



CITY of MEDINA

Planning Commission

Regular Meeting Minutes

February 13, 2025

Meeting Date: February 13, 2025

Meeting Time: 6:00 PM

Present: Nathan Case, Bruce Gold, Rick Grice, Monica Russell, Jeremy Sack, Andrew Dutton (Community Development Director), Greg Huber (Law Director), and Sarah Tome (Administrative Assistant)

Absent: Paul Rose

Approval of Minutes

Mr. Gold made a motion to approve the minutes from January 9, 2025 as submitted.

The motion was seconded by Mr. Case.

Vote:

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

The Court Reporter swore in all attendees.

Applications

1. P24-26 John Potter 322 West Smith Road TC-OV Revision

Mr. Dutton stated that the subject property had previously contained a single-family home that had been demolished in 2018. He added that the applicants were requesting approval for a two-story, two-family home with 1,635 sq. ft. units. Mr. Dutton stated that the Commission had approved the application on November 14, 2024, with the following conditions:

1. Shutters shall be installed beside the windows on the front building elevation.
2. Shake siding shall be installed in gabled areas on the front building elevation.

In addition, he noted that the Board of Zoning Appeals had also heard variances regarding the project on November 14, 2024 and had tabled the application at the applicant's request.

Mr. Dutton stated that the front building elevation had been revised to incorporate the shutters and shake siding, as required. He noted that the proposed vinyl siding would still require a variance from the Board of Zoning Appeals.

Mr. Dutton stated that the rear yard setback had been previously incorrectly cited as 50 ft. He noted that when a property in the C-2 zoning district was adjacent to a residential zoning district, the rear yard setback of the C-2 property was equal to that of the adjacent residential zoning district. He added that the adjacent property to the rear was zoned R-3, which has a 30 ft. rear yard setback, therefore, the setback for the subject property was 30 ft.

Mr. Dutton stated that, at the November meeting, there had been a discussion regarding the front and rear setbacks. He noted that the applicant had provided two options for the location of the building:

- Option 1 (Original Location) incorporated a front setback of 31 ft. 8 in. and a rear setback of 14 ft. 5 in.
- Option 2 incorporated a front setback of 19 ft. 11 in. and a rear setback of 25 ft.

Mr. Dutton stated that either option would require variances to allow the structure within the 30 ft. rear yard setback and parking in the front yard.

Mr. Dutton noted that Section 1145.10(d) had been identified, which required that residences that access a collector or arterial street must have forward movement onto the street. He continued that Section 1145.10(d) applied to the project as West Smith Road was designated a collector street in the Comprehensive Plan. Mr. Dutton continued that a method allowing vehicles to turn around on the site would need to be incorporated into the site plan, or a Variance to Section 1145.10(d) would need to be granted by the Board of Zoning Appeals.

Mr. Dutton stated that, at the previous Planning Commission and Board of Zoning Appeals meetings, there was a discussion regarding drainage and access. After consulting with the City Engineering and Service Departments, he noted that the following information had been provided:

Storm Sewer Structures and Easement

The city had installed a storm sewer line, catch basin, and outlet on the east side of the property at 328 West Smith Rd. The city has easements on both properties at 322 and 328 West Smith Road, which are a minimum of 5 ft. off each side of the shared property line. The easements, which were a minimum combined 10 ft. wide, were sufficient for the city to access, repair, and maintain the storm sewer line, catch basin, and outlet.

Permit and Plan Review

When plans are submitted to the city's Building Department for a new two-family dwelling, a Lot Improvement Plan must also be submitted to the city's Engineering Department. The Plan must include information on how stormwater would be managed and include elevations, drainage details, and other relevant items. The plan would be reviewed to ensure

stormwater management complies with city regulations and would not result in negative impacts on area properties.

Creek Maintenance

The creek to the rear of the properties at 322 and 328 West Smith Road had been maintained by the city. To perform maintenance, the city typically accessed the creek at the South Huntington Street bridge and worked westward to the bridge at West Smith Road

Mr. Dutton stated that the applicant had referenced the City of Medina Comprehensive Plan Future Land Use map, which was meant to guide the pattern and character of future growth. Mr. Dutton stated that the subject property was designated as “Urban Residential Land Use”, which included single-family residential, multifamily residential, and community facility uses.

Mr. Dutton stated that the applicant had provided letters of support from Shannon Rush, resident at 316 West Smith Road, Matt King, owner of Lager Heads Brewing Company located at 325 West Smith Road, and Leslie Burns of M.C Real Estate, the listing agent for the subject property. He noted that additional documents had been submitted by Gregory Happ, on behalf of Christopher Kalina, owner of 322 West Smith Road.

Mr. Dutton stated that staff recommended approval of application P24-26 as submitted with either plan Option 1 or Option 2 with the condition that the project shall receive variance approval from the Board of Zoning Appeals to Section 1135.03 regarding use, Section 1135.06 regarding the rear yard setback, Section 1135.08(a) to allow parking in the front yard, and Section 1135.13(c)(1) regarding the use of vinyl facing the right of way. In addition, he noted that the project would have to comply with Section 1145.10(d), revising plans to include a method for allowing vehicles to turn around on site, or a variance would need to be granted by the Board of Zoning Appeals.

Present for the case was Nicholas Hanek of Meyers, Roman, Friedman, and Lewis, 8601 Chagrin Boulevard, Suite 600, in Cleveland representing the applicant. Mr. Hanek stated that the applicant was willing to meet the conditions recommended at the previous meeting. He added that the applicant would comply with Section 1145.10(d) and provide a turnaround without the need for a variance. Mr. Hanek stated that easements were located on both sides of the property and no building would be located within the easements. He noted that the applicant would meet city requirements regarding the flow of water.

Mr. Hanek stated that urban residential use shown for the area in the Future Land Use map encouraged the proposed project in the area. He added that there was already a two-family residence directly next to the subject property.

Mr. Gold inquired as to when the turnaround requirement was enacted. Gregory Happ, 331 E Washington Street, stated that it was enacted in 2014. Mr. Gold noted that none of the surrounding properties had driveways that were wide enough for a car to turn around.

Mr. Huber stated that, as the ordinance said “shall comply”, the applicant would need to comply. He noted that the applicant had indicated a willingness to comply with the ordinance.

Mr. Grice opened the application for public comment.

Christopher Kalina, 4773 Forest Grove Drive in Brunswick Hills, presented the Commission with additional documentation. Mr. Kalina stated that he had owned the property located next door at 328 West Smith Road for 20 years and that he appreciated the efforts of the city to improve drainage on West Smith Road. Mr. Kalina noted that water backing up on West Smith Road had been a continuous issue for residents. He stated that he had done a three-year renovation to his property in the early 2000s, which had included drainage around the property, and the house had remained dry until the recent reconstruction of West Smith Road. Mr. Kalina noted that he had spoken to Jim Smith from the Medina County Soil and Water Conservation District and that he had stated that the elevation drop into Champion Creek created some unique issues.

Mr. Kalina stated that the City of Medina Code required that no concentration of water shall flow onto an adjoining property, and when a lot was graded to a higher level than the adjacent property, protection must be provided to preserve the elevation of the adjacent property. He stated that, considering the request was for the largest two-family residence on the smallest lot in that area, it appeared to him that long-established permeable surfaces would be impacted and should be investigated by experts before any development.

Mr. Kalina stated that Exhibit C provided by the applicant was incorrectly indicated as an easement of a combined 10 feet wide located on properties at 322 West Smith Road and 328 West Smith Road. He added that the easement submitted as Exhibit C was a completely unrelated highway easement located on the opposite side of his property. He stated that he had not received any money from the City of Medina for drainage structures that were installed on his property.

Mr. Kalina gave an overview of the document he had presented to the Commission, including information on traffic volume and traffic counts, the city's Thoroughfare Plan, the realtor's listing for the subject property, and pictures.

Mr. Happ stated that he felt that the Planning Commission must consider the lack of recreational space provided by the proposal. He noted that the applicant proposed two, three-bedroom units, which would attract families with children. Mr. Happ noted there would be no area for children to play safely as the property was bound by Champion Creek and West Smith Road, which was a busy street. He stated that the only place where children could play was in the front yard, which would also include a turnaround. Mr. Happ stated that he felt that the Commission had an obligation to look at the safety issues of the proposed building.

Mr. Gold made a motion to approve application P24-26 with the following conditions:

1. Shutters shall be installed beside windows and shake siding shall be installed in the gabled area on the front building elevation.
2. Variances indicated in the staff report shall be approved.
3. The City of Medina Engineering Department shall approve a drainage plan for the site.

4. Either site plan Option 1 or Option 2 shall be acceptable at the recommendation of the City of Medina Engineering Department.

Ms. Russell seconded the motion.

Vote:

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

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Rick Grice, Chairman