner-looking sign that will be crisp and clean.

Ms. Gfroerer reviewed the sign regulations as found in the Zoning Resolution.

a) Can the property in question yield a reasonable return or can there be a beneficial use of the property without the variance? **Yes. The applicant has access to two recently approved canopy signs, a building sign, and one ground sign.**

b) Is the variance substantial? **Yes, the sign requires variances at greater than 50% of the permitted height and overall square footage, an additional increase to a legal conforming use, and is contrary to the goal of the Zoning Resolution regulation to bring all signs into compliance by 2022.**

c) Will the essential character of the neighborhood be substantially altered or will adjoining properties suffer a substantial detriment as a result of the variance? **Per the applicant, the existing ground sign has been in place since the 1990s, however, there are no records on file to support the existing ground sign height or overall square footage. There are no similar ground signs in this neighborhood.**

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d) Does the variance adversely affect the delivery of governmental services (i.e. water, sewer, garbage)? **No**

e) Did the applicant purchase the property with knowledge of zoning restrictions? **Uncertain.**

f) Can the property owner's predicament be obviated through some other method than a variance? **Yes, installation of a ground sign as permitted.**

g) Would the spirit and intent behind the zoning requirements be observed and substantial justice done by granting the variance? **No. Granting of the variance is in direct conflict to the Zoning Resolution Article 8, Section 8.11 Regulations of Non-Conforming Signs C. C. All Legal-Nonconforming signs shall be brought into compliance with the provisions pertaining to signs contained in this Resolution no later than ten (10) years from the effective date of this Resolution (the Effective Date of this resolution is October 6, 2012)...**

RECOMMENDATION: Approval of one ground sign at 8' in overall height, 48 square feet in overall area, inclusive of up to 36 square feet in changeable copy, placed a maximum of 2' from the road right of way. Applicant to confirm the right of way setback with ODOT prior to installation. **CONDITIONED UPON REMOVAL OF ILLEGAL CHANGEABLE PORTABLE COPY GROUND SIGN**



Mr. Mong asked if anyone wished to speak for or against this application.

Wesley Noland, applicant, 4623 Linda Lane

Ms. Davis asked about the changeable copy portion, what do you plan on using that for. Mr. Noland stated that he has had the marquee sign for a while, using it for his quotes, and advertising. Mr. Noland said that they are a one-off station.

Mr. Noland spoke to the sign project, stated that they are going to fit everything below the poles, it's not going to be stretched any wider. They are going to redo the box up top, and the box below to meet the needs of the brand.

Ms. Davis asked about the illegal, temporary, changeable copy sign. While she appreciates that it adds flavor and uniqueness, she is trying to think of a way to preserve that, without having it out there. Mr. Noland stated that he'd like to preserve it, being able to flip and mix up his sayings and quotes. Mr. Noland said that he is on a 55 mph road, with seven lines of traffic, he just wants to be able to be seen while cars pull out. Examples are great, it's a harder ask when you're out on the main drag with very little perception as you drive up to it, especially being next to being on a hill with one thousand trees on it.

Ms. McPherson stated that she thinks that the canopy improvement is a better advertisement than any ground sign. It's very identifiable and it adds to your advantage. Mr. Noland stated that there's no pricing on the canopy, or they don't allow it.

The Board continued discussion of the changeable sign.

Ms. Davis asked if the updated sign included electronics. She feels like if it was an electronic, changeable copy, he could get more bang for his buck.

The Board discussed sign options.

Mr. Noland stated that even with the new canopy, people are not able to see the canopy. That is why he feels he needs the height of his sign to stay the same.

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1 Google Earth was brought up on the screen to look at the site from a street view. It was
2 determined that the canopy was visible.

3
4 **Mr. Couch stated that you can't put anything but the logo on the canopy.**

5
6 **Ms. Davis stated that when you see a canopy, you know it's a gas station.**

7
8 **Mr. Grigson stated that to Mr. Noland's point, the first thing that people look at when**
9 **they are going to a gas station is the price of gas. He is not looking at the canopy.** Mr.
10 Noland stated that he is not going higher than what it currently sits. He is bringing everything
11 down two feet before leveling off and putting \$18,000 into the sign.

12
13 **Ms. McPherson stated that before she goes to get gas, she pulls up Gas Buddy and it tells**
14 **her where to go.**

15
16 **Ms. Davis asked Mr. Noland if the point he is trying to make is, the reason he wants the**
17 **sign the same height is because the road is large, it's fast, and he needs people to see**
18 **the sign. However, when Ms. Davis is going westbound, which is where all of the trees**
19 **are she see the canopy at the same point that she starts to see the sign. Which indicates**
20 **or triggers her that it's a gas station. Either way, people are going to have to be almost**
21 **on top of the sign to see the prices. It doesn't matter if the sign is 6, 8, or 10 feet. People**
22 **will still need to be up close to see the prices. To Mr. Noland's point, it was, that he**
23 **needs people to see that it's the gas station and that it's there. Yet it's a clear indication**
24 **for Ms. Davis that it's a gas station, she can see the canopy and knows it's a gas station,**
25 **and she sees the canopy at the same time, that she see the sign.**

26
27 Mr. Noland stated that it's always something that we fall outside this circuit of either the
28 zoning and how we can use the property or the zoning and how we are using the property,
29 and how they try to fit us in this box.

30
31 *Mr. Noland spoke about another gas station in a different location, what they have and are*
32 *allowed to have in comparison to his station.*

33
34 **Ms. McPherson stated that the resolution was in 2012, and all signs were given ten**
35 **years to come into compliance.**

36
37 **Ms. Davis stated that the Board has already disapproved two other gas stations and**
38 **asked them to come into compliance on Route 18, and they did. For the Board to turn**
39 **around and not do the same for you...** Mr. Noland stated that if you look at every GetGo
40 sign, every GetGo sign is the same. If you go out to Medina, they don't have any regulation on
41 signage. They have 23 feet high by 14 feet wide.... **Ms. Davis stated, well, we're Copley that**
42 **is Medina.**

43
44 **Mr. Grigson stated that his viewpoint is that you are going down Route 18, and it is 50**
45 **mph. If he was a business owner, he would want the biggest sign he could get. Because**
46 **people are driving 50 mph, and there is no traffic light there where people stop like**
47 **there is at GetGo. If you are driving 50 mph, a small sign like that, no one will notice**
48 **that.**

49
50 **Mr. Couch stated that it's almost distracting.**

51
52 **Ms. McPherson stated that this isn't for us to decide it's our recommendation.**

53
54 Mr. Klein stated that the speed limit is 45 mph.

55
56 **Mr. Grigson stated, but there are no traffic lights. If you are at a traffic light, you stop**
57 **and look around.**

58
59 **Mr. Mong asked if there were any other comments or questions.**

60

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1 Mr. Couch asked to clarify the code and the request. Mr. Couch stated that he thinks
2 this is a unique situation. Mr. Couch stated that he understands what Mr. Noland is
3 saying with this kind of gas station is on that kind of road, it doesn't feel like it's falling
4 into the same apples to apples. It's been there a long time, and it is on a rather busy
5 highway. You don't have anyone slowing down to pull into there. Mr. Couch asked if
6 the Board can make a recommendation to do this at 12 Feet.

7
8 Ms. Davis stated that if the Board does it for one, then they would have to do it for
9 others.

10
11 Mr. Couch stated that no they don't. You have to look at each situation. This is not like
12 the other gas stations. This is a rural setting gas station. It's not in the populous or
13 people running back and forth.

14
15 Mr. Grigson stated that variances are given for a hardship. If you're driving 45 miles
16 an hour down a freeway and you see a small sign like that, to him as a business owner
17 that would be a hardship. Driving 50 mph, you're going to take notice of a bigger sign
18 than a smaller sign. To Mr. Grigson, this is a hardship.

19
20 Ms. Davis asked about the height of the sign minus the changeable copy. Because if
21 that's the only thing we're not talking about. You're talking about the size of the sign
22 and that you can see it and that you can read the price of gas. So none of that would be
23 changing. If the changeable copy portion was removed and it would probably then be
24 the correct height, the font size, and everything, nothing would be changed. The font
25 size of the price of gas is still the same regardless if it's 10 feet high or eight feet high.
26 So it's a moot point.

27
28 Mr. Couch stated to Ms. Davis, you are talking about chopping of the changeable copy
29 sign from the bottom. *Ms. Davis stated, right*

30
31 Mr. Couch stated that is the place for Mr. Noland to advertise.

32
33 Ms. Davis stated that they were just talking about when you're driving 45 miles down
34 the road, that you can't see the price of gas unless you're right up on it if it's eight feet
35 high. That's what you were just saying, right. So what's the difference? If it's eight feet
36 high or 12 feet high, it's still the same size, the font is still the same size. Nothing
37 changes.

38
39 Mr. Couch stated, for that part. If you take away that part you are taking away his
40 ability to advertise.

41
42 Ms. Davis stated that she feels that things are being added into now. Ms. Davis clarified
43 that she was referencing the Board.

44
45 Mr. Couch stated that you can call it a hardship for a unique situation.

46
47 Ms. Davis asked if the quotes are going to add to some people stopping on a 45 mph
48 road, that they're going to notice the quotes and stop more. Mr. Noland stated that he
49 uses it for advertising and most of his customers know him and know his family. **Ms. Davis**
50 **stated, so they already know you and know where the store is.**

51
52 Mr. Couch said that this is a local business, it's been there forever.

53
54 Ms. Gfroerer asked if the staff could make a statement.

55
56 Ms. Gfroerer stated that the Township absolutely supports the gas station being there. We
57 supported the expansion of the non-conforming use. Mr. Noland is making a great point that
58 it is a non-conforming use and you want all of the same rights and privileges that would go
59 with a conforming use but it's not possible on a non-conforming use site. Everyone
60 recognizes that.

61

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We brought the applicant before the Architectural Review Board and before the Board of Zoning Appeals on August 29, 2019. We supported a 65% expansion of the non-conforming use, so absolutely we want to see the business be successful. We are not trying to take away the applicant's right to advertise their business. We supported an expanded canopy. We supported using two advertising signs on that canopy, when really the Architecture Review Board did not have to approve that as a building sign we supported for that.

We supported an eight-foot sign in overall height, 48 square feet in overall area, of which the applicant can use for changeable copy. As Ms. Davis stated, they can use it to make the gas pricing letters bigger, if they want.

We have been charged with the regulations that the Architectural Review Board adopted. The ARB adopted regulations then presented them to the Board of Trustees in 2012, saying that they want administrative staff to bring all of these signs into compliance by 2022. That is what we've been charged to do from the Township. So we are asking the Architecture Review Board to uphold the regulation that you put into the Zoning Resolution to bring those signs into compliance.

Mr. Nolan is still permitted to have a portable, temporary, changeable copy sign so many times per year to advertise and put whatever message that he feels within the purview of the business advertising, so we're not taking that right away from the applicant. We are asking that while the applicant has the opportunity financially with the support of Sunoco with their rebranding, that he take advantage of that. Otherwise, the sign is illegal, it's non-conforming and it will have to come into compliance.

Our recommendation is that a variance not be granted. There are five variances that need to be granted in order to keep that non-conforming sign.

Mr. Couch stated that he understands the purpose to try and follow the regulations as they are printed. But he doesn't believe we're standing with our feet in concrete and not being able to move either way. He believes that the Board has made some adjustments in other cases that may not work in the code correctly, or were in the code, but still in a hardship case that we made allowances for and he thinks this is one of them. Mr. Couch stated that he feels that making this one exception is going to set a precedent. It is a single case, a unique situation, as far as he is concerned.

Mr. Grigson agreed.

Ms. Davis stated that a motion should be made and sent this to the Board of Zoning Appeals.

Additional discussion took place in regards to the changeable copy sign.

Mr. Klein commented on the land use and the character of this section of state Route 18 versus the east side of State Route 18 on the east side of Interstate 77. In 2013, this section where the gas station is had 10,000 more vehicles per day, than the east side of State Route 18, on the east side of 77. It may look less dense and more rural in character when in fact it has a lot more vehicles on the east side of 77.

Mr. Mong called for a motion. Ms. McPherson made a motion of disapproval of the applicants' request for a ground sign as requested. The Architectural Review Board recommends approval of one ground sign at 8' in overall height, 48 square feet in overall area, inclusive of up to 36 square feet in changeable copy, placed a maximum of 2' from the road right of way. Applicant to confirm the right of way setback with ODOT prior to installation. CONDITIONED UPON REMOVAL OF ILLEGAL CHANGEABLE PORTABLE COPY GROUND SIGN. Mr. Mong second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X				X	

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Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X		X	X		
Randy Grigson (alt.)	X				X	

Original Submission: 7/5/2021

Applicant: Stephen Ciciretto, AIA, Architect
Business Name: Mr. Tee's Golf Driving Range
Landowner: 2782 Ridgewood Road LLC
Property Address: 2782 Ridgewood Road
Property Location: Parcel #1505166; 18.24 Acres
Zoning District: C-GR (Commercial General Retail)
Proposal: Major Site Plan & Variance

Applicant, Stephen Ciciretto, on behalf of Mr. Tee's Driving Range, is requesting approval of a Major Site Plan and variances required for the installation of range nets.



July 5, 2021: The Copley Township Architectural Review Board recommended/motioned the following:

- 7/5/2022: Approval of a variance required to exceed the overall height permitted in the District for the installation of structural netting poles.
- 7/5/2022: Approval of a building sign at 150 square feet in overall area.
- 7/5/2022: The ARB to continue review of final site plan pending an updated wetland delineation and approval from the Army Corp of Engineers.
- 9/7/2022: Disapproval of the applicants' request to place a mascot on the building canopy.

RECOMMENDATION: Approval of site plan conditioned upon satisfying all agency reviews and connection to the centralized sewer.

OHEPA

Connection to centralized sewer required for this site.

Summit County Engineers

No objections to the impact of proposed wetland. Plan review for site development in progress.

Summit Soil & Water Conservation District

Updated delineation and Nationwide Permit review in progress.

Original Submission: 7/5/2021

Variance Request #1

Article 15, Section 15.06

The property formerly operated as a driving range known as "Highlander Golf". Highlander Golf ceased operation sometime between 2006-2010. The property has been idle since this time.

March 7, 2022

Held _____ 20 _____

There are identified floodplains, riparian, and wetlands on the property. The applicant has submitted for a revised wetland delineation. The existing delineation has expired in March of 2021.



Variance Required: Article 15, Section 15.06 A. Request to fill/dredge wetland for purpose of maintaining range field.

Per Section 15.06 E. The applicant is permitted to maintain the landscape/lawn located in the floodplain/riparian as the lawn was established prior to the Riparian regulations.

Findings of Revised Delineation:

The site was allowed to go fallow since 2016 (when it was an active driving range). As a result, three "new" wetland areas were identified by PSI during the re-delineation. The revised Wetland Delineation Report determined that Wetland D was expanded by 0.53 acres, and Wetland B was expanded by 0.1 acre.



Request for Permit Re-Authorization

Allow the switching or changing of the area(s) of wetland that are slated for impact. The proposed impacts will remain the same, at 0.44 acres. However, the original permitted impact to Wetland A (0.15 acres) will not take place. Additionally, the portion of Wetland D slated for impact will change to a 0.44-acre area as shown in the attached Figure 4. These impact changes are necessary to allow the re-opening of the driving range business; are located within the previous grass driving range field. The previously planned parking area expansion areas will not be constructed. Because the site already has 0.9 acres of wetland mitigation credits purchased (for 0.44 acres of originally planned impacts), the owner is requesting to apply this mitigation credit to the revised 0.44 acres of proposed impact.

Per the Army Corp of Engineers Nationwide Permit 39 Verification letter, the update has been submitted and reviewed as follows:

- Approval to fill/dredge 0.44 acre of (1) non-forested wetland for the purpose of landscape, mowing, and range picking.
- Approval of Compensatory Mitigation of 0.9 acres of non-forested wetland credits

RECOMMENDATION: Approval pending Summit Soil & Water review.

The following is a copy of a letter dated January 31, 2022.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, HUNTINGTON DISTRICT
502 8TH STREET
HUNTINGTON, WV 25701-2018
Regulatory Division
North Branch
LRH-2016-169-TUS-Unnamed Tributary (UNT) to Schocalog Run
NATIONWIDE PERMIT NO. 39 VERIFICATION

Mr. Michael Niederst
NM Residential
21400 Lorain Road
Fairview Park, Ohio 44126

March 7, 2022

Held _____ 20 _____

Dear Mr. Niederst:

I refer to the pre-construction notification (PCN) received in this office on October 13, 2021, concerning the Ultimate Golf Facility Project. You have requested a Department of the Army (DA) authorization for the discharge of dredged and/or fill material into waters of the United States associated with a commercial development located at 2782 Ridgewood Road, in the City of Fairlawn, Summit County, Ohio (41.110672 latitude, -81.611329 longitude). We have assigned the following file number to your PCN: LRH-2016-169-TUS. Please reference this file number on all future correspondence related to this subject proposal.

The United States Army Corps of Engineers' (Corps) authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR 328 and 33 CFR 329. Section 404 of the Clean Water Act (Section 404) requires a DA permit be obtained prior to discharging dredged and/or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained for any work in, on, over or under a traditional navigable water.

The proposed project, as described in the submitted information, has been reviewed in accordance with Section 404 and Section 10. Based on your description of the proposed work, and other information available to us, it has been determined that this project will not involve activities subject to the requirements of Section 10. However, this project will include the discharge of dredged and/or fill material into waters of the United States subject to the requirements of Section 404.

In the submitted PCN materials, you have requested a DA authorization for the permanent discharge of dredged and/or fill material into 0.44 acre of one (1) non-forested wetland, in association with the improvement of the Ultimate Golf Facility Project. The proposed discharges of fill are associated with filling and grading of one (1) wetland to improve the landscape for mowing and range picking. In order to compensate for the permanent discharge of dredged and/or fill material into waters of the United States, you have agreed to provide a total of 0.9 acre of non-forested wetland credits from the Stream + Wetlands Foundation Huntington District In-Lieu Fee Program. We have determined your compensatory mitigation proposal is acceptable. All work will be conducted in accordance with the PCN received in this office on October 13, 2021.

Based on your description of the proposed work, and other information available to us, it has been determined the proposed discharges of dredged and/or fill material into waters of the United States in conjunction with the proposed project meets the criteria for Nationwide Permit (NWP) No. 39 (enclosed) under the January 13, 2021 Federal Register, Reissuance of NWPs (86 FR 2744) provided you comply with all terms and conditions of the enclosed material and the enclosed special conditions. Please be aware this NWP verification does not obviate the requirement to obtain any other federal, state, or local assent required by law for the activities.

This verification will remain valid until the expiration date of the NWP (March 16, 2026), unless the NWP authorization is modified, suspended, or revoked. The verification will remain valid if the NWP authorization is reissued without modification or the activity complies with any subsequent modification of the NWP authorization. Prior to the expiration date, it is not necessary to contact this office for re-verification of your project unless the plans for the proposed activity are modified. Furthermore, if you commence or under contract to commence the proposed activity before March 16, 2026, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

A copy of the NWP and this verification letter must be kept at the site during construction. Upon completion of the activities authorized by this NWP verification, the enclosed certification must be signed and returned to this office. If you have any questions concerning the above, please contact Rachel King of the North Branch at 304-399-6902, by mail at the above address, or by email at Rachel.A.King@usace.army.mil.

Sincerely,

March 7, 2022

Held _____ 20 _____

1 Cecil M. Cox
2
3 Regulatory Project Manager
4 North Branch
5 Enclosure(s)
6 cc (via email):
7 Paul Bowyer, PSI, Inc.
8

9 Per Article 6.01 B-Permitted Height Exceptions, no structure may be erected to exceed by
10 more than 15 feet of the height limits of the district in which it is located. Per Section 4.01 F.
11 5., the maximum height for this district is 35'. Therefore, a structure can be no taller than 50'
12 in overall height.

13
14 The applicant is requesting approval for the
15 installation of 600' of structural netting 75' in overall
16 height and 300' of structural netting 95' in overall
17 height for the purpose of constructing a perimeter
18 range net.



19
20 Posts will be located 15' outside of the Riparian
21 setback to ensure all guy wires are outside of the
22 setback.

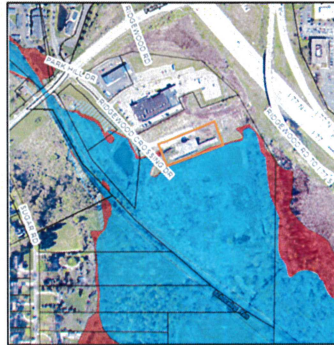
23
24 RECOMMENDATION: Approval-Posts and nets will be
25 placed outside of the Riparian and wetland areas. Netting will help maintain the sensitive
26 areas to the rear of the property.

27
28 **Per the applicant, the difficulties which justify this application include, this project anticipates**
29 **the addition of fencing/poles to restrict the fold balls from entering the wetlands. The Riparian**
30 **setbacks to stream/wetlands are complied. Since the entire range area is a Zone A wetland**
31 **construction on any part of the site requires relief from the Riparian regulation.**

32 **Per the applicant, the granting of this variance would not affect the neighborhood since the**
33 **range is a permitted business. Granting the variance to restrict the flight of golf balls into the**
34 **watershed/wetlands will protect these areas from potential damage.**
35

36 Ms. Gfroerer reviewed the criteria as found in the Zoning Resolution.

37
38 a) Can the property in question yield a reasonable return
39 or can there be a beneficial use of the property without
40 the variance? **The commercial building can be used**
41 **as a stand-alone structure without the variance.**
42 **However, a variance is required to bring the site**
43 **into compliance with the use which has existed on**
44 **site since 1971 (golf driving range).**



45
46 b) Is the variance substantial? **No. There are 3.33 acres**
47 **of identified wetlands on this site. The request to**
48 **impact .44 acres of wetland has been approved by**
49 **the Army Corp of Engineers through a Nationwide**
50 **Permit and mitigation plan.**

51
52 c) Will the essential character of the neighborhood be substantially altered or will adjoining
53 properties suffer a substantial detriment as a result of the variance? **No. The site has been**
54 **utilized as a golf driving range since 1971.**
55

56 d) Does the variance adversely affect the delivery of governmental services (i.e. water, sewer,
57 garbage)? **The variance will impact stormwater by filling of identified wetland area.**
58 **Negative impacts will be mitigated by the applicants' compliance with the floodplain**
59 **administrator, Summit County Building Inspection, Summit Soil & Water Conservation**
60 **District, and Summit County Engineers to ensure the property manages stormwater as**

March 7, 2022

Held _____ 20 _____

required. The applicant has submitted and received the necessary approvals from the Army Corp of Engineers to impact and mitigate the site as requested.

e) Did the applicant purchase the property with knowledge of zoning restrictions? **Uncertain.**
Review of the applicants' intent to utilize this site has been ongoing since 2016.

f) Can the property owner's predicament be obviated through some other method than a variance? **No, a variance is required to utilize the site as requested.**

g) Would the spirit and intent behind the zoning requirements be observed and substantial justice done by granting the variance? **Yes. The site has been utilized as a golf driving range since 1971. The applicant will improve the site by compiling with the current regulations and mitigation of wetland area as required by current regulations. The project will help protect exterior wetlands and Riparian's through the installation of range netting.**

Mr. Mong asked if anyone wished to speak for or against this application.

Stephen Ciciretto, AIA Architect

Mr. Ciciretto stated they were excited to keep moving on the project.

Mr. Mong called for a motion. Ms. McPherson made a motion to approval of the final site plan as proposed conditioned upon satisfying all agencies and connection to centralized sewer as required by OHEPA. . Mr. Couch second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

Mr. Mong called for a motion. Ms. McPherson made a motion to recommend approval of a variance to exceed the overall height limitation for the C-GR for the installation of 600' of structural netting 75' in overall height and 300' of structural netting 95' in overall height, and impact to the wetland as required. Mr. Couch second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

Business from the Floor – There was no Business from the Floor.

The next Architectural Review Board meeting is scheduled for Thursday, April 7, 2022.

COPLBY TOWNSHIP ARCHITECTURAL REVIEW BOARD

RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

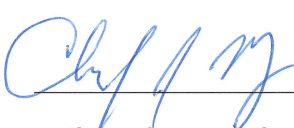
March 7, 2022

Held _____ 20 _____

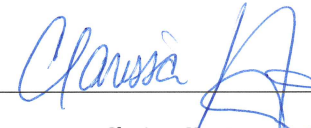
1 With no further business to come before the Architectural Review Board, Ms. Davis made a
2 motion to adjourn the ARB meeting at 9:03 pm.

3
4 Approved By:

Submitted By:

5
6
7
8
9
10
11 

12 Christopher Mong, Chair
13 Architectural Review Board

6
7
8
9
10
11 

12 Clarissa Hunt
13 Community & Economic Development