



Summit County Planning Commission (SCPC)
Thursday, March 31, 2022 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio
Meeting Agenda

- A. Call to Order
- B. Roll Call
- C. Approval of the February 24, 2022, SCPC Minutes
- D. Business Items

Chair Mavrides
Tubbs
Chair Mavrides
Knittel

New Business

Item # 1 - Meadows of Wintergreen Ph 4 – Preliminary Plan – Springfield Township – Proposing 70 lots on 24.9951 acres. Located at the intersection of Sanitarium and Portage Line Rd.

Item # 2 – Meadows of Wintergreen Ph 4 – Variance Request – Springfield Township – A variance from 1108.07 to allow for a road to have cross-intersections a min of 250’ apart rather than 300’.

Item # 3 – Riparian Variance – Southern Road – Richfield Township – A variance from the Riparian Ordinance to allow for a driveway to be built. Section Three Residential District – to amend setback language for residential structures.

Item # 4 – Riparian Variance – 3649 W. Galloway Dr – Richfield township – A variance from the Riparian Ordinance to allow for the construction of a home pool.

Item # 5 – Rezoning – Springfield Township – From O-R to I-1 this will allow for offices or research facilities in the I-1 district. The change will eliminate the need for variances for the existing businesses as they expand. This will allow the Zoning Department to require more stringent enforcement of screening and landscaping requirements.

Item # 6 – Rezoning – PN 1900514 – Coventry Township – Rezoning B-2 & R-1 to C/I.

Item # 7 – Rezoning – PN 1909647 & 1907510 – Coventry Township – B-3 to C/I.

Item # 8 – Rezoning – Rothrock MUCD – Copely Township – CGR to Overlay to allow for the construction of a mixed use compact development.

Item # 9 – Text Amendment- Accessory Dwelling Unit - Copley Township – to amend zoning resolution to add language defining and regulating accessory dwelling units.

Item # 10 – Text Amendment – 130 Definitions, Plat and Unplatted – Northfield Center Township – adding definitions for Platted and Unplatted development.

- | | | |
|----|----------------------------------|-----------------------|
| E. | Report from Assistant Director | Tubbs |
| F. | Comments from Public | Chair Mavrides |
| G. | Comments from Commission Members | Chair Mavrides |
| H. | Other | |
| | 1. Legal Update | Matz |
| I. | Adjournment | Chair Mavrides |



**Summit County Planning
Commission (SCPC)**
Thursday, February 24, 2022 - 3:0 p.m.
County Council Chambers 175 South Main
Street, 7th Floor, Akron, Ohio

Meeting Minutes

Members Present: Dennis Stoiber, Jeff Snell, Rich Reville, David Kline, George Beckham, Allen Mavrides

Members Absent: Jason Segedy, Robert Terry, Jerry Feeman

Staff: Dennis Tubbs, Stephen Knittel, Deb Matz.

Others: Chuck Hauber – SCE, Brady Higginbotham – CIVPro Engineering Item #1

A. Call to Order

Chair Mavrides

Allen Mavrides chaired the meeting and called the meeting to order on *Thursday, February 24, 2022, at 3:00 pm* in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308.

B. Roll Call

A roll call was conducted by *Dennis Tubbs* the attending members constituted a quorum.

C. **Approval of January 24, 2022, SCPC Minutes**

Chair Mavrides

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X					X
Open Seat						
Feeman, Jerry						
Reville, Rich	X					X
Kline, David	X	X		X		
Mavrides, Allen	X					X
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X		X	X		
Terry, Robert						
Open Seat						

Comments

No public comments

Motion

David Kline made a motion to approve the January 24, 2022, SCPC Minutes, and it was seconded by *Dennis Stoiber* the motion passed with three abstentions.

Old Business

None

New Business

Item # 1 – Meadows of Wintergreen – Preliminary Plan – Springfield Township - Located in Springfield Township at the intersection of Sanitarium and Portage Line Rd. The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50’ ROW roads, with five (5) cul-de-sacs.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the preliminary plan be **CONDITIONAL APPROVED. TABLED BY APPLICANT**

SCPC Action: **X**

Approval:

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X		X	X		
Open Seat						
Feeman, Jerry						
Reville, Rich	X			X		
Kline, David	X			X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X	X		X		
Terry, Robert						
Open Seat						

Comment

Brady Higginbotham spoke about the comments from Soil & Water and Engineer.

Allen Mavrides spoke about the intersection distance requirement.

Rich Reville asked if the lot sizes meet the zoning requirements.

Brady Higginbotham spoke about the zoning for this phase.

Jeff Snell asked about the open space in this phase.

Brady Higginbotham asked about the open space requirement.

Jeff Snell asked about the stormwater retention in this phase.

Brady Higginbotham spoke about the proposed stormwater system and how it ties into the existing system in phase 2.

George Beckham asked about the selection of the location for the stormwater basin.

The Township was not present

Allen Mavrides spoke about the Township comments.

Brady Higginbotham spoke about the easements between the phases and the township bog area.

Dennis Stoiber spoke about the easements.

Chuck Hauber stated the engineer had no additional comments and agreed with the staff’s recommendation. **Allen Mavrides** asked about the comments and the road intersection comment from staff.

Brady Higginbotham spoke about the road intersection distance comments.

The SCPC Members spoke about the conditional approval and the need for a variance and the 300-foot requirement.

Chuck Hauber spoke about the street that does not meet the 300-foot requirement.

The SCPC Members spoke about the applicant tabling the application.

No public comments

Motion

Dennis Stoiber made a motion to table Item #1, and it was seconded by **George Beckham** the motion passed with one abstention.

Item # 2 – Harts Landing – Replat – Springfield Township – Located in Springfield Township south of E Waterloo Rd and West of Springfield Lake at the terminus of Beach Drive extension. To create lot 4 and Block B (future development) from Block A (future development). The creation of a new lot in a platted subdivision requires SCPC approval.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed replat be **APPROVED**.

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X			X		
Open Seat						
Feeman, Jerry						
Reville, Rich	X			X		
Kline, David	X		X	X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X	X		X		
Terry, Robert						
Open Seat						

Comments

Dennis Stoiber asked about how the block will be split.

The Township was not present

No public comments

Motion

Dennis Stoiber made a motion to approve Item #2, and it was seconded by **David Kline** the motion passed with no abstention

Item # 3 – Zoning Text Amendment – Residential District - Sagamore Hills Township – The applicant has proposed that the Sagamore Hills Township Zoning Resolution revise Section 3 Residential District to amend setback language for residential structures.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed Zoning Text Amendment be **APPROVED**.

SCPC Action:

Approval: **X**

Disapproval:

Action:

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X				X	
Open Seat						
Feeman, Jerry						
Reville, Rich	X				X	
Kline, David	X	X			X	
Mavrides, Allen	X				X	
Segedy, Jason						
Snell, Jeff	X					X
Stoiber, Dennis	X		X		X	
Terry, Robert						
Open Seat						

Comments

Jeff Snell spoke about the text amendment and the issue the township is having related to setbacks.

No public comments

Motion

David Kline made a motion to approve Item #3, and it was seconded by *Dennis Stoiber* the motion passed with one abstention.

- | | | |
|----|----------------------------------|-----------------------|
| F | Report from Assistant Director | Tubbs |
| G. | Comments from Public | Chair Mavrides |
| H. | Comments from Commission Members | Chair Mavrides |
| I. | Other | |
| | 1. Legal Update | Matz |
| J. | Adjournment | Chair Mavrides |

SCPC Member	Present	Motion	Second	Yea	Nay	Abstain
Beckham, George	X			X		
Open Seat						
Feeman, Jerry						
Reville, Rich	X			X		
Kline, David	X		X	X		
Mavrides, Allen	X			X		
Segedy, Jason						
Snell, Jeff	X			X		
Stoiber, Dennis	X	X		X		
Terry, Robert						
Open Seat						

Comments

No public comments

Motion

Dennis Stoiber made a motion to adjourn the meeting at 3:46 pm, and it was seconded by **David Kline** the motion passed with no abstentions.



Planning Commission
Preliminary Plan
Meadows of Wintergreen
Springfield Township

EXECUTIVE SUMMARY

Located in Springfield Township at the intersection of Sanitarium and Portage Line Rd. The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50' ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Staff recommends: **Conditional Approval**

Item No.:	1	Area:	24.9951
Meeting:	March 31, 2022	Lots:	70
Developer:	Lockhart Development Co.	Streets:	50' R/W
Engineer:	CIVPRO Engineering	Utilities:	County of Summit Sewer, Village of Lakemore Water
Parcel No.:	5110193	Council District:	District 8
Zoning:	Residential PRD	Processor:	Stephen Knittel

Location: The site is located in Springfield Township, at the intersection of Sanitarium and Portage Line Rd.

Site History:

- **Concept Plan Phase 3:** November 2, 2021

Proposal: The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50' ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Site Conditions: GIS environmental Mapping shows no environmental issues on the parcel.

Township Zoning:

Zoning: The Zoning of the site is RPD (Residential)			
Direction	Zoning	Land Use	Municipality
North	R-2	Residential	Springfield Township
East	R	Residential	Portage County
South	R-1	Residential	Springfield Township
West	R-1	Residential	Springfield Township

Agency Comments: *Italicized text* indicates quotations from submitted agency comments. Applicable comments from previous Preliminary Plan reviews are included and indicated.

Springfield Township: Allen Swift, 2/7/2022: [The Township wants] *access to the Bog Area via an easement thru Phase III.*

County of Summit Engineer: Andy Dunchuck, 02/16/2022: *Our office has reviewed the attached Preliminary Plan and has the following comments. If you have any questions regarding this matter, please contact our office.*

Review Comments

1. *All Stormwater Management for the site must follow the SCE Stormwater Drainage Manual, Current Edition (Revised 1/1/20). The proposed SWM Basin must have an adequate outlet.*
2. *An additional 10' of R/W or permanent Highway Easement along the frontage of Sanitarium Road and Portage Line Road shall be dedicated to Summit County.*
3. *The minimum pavement width for the streets with access onto Sanitarium Road and Portage Line Road must be 26'. The streets with a proposed cul-de-sac will be permitted to be a minimum width of 24'.*
4. *Subdivision Regulation 1108.07 (f) requires street intersections have a minimum separation distance of 300'. The separation distance for the Street that runs West from Portage Line Road to the 1st intersection is 252'. All other street intersections within the proposed development comply with this requirement.*
5. *A 100-Year Overland Flow Path within a SWM Easement across the site to the SWM Facility will be required.*
6. *The minimum R/W/ Pavement radius for a proposed cul-de-sac without a center island is 60' and 45', respectively and 65' and 50', respectively with a center island.*

7. *All Catch/Inlet Basins, Storm Manholes, Headwalls, Monument Boxes, Curb and Gutter, etc... utilized on this project must follow Current ODOT Standard Construction Drawings.*
8. *The Intersection Sight Distance must be verified for the Design Speed (5-mph over the posted speed). Please use 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*
9. *The Stopping Sight Distances must be verified on Sanitarium Road and Portage Line Road for the proposed access points. Please use a design speed of 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*
10. *The Traffic Impact Questionnaire requires a Traffic Impact Assessment be completed for this project since the projected Daily Trips of 730 is within 500 - 749 trips on a typical weekday.*

Summit Soil and Water Conservation District: Julie Berbari, 02/10/2022:

The Summit Soil and Water Conservation District reviewed the preliminary plan for The Meadows of Wintergreen Phase 4 with the following comments & information:

Soils: The Summit County Soil Survey identifies several soil types on this proposed development area including: Chili silt loam (CnB) Chili Gravelly loam (CoC2), Wheeling silt loam (WrB) & Fitchville silt loam (FcA). Slopes range from 0-12% throughout the site.

Riparian Setbacks: Riparian setbacks were not identified on this site.

Wetlands: Potential wetlands have been identified on the 25 acre site. A wetland delineation will be required and a JD Letter from the Army Corps of Engineers. Any proposed impacts to wetlands must have the approval of the U.S. Army Corps of Engineers and the Ohio EPA in the form of permits from these agencies. A copy of any permits and any associated mitigation requirements must be forwarded to this office prior to plan approval.

Storm Water Pollution Prevention Plan and Post Construction Requirements: A Storm Water Pollution Prevention Plan (SWPPP) must be developed for this site and submitted to this office for approval. A post construction storm water quality practice must be designed per the OEPA NPDES Permit. All stormwater flow exiting this site must be treated by a structural post- construction water quality practice. The developer and consultant should refer to the Ohio EPA Phase II Construction General Permit, the Ohio Rainwater & Land Development Manual and Summit County Erosion/ Sediment Control, Post Construction Storm Water Quality - Chapter 941 for guidance. A Long-Term Maintenance Agreement between the County and Homeowner's Association will be required for the post construction practices.

The Summit County Engineers Office will review and approve storm water management for this site. Please reference the Summit County Comprehensive Storm Water Management - Chapter 943 and the Summit County Stormwater Drainage Manual for guidance.

The Ohio Environmental Protection Agency requires the Owner/Operator of any site where more than one acre will be disturbed to file a Notice of Intent and obtain an NPDES Permit. For a multi-phase construction project, a separate NOI shall be submitted when a separate SWP3 will be prepared for subsequent phases.

Staff Comments:

1. Proposed roadways need names.
2. Subdivision Regulation 1108.07(f) “Roads intersecting another road from opposite sides shall be at least three hundred (300) feet apart, measured between centerlines. – there is a road length were this is not met. The road needs to be moved or a variance for this needs to be submitted to the Summit County Planning Commission.

Recommendation: It is Staff’s recommendation that the SCPC **Conditionally Approve** the Preliminary Plan, with the conditions of satisfying the comments of the Summit County Engineer’s Office, Summit Soil and Water Conservation District and Planning Staff.

The Meadows of Wintergreen Phase 4 Preliminary Plan

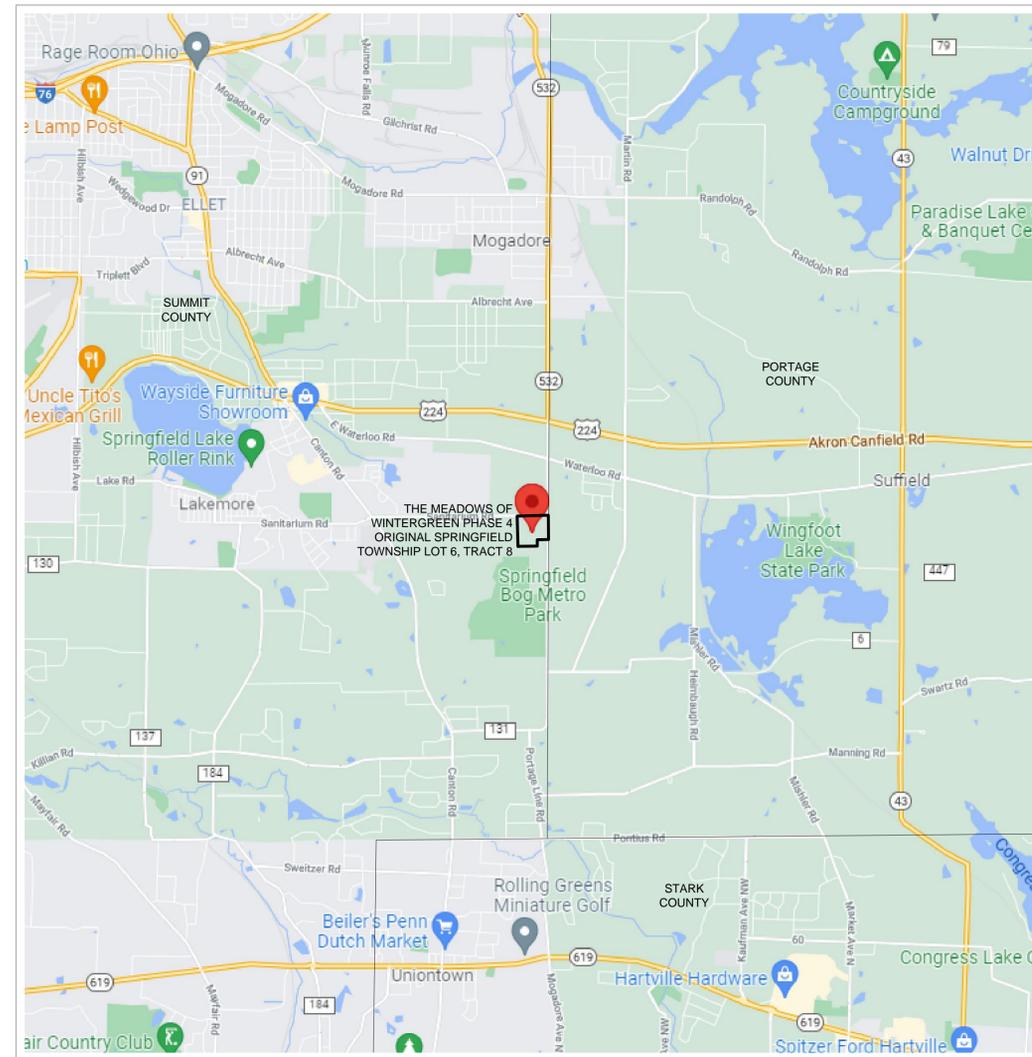
KNOWN AS BEING BLOCK C IN THE MEADOWS OF WINTERGREEN, PHASE I, AS RECORDED IN RECEPTION NO. 55424117, SUMMIT COUNTY RECORDS OF PLATS AND AS BEING PART OF ORIGINAL TOWNSHIP LOT 6, TRACT 8. LOCATED IN SPRINGFIELD TOWNSHIP, SUMMIT COUNTY, OHIO.

PROPOSED UTILITY SERVICES AND PROVIDERS

WATER SERVICE BY THE VILLAGE OF LAKEMORE
 SANITARY SEWER SERVICE BY THE SUMMIT COUNTY DEPT. OF SANITARY SEWER SERVICES (DSSS)

CONVENTIONAL SIGNS

- RIGHT OF WAY ••• EXISTING: , PROPOSED:
- MAJOR CONTOUR ••• EXISTING: , PROPOSED:
- MINOR CONTOUR ••• EXISTING: , PROPOSED:
- CORPORATION LINE ••• EXISTING: , PROPOSED:
- FENCE LINE ••• EXISTING: , PROPOSED:
- GUARDRAIL ••• EXISTING: , PROPOSED:
- MANHOLES ••• EXISTING: , PROPOSED: , REHABILITATED:
- CATCH BASINS •• EXISTING: , PROPOSED: , REHABILITATED:
- SIGNS ••••• 1-POST: , 2-POST: , 3-POST: , STREET:
- EXISTING POLES ••• POWER: , TELEPHONE: , LIGHT: , SPAN:
- PROPOSED POLES ••• POWER: , TELEPHONE: , LIGHT: , SPAN:
- EXIST. UTILITIES ••• VALVE: , HYDRANT: , METERS: , GUY:



LEGEND

	D.H.F. DRILL HOLE FOUND		D.H.S. DRILL HOLE SET
	RAIL ROAD SPIKE FOUND		RAIL ROAD SPIKE SET
	MONUMENT FOUND IN BOX		MONUMENT BOX WITH IRON PIN SET
	P.K.F. P.K. NAIL/MAG NAIL FOUND		P.K.S. P.K. NAIL/MAG NAIL SET
	I.P.F. IRON PIN FOUND		I.P.S. IRON PIN SET

ALL IRON PINS SET ARE 5/8" IN DIAMETER AND 30" IN LENGTH.
 ALL IRON PINS SET ARE CAPPED "CIVPRO PS 8488."

CENTERLINE _____
 PROPERTY LINE _____
 EXISTING ADJOINERS PROPERTY LINE _____
 EXISTING RIGHT-OF-WAY LINE _____
 PROPOSED RIGHT-OF-WAY LINE _____
 FENCE _____

REC. RECEPTION RECORD ()	Ac. SQ. FT. ACRES
Meas. MEASURED	SQ. FT. SQUARE FEET
No. NUMBER	VOL. VOLUME
S/L. SUBLIST	Pg. PAGE
Da. DEED	Stm. STORM
Calc. CALCULATED	San. SANITARY
Obs. OBSERVED	N. NORTH
Co. COMPANY	S. SOUTH
Easmt. EASEMENT	E. EAST
Bldg. BUILDING	W. WEST
I. IRON	Fd. FOUND
P.P.N. PERMANENT PARCEL NUMBER	P.O.B. PLACE OF BEGINNING
RCP. REINFORCED CONCRETE PIPE	P.P.O.B. PRINCIPAL PLACE OF BEGINNING
ENCR. ENCROACHES	C.L.F. CHAIN-LINK FENCE
CLR. CLEARS	CONN. CONNECTION
Ex. EXISTING	Adj. ADJACENT
	CNTY. COUNTY

SUBDIVISION DATA

AREA OUTSIDE OF EXISTING R/W EASEMENT:	23.6653 AC.
AREA IN EXISTING R/W EASEMENT:	1.3298 AC.
TOTAL AREA:	24.9951 AC.
AREA IN PROPOSED LOTS:	17.3968 AC.
AREA IN PROPOSED BLOCK A:	1.9582 AC.
AREA IN R/W TO BE DEDICATED:	5.6401 AC.
TOTAL AREA:	24.9951 AC.
TOTAL CENTERLINE LENGTH OF PROP. ROADS:	3,117 FT.
TOTAL NUMBER OF PROPOSED LOTS:	70
TOTAL NUMBER OF PROPOSED BLOCKS:	1

BASIS OF BEARING:
 THE BASIS OF BEARING IS OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3401) NAD 83 (1986) AND BEING THE CENTER LINE OF PORTAGE LINE ROAD S 00°38'32" E.

KEITH A. DYLEWSKI, P.E., P.S.
 CIVPRO ENGINEERING, LLC



1/26/22
 DATE



PLAN PREPARED BY:
 CIVPRO ENGINEERING, LLC
 4450 Belden Village Street NW, Suite 800
 Canton, Ohio 44718
 (234) 410-3913

OWNER:
 Lockhart Development Company
 800 W Waterloo Rd
 Akron, Ohio 44314
 (330) 745-6520
 ATTN: Bob Lockhart

APPROVED BY THE SPRINGFIELD TOWNSHIP ZONING INSPECTOR THIS _____ DAY OF _____ 20____.

 SPRINGFIELD TOWNSHIP ZONING INSPECTOR

0 1500 3000
 HORIZONTAL SCALE IN FEET

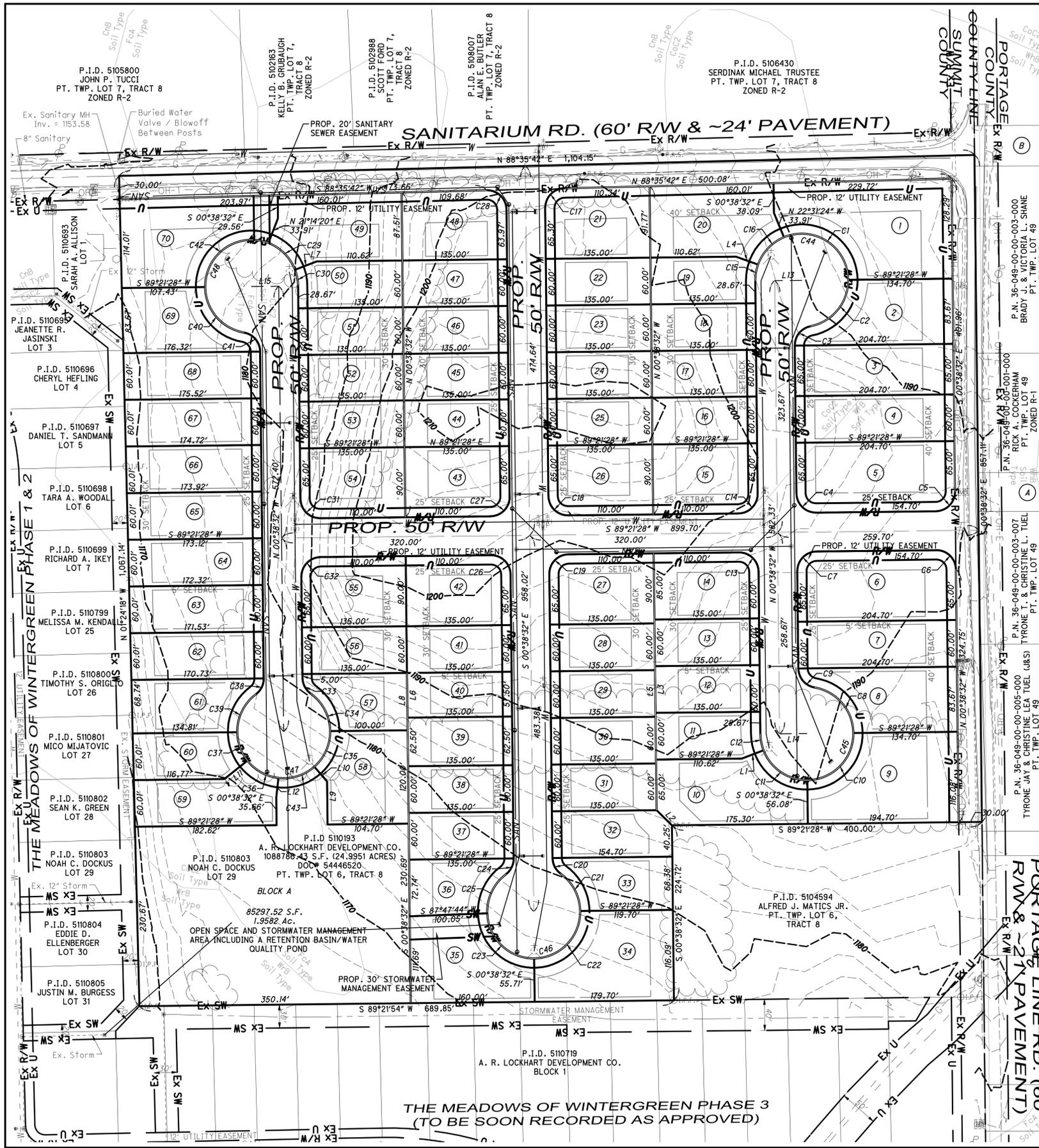
CHECKED BY: KAD
 DATE: Jan. 2022
 DRAWN BY: BMH
 DATE: Jan. 2022

REVISIONS:	DATE	DESCRIPTION

The Meadows of Wintergreen Phase 4 Preliminary Plan
 Title Sheet
 Springfield Township
 Summit County, Ohio

ENGINEERS-SURVEYORS-CONSTRUCTION MANAGERS
 4450 BELDEN VILLAGE STREET NW, SUITE 800 CANTON, OH 44718
 PHONE (234) 410-3913 EMAIL: KAD@CIVPROENGINEERING.COM
 WWW.CIVPROENGINEERING.COM

DRAWING NAME: Wintergreen 4 Preliminary Plan.dwg
 REF NUMBER:
 1 / 2



ZONING REQUIREMENTS SUMMARY
 ZONED: RESIDENTIAL PLANNING DISTRICT (RPD)
 USE: SINGLE FAMILY DWELLING UNITS

MIN. LOT DIMENSIONS
 MIN. LOT SIZE: 5,000 S.F. (SEE NOTE 1)
 MIN. LOT WIDTH: 50'

MIN. BUILDING SETBACKS
 FRONT (FRONTING A LOCAL RESIDENTIAL R/W): 25' (SEE NOTE 2)
 FRONT (FRONTING A COUNTY DESIGNATED R/W): 40'
 SIDE: 5' (SEE NOTE 3)
 REAR: 30' (SEE NOTE 3)

TOTAL MINIMUM FLOOR AREA FOR A UNIT: 1,000 S.F.
MAX BUILDING HEIGHT: 35'

NOTES:
 1. LOTS OF LESS THAN 8,000 S.F. SHALL HAVE GARAGES THAT AREA REAR LOADED OR SET BACK A MINIMUM 5' FROM THE FRONT FACADE OF THE REMAINDER OF THE HOUSE.
 2. ADDITIONALLY, THE FRONT FACADE OF ANY FRONT-LOADED GARAGE MUST BE SET BACK 30'.
 3. THE SIDE AND REAR SETBACKS MAY BE LESS THAN THE 5' AND 30' SPECIFIED ABOVE SO LONG AS THERE IS A MINIMUM OF 10' BETWEEN THE SIDE FACADES OF ANY TWO HOMES AND 60' BETWEEN THE REAR FACADES OF ANY TWO HOMES.
 4. PER THE U.S. FISH AND WILDLIFE SERVICE WETLANDS MAPPER, NO WETLANDS ARE PRESENT WITHIN 200' OF THE PARCEL TO BE SUBDIVIDED.
 5. PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM), NO FLOOD PLAIN HAZARDS ARE PRESENT WITHIN 200' OF THE PARCEL TO BE SUBDIVIDED.
 6. ALL LOTS WITHIN THE MEADOWS OF WINTERGREEN SUBDIVISION ARE ZONED WITH THE RESIDENTIAL PLANNING DISTRICT (RPD) OVERLAY.
 7. THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) NATIONAL RESOURCES CONSERVATION SERVICE WEB SOIL SURVEY (WSS) WAS USED TO IDENTIFY THE SOIL TYPES SHOWN.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	111°52'52"	60.00'	117.16'	N 56°34'58" W	99.41'	88.75'
C2	79°50'09"	60.00'	83.60'	N 39°16'32" E	77.00'	50.20'
C3	79°50'09"	25.00'	34.83'	N 39°16'32" E	32.08'	20.92'
C4	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C5	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C6	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C7	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C8	79°50'09"	60.00'	83.60'	N 40°33'37" W	77.00'	50.20'
C9	79°50'09"	25.00'	34.83'	N 40°33'37" W	32.08'	20.92'
C10	90°00'00"	60.00'	94.25'	N 44°21'28" E	84.85'	60.00'
C11	69°37'39"	60.00'	72.91'	S 55°49'43" E	68.51'	41.72'
C12	20°22'21"	60.00'	21.33'	S 10°49'43" E	21.22'	10.78'
C13	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C14	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C15	20°22'21"	60.00'	21.33'	S 09°32'38" W	21.22'	10.78'
C16	47°44'47"	60.00'	50.00'	S 43°36'12" W	48.57'	26.55'
C17	89°14'14"	25.00'	38.94'	N 43°58'35" E	35.12'	24.67'
C18	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C19	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C20	53°58'05"	25.00'	23.55'	N 27°37'35" W	22.69'	12.73'
C21	53°37'35"	60.00'	56.16'	N 27°47'50" W	54.13'	30.33'
C22	90°20'30"	60.00'	94.61'	N 44°11'13" E	85.11'	60.36'
C23	88°46'45"	60.00'	92.97'	S 46°15'10" E	83.94'	58.74'
C24	53°58'05"	25.00'	23.55'	N 26°20'30" E	22.69'	12.73'
C25	55°11'20"	60.00'	57.79'	N 25°43'53" E	55.59'	31.36'
C26	90°00'00"	25.00'	39.27'	S 45°38'32" E	35.36'	25.00'
C27	90°00'00"	25.00'	39.27'	S 44°21'28" W	35.36'	25.00'
C28	90°45'46"	25.00'	39.60'	S 46°01'25" E	35.59'	25.34'
C29	47°44'47"	60.00'	50.00'	N 44°53'17" W	48.57'	26.55'
C30	20°22'21"	60.00'	21.33'	N 10°49'43" W	21.22'	10.78'
C31	90°00'00"	25.00'	39.27'	N 45°38'32" W	35.36'	25.00'
C32	90°00'00"	25.00'	39.27'	N 44°21'28" E	35.36'	25.00'
C33	53°58'05"	25.00'	23.55'	N 27°37'35" W	22.69'	12.73'
C34	53°58'05"	60.00'	56.52'	N 27°37'35" W	54.45'	30.55'
C35	49°24'56"	60.00'	51.75'	N 24°03'56" E	50.16'	27.61'
C36	45°00'00"	60.00'	47.12'	S 60°58'49" E	45.92'	24.85'
C37	37°50'17"	60.00'	39.62'	S 19°33'41" E	38.91'	20.56'
C38	53°58'05"	25.00'	23.55'	S 26°20'30" W	22.69'	12.73'
C39	53°58'05"	60.00'	56.52'	S 26°20'30" W	54.45'	30.55'
C40	79°50'09"	60.00'	83.60'	S 40°33'37" E	77.00'	50.20'
C41	79°50'09"	25.00'	34.83'	S 40°33'37" E	32.08'	20.92'
C42	111°52'52"	60.00'	117.16'	S 55°17'54" W	99.41'	88.75'
C43	47°44'47"	60.00'	50.00'	N 72°38'47" E	48.57'	26.55'
C44	259°50'09"	60.00'	272.10'	N 50°43'28" W	92.04'	71.71'
C45	259°50'09"	60.00'	272.10'	S 49°26'23" W	92.04'	71.71'
C46	287°56'10"	60.00'	301.53'	S 89°21'28" W	70.59'	43.64'
C47	287°56'10"	60.00'	301.53'	S 89°21'28" W	70.59'	43.64'
C48	259°50'09"	60.00'	272.10'	N 49°26'23" E	92.04'	71.71'

LINE TABLE

LINE	BEARING	LENGTH
L1	N 68°59'06" E	30.01'
L2	N 45°34'23" W	27.90'
L3	N 00°38'32" W	60.00'
L4	N 70°16'11" W	30.01'
L5	S 00°38'32" E	60.00'
L6	N 00°38'32" W	57.50'
L7	S 68°59'07" W	30.01'
L8	S 00°38'32" E	73.74'
L9	S 00°38'32" E	55.45'
L10	N 41°31'37" W	25.00'
L11	N 51°31'11" E	37.81'
L12	S 06°31'11" W	25.00'
L13	S 89°21'28" W	35.00'
L14	S 89°21'28" W	35.00'
L15	S 89°21'28" W	35.00'

PARCEL AREA TABLE

#	AREA (S.F.)		AREA (AC.)		
	AREA (S.F.)	AREA (AC.)	AREA (S.F.)	AREA (AC.)	
1	24077.82	0.5528	36	842.84	0.1869
2	13589.77	0.3120	37	8100.00	0.1860
3	13305.62	0.3055	38	8100.00	0.1860
4	12282.12	0.2820	39	8437.50	0.1937
5	18154.93	0.4168	40	7762.50	0.1782
6	18154.93	0.4168	41	8100.00	0.1860
7	12282.12	0.2820	42	12015.87	0.2758
8	13589.77	0.3120	43	12015.87	0.2758
9	19774.29	0.4540	44	8100.00	0.1860
10	15466.17	0.3551	45	8100.00	0.1860
11	8018.06	0.1841	46	8100.00	0.1860
12	8100.00	0.1860	47	8100.00	0.1860
13	8100.00	0.1860	48	11796.76	0.2708
14	11340.87	0.2604	49	14081.47	0.3233
15	12015.87	0.2758	50	8018.06	0.1841
16	8100.00	0.1860	51	8100.00	0.1860
17	8100.00	0.1860	52	8100.00	0.1860
18	8100.00	0.1860	53	8100.00	0.1860
19	8018.06	0.1841	54	12015.87	0.2758
20	15103.97	0.3467	55	12015.87	0.2758
21	12137.59	0.2786	56	8100.00	0.1860
22	8100.00	0.1860	57	8553.61	0.1964
23	8100.00	0.1860	58	12796.60	0.2938
24	8100.00	0.1860	59	11695.68	0.2685
25	8100.00	0.1860	60	8158.68	0.1873
26	12015.87	0.2758	61	10303.00	0.2365
27	12015.87	0.2758	62	10267.60	0.2357
28	8100.00	0.1860	63	10315.53	0.2368
29	8100.00	0.1860	64	10363.46	0.2379
30	8100.00	0.1860	65	10411.39	0.2390
31	8100.00	0.1860	66	10459.32	0.2401
32	9087.57	0.2086	67	10507.25	0.2412
33	9190.08	0.2110	68	10555.18	0.2423
34	18011.13	0.4135	69	11261.68	0.2585
35	15420.66	0.3540	70	18400.40	0.4224

P.N. 36-049-00-00-002-000
BRADY J. & VICTORIA L. SHANE
PT. TWP. LOT 49

P.N. 36-048-00-00-UNK-000
NO COUNTY DATA IS
AVAILABLE FOR THIS PARCEL

(A)
(B)

N
NE
SE
SW

0 35 70
HORIZONTAL
SCALE IN FEET

CHECKED BY: KAD
DATE: Jan. 2022
DRAWN BY: BMH
DATE: Jan. 2022

REVISONS:
DATE DESCRIPTION

The Meadows of Wintergreen Phase 4 Preliminary Plan
Preliminary Plan
Springfield Township
Summit County, Ohio

CIVPRO
ENGINEERING
ENGINEERS-SURVEYORS-CONSTRUCTION MANAGERS
4450 BELDEN VILLAGE STREET, NW, SUITE 800 CANTON, OH 44718
PHONE: (234) 410-3913 EMAIL: KAD@CIVPROENGINEERING.COM
WWW.CIVPROENGINEERING.COM

DRAWING NAME: Wintergreen 4 Preliminary Plan.dwg
REF NUMBER: 2 / 2



Planning Commission
 Preliminary Plan
Meadows of Wintergreen
 Springfield Township

EXECUTIVE SUMMARY

Located in Springfield Township at the intersection of Sanitarium and Portage Line Rd. The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50’ ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Staff recommends: **Conditional Approval**

Item No.: 2	Area: 24.9951
Meeting: March 31, 2022	Lots: 70
Developer: Lockhart Development Co.	Streets: 50’ R/W
Engineer: CIVPRO Engineering	Utilities: County of Summit Sewer, Village of Lakemore Water
Parcel No.: 5110193	Council District: District 8
Zoning: Residential PRD	Processor: Stephen Knittel

Location: The site is located in Springfield Township, at the intersection of Sanitarium and Portage Line Rd.

Site History:

- **Concept Plan Phase 3:** November 2, 2021

Proposal: The applicant is proposing 70 lots on 24.9951 acres. Open Space and Stormwater Management area within Block A, 1.9582 acres. Proposing four (4) new 50’ ROW roads, with five (5) cul-de-sacs.

Sewage serviced by Summit County Dept. of Sanitary Sewer Services and Village of Lakemore Water.

Site Conditions: GIS environmental Mapping shows no environmental issues on the parcel.

Township Zoning:

Zoning: The Zoning of the site is RPD (Residential)			
Direction	Zoning	Land Use	Municipality
North	R-2	Residential	Springfield Township
East	R	Residential	Portage County
South	R-1	Residential	Springfield Township
West	R-1	Residential	Springfield Township

1a. Variance Request:

The applicant is requesting a variance from Subdivision Regulation 1108.10 (a) Cul-de-sac, which states a commercial/industrial park cul-de-sac shall not be exceed 1,300' in length.

1108.07 Geometric Design (f) Street Intersections ... Roads intersecting another road from opposite sides shall be at least three hundred (300) feet apart, measured between centerlines.

The following narratives were submitted in response to the questions posed in the variance application. Staff comments are ***bold and italicized***.

- i. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land? If, so please explain.

Yes. Portage Line Road is especially hilly along this parcel, making it undesirable to have lots front this road.

There are not exceptional topographic or other physical conditions peculiar to this parcel.

- ii. What is the unnecessary hardship which will result from a literal enforcement of the Subdivision Regulation owing to the special conditions set forth in subparagraph (i.) herein?

Either lots front will Portage Line Rd. which is undesirable for the reason stated above and contrary to the preferred layout per Subdivision Regulation 1108.03 or lots have to become unreasonably long, nearly triple the min. lot width per zoning regulations.

The layout of lots would change, resulting in lots fronting on Portage Line Rd. contrary to the preferred layout per sub reg 1108.03 or there would be a loss of potential lots on the site.

- iii. Did the special conditions specified in subparagraph (i.) result from previous actions by the applicant? Please explain.

No. The road was just built that way a long time ago.

No.

- iv. Explain whether the variance requested is substantial.

Yes . it is substantial for reasons stated in no. 2

The variance request is not substantial, as the applicant is requesting an variance of 50 ft.

- v. Explain whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

No adjoining properties or neighborhoods would suffer. It is very common for subdivisions to have an intersection after turning into the subdivision and traveling the length/depth of one lot.

The essential character of the neighborhood would not change with the granting of the variance nor would adjoining properties suffer substantial detriment.

- vi. Will the variance adversely affect the delivery of governmental services, including but not limited to, access by firefighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land?

No.

This variance would NOT adversely affect the delivery of governmental services, including but not limited to, access by firefighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land.

- vii. Explain whether the Subdivision Regulation was in effect at the time of acquisition of the property by the applicant and whether the applicant purchased the property with the knowledge of the Regulation.

This regulation was in effect at the time of acquisition of this property. The applicant did not have knowledge of this regulation at that time.

The regulation was in effect. The applicant did not have knowledge.

- viii. Explain whether the applicant's predicament can be feasibly solved through some method other than a variance.

See no. 2

A change in the layout of lots, possibly resulting in lots fronting on Portage Line Rd. contrary to the preferred layout per sub reg 1108.03 or there would be fewer potential lots on the site.

- ix. Explain how the variance from the Subdivision Regulations will not be contrary to the public interest.

I do not believe this will be contrary to the public interest because it will not be noticeable to the public

This variance would not be contrary to public interest as the access and use would not pose a threat/concern to public safety or the character of the neighborhood.

- x. Explain how the spirit and intent behind the Subdivision Regulations will be observed if the variance is granted.

I presume that the intent is limited traffic congestion. This will be preserved because this road will not be used to convey any traffic other than traffic from this phase of this subdivision, which will not cause cars to be backed up more than 250'.

The spirit and intent of the following purposes and objectives of the Regulations as listed in § 1101.02:

- (a) The proper arrangement of streets or highways in relation to existing or proposed streets and highways and the thoroughfare plan.
This variance request is for a shorter distance between street intersections.
- (b) Adequate and convenient open spaces for traffic, utilities, access for firefighting apparatus, recreation, light and air, and the avoidance of congestion of the population.
This variance would NOT adversely affect the adequate and convenient open spaces for traffic, utilities, access for firefighting apparatus, recreation, light and air, and the avoidance of congestion of the population.
- (c) The orderly, efficient, and appropriate development of land.
This would not impact the orderly, efficient and appropriate development of land.
- (d) The orderly and efficient provision of community facilities at minimum cost and maximum convenience.
This would not impact the orderly and efficient provision of community facilities.
- (e) Safe and convenient vehicular and pedestrian movement.
This variance is to reduce the distance between intersections and is not substantial enough of a reduction to impact the safe and convenient vehicular and pedestrian movement.

- (f) The promotion of public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment.
This variance request would not impact public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment.
 - (g) The accurate surveying of land, preparing and recording of plats.
This would not impact the accurate surveying of land, preparing and recording of plats.
 - (h) The equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and Developer as defined herein.
- xi. Explain how the requested variance is the minimum variance to the Subdivision Regulations that will allow for a reasonable division of land.

250' allows us to go with the current layout ,and provides only 9.70' of play should anything need to be shifted in the future as we go through the design process.

Without the variance a change in the layout of lots would be required, possibly resulting in lots fronting on Portage Line Rd. contrary to the preferred layout per sub reg 1108.03 or there would be fewer potential lots on the site.

Staff Comments: Variances are to alleviate unnecessary hardships imposed by literal enforcement of the subdivision regulations due to exceptional topographic or other physical conditions peculiar to a parcel.

Staff Recommendation: Staff recommends the SCPC **APPROVE** the Variance Request.

Agency Comments: *Italicized text* indicates quotations from submitted agency comments. Applicable comments from previous Preliminary Plan reviews are included and indicated.

Springfield Township: Allen Swift, 2/7/2022: [The Township wants] *access to the Bog Area via an easement thru Phase III.*

County of Summit Engineer: Andy Dunchuck, 02/16/2022: *Our office has reviewed the attached Preliminary Plan and has the following comments. If you have any questions regarding this matter, please contact our office.*

Review Comments

1. *All Stormwater Management for the site must follow the SCE Stormwater Drainage*

Manual, Current Edition (Revised 1/1/20). The proposed SWM Basin must have an adequate outlet.

2. *An additional 10' of R/W or permanent Highway Easement along the frontage of Sanitarium Road and Portage Line Road shall be dedicated to Summit County.*

3. *The minimum pavement width for the streets with access onto Sanitarium Road and Portage Line Road must be 26'. The streets with a proposed cul-de-sac will be permitted to be a minimum width of 24'.*

4. *Subdivision Regulation 1108.07 (f) requires street intersections have a minimum separation distance of 300'. The separation distance for the Street that runs West from Portage Line Road to the 1st intersection is 252'. All other street intersections within the proposed development comply with this requirement.*

5. *A 100-Year Overland Flow Path within a SWM Easement across the site to the SWM Facility will be required.*

6. *The minimum R/W/ Pavement radius for a proposed cul-de-sac without a center island is 60' and 45', respectively and 65' and 50', respectively with a center island.*

7. *All Catch/Inlet Basins, Storm Manholes, Headwalls, Monument Boxes, Curb and Gutter, etc... utilized on this project must follow Current ODOT Standard Construction Drawings.*

8. *The Intersection Sight Distance must be verified for the Design Speed (5-mph over the posted speed). Please use 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*

9. *The Stopping Sight Distances must be verified on Sanitarium Road and Portage Line Road for the proposed access points. Please use a design speed of 45-mph for Sanitarium Road and 50-mph for Portage Line Road.*

10. *The Traffic Impact Questionnaire requires a Traffic Impact Assessment be completed for this project since the projected Daily Trips of 730 is within 500 - 749 trips on a typical weekday.*

Summit Soil and Water Conservation District: Julie Barbari, 02/10/2022:

The Summit Soil and Water Conservation District reviewed the preliminary plan for The Meadows of Wintergreen Phase 4 with the following comments & information:

Soils: The Summit County Soil Survey identifies several soil types on this proposed development area including: Chili silt loam (CnB) Chili Gravelly loam (CoC2), Wheeling silt loam (WrB) & Fitchville silt loam (FcA). Slopes range from 0-12% throughout the site.

Riparian Setbacks: Riparian setbacks were not identified on this site.

Wetlands: Potential wetlands have been identified on the 25 acre site. A wetland delineation will be required and a JD Letter from the Army Corps of Engineers. Any proposed impacts to wetlands

must have the approval of the U.S. Army Corps of Engineers and the Ohio EPA in the form of permits from these agencies. A copy of any permits and any associated mitigation requirements must be forwarded to this office prior to plan approval.

Storm Water Pollution Prevention Plan and Post Construction Requirements: A Storm Water Pollution Prevention Plan (SWPPP) must be developed for this site and submitted to this office for approval. A post construction storm water quality practice must be designed per the OEPA NPDES Permit. All stormwater flow exiting this site must be treated by a structural post- construction water quality practice. The developer and consultant should refer to the Ohio EPA Phase II Construction General Permit, the Ohio Rainwater & Land Development Manual and Summit County Erosion/ Sediment Control, Post Construction Storm Water Quality - Chapter 941 for guidance. A Long-Term Maintenance Agreement between the County and Homeowner's Association will be required for the post construction practices.

The Summit County Engineers Office will review and approve storm water management for this site. Please reference the Summit County Comprehensive Storm Water Management - Chapter 943 and the Summit County Stormwater Drainage Manual for guidance.

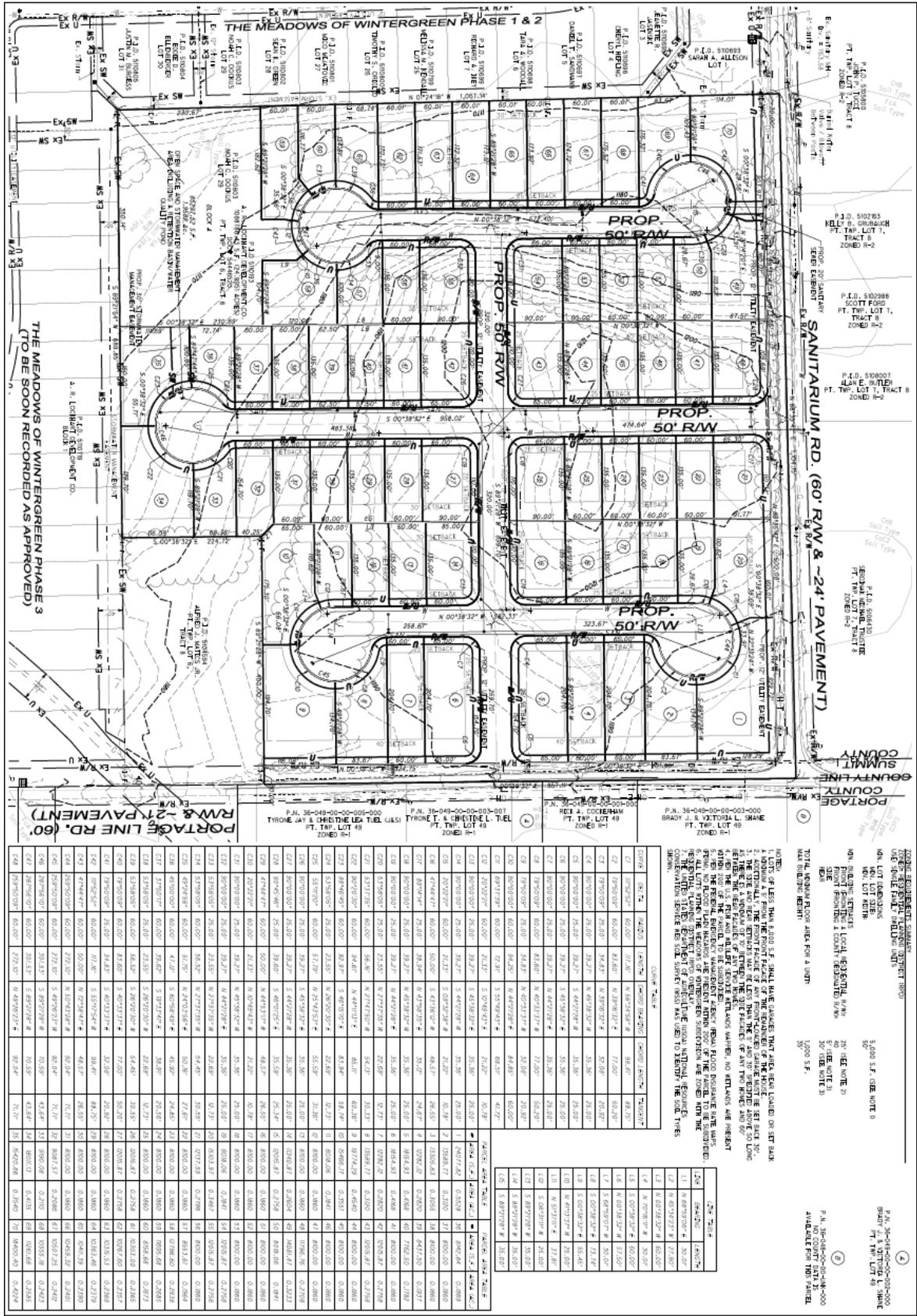
The Ohio Environmental Protection Agency requires the Owner/Operator of any site where more than one acre will be disturbed to file a Notice of Intent and obtain an NPDES Permit. For a multi-phase construction project, a separate NOI shall be submitted when a separate SWP3 will be prepared for subsequent phases.

Staff Comments:

1. Proposed roadways need names.
2. Subdivision Regulation 1108.07(f) "Roads intersecting another road from opposite sides shall be at least three hundred (300) feet apart, measured between centerlines. – there is a road length were this is not met. The road needs to be moved or a variance for this needs to be submitted to the Summit County Planning Commission.

Recommendation: It is Staff's recommendation that the SCPC **Conditionally Approve** the Preliminary Plan, with the conditions of satisfying the comments of the Summit County Engineer's Office, Summit Soil and Water Conservation District and Planning Staff.

Meadows of Wintergreen Phase 4 Preliminary Plan



CIVPRO ENGINEERING
 1000 S. 10th St., Suite 100
 Lincoln, NE 68502
 Phone: (402) 441-1111
 Fax: (402) 441-1112
 Email: info@civpro.com

The Meadows of Wintergreen Phase 4 Preliminary Plan
 Preliminary Plan
 Summit County, Ohio

REVISIONS	DATE	DESCRIPTION
1	01/20/22	PRELIMINARY PLAN

APPENDIX E – APPLICATION FOR VARIANCE



**County of
Summit,**
Russell M. Pry,
Executive

Variance Application

Department of Community and Economic
Development
Ohio Building - Suite 207 - 175 S. Main St. - Akron, OH 44308

APPLICANT INFORMATION

Applicant Lockhart Development Company

Address 800 W. Waterloo Rd. Akron, OH 44314

Phone 330-745-6520

Email _____

OWNER INFORMATION

Owner Lockhart Development Company

Address 800 W. Waterloo Rd. Akron, OH 44314

Phone 330-745-6520

Email _____

SITE INFORMATION

Name of Subdivision _____

or Address The Meadows of Wintergreen Phase 4

Location Southwest of the intersection of Sanitarium Rd. & Portage Line Rd.

Parcel No.'s 5110193

Creating Sublots 1-70

Acreage 23.8 acres

Water Provider Village of Lakemore

Septic or Central Sewer Provider Summit County Dept. of Sanitary Sewer Services

FILING FEES

Variance Fees

\$300.00 per Variance Request

VARIANCE INFORMATION

Nature of Subdivision regulation Variance required: (Describe generally the nature of the variance.)

To have a road in which 2 cross-intersections (centerlines) are spaced a min. of 250' apart rather than 300'.

Provide the specific Subdivision Regulation from which a variance is requested:

Article:

1108.07

Section:

f

APPENDIX E – APPLICATION FOR VARIANCE (Page 2)

JUSTIFICATION OF VARIANCE:

Applicant shall provide written justification for the requested variance by responding to the following questions.

1. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land? If so, please explain.

Yes. Portage Line Road is especially hilly along this parcel, making it undesirable to have lots front this road.

2. What is the unnecessary hardship which will result from a literal enforcement of the Subdivision Regulation owing to the special conditions set for in subparagraph (1.) herein?

Either lots front will Portage Line Rd. which is undesirable for the reason stated above and contrary to the preferred layout per Subdivision Regulation 1108.03 or lots have to become unreasonably long, nearly triple the min. lot width per zoning regulations.

3. Did the special conditions specified in subparagraph (1.) result from previous actions by the applicant? Please explain.

No. The road was just built that way a long time ago.

4. Explain whether the variance requested is substantial.

Yes, it is substantial for reasons stated in no. 2.

5. Explain whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

No adjoining properties or neighborhoods would suffer. It is very common for subdivisions to have an intersection after turning into the subdivision and traveling the length/depth of one lot.

6. Will the variance adversely affect the delivery of governmental services, including but not limited to, access by fire fighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land?

No

7. Explain whether the Subdivision Regulation was in effect at time of acquisition of the property by the applicant and whether the applicant purchased the property with the knowledge of the Regulation.

APPENDIX E – APPLICATION FOR VARIANCE (Page 3)

This regulation was in effect at the time of aquisition of this property. The applicant did not have knowledge of this regulation at that time.

8. Explain whether the applicant's predicament can be feasibly solved through some method other than a variance.

See no. 2.

9. Explain how the variance from the Subdivision Regulations will not be contrary to the public interest.

I do not believe this will be contrary to the public interest because it will not be noticeable to the public

10. Explain how the spirit and intent behind the Subdivision Regulations will be observed if the variance is granted.

I presume that the intent is limited traffic congestion. This will be preserved because this road will not be used to convey any traffic other than traffic from this phase of this subdivision, which will not cause cars to be backed up more than 250'.

11. Explain how the requested variance is the minimum variance to the Subdivision Regulations that will allow for a reasonable division of land.

250' allows us to go with the current layout ,and provides only 9.70' of play should anything need to be shifted in the future as we go through the design process.

ACTION OF THE SUMMIT COUNTY PLANNING COMMISSION SHOULD BE SENT TO:

Name Brady Higginbotham, E.I.

Address 4450 Belden Village Street NW, Suite 800

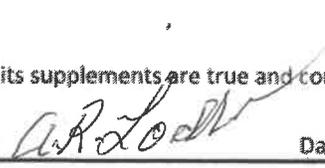
Phone 234-410-3913

Email bmh@civproengineering.com

Respectfully submitted this _____ day of _____,

I certify that all information contained in this application and its supplements are true and correct.

Applicant's or Authorized Representative's Signature



Date 6/3/21/2022

Fee Amount Paid: _____

Date Application Received: _____

Number of Lots: _____

Staff: _____



Planning Commission
 Riparian Variance
3484 Southern Rd
 Richfield Township

EXECUTIVE SUMMARY

The site is located in Richfield Township at 3484 Southern Rd (parcel 4800445). The applicant is proposing to build a shared drive for future lots in the rear of the property and must cross wetlands to access the rear of the property. The applicant is requesting a variance to allow the shared drive to disturb 0.0767 acres of wetland.

Staff recommends **APPROVAL**.

Item No.: 3	Parcel No.: 4800445
Meeting: March 31, 2022	Area: 29 acres
Owner: Randy Hooke	Council District: District 1
	Processor: Stephen Knittel

Proposal: The applicant is proposing to build a shared drive for future lots in the rear of the property and must cross wetlands to access the rear of the property. The applicant is requesting a variance to allow the shared drive to disturb 0.0767 acres of wetland.

Agency Comments: *Italicized text indicates quotations from submitted agency comments.*

SWCD: Sasha Mikheidze, 3/21/2022:

Stephen,

I am writing you to let you know that we have no objections to having the variance (of which we are in support) hearing this week for the Randy Hooke project. While the plan is not approved as of yet, that should have no bearing on the topic for the variance. We will continue to work with the project engineers to get their site approved and keep you posted in the process.

Staff Comments:

Per the applicant:

Per the applicant:

- Impact will be 0.0767 acres out of a total of 5.6807 acres of stream/riparian/wetland on the 29 acre property
- The driveway would serve three proposed lots
- There is no known impact on properties upstream or downstream

- Less than one tenth of an acre of wetlands will be crossed leaving most of the wetlands intact
- Army Core Permit #2021-00658
- The variance request is not substantial
- The location of wetlands in the middle of the property prohibits access to the rear of the property
- Placement of shared drive is to minimize impact to the wetland with plans to keep the remainder of the wetlands untouched

Recommendation: SCPC Staff defers to Summit SWCD Staff's recommendation for the Variance to be **APPROVED.**



**APPLICATION FOR RESIDENTIAL VARIANCE WITHIN RIPARIAN SETBACK
SUMMIT COUNTY, OHIO**

This form shall be completed by the applicant and submitted at least fifteen (15) days prior to a regularly scheduled Summit County Planning Commission meeting. A variance review fee of \$350.00 (made payable to the **Summit SWCD**) must accompany application. If you have questions or need assistance while filling out this application, please call the **Summit SWCD** at 330-929-2871.
(Type or print)

Applicant: RANDY HOOKE
Street Address: 3484 Southern RD
City, Village, or Township: RICHFIELD Township, Ohio Zip Code: 44286
Phone: 440-915-5605 FAX: _____ Email: RHCCOMPANY@YAHOO.COM
Location of property: 3484 Southern RD

Parcel number (s): 4800445

Stream name (if unnamed, nearest named stream it flows into): _____

Owner of property: RANDY HOOKE

Street Address: 3484 Southern RD

City, Village, or Township: RICHFIELD Township, Ohio Zip Code: 44286

Phone: 440-915-5605 FAX: _____ Email: RHCCOMPANY@YAHOO.COM

Give a brief description of the nature of the variance: _____

Impact to to 0.0767 of wetland

JUSTIFICATION OF VARIANCE:

Written justification for the requested variance shall be made. Responses to the following questions shall be provided.

1. How far is the proposed project (i.e., construction of any buildings, decks, roads or utilities) from the stream? 0 (feet)

2. Explain how the stream and riparian area may be affected by this variance. New DRIVEWAY IS PROPOSED TO GO THROUGH THE NORTHWEST PART OF WETLAND AREA TO ACCESS 3 NEW LOTS. IMPACT WILL BE 0.0767 ACRES OUT OF TOTAL 5.6807 ACRES FOUND ON PROPERTY TOTALING 29 ACRES.

3. Explain how the properties upstream and downstream from you may be affected:

There is no known impact on properties upstream or downstream.

4. Explain how the variance from the Riparian Setback Ordinance will not be contrary to the public interest:

Less than 1/10th of an acre of wetlands will be crossed leaving 99% intact. Army Core Permit #2021-00658

5. Explain whether the variance requested is substantial.

The variance is not substantial as it impacts 1/10th percent of S. 6807 wetlands still intact. Less than 1%

6. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land?

Yes No Land feature

___	___	Steep slopes (ravines with slopes too steep to build upon)
X	___	Wetlands (characterized by soils that remain wet, support typical "wetland" vegetation)
___	___	Floodplain (areas adjacent to stream or river where floodwaters leave deposits.)

If answer is "yes" to any above, please explain.

Entire parcel is 29 acres S. 6807 is wetland spans the middle of entire property - prohibiting access to back 3 lots and placing road in narrowest point.

7. Please explain the practical difficulties or unnecessary hardship which will result from a literal enforcement of the Riparian Setback Ordinance?

3 parcels in back will not have access if road not crosses 1/10th% of wetland. Township and Village of Richfield both gave permission for lot split - 12 month process

8. What alternatives to the variance have been explored?

There are no alternatives to have access to back 3 lots - Road will cross its narrowest wetland spot.

9. Did you acquire the property before or after May 29, 2002, when the Riparian Setback Ordinance was enacted? AFTER

How were you made aware of the Riparian Setback Ordinance?

SURVEYOR - COUNTY WATERSHED DEPARTMENT

10. Explain how the spirit and intent behind the Riparian Setback Ordinance will be observed if the variance is granted:

WE MINIMIZED THE IMPACT TO WETLAND - WE INTEND TO KEEP THE BALANCE OF S. 6807 UNTOUCHED - AND PLAN TO PLANT AND SEED AS MUCH AS POSSIBLE OF ANY DISTURBANCE WE MAKE.

11. Explain how the requested variance is the minimum variance to the Riparian Ordinance that will allow for a reasonable division of land. (This question pertains only to the creation of new lots).

A DRIVEWAY CROSSING ONLY IMPACTS 0.0767 ACRES OF WETLAND - ITS ABSOLUTELY REQUIRED TO PROVIDE ACCESS TO BACK 3 LOTS
99% OF WETLAND IS STILL AND WILL BE UNTOUCHED.

Action of the Summit County Planning Commission should be sent to:

Applicant: RANDY HOOKE

Address: 3484 SOUTHERN RD RICHFIELD OH 44286

Respectfully submitted this 21 day of DECEMBER, 2021

I certify that all information contained in this application and its supplements are true and correct.

[Signature]
Signature of Applicant or Authorized Representative

12-21-2021
Date

For Office Use Only

Fee Amount Paid: _____

Date Application Received: _____

Staff: _____

Comments:



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

September 13, 2021

Regulatory Branch

SUBJECT: Department of the Army Permit No. LRB-2021-00658, Nationwide Permit No. 29 as Published in the Federal Register, Volume 86, No. 8, on Wednesday, January 13, 2021.

Randy Hooke
3484 Southern Road
Richfield, Ohio 44286

Dear Mr. Hooke:

This pertains to your application for a Department of the Army permit to place fill in waters of the U.S. in association with construction of a residential subdivision located west of Southern Road, in Richfield Township, Summit County, Ohio (Sheets 1-3 of 3). The activity will result in the permanent discharge of fill material into 0.0767 acres of federal wetlands.

I have evaluated the impacts associated with your proposal, and have concluded that they are authorized by the enclosed Nationwide Permit (NWP) provided that the attached conditions are satisfied.

Verification of the applicability of this NWP is valid until March 14, 2026 unless the NWP is modified, suspended, revoked, or the activity complies with any subsequent permit modification. Please note in accordance with 33 CFR part 330.6(b), that if you commence or are under contract to commence an activity in reliance of the permit prior to the date this NWP expires, is suspended or revoked, or is modified such that the activity no longer complies with the terms and conditions, you have twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of the permit, unless the permit has been subject to the provisions of discretionary authority.

It is your responsibility to remain informed of changes to the NWP program. A public notice announcing any changes will be issued when they occur and will be available for viewing at our website: <http://www.lrb.usace.army.mil/Missions/Regulatory.aspx>. Finally, note that if your activity is not undertaken within the defined period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

This affirmation is limited to the attached NWP and associated Water Quality Certification, and does not obviate the need to obtain any other project specific Federal, state, or local authorization.

In addition to the general conditions attached to the NWP, your attention is directed to the following Special Conditions which are also appended at the end of the NWP General Conditions:

Regulatory Branch

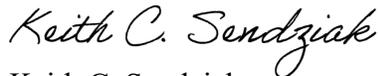
SUBJECT: Department of the Army Permit No. LRB-2021-00658, Nationwide Permit No. 29 as Published in the Federal Register, Volume 86, No. 8, on Wednesday, January 13, 2021.

1. To reduce any potential adverse effects on the Federally endangered Indiana bat (*Myotis sodalis*), trees (woody stems greater than 5 inches Diameter at Breast Height) must not be cut between April 1 and September 30, of any year.
2. To reduce any potential adverse effects on the Federally threatened Northern long-eared bat (*Myotis septentrionalis*), trees (woody stems greater than 3 inches Diameter at Breast Height) must not be cut between April 1 and September 30, of any year.

A copy of this letter has been sent to Elise Bartelme (EnviroScience) and the Ohio Environmental Protection Agency.

Questions pertaining to this matter should be directed to me at 716-879-4339, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by e-mail at: keith.c.sendziak@usace.army.mil

Sincerely,



Keith C. Sendziak
Biologist

Enclosures

COMPLETION FORM / COMPLIANCE CERTIFICATION

Each permittee who receives a Nationwide Permit (NWP) verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any compensatory mitigation.

APPLICANT:
Randy Hooke
3484 Southern Road
Richfield, Ohio 44286

POINT OF CONTACT:
(same)

File No.: 2021-00658
File Closed: 9/13/2021
NWP No.: 29

Upon completion of the activity authorized by this permit and any required compensatory mitigation sign this certification and return it to the address listed below within 30 days of project completion.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, revocation, and/or assessment of administrative penalties.

The permittee shall certify the completion of the authorized work and mitigation:

- a. The authorized work was done in accordance with the NWP authorization, including any general, regional, or activity specific conditions.
- b. The implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, this certification must include the documentation required by 33 CFR 332.3(1)(3) to confirm that the permittee secured the appropriate number and resource type of credits.

Randy Hooke

Date

Permittee Telephone Number: _____

Project location: west of Southern Road, in Richfield Township, Summit County, Ohio

Project Description: residential development

Authorized Impacts (Waters of the U.S. Impacted by Project): permanent discharge of fill material into 0.0767 acres of federal wetlands.

Waterway and/or Project Setting: federally jurisdictional wetland

Return completed form to:
Mr. David Leput
Regulatory Branch
U.S. Army Corps of Engineers
1776 Niagara Street
Buffalo, NY 14207

REV.	BY	DATE	DESCRIPTION
1	KMF	08-25-2021	PRELIMINARY ISSUE TO CLIENT
2	KMF	08-24-2021	ISSUE TO CLIENT
3	KMF	08-27-2021	IMPROVED ISSUE TO CLIENT
4	KMF	09-01-2021	UPDATED ACCESS SETBACK REFINEMENT AREA



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440.707.0114 • www.raftera.com • info@raftera.com

RICHLAND, OHIO 44286
RANDY & LENA HOKE
3484 SOUTHERN ROAD

WETLAND EXHIBIT

HOKE PROPERTY PROPOSED PRIVATE DRIVE

KNOWN AS BEING ORIGINAL RICHLAND TOWNSHIP LOT 13, (PART) 2, NOW IN THE VILLAGE OF RICHLAND & TOWNSHIP OF RICHLAND, COUNTY OF OHIO.

DRAWN BY: JAD
CHECKED BY: RHF
PROJECT NO.: 2020-21

UNDERGROUND UTILITIES

CALL BEFORE YOU DIG
1-800-485-5746
TOLL FREE
FOR MORE INFORMATION VISIT US ONLINE AT
1-800-485-5746
OR VISIT US AT
WWW.CALLBEFOREYODIG.COM

811

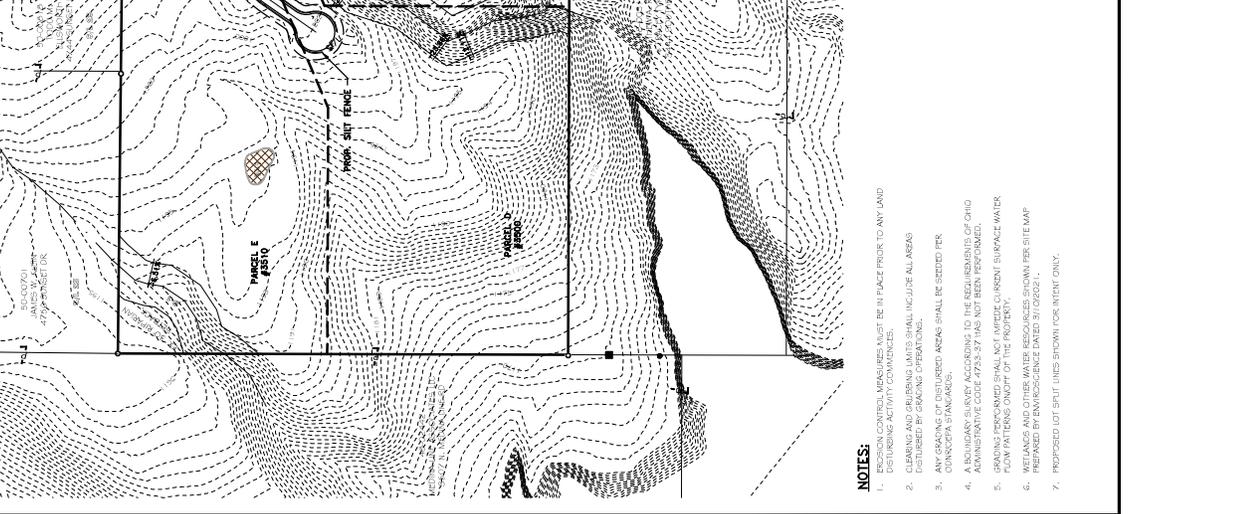
GRAPHIC SCALE

0 40 80 160
IN FEET
SCALE: 1" = 80'

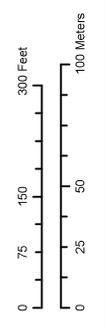
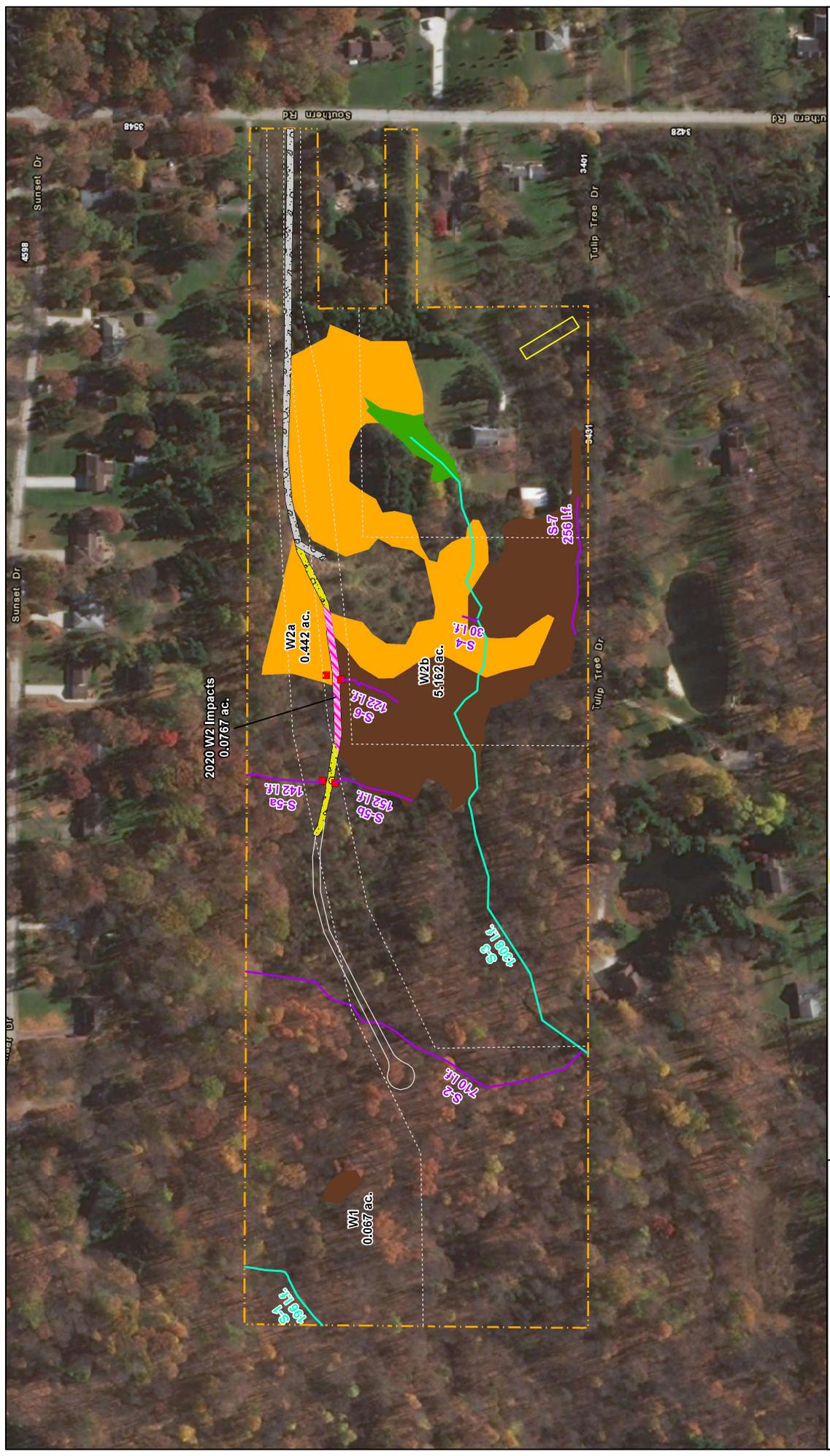


NOTES:

1. EROSION CONTROL MEASURES MUST BE IN PLACE PRIOR TO ANY LAND DISTURBING ACTIVITY COMMENCES.
2. CLEARING AND GRUBBING LIMITS SHALL INCLUDE ALL AREAS DISTURBED BY GRADING OPERATIONS.
3. ANY GRADING OF DISTURBED AREAS SHALL BE SLOTTED (PER CONSERVA SPANISH).
4. ANY GRADING OF DISTURBED AREAS TO THE REQUIREMENTS OF OHIO ADMINISTRATIVE CODE 6723.37 HAS NOT BEEN PERFORMED.
5. GRADING OPERATIONS SHALL NOT IMPACT EXISTING SURFACE WATER FLOW PATTERNS (NOFF) OF THE PROPERTY.
6. WETLANDS AND OTHER WATER RESOURCES SHOWN ON THIS MAP PREPARED BY ENVISCIENCE DATED 30/08/2021.
7. PROPOSED LOT SPLIT LINES SHOWN FOR INTENT ONLY.

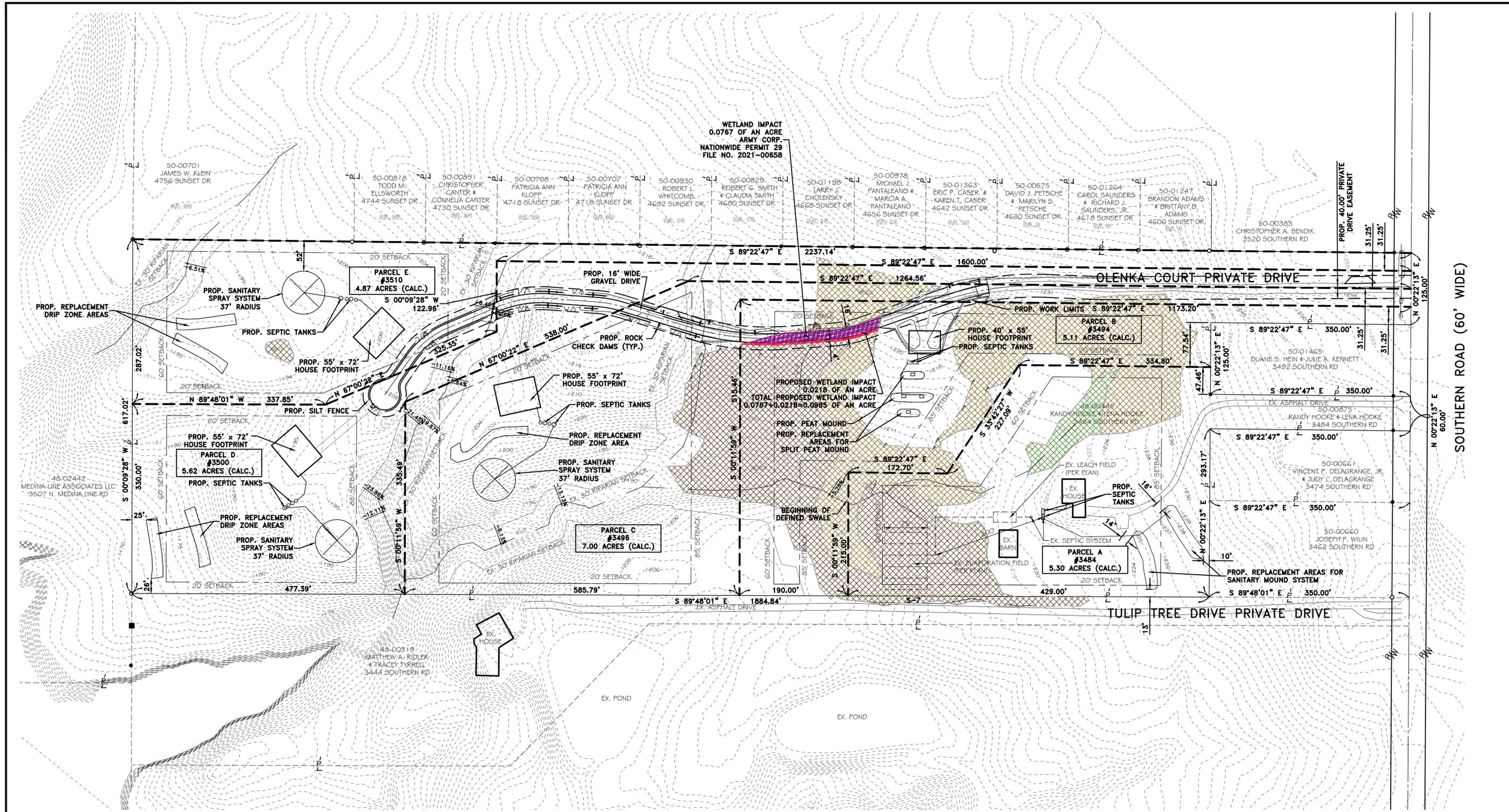


SURVEY NOTE:
BOUNDARY SURVEY & LOT ERIE INFORMATION SHOWN HEREON IS BASED ON THE SURVEY CONDUCTED BY RASTER A, LTD. IN PARCELS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.



- Culvert
- Proposed Road
- Parcel Boundary
- Stream (Ephemeral)
- Stream (Intermittent)
- Wetland (Intermittent)
- Wetland (Impacts)
- Wetland (PFO)
- Wetland (PSS)
- Project Area
- Proposed Septic System
- Wetland (PEM)
- Wetland (PFO)
- Wetland (PSS)
- Original Drive
- Constructed Drive

Figure 1. Impacts Map of Wetlands and Other Water Resources. Hooke Site Improvements.

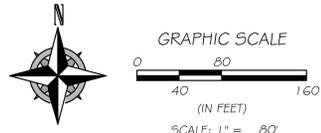


WETLAND IMPACT
0.0787 OF AN ACRE
ARMY CORP.
NATIONWIDE PERMIT 29
FILE NO. 2021-00658

- NOTES:**
1. EROSION CONTROL MEASURES MUST BE IN PLACE PRIOR TO ANY LAND DISTURBING ACTIVITY COMMENCES.
 2. CLEARING AND GRUBBING LIMITS SHALL INCLUDE ALL AREAS DISTURBED BY GRADING OPERATIONS.
 3. ANY GRADING OF DISTURBED AREAS SHALL BE SEEDED PER ODN/OEPA STANDARDS.
 4. A BOUNDARY SURVEY ACCORDING TO THE REQUIREMENTS OF OHIO ADMINISTRATIVE CODE 4733-37 HAS NOT BEEN PERFORMED. LOT SPLIT, LEGAL DESCRIPTIONS, AND FINAL SURVEY PLAT TO BE DONE BY OTHERS. SPLIT PARCELS SHOWN HEREON FOR REFERENCE.
 5. GRADING PERFORMED SHALL NOT IMPEDE CURRENT SURFACE WATER FLOW PATTERNS ON/OFF OF THE PROPERTY.
 6. WETLANDS AND OTHER WATER RESOURCES SHOWN PER SITE MAP PREPARED BY ENVIROSCIENCE DATED 3/10/2021.
 7. SEE ENLARGED SITE PLAN SHEETS C1.1 AND C1.2 FOR DETAILED SWPPP PLAN INFORMATION.
 8. SEPTIC SYSTEM DESIGN AND JURISDICTIONAL APPROVALS BY OTHERS.

SURVEY NOTE:
BOUNDARY SURVEY # LOT SPLIT INFORMATION SHOWN HEREON IS REFERENCED FROM A SURVEY PREPARED BY GEORGE A. HOFMANN, PS OF HOFMANN-METZKER, INC.

EXISTING UNDERGROUND UTILITIES NOTE:
THE SIZE & LOCATION, BOTH HORIZONTAL AND VERTICAL, OF THE UNDERGROUND UTILITIES SHOWN HEREON, HAVE BEEN OBTAINED BY A SEARCH OF AVAILABLE RECORDS. VERIFICATION BY FIELD OBSERVATION HAS BEEN CONDUCTED WHERE PRACTICAL. HOWEVER, RAFTER A., LTD DOES NOT GUARANTEE THE COMPLETENESS NOR ACCURACY THEREOF.



UNDERGROUND UTILITIES
TWO WORKING DAYS
BEFORE YOU DIG
CALL 1-800-368-2764 (TOLL FREE)
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS MUST BE CALLED DIRECTLY
CALL 1-800-925-0988 (TOLL FREE)
OH & GAS PRODUCERS UNDERGROUND PROTECTION SERVICE

REV.	BY	DATE	DESCRIPTION
1	BDA	07-22-2021	ISSUE TO CLIENT
2	BDA	09-23-2021	UPDATED PROPOSED LOT SPLIT PARCELS ISSUE TO CLIENT
3	BDA	10-16-2021	UPDATED RESERVE AREA ISSUE TO CLIENT
4	RAF	11-16-2021	UPDATED SEPTIC DESIGN AND LOT SPLIT ISSUE TO CLIENT

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RANDY & LENA HOOKE
3484 SOUTHERN ROAD
RICHFIELD, OHIO 44286

HOOR PROPERTY PROPOSED PRIVATE DRIVE
STORM WATER POLLUTION PREVENTION PLANS

OVERALL SITE PLAN

KNOWN AS BEING ORIGINAL RICHFIELD TOWNSHIP LOT 13,
TRACT 2, NOW IN THE VILLAGE OF RICHFIELD & TOWNSHIP
OF RICHFIELD, COUNTY OF SUMMIT, STATE OF OHIO.

DRAWN BY: JAD
CHECKED BY: RAF
RAF JOB NO: 2628-21

SHEET: **C1.0**

DRIVEWAY EASEMENT AND RESTRICTION

RECIPROCAL DRIVEWAY EASEMENT AND RESTRICTION PARCELS B, C, D, AND E

The owners of the herein described property hereby reserve and grant, on behalf of themselves and their successors and assigns in title to Parcels B, C, D and E (each a Parcel Owner), a non-exclusive easement upon, across, over and through the portions of the private driveway shown hereon as Olenka Court that runs through parcel B, Parcel C, and Parcel D (each such parcel being a "Burdened Parcel" with respect to the easement across the respective parcel), to the successors and assigns in title to Parcels B, C, D, and E, and their respective successors, heirs and assigns, employees, agents, representatives, licensees, contractors, subcontractors, invitees, guests and permittees, for pedestrian and vehicular ingress and egress, as the case may be, across all portions of said Olenka Court and the easement area shown hereon (the "Easement Area"), to provide ingress and egress between said Parcels B, C, D and E to Southern Road, a public right of way (the Easement").

Parties shall provide regular maintenance of the Easement Area, which shall consist of snow removal and salting, and driveway repair, and shall be carried out by a servicer chosen by a simple majority of the owners of Parcels B, C, D, and E (the Benefitted Owners). The Benefitted Owners shall maintain the Easement Area to preserve its long-term structure and stability. Benefitted Owners shall share equally the cost of all maintenance and repairs. If any party shall fail to pay their share of maintenance and repair expenses within thirty (30) days after same is due, the other parties may, at their option, and without demand or notice; (i) charge a reasonable late fee in connection with the unpaid balance, and (ii) recover the costs of collection for the unpaid balance, including reasonable attorney fees and other out-of-pocket expenses.

Each Benefitted Owner shall have the right to connect a driveway from the home within their respective parcel to the driveway within the Easement Area, and such construction, and the continued maintenance of such driveway shall be performed at the sole cost and expense of the individual Benefitted Owner.

The driveway and Easement Area shall not be relocated except with consent of all Burdened Owners, said consent not to be unreasonably withheld. No Benefitted Owner shall construct any other driveway between their respective parcel and Southern Road other than the driveway within the Easement Area.

The Easement and the rights and obligations set forth hereon shall run with the land, and shall burden, and run with the title to the Burdened Parcels and benefit and be appurtenant to, and shall run with title to, each Parcel B, Parcel C, Parcel D, and Parcel E, shall bind every person having any fee, leasehold or other interest therein, and shall inure to the benefit of the owners of each such Parcel, and their respective successors or assigns, whether by sale, lease, assignment, inheritance, operation of law, trustee's sale, foreclosure or otherwise.

ACCEPTANCE

I (We) the undersigned owner(s) of the land shown on this map and designated as Parcel 4800445 and 5000875, do hereby accept this Lot Split as shown hereon.

Randy Hooke print name date

Lena Hooke print name date

NOTARY

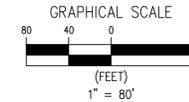
STATE OF OHIO COUNTY S.S. BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE DID PERSONALLY APPEAR THE ABOVE SIGNED WHO DID ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT TO BE "HIS/HER/THEIR" FREE ACT AND DEED, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT _____ OHIO THIS ____ DAY OF _____, 20__.

Notary Public

APPROVAL

THIS PLAT IS APPROVED BY THE TOWNSHIP OF RICHFIELD, THIS DAY OF _____, 20__.

TOWNSHIP OFFICIAL(S) _____



BOUNDARY SURVEY & LOT SPLIT

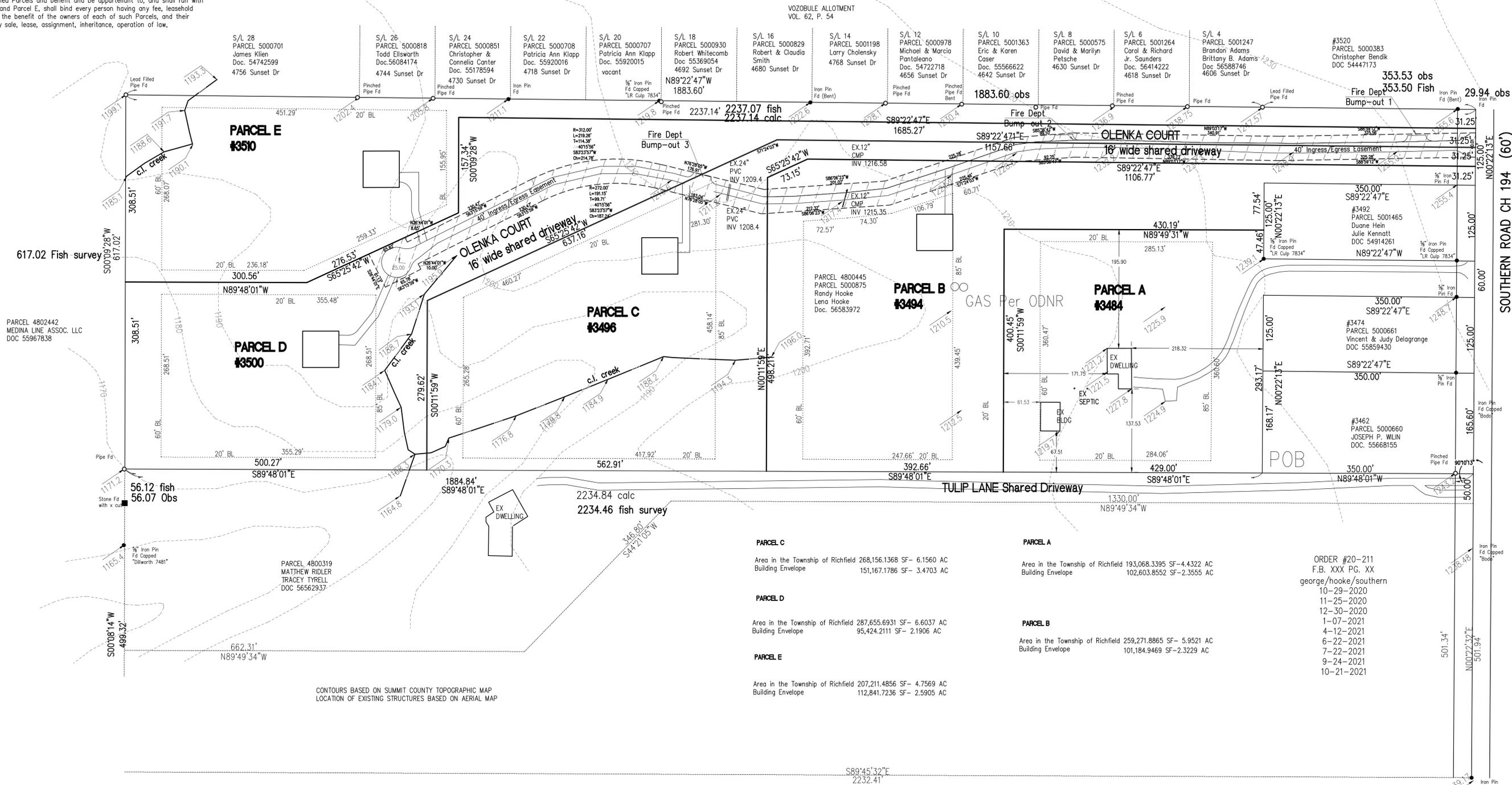
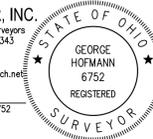
MADE AT THE INSTANCE OF RANDY & LENA HOOKE

KNOWN AS BEING ORIGINAL RICHFIELD TOWNSHIP LOT 13, TRACT 2 NOW IN THE TOWNSHIP OF RICHFIELD, COUNTY OF SUMMIT, STATE OF OHIO

HOFMANN-METZKER, INC

Registered Professional Surveyors 24 Beech St. - P.O. Box 343 Berea, Ohio 44017 (440) 234-7350 email: george_fm@ameritech.net

Registered Surveyor No. 6752 George A. Hoffmann



PARCEL C	Area in the Township of Richfield 268,156.1368 SF- 6.1560 AC Building Envelope 151,167.1786 SF- 3.4703 AC
PARCEL D	Area in the Township of Richfield 287,655.6931 SF- 6.6037 AC Building Envelope 95,424.2111 SF- 2.1906 AC
PARCEL E	Area in the Township of Richfield 207,211.4856 SF- 4.7569 AC Building Envelope 112,841.7236 SF- 2.5905 AC

PARCEL A	Area in the Township of Richfield 193,068.3395 SF-4.4322 AC Building Envelope 102,603.8552 SF-2.3555 AC
PARCEL B	Area in the Township of Richfield 259,271.8865 SF- 5.9521 AC Building Envelope 101,184.9469 SF-2.3229 AC

ORDER #20-211 F.B. XXX PG. XX george/hooke/southern 10-29-2020 11-25-2020 12-30-2020 1-07-2021 4-12-2021 6-22-2021 7-22-2021 9-24-2021 10-21-2021

CONTOURS BASED ON SUMMIT COUNTY TOPOGRAPHIC MAP LOCATION OF EXISTING STRUCTURES BASED ON AERIAL MAP

S89°45'32"E 2232.41'



Planning Commission
Riparian Variance
3649 W. Galloway Dr.
Richfield Township

EXECUTIVE SUMMARY

The site is located in Richfield Township at 3649 W. Galloway Dr. PN 4802119. The applicant is proposing to build a swimming pool for health reasons and requires a variance from the Riparian Ordinance to build within the Riparian Setback.

Staff recommends **DISAPPROVAL**.

Item No.: 4	Parcel No.: 4802119
Meeting: March 31, 2022	Area: 1.1 acres
Owner: Randy Hooke	Council District: District 1
	Processor: Stephen Knittel

Proposal: The applicant is proposing to build a swimming pool for health reasons and requires a variance from the Riparian Ordinance to build within the Riparian Setback.

Agency Comments: *Italicized text indicates quotations from submitted agency comments.*

SWCD: Sasha Mikheidze, 3/8/2022:

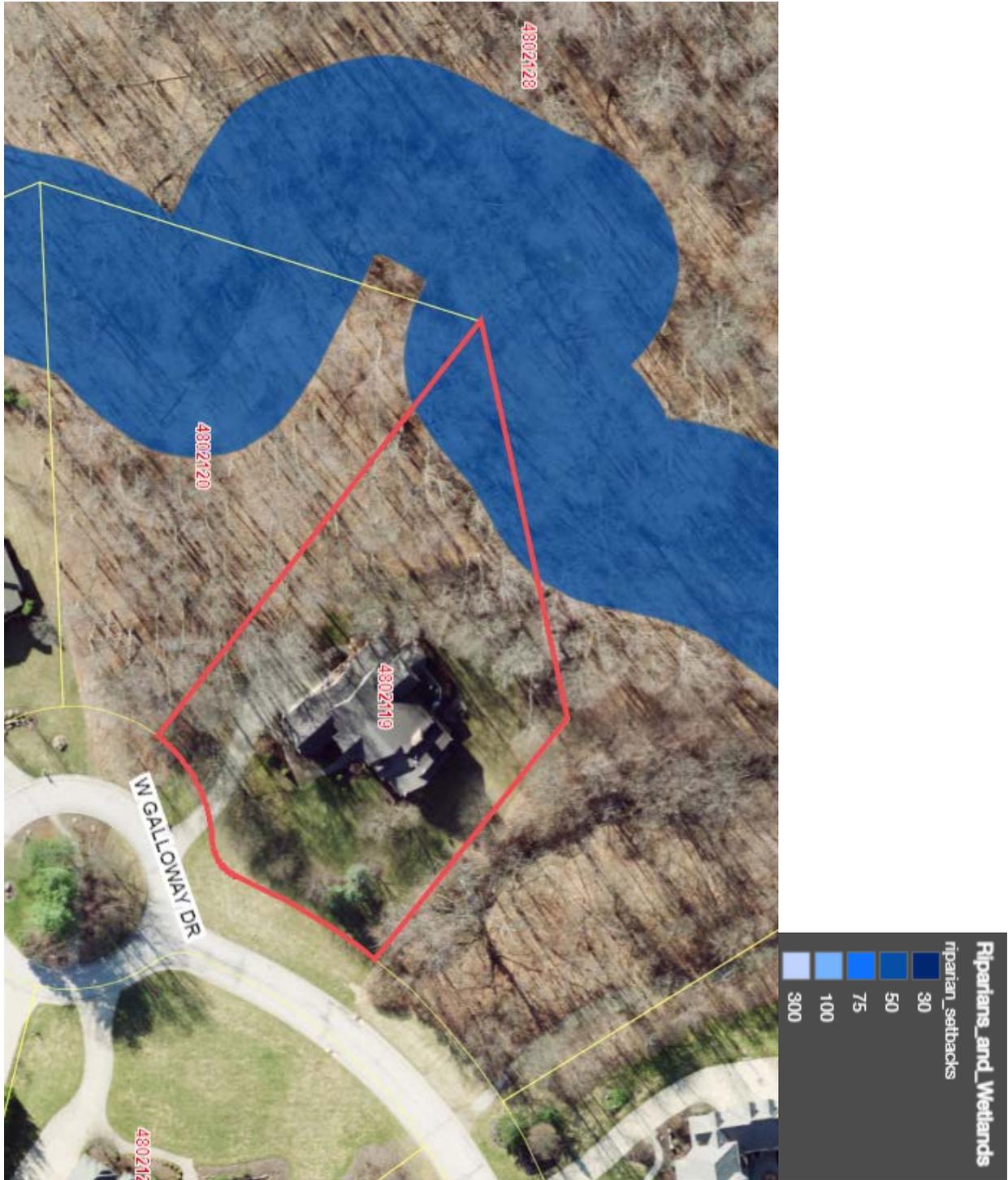
Summit Soil and Water Conservation District conducted a riparian setback assessment for the site and found a base setback of 50' plus an additional 100' due to severe slopes. As a result, SSWCD does not support the request for a variance for the purposes of installing a pool. Based on the riparian regulations, disturbing the setback for the purposes of installing a pool is not an approved activity within the setback.

Staff Comments:

Per the applicant:

- The house was built prior to the Riparian Ordinance. House was built in 2001 Riparian Ordinance was enacted 2005.
- The proposed construction is about 82 feet from the stream.
- There should be no affect on the stream and riparian area if the variance is granted.
- There should be no affect on the properties upstream nor downstream if the variance is granted.
- There are steep slopes on the property – the pool will not be constructed on the steep slope.

Recommendation: SCPC Staff defers to Summit SWCD Staff's recommendation for the Variance to be **DISAPPROVED**.







County of
Summit,
Ilene Shapiro,
Executive

APPENDIX E

Variance Application

Department of Community and Economic
Development
Ohio Building - Suite 207 - 175 S. Main St. - Akron, OH 44308

APPLICANT INFORMATION

Applicant ANGELA & MARK KYEI
Address 3649 WEST GALLOWAY DRIVE, RICHFIELD, OH 44286
Phone 216 269 1183, 216 269 0719
Email mkyei@live.com ; kyojona@hotmail.com

OWNER INFORMATION

Owner ANGELA & MARK KYEI
Address 3649 WEST GALLOWAY DR. RICHFIELD OH 44286
Phone 216 269 1183 216 269 0719
Email kyojona@hotmail.com ; mkyei@live.com

SITE INFORMATION

Name of Subdivision
or Address GLENCAIRN FOREST, 3649 WEST GALLOWAY
Location 3649 WEST GALLOWAY DRIVE DR.
Parcel No.'s 48-02119
Creating Sublots _____
Acreage 1.1 acre
Water Provider Cleveland Water
Septic or Central Sewer Provider Village of Richfield

FILING FEES

Variance Fees

\$300.00 per Variance Request

VARIANCE INFORMATION

Nature of Subdivision regulation Variance required: (Describe generally the nature of the variance.)

Riparian Setback Variance Request.

Provide the specific Subdivision Regulation from which a variance is requested:

Article:

Summit County Riparian Setback Regulations Chapter 937

Section:

Richfield Twp. has not adopted the county's riparian setback regulations so the variance request goes through Summit County.

JUSTIFICATION OF VARIANCE:

Applicant shall provide written justification for the requested variance by responding to the following questions.

1. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land? If so, please explain.

There is a Ravine at the back of the house / land

2. What is the unnecessary hardship which will result from a literal enforcement of the Subdivision Regulation owing to the special conditions set for in subparagraph (1.) herein?

Medical Hardship. Please see attached explanation

3. Did the special conditions specified in subparagraph (1.) result from previous actions by the applicant? Please explain.

No

4. Explain whether the variance requested is substantial.

Requesting Variance for Build a pool for health reasons

5. Explain whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

No
Others in the neighborhood have pools

6. Will the variance adversely affect the delivery of governmental services, including but not limited to, access by fire fighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land?

No

7. Explain whether the Subdivision Regulation was in effect at time of acquisition of the property by the applicant and whether the applicant purchased the property with the knowledge of the Regulation.

No

House was built before the regulation was enacted. House was built in 2001 Regulation was enacted 2005.

8. Explain whether the applicant's predicament can be feasibly solved through some method other than a variance.

No it cannot.

9. Explain how the variance from the Subdivision Regulations will not be contrary to the public interest.

Approval of the variance should have no affect on the PUBLIC Interest

10. Explain how the spirit and intent behind the Subdivision Regulations will be observed if the variance is granted.

There should be no affect on stream if variance is approved.

11. Explain how the requested variance is the minimum variance to the Subdivision Regulations that will allow for a reasonable division of land.

Does NOT apply

ACTION OF THE SUMMIT COUNTY PLANNING COMMISSION SHOULD BE SENT TO:

Name Mark + Angela Kyei

Address 3649 west Galloway DR. Richfield Twp., OH 44286

Phone Mark: 216-269-0719 Angela: 216-269-1183

Email Mark: MKYEI@Live.com Angela: KOJONANA@hotmail.com

Respectfully submitted this 24th day of JANUARY, 2022 KOJONANA@hotmail.com

I certify that all information contained in this application and its supplements are true and correct.

[Signature]
Applicant's or Authorized Representative's Signature

1/24/22
Date

Fee Amount Paid: _____ Date Application Received: _____

Number of Lots: _____ Staff: _____

What is the unnecessary hardship which will result from a literal enforcement of the subdivision regulation owing to the special conditions set for in subparagraph (1.) herein?

My husband and I are both physicians and therefore recognize the importance of a healthy lifestyle in reaching optimal health. I personally have struggled with obesity all of my adult life and have sought many times to improve my lifestyle to combat this problem. My own physician has recommended daily exercise as an essential part of a healthy lifestyle. In an effort to achieve this, my husband and I joined our local gym (lifestyles) and took up swimming which we both enjoy. Moreover, its easier on my husband's chronic back pain and also on my joints.

Unfortunately, because of our busy schedules, it is extremely difficult to make time during the week to go to Lifestyles to swim. I leave for work in the morning at 5:30 and get back at 4pm just in time to meet my young son at the bus stop. After that I spend the evening cooking and doing homework with my son. My husband gets home at 7:30pm and by the time we all finish dinner and get ready for the next day, its already past 9pm, our bedtime.

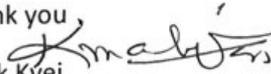
My husband and I have decided to make the financial sacrifice and build a pool in our backyard so that we have easy access and therefore more likely to adopt this healthy activity into our lives. We have spent the last 2 years saving up to build this pool and honestly, we did not anticipate the road block we are facing in building this pool. When we bought this house in 2011, we were not aware of the zoning requirements for which we are requesting a variance. It is our understanding that when the house was built in 2001, there regulation was not in effect and unfortunately, we were not informed of this restriction. It is a great disappointment to us that after working so hard to save for the past 2 years to build this pool, we may not be able to have it.

It would mean the world to us to be able to have this pool to help us achieve our health goals. If granted this variance, we will do our best to take the necessary precautions to prevent any harm or adverse effects on our neighbors and the environment.

Thank you,

Mark Kyei

Angela Kyei




APPLICATION FOR RESIDENTIAL VARIANCE WITHIN RIPARIAN SETBACK
SUMMIT COUNTY, OHIO

This form shall be completed by the applicant and submitted at least fifteen (15) days prior to a regularly scheduled Summit County Planning Commission meeting. A variance review fee of \$350.00 (made payable to the Summit SWCD) must accompany application. If you have questions or need assistance while filling out this application, please call the Summit SWCD at 330-929-2871.
(Type or print)

Applicant: MARK & ANGELA KYEI

Street Address: 3649 W. GALLOWAY DR

City, Village, or Township: RICHFIELD, Ohio Zip Code: 44286

Phone: 216 269 1183 FAX: _____ Email: Kojanana@hotmail.com

Location of property: GLENCAIRN FOREST, RICHFIELD

Parcel number (s): 48 - 02119

Stream name (if unnamed, nearest named stream it flows into): unknown, no stream

Owner of property: ANGELA & MARK KYEI

Street Address: 3649 W. GALLOWAY DRIVE

City, Village, or Township: RICHFIELD, Ohio Zip Code: 44286

Phone: 216 269 1183 FAX: _____ Email: Kojanana@hotmail.com

Give a brief description of the nature of the variance: To allow construction of an INGROUND pool at the above ADDRESS.

JUSTIFICATION OF VARIANCE:

Written justification for the requested variance shall be made. Responses to the following questions shall be provided.

1. How far is the proposed project (i.e., construction of any buildings, decks, roads or utilities) from the stream? about 82' (feet)
2. Explain how the stream and riparian area may be affected by this variance. _____

There should be no affect.

3. Explain how the properties upstream and downstream from you may be affected:

There should be NO affect.

4. Explain how the variance from the Riparian Setback Ordinance will not be contrary to the public interest:

Approval of the variance should have NO affect on the public interest.

5. Explain whether the variance requested is substantial.

It is not substantial.

6. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land?

Yes	No	Land feature
<u>Yes</u>	___	Steep slopes (ravines with slopes too steep to build upon)
___	<u>No</u>	Wetlands (characterized by soils that remain wet, support typical "wetland" vegetation)
___	<u>No</u>	Floodplain (areas adjacent to stream or river where floodwaters leave deposits.)

If answer is "yes" to any above, please explain.

POOL will not be constructed on steep slope.

7. Please explain the practical difficulties or unnecessary hardship which will result from a literal enforcement of the Riparian Setback Ordinance?

Medical hardship. Please see attached explanation.

8. What alternatives to the variance have been explored?

NO other alternatives are available.

9. Did you acquire the property before or after May 29, 2002, when the Riparian Setback Ordinance was enacted? After but house was built in 2001
How were you made aware of the Riparian Setback Ordinance?

We were made aware when applying for zoning permit from Richfield Twp. for pool.

10. Explain how the spirit and intent behind the Riparian Setback Ordinance will be observed if the variance is granted:

There should be no effect on stream if variance is approved.

11. Explain how the requested variance is the minimum variance to the Riparian Ordinance that will allow for a reasonable division of land. (This question pertains only to the creation of new lots).

Action of the Summit County Planning Commission should be sent to:

Applicant: Angela and Mark Kujci

Address: 3649 W. Galloway Dr. Richfield OH 44286

Respectfully submitted this 24th day of January, 2022

I certify that all information contained in this application and its supplements are true and correct.

Kumarlytho
Signature of Applicant or Authorized Representative

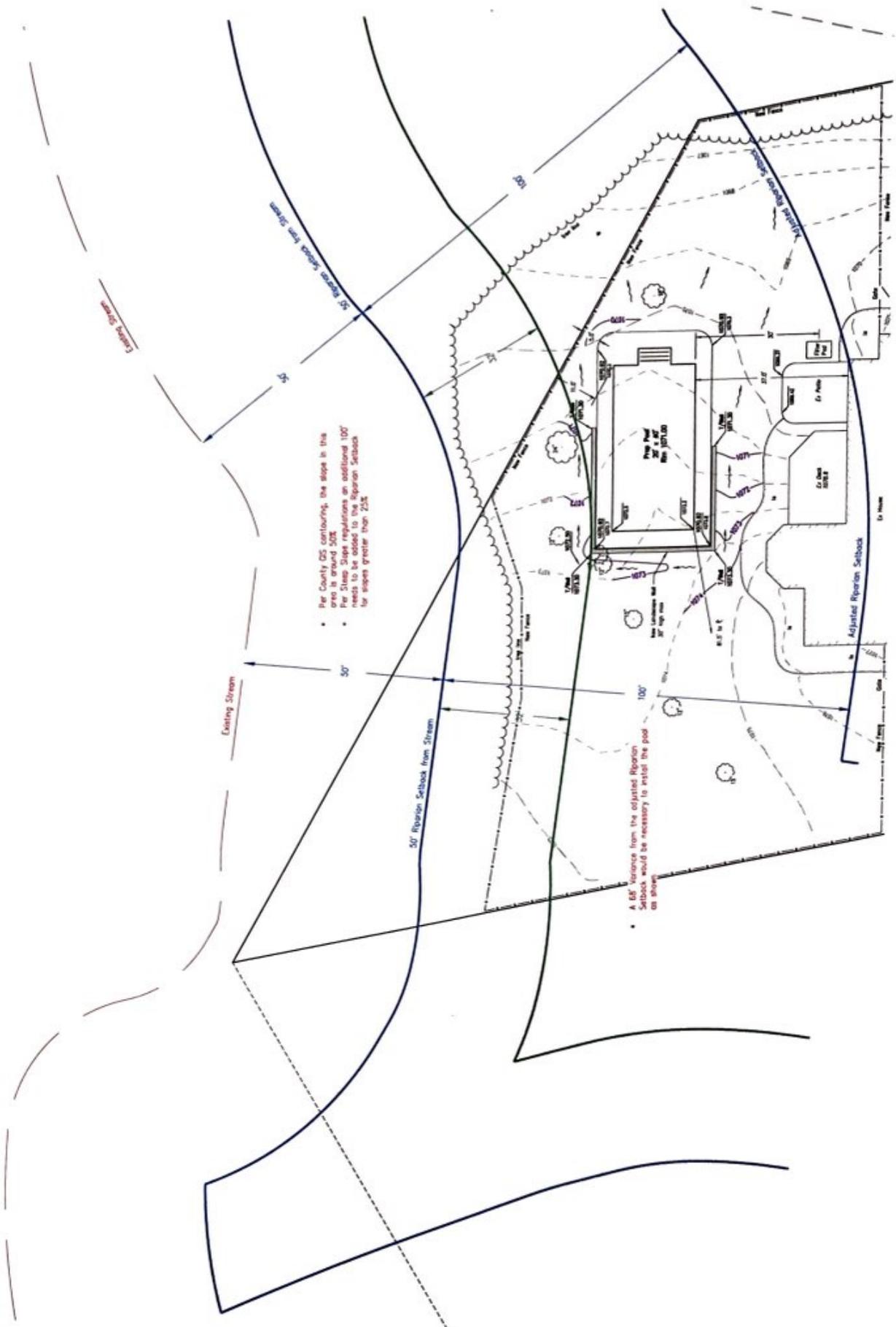
1/24/22
Date

For Office Use Only

Fee Amount Paid: _____ Date Application Received: _____

Staff: _____

Comments:



- Per County GIS contouring, the slope in this area is around 50%.
- Per State Dept regulations an additional 100' needs to be added to the Riparian Setback for slopes greater than 25%.

• A 65' variance from the adjusted Riparian Setback would be necessary to install the pool as shown.

Existing Stream

50' Riparian Setback from Stream

Adjusted Riparian Setback

Existing Stream

50' Riparian Setback from Stream

Adjusted Riparian Setback



1180 South Main Street, Suite 241
Akron, Ohio 44301
(330) 929-2871

March 8, 2022

Stephen Knittle
Senior Administrator, District 8 Liaison
Department of Community & Economic Development
County of Summit, Ilene Shapiro, Executive
175 S. Main St., Suite 103, Room 113
Akron, OH 44308

RE: 3649 Galloway Rd. Pool Variance Request

Dear Mr. Knittle,

Summit Soil and Water Conservation District conducted a riparian setback assessment for the site and found a base setback of 50' plus an additional 100' due to severe slopes. As a result, SSWCD does not support the request for a variance for the purposes of installing a pool. Based on the riparian regulations, disturbing the setback for the purposes of installing a pool is not an approved activity within the setback.

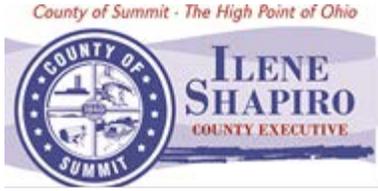
If you have questions regarding this letter of approval, please do not hesitate to contact me at 330.926.2443.

Sincerely,

Sasha Mikheidze

Sasha Mikheidze
Stormwater Specialist
Summit Soil & Water Conservation District

Cc: Richfield Township
File



Planning Commission
Zoning Map Amendment
 O-R to I-1
 Springfield Township

EXECUTIVE SUMMARY

Proposal: To rezone parcels 51-02670, 51-06600, 51-09804, 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, and 51-03302 from O-R to I-1. This would allow for offices or research facilities in the I-1 district. The change will eliminate the need for variances for the existing businesses as they expand. This will allow the Zoning Department to require more stringent enforcement of screening and landscaping requirements.

Staff recommends APPROVAL

Meeting:	March 31, 2022	Proposed Zoning:	I-1
Item No.:	5	Council Dist.:	District 8
Current Zoning:	O-R	Processor:	Stephen Knittel

Parcel Number: 51-02670, 51-06600, 51-09804, 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, and 51-03302

Location: Located on Massillon Rd east of Boyer Pkwy.

Proposal: To rezone parcels 51-02670, 51-06600, 51-09801, 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, and 51-03302 from O-R to I-1.

Allen Swift: *“As Zoning Administrator, I recommend the Board pass a resolution to change the following parcels.*

51-02670, 51-06600, [51-09804], 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, and 51-03302.

From O-R (Office-Research) to I-1(Light Industrial).

When this district was first established, it was hoped that new professional offices/research facilities would be encouraged to locate there. This has not happened, and the nature of the district has continued to be more industrial with businesses like Ohio Edison, Pence Brothers and Treno, LLC occupying the majority of the district. The I-1 district is established to accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from encroachment of residential, retail, and institutional uses. The uses allowed are those that because of their normally unobjectionable characteristics can be in proximity to residential districts. The proposed change will still allow for offices or research facilities in the I-1 district. The change will eliminate the need for variances for the existing businesses as they expand. This will allow the Zoning Department to require more stringent enforcement of screening and landscaping requirements.”

Zoning:

See attachments for zoning maps.

Direction	Zoning	Land Use	Jurisdiction
North	R-2	Residential	Springfield Township
East	R-2	Residential	Springfield Township
South	R-2	Residential	Springfield Township
West	PIPD	Planned Industrial Park	Springfield Township

Current Zoning: From Springfield Township’s Zoning Resolution, provided on Springfield Township’s website: <https://www.springfieldtownship.us/>

O-R - Office and Research Park District

The Office and Research Park District (O-R) is established to provide for areas of the township conducive to the development and protection of modern administrative facilities and research institutions that are office-like in physical appearance and service requirements with allowance for limited light industrial uses that have similar operational characteristics. The regulations of the O-R District are designed to encourage new office/light industrial subdivisions with new streets to minimize curb cuts on existing public streets.

Proposed Zoning:

I-1 - Light Industrial

The Light Industrial District (I-1) is established to accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from encroachment of residential, retail, and institutional uses. The uses allowed are those that because of their normally unobjectionable characteristics can be in relatively close proximity to residential districts.

(B) **PERMITTED USE TABLE**

TABLE 5.03-A: PERMITTED USE TABLE											
PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited	RESIDENTIAL ZONING DISTRICTS				NONRESIDENTIAL ZONING DISTRICTS						USE-SPECIFIC STANDARDS SEE SECTION:
	OC	R-1	R-2	R-3	C-1	C-2	C-3	OR	I-1	I-2	
	AGRICULTURAL USES										
Agricultural uses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Section 5.04(A)
Nurseries or greenhouses	PS	PS	PS	PS		P	P		P	P	Section 5.04(B)
RESIDENTIAL USES											
Adult family homes or small residential facilities	P	P	P	P							
Bed and breakfast establishments	C	C	C	C							Section 5.04(C)
Conservation subdivision	PS	PS	PS	PS							Section 5.04(D)
Conservation subdivision with attached dwellings	PS	PS	PS	PS							Section 5.04(D)
Dwellings, single-family	P	P	P	P							
Dwellings, two-family			P	P							
Institutional housing		C	C	C	PS						Section 5.04(E)
Permanently sited manufactured housing	PS	PS	PS	PS							Section 5.04(F)
PUBLIC AND INSTITUTIONAL USES											
Active parks and recreation	C	C	C	C	C	P	P	P	P	P	Section 5.04(G)
Campgrounds	C										Section 5.04(I)
Cemeteries		PS	PS	PS							Section 5.04(J)
Churches and places of worship	C	C	C	C	P	P	P	P	P	P	0
Cultural institutions	C	C	C	C							0
Educational facilities (Primary and Secondary) ⁶		C	C	C	C	C					0
Educational facilities, higher							P	P	P		
Hospitals						P	P	C			Section 5.04(M)
Passive parks, recreation, and open space	P	P	P	P	P	P	P	P	P	P	
Public safety and service facilities	C	C	C	C	PS	PS	PS	PS	PS	PS	Section 5.04(N)

TABLE 5.03-A: PERMITTED USE TABLE

PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited	RESIDENTIAL ZONING DISTRICTS				NONRESIDENTIAL ZONING DISTRICTS					USE-SPECIFIC STANDARDS SEE SECTION:	
	O-C	R-1	R-2	R-3	C-1	C-2	C-3	O-R	I-1		I-2
	COMMERCIAL AND OFFICE USES										
Adult entertainment establishments									C	C	Section 5.04(H)
Banks and financial institutions					P	P	P	P			
Bars, taverns, or restaurants					P	P	P	P			
Club					P	P	P				
Commercial entertainment or recreation (indoors)						P	P		C		
Commercial entertainment or recreation (outdoors)						C					
Building supply or farm sales establishments							P		P	P	
Day care centers (adult or child)	PS	PS	PS	PS	P	P	P	P			Section 5.04(O)
Entertainment Device Arcades											Section 5.04(P)
Funeral homes						P					
General offices (administrative, professional, business)					P	P	P	P	P	P	
Hotels and motels						P	P				
Instructional studios					P	P	P				
Kennels, commercial and animal day cares	C	C	C	C			C		PS	PS	Section 5.04(Q)
Medical and dental offices or clinics					P	P	P	P	P		
Outdoor dining areas					PS	PS	PS				Section 5.04(R)
Outdoor display and sales					PS	PS	PS	PS			Section 5.04(S)
Outdoor storage						C	C		PS	PS	Section 5.04(T)
Personal service establishments					P	P	P				
Retail commercial uses					P	P	P				
Sales offices and showrooms						P	P	C			
Service commercial uses						P	P	C			
Veterinarian offices and animal hospitals						PS	PS	PS	PS	PS	Section 5.04(U)
VEHICLE AND TRANSPORTATION RELATED USES											
Gasoline stations						C	PS				Section 5.04(V)
Farm implement sales and rental ^{2,7}						C	C				Section 5.04(W)
Motor vehicle sales ²						C	C				Section 5.04(W)
Parking lot or structure					C	C	C	C	C	C	Section 5.04(X)
Passenger transportation terminal						P	P				
Truck services/truck stop facilities							C				Section 5.04(Y)
Truck/transfer facilities									C	C	Section 5.04(Y)
Vehicle repair garages (major repair)						C	PS		PS	PS	Section 5.04(Z)

TABLE 5.03-A: PERMITTED USE TABLE

PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited	RESIDENTIAL ZONING DISTRICTS				NONRESIDENTIAL ZONING DISTRICTS						USE-SPECIFIC STANDARDS SEE SECTION:
	OC	R-1	R-2	R-3	C-1	C-2	C-3	OR	I-1	I-2	
	Vehicle service uses (minor repair)						PS	PS		PS	
Vehicle washing establishments						C	C				Section 5.04(AA)
INDUSTRIAL USES											
Distribution facilities									P	P	
Foundry									C	P	
Industrial service uses									P	P	Section 5.04(BB)
Industrial uses, heavy										C	Section 5.04(CC)
Industrial uses, light								P	P	P	Section 5.04(BB)
Laboratories								PS	PS	PS	Section 5.04(DD)
Research and development facilities								PS	PS		Section 5.04(DD)
Self-storage facilities									C	C	Section 5.04(EE)
Warehouses								P	P	P	
OTHER USES											
Essential Services	P	P	P	P	P	P	P	P	P	P	
Gas and Oil Wells	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Section 5.04(FF)
Mixed Use Development						PS	PS				Section 5.04(GG)
Radio and television stations (no towers or satellites)						P	P	P	P	P	
Soil removal or mineral extraction									C	C	Section 5.04(HH)
Wireless telecommunication facilities	C	C	C	C	P	P	P	P	P	P	Section 5.04(II)

STAFF REVIEW

1. *Is the proposed zoning change reasonable given the nature of the surrounding area?* The request is reasonable in that the property is adjacent to a Planned Industrial Park District.
2. *Can the property reasonably be used as currently zoned?* Yes.
3. *Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan?* The Comprehensive Land Use Plan calls for this area to be Office and Research
4. *Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts?* Yes.
5. *How will the proposed zoning change impact public services and facilities?* The proposed zoning is a greater intensity use than the current zoning however it should not impact public services and facilities.
6. *How will the proposed zoning change impact traffic, especially traffic safety?* The proposed change should not have an impact on traffic nor traffic safety.
7. *Will the proposed zoning change adversely affect adjoining properties?* The proposed change is a greater intensity use than the current zoning and may adversely affect adjoining properties.
8. *Is this an appropriate location for the proposed use or are there other available locations better suited for it?* The request is reasonable in that the property is adjacent to a Planned Industrial Park District.

-
9. *Will the proposed zoning change, change the character of the neighborhood?*
The proposed change is a higher intensity use and has the potential to change the character of the neighborhood.
10. *Has there been a change in conditions that renders the original zoning inappropriate?* No.

Staff Comments:

- The site can be used as currently zoned.
- The request is reasonable in that the property is adjacent to a Planned Industrial Park District.
- The Future Land Use Plan calls for this area to be Office and Research – “The office and research areas of Springfield Township provide for an area where office or research and development facilities may be located in a business park setting. These uses may be of varied scale from a small medical office to large, multi-floor office buildings and may include some commercial accessory uses. Beyond general research and development activities, the large-scale manufacturing or distribution of goods should not occur in the office and research area.”

Recommendation: Staff recommends APPROVAL.

To the Springfield Board of Trustees:

As Zoning Administrator, I recommend the Board pass a resolution to change the following parcels.

51-02670, 51-06600, 51-09801, 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, and 51-03302.

From **O-R** (Office-Research) to **I-1**(Light Industrial).

When this district was first established, it was hoped that new professional offices/research facilities would be encouraged to locate there. This has not happened, and the nature of the district has continued to be more industrial with businesses like Ohio Edison, Pence Brothers and Treno, LLC occupying the majority of the district. The **I-1** district is established to accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from encroachment of residential, retail, and institutional uses. The uses allowed are those that because of their normally unobjectionable characteristics can be in proximity to residential districts.

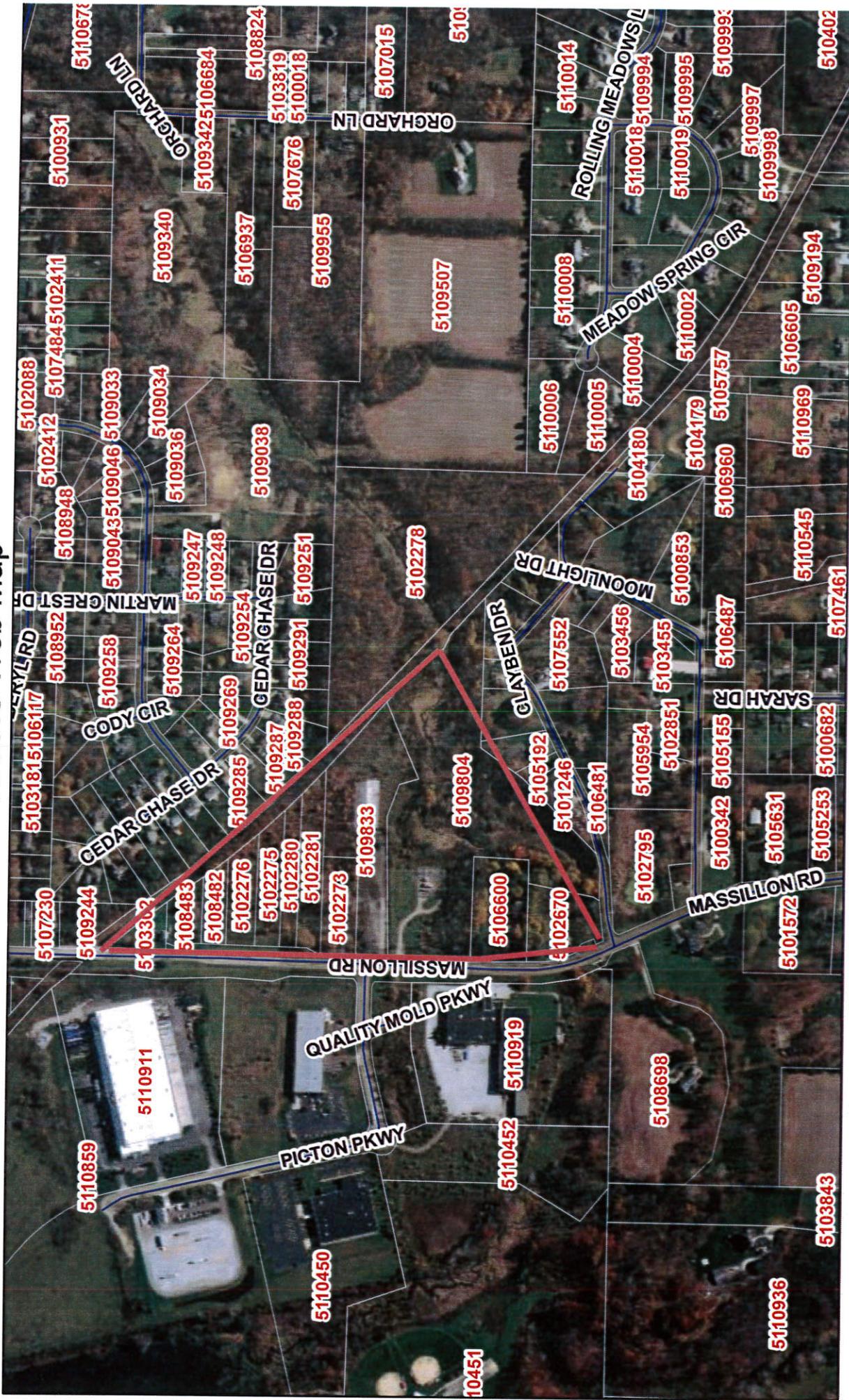
The proposed change will still allow for offices or research facilities in the **I-1** district. The change will eliminate the need for variances for the existing businesses as they expand. This will allow the Zoning Department to require more stringent enforcement of screening and landscaping requirements.

 Recoverable Signature

X Allan Swift

Allan Swift
Zoning Administrator
Signed by: ee0e361d-1075-4891-9474-9f82c8ec5c62

ArcGIS Web Map



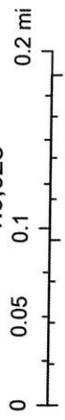
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□ Parcels

— Road Labels

□ Summit County Municipal Outlines

1:9,028



Esri, HERE, Garmin, GeoTechnologies, Inc., Maxar

Web AppBuilt
Disclaimer: Users of this map accept all risk, not intended to serve as profes

**SPRINGFIELD TOWNSHIP
ZONING COMMISSION
MARCH 2, 2022
MINUTES**

The Springfield Township Zoning Commission held a meeting on Wednesday, March 2, 2022 at the Springfield Township Town Hall, 2459 Canfield Road, Akron, Ohio at 5:30 p.m.

Board members In attendance: Gary Older, Tracy Cunningham, Gerard Michael. Nancy Dotson and David Lile were absent. Also present Alan Swift, Zoning Administrator and Patty Price, Secretary.

Purpose of the Meeting:

1. Change Zoning District on Massillon Road from O-R to I-1 sent from Trustees.
2. Evaluate the current zoning regulations and look to update.
3. Begin work on a property maintenance code.
4. Set up committee to revise the comprehensive plan.

Alan Swift and Tracy Cunningham went over the changes to the Zoning Book in order to have a current up to date book.

Officers for 2022 were elected. Gary Older, Chairman. Gerard Michael, Vice Chairman.

Amendment to Zoning District:

Gerard Michael: I move to change the zoning district on Massillon Road including Parcel #'s: 51-02670, 51-06600, 51-09804, 51-09833, 51-02273, 51-02281, 51-02280, 51-02275, 51-02276, 51-08482, 51-08483, 51-03302 from O-R (Office-Research) to I-1 (Light Industrial) and set a public hearing for the Zoning Commission on April 6, 2022 at 5:30 p.m. Seconded by Gary Older. Roll Call: Gerard Michael (yes); Gary Older (yes); Tracy Cunningham (yes).

The Zoning members discussed work to initiate a Property Maintenance Code.

Comprehensive Plan (2002 – updated 2010). Discussed setting up a committee of ten individuals to look at 20 years in future.

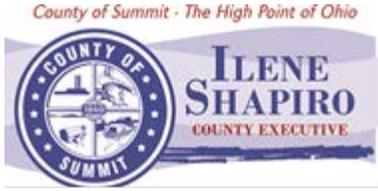
**SPRINGFIELD TOWNSHIP
ZONING COMMISSION
MARCH 2, 2022
MINUTES**

Gary Older: I move to adjourn. Seconded by Gerard Michael. Roll Call: Gerard Michael (yes); Gary Older (yes); Tracy Cunningham (yes).

Gary Older, Chairman

Patty Price, Secretary

03022022zcmin



Planning Commission
Zoning Map Amendment
 2910 S. Main St.
 Coventry Township

EXECUTIVE SUMMARY

Proposal: Requesting a change in zoning classification for 2910 S Main St., Akron, OH 44319 (Summit County Parcel # 1900514). Located on the west side of S Main St., parcel # 1900514 contains 4.22 acres of land currently zoned both B-2 Limited/Local Business and R-1 Residential to C/I Commercial Industrial.

Staff recommends DISAPPROVAL

Meeting:	March 31, 2022	Proposed Zoning:	C/I
Item No.:	6	Council Dist.:	District 8
Current Zoning:	B-2 and R-1	Processor:	Stephen Knittel

Parcel Number: 1900514

Location: Along S. Main St south of the intersection with N. Bender Ave.

Proposal: Requesting a change in zoning classification for 2910 S Main St., Akron, OH 44319 (Summit County Parcel # 1900514). Located on the west side of S Main St., parcel # 1900514 contains 4.22 acres of land currently zoned both B-2 Limited/Local Business and R-1 Residential to C/I Commercial Industrial.

From applicant, Jonathan Riley:

“Currently with the issue of water and ma/or renovations to get this building ready for a business under the current Zoning would be extremely extensive and costly.

By using the building as it currently stands, repurposing the interior class rooms to be used as Storage is a very easy and quick way to make this a income producing property.

Our ultimate goal is to keep the look of the School building and keep the exterior of the property nice and manicured for the appeal of the area. We also intend to have the ballfield cleaned back up and allow area T-ball and Coach pitch to utilize the field.

By changing the zoning and allowing us to turn this into storage facility, could be beneficial for the community in several ways.”

Zoning:

See attachments for zoning maps.

Direction	Zoning	Land Use	Jurisdiction
North	R-1 and B-2	Residential and Business	Coventry Township
East	R-2	Residential	Coventry Township
South	R-1 and B-2	Residential and Business	Coventry Township
West	R-1	Planned Industrial Park	Coventry Township

Current Zoning: From Coventry Township’s Zoning Resolution, provided on Coventry Township’s website: <https://www.coventrytownship.us/>

R-1 Residence District

SECTION 6.01 PERMITTED USES

In an "R-1" Residence District, no building, structure, lot, or land shall be used except for the following purposes.

A. PERMITTED USES

1. Single family dwelling.
2. Accessory buildings or structures customarily incidental to the foregoing permitted use, including private boat house and dock facilities, roadside stands, and private garages.
3. Short Term Rentals. **

B. CONDITIONALLY PERMITTED USES

(Uses which may be permitted by issuance of a Conditional Zoning Certificate by the Board of Zoning Appeals that said Board finds that the proposed conditional use is listed in the conditional uses in the district and that the conduct of the use meets beyond any reasonable doubt, both the general and specific requirements thereto.)

1. Public owned and operated facilities such as, but not limited to, fire stations, township halls, community center buildings or areas, libraries, museums, parks, recreation, or conservation areas.
2. Public or parochial schools.
3. Churches and comparable buildings for religious worship, instruction, or devotion, but excluding tents temporarily erected for such purposes.
4. Golf courses or country clubs, but excluding miniature golf courses or practice driving ranges operated for business purposes.
5. Accessory buildings or structures customarily incidental to any of the foregoing conditionally permitted uses, including accommodations for personnel employed on the premises, private boat house and dock facilities, home occupation, and roadside stands.
6. Residential and non-residential alcohol, drug and related mental health treatment facilities and associated uses.

SECTION 6.02 HEIGHT REGULATIONS

No main building or structure shall exceed two and one-half (2-1/2) stories or thirty (30) feet in height. No accessory building or structure shall exceed one (1) story or fifteen (15) feet in height, whichever is less. (Same as Sections 7.02 and 8.02).

SECTION 6.03 AREA REGULATIONS

A. FRONT YARD

There shall be a front yard having a minimum depth of sixty (60) feet measured from the street right-of-way line to the building line.

B. FRONT YARD IN BUILT-UP BLOCKS

There shall be a front yard having a minimum depth of sixty (60) feet measured from the street right of way line to the building line, except on properties where immediately adjoining lots on either side of the subject have existing structures that are located at a

setback less than the minimum set forth above. In that case the minimum setback shall be the average of those existing structures, provided, however the front setback established by this criteria shall in no event be less than twenty (20) feet.*

C. SIDE YARDS

There shall be provided a side yard on each side of a building or structure having a minimum width of fifteen (15) feet between the lot line and any structures.

D. SIDE YARDS - CORNER LOT

Corner lots shall maintain the required front setback on both abutting streets. (Same as Paragraph D, Section 7.03 and 8.03).

E. REAR YARD

There shall be provided a rear yard having a minimum depth of forty-five (45) feet to the building line.

F. MINIMUM AREA OF LOT OR PARCEL OF LAND

The minimum number of square feet of area of each lot or parcel of land shall be thirty thousand (30,000) square feet, unless the lot or parcel of land in question is a lot or parcel of land of record and meets all other zoning requirements of the Zoning Resolution of Coventry Township.

G. MINIMUM WIDTH AT BUILDING LINE

The minimum width which each lot or parcel of land must have at the building line is one hundred (100) feet, unless it is a lot or parcel of land of record and meets all other zoning requirements of the Zoning Resolution of Coventry Township.

H. MINIMUM FLOOR SPACE

Every one (1) story SINGLE FAMILY dwelling shall have a minimum floor space of not less than one thousand square feet.

Every one and one-half (1-1/2) story SINGLE FAMILY dwelling shall have a minimum first floor space of not less than eight hundred fifty (850) square feet.

In computing the required minimum floor space, the area of breezeways, garages and other similar accessory buildings shall be excluded.

Every type of dwelling constructed on a slab, or without a basement, shall have a minimum first floor space of at least two hundred (200) square feet in addition to the foregoing minimum floor space noted in H.

All attached or detached garages incidental to the occupancy of the main building must be for private use only. The combined area of all such garages cannot exceed seven hundred sixty-eight (768) square feet.

I. ACCESSORY BUILDINGS

The construction of any accessory building or buildings, except private garages, as defined in Article 1.01, which exceeds two hundred (200) square feet in area is subject to prior approval by the Township Board of Appeals and subject to issuance of the proper Zoning Certificate and Conditional Zoning Certificate. The combined area of any existing accessory building or buildings, except private garages, shall be included in the computation of the two hundred (200) square feet area requirement and limitations of this Section.

Accessory buildings which are not a part of the main building may be built in a rear yard within five (5) feet of the rear or side lot lines and may be no closer than ten (10) feet to the main building. An accessory building or buildings which are not part of the main building shall not occupy more than thirty percent of the required rear yard. No accessory buildings, except private garages, can be used for parking, storage, or keeping of any motor vehicle including but not limited to cars, trucks, motor homes, etc. The accessory building area of two hundred (200) square feet may be added to the floor space of a garage, provided no other accessory building is present, and the parcel of land is one acre or more.

B-2 Limited Local Business District

SECTION 11.01

This district is established to provide for single or planned and integrated groupings of stores which will retail convenience goods and provide personal and professional service for a neighborhood area. No buildings, structures, lots, or parcels of land shall be used except for the following purposes:

A. PERMITTED USES

1. All uses permitted and conditionally permitted in "B-1" Office Business District.
2. Limited retail businesses which supply merchandise on the premises to include drugs, dry goods, clothing, notions, gifts, hardware, baked goods, florists, athletic goods.
3. Personal services including dry cleaning and laundry shops, barber shops and beauty shops, shoe repair, tailor and dressmaker, repair shops for watches, radios, and televisions, photo studios, photostatic and blueprinting.
4. Limited food sales of convenience store variety and or local grocery store, bakeries, delicatessen, and meat market, drive thru beverage stores.
5. Residential occupancy in conjunction with a limited business, where business occupies less than fifty (50) percent of structure.
6. Boat sales, minor service of boat and marine engines, and rentals.

B. CONDITIONAL USES

1. Restaurants catering to all age groups conditions.
 - a. The use must comply with Article 3.06.
 - b. No music or public address system shall be amplified to be heard on surrounding property.**
 - c. Parking must comply with Article 18.00.
 - d. Outside dining must comply with Section 23.20.**
 - e. Security and supervision shall be provided as required by the Board of Zoning Appeals.

C. All existing business uses and lands zoned for business use under the Coventry Zoning Resolution prior to August 23, 1970 are classified in this district.

SECTION 11.02 HEIGHT REGULATIONS

No building or structure shall exceed three (3) stories, or forty (40) feet in height, except with the approval of the Township Board of Zoning Appeals.

SECTION 11.03 AREA REGULATIONS

A. FRONT YARD

There shall be a front yard having a minimum depth of fifty (50) feet if on a County or State maintained roadway and a minimum depth of forty (40) feet for any other roads, from the street right-of-way line.

No part of a building, including awning, canopy, or sign shall extend or be placed between the building line and the street right-of-way line unless authorized by the Township Board of Zoning Appeals.

B. SIDE YARDS

There shall be provided a side yard having a minimum width of ten (10) feet, or twenty (20) feet if adjacent to residentially zoned property. On the side of corner lots or lands nearest the street, there shall be provided a side yard having the same width as the required front yard depth on such street.

C. REAR YARD

There shall be provided a rear yard having a minimum depth of twenty (20) feet.

D. MINIMUM AREA OF LOT OR PARCEL OF LAND

The minimum square footage of each lot or parcel of land shall be no less than one half acre (21,780 square feet) provided centralized sanitary sewer is available and one acre (43,560 square feet) if centralized sewer is not available.*

SECTION 11.04 PARKING FACILITIES

See Article 18.00.

Proposed Zoning:

C/I – Commercial Industrial

SECTION 14.01

In a Commercial-Industrial District, no building, structure, lot, or land shall be used except to provide for certain commercial and industrial uses engaged in the storage, distribution and handling of large quantities of goods and materials, and the fabrication, manufacture and repair of goods of such nature that no objectionable by-products such as odors, smoke, dust, refuse, electromagnetic interferences, noise, etc. are noticeable, and when all work activities and storage are conducted indoors. (No outdoor manufacturing, assembly or storage is permitted.)

A. RESTRICTIONS AND REQUIREMENTS: General Requirements:

1. Central sewer and water.

2. All utilities including telephone, electric, cable television, etc. are required to be underground.
3. All streets shall conform to the width restrictions of Summit County, and shall be of asphalt or concrete surface. Curbing and street lighting along all streets are required. All streets, driveways and parking areas shall consist of concrete or asphalt paving. All street lighting shall be attractive as well as useful. *(deleted sidewalk requirement 6/9/02)
4. At least thirty percent (30%) of all land must be used for open or Agree@ space. All open space must be landscaped and well-maintained, and may be used for parks and recreational uses such as pools, tennis courts, and athletic fields. Roadways and parking areas may not be used in calculating the amount of land dedicated to open space. The percentage of required open space may be reduced by developing and dedicating some of the land for use by the general public on a one-to-one basis, but the area required to be dedicated to open space may not be less than twenty percent (20%).

Example #1:	Land To Be DevelopedB Required Open SpaceB	100 acres 30 acres
Example #2:	Land To Be DevelopedB Land dedicated for community use (Youth athletic fields, developed walking trails, tennis courts, etc.B) (*This reduces the overall open space requirement by an equal amount.) Required Open SpaceB	100 acres 5 acres* 20 acres

5. LOT SIZE

Land may be subdivided into parcels of no less than one and one-half acres, and expanded in one-half acre increments.

6. STRUCTURES

No more than forty-five percent (45%) of the area of each building site may be covered with buildings or other structures.

7. SITE COVERAGE

No more than seventy percent (70%) of the area of each building site may be covered with buildings, structures, street right-of-way paved areas, off street loading area, driveways, walkways parking areas and other paved areas, and the remaining area shall be devoted to open space, except as otherwise permitted under General Requirements.

8. HEIGHT OF BUILDINGS

No building shall exceed forty-five (45) feet in height.

a. SETBACKS

1. Front: Sixty (60) feet (as measured from the street right-of-way)
2. Rear: Twenty-five (25) feet (as measured from the rear property line)
3. Sides: Twenty-five (25) feet

b. PARKING AREAS

All designated parking areas or driveways must be separated from property lines or street right of way line by a minimum 20 foot landscaped buffer strip.*

B. CONDITIONALLY PERMITTED USES

1. Well drilling.
2. Excavation, extraction, removal or stripping of topsoil, subsoil, gravel, sand, etc.,

from lands (see Article 22.00).

3. Sexually oriented businesses.

a. A sexually oriented business may be located and shall be permitted only in accordance with the following restrictions:

1. No such business shall be located on any parcel within five hundred (500) feet of any residential dwelling or any residentially zoned district within Coventry Township or any neighboring political subdivision.
2. No such business shall be located on any parcel within one thousand (1,000) feet of any public library, private or public elementary or secondary school, day care center, preschool, public park, recreation area or church.
3. No such business shall be located on any parcel within one thousand (1,000) feet of another sexually oriented business.
4. Such businesses shall only be located in a Commercial-Industrial zoned district within Coventry Township.

-
5. Must comply with all conditions of Article 3.06 General Conditions of Conditional Zoning.
 6. That the proposed use shall not enlarge or encourage the development of a blighting influence.
 7. That the establishment of an additional regulated use in the area shall not be contrary to any program of neighborhood conservation or rehabilitation.
 8. Any display, device or sign that depicts or describes specified sexual activities or specified anatomical areas shall be out of view of the public way and surrounding property;
 9. No adult cabaret or theater shall be established in the same building with another adult cabaret or adult bookstore or adult motion-picture theater.
 10. Adult cabarets, adult bookstores, and adult motion-picture theaters shall only operate during hours reasonably designated by the Commission.
 11. Businesses authorized under this section shall have entrances to the establishment shielded in such a way that individuals outside the business building will not be able to see the entertainment area inside the building. Additionally, said shielding shall not consist of curtain alone shall not obstruct any exit sign or panic hardware for any exit, nor shall the shielding be constructed in such a way as to block any exit. All shielding shall be approved by the Coventry Fire Department.
 12. All entertainment shall be conducted on a stage, or upon an open floor in an area such as a dance floor. While entertainment is being conducted, the entertainment area shall be separated from the areas occupied by customers or patrons.
- b. For the purposes of subdivision (A), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church or public or private elementary

or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.

c. For the purposes of subdivision (A), the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

d. No person shall establish, operate or cause the establishment or operation of any sexually oriented business in violation of the provisions of this section. Nothing in this section shall be construed to prohibit or limit the display, sale or rental of descriptive, printed, film or video material or any live performance which, taken as a whole, contains serious literary, artistic, political, medical, educational or scientific value.

4. All permitted and conditionally permitted uses set forth in Article 12.00 shall be conditionally permitted in the “C” – Commercial Industrial District, subject to the following terms and conditions and all other conditional zoning requirements:**

a. Any such use shall be conditionally permitted only in existing C-1 structures as of the date of this amendment.

b. Such structures must be adjacent to an existing “B-3” General/Regional Business District.

c. Such use shall comply with the sign requirements for the “C” Commercial Industrial District.

d. Such use shall meet the parking requirements for a “B-3” General Regional/Business District.

STAFF REVIEW

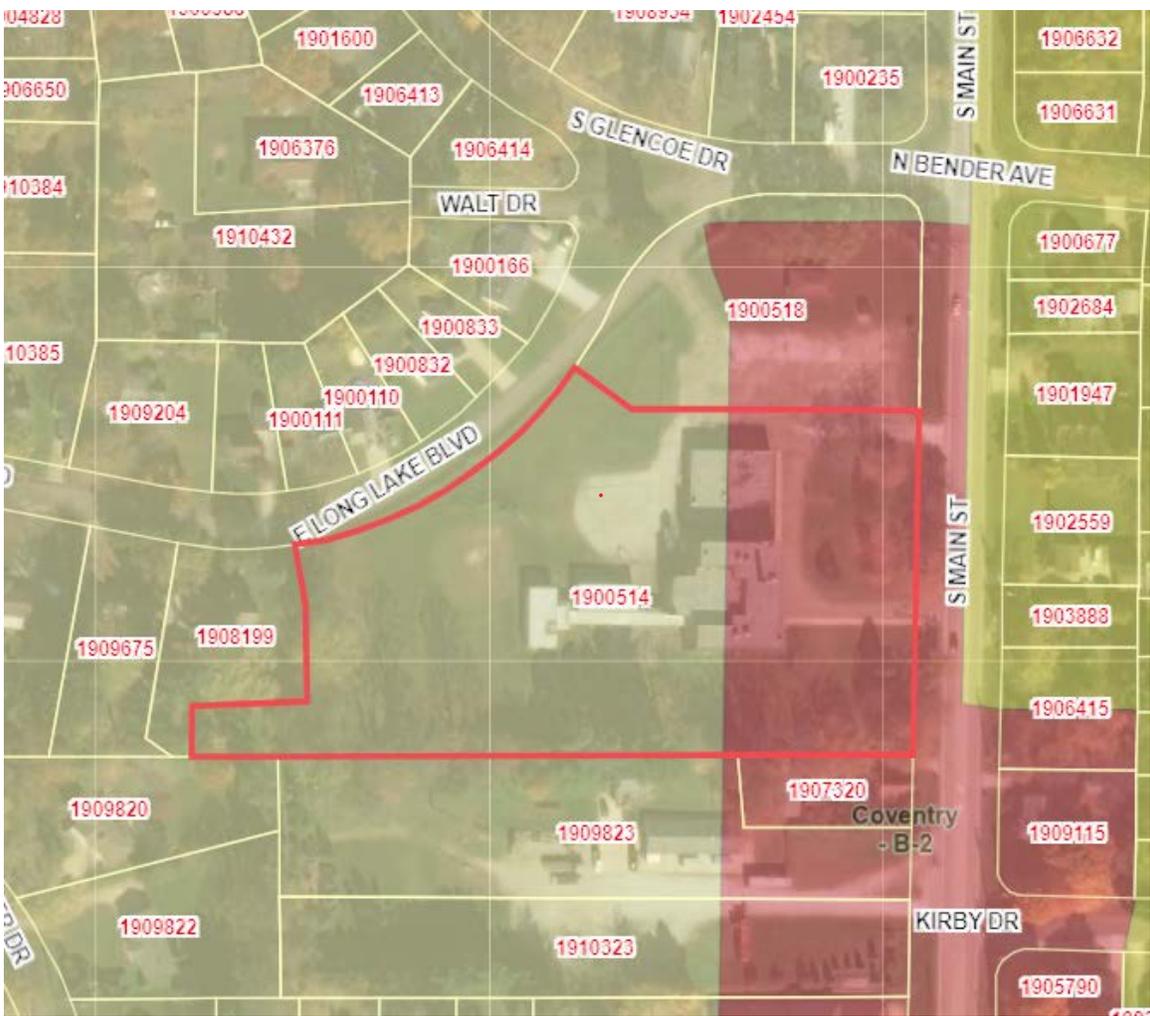
1. *Is the proposed zoning change reasonable given the nature of the surrounding area?* There are no C-1 zoned parcels adjacent to the subject property.
2. *Can the property reasonably be used as currently zoned?* Yes.
3. *Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan?* The Township does not have a Comprehensive/Future Land Use Plan

-
4. *Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts?* Yes.
 5. *How will the proposed zoning change impact public services and facilities?* The proposed zoning is a greater intensity use than the current zoning however it should not impact public services and facilities.
 6. *How will the proposed zoning change impact traffic, especially traffic safety?* The proposed change should not have an impact on traffic nor traffic safety.
 7. *Will the proposed zoning change adversely affect adjoining properties?* The proposed change is a greater intensity use than the current zoning and may adversely affect adjoining properties.
 8. *Is this an appropriate location for the proposed use or are there other available locations better suited for it?* There are no adjacent C/I zoned properties.
 9. *Will the proposed zoning change, change the character of the neighborhood?* The proposed change is a higher intensity use and has the potential to change the character of the neighborhood as there is no C/I in the neighborhood currently.
 10. *Has there been a change in conditions that renders the original zoning inappropriate?* No.

Staff Comments:

- The site can be used as currently zoned.
- The proposed change is a higher intensity use and has the potential to change the character of the neighborhood as there is no C/I in the neighborhood currently.

Recommendation: Staff recommends DISAPPROVAL.



THE COVENTRY TOWNSHIP ZONING COMMISSION

The Coventry Township Zoning Commission will hold a public hearing on Tuesday December 21st, 2021 at 7:00 PM at Coventry Township Hall, 68 Portage Lakes Dr., Coventry Township, OH 44319, to consider the following request:

Jonathan Riley & Greg Myers, 2454 Country Club Dr., Uniontown, OH 44685-

Requesting a change in zoning classification for 2910 S Main St., Akron, OH 44319 (Summit County Parcel #1900514). Located on the west side of S Main St., parcel #1900514 contains 4.22 acres of land. The previous use of this property was a public school. The request involves the rezoning of property currently zoned both B-2 Limited/Local Business and R-1 Residential to C/I Commercial Industrial. The proposed use of the property is indoor climate-controlled storage. No final decision will be made by the zoning commission at this initial public hearing. The request will be forwarded to the Summit County Planning Commission for their recommendation before returning to the Zoning Commission for action.

The full text and drawings of this request are available for public viewing in the Coventry Township Zoning Office, from 8:00 to 12:00, Monday, Wednesday and Friday, at 68 Portage Lakes Drive, Coventry Township, Ohio 44319. You must contact the Coventry Township Zoning Office at 330-644-0785 Ext. 2 or m.harrison@coventrytownship.com to make other arrangements to view the plans or submit written statements before the hearing.

The public is invited to participate in this meeting.

Mike Harrison, Zoning Inspector

Cc: Mailing List



COVENTRY TOWNSHIP ZONING DEPARTMENT

68 Portage Lakes Drive, Akron, Ohio 44319
Phone: (330) 644-0785 Fax: (330) 644-4806
zoning@coventrytownship.com

Office Hours: Monday, Wednesday, Friday, 8:00 A.M. to 12:00 Noon or by Appointment

November 2021

APPLICATION FOR MAP AMENDMENT OR TEXT CHANGE TO THE ZONING RESOLUTION OF COVENTRY TOWNSHIP, SUMMIT COUNTY, OHIO

Date 11/22/2021

Name of Applicant Jonathan D Riley Greg Myers

Address of Applicant 2454 Country Club Dr, Uniontown, OH 44685

Phone Number of Applicant 330-715-6328

Email of Applicant Jriley3531@KW.com

Address & Parcel # of Location of Map Change & Map 1900514 & 1900518

2910, S Main St, Akron , OH 44319

Name of Property Owner Jonathan D Riley & Greg Myers

Address of Property Owner 2454 Country Club Dr, Uniontown, OH 44685

Email of Property Owner JRiley3531@KW.com

Present Zoning and Use of Property Currently Zoned B-2 on front portion along S Main St

R-1 on back portion. Currently the property seems to be a mixed use of storage and maybe office. Not real sure what the current owner is really doing other than not taking care of the building

Proposed Zoning and Use of Property Commercial/Industrial - Indoor Climate controlled Storage

List all Contiguous Property Owners & Addresses (Use additional space if needed)

Deborah Stringfield 85 E Long Lake 44319 Elizabeth Miller 79 E Long Lake, 44319

Ryan Frymeir 55 E Long Lake, 44319 Ronald Hodges 45 E Long Lake, 44319 - Already Signed off on plans

Donald Vederhoof 41 S Glencoe Dr, 44319 Russell McNatt 31 S Glencoe, 44319

Pamela Jones 2848 S Main St, 44319 Tyler Pastor 2903 S Main St, 44319 -Already Signed off on plans

Renee Priester. 2909 S Main St, 44319

Section of Code to Be Revised (if applicable) _____

Reasoning For Request (Use additional space if needed) _____

Currently with the issue of water and major renovations to get this building ready for a business under the current Zoning would be extremely extensive and costly.
By using the building as it currently stands, repurposing the interior class rooms to be used as Storage is a very easy and quick way to make this a income producing property.
Our ultimate goal is to keep the look of the School building and keep the exterior of the property nice and manicured for the appeal of the area. We also intend to have the ballfield cleaned back up and allow area T-ball and Coach pitch to utilize the field.
By changing the zoning and allowing us to turn this into storage facility , could be beneficial for the community in several ways.

Signature of Applicant Jonathan Riley dotloop verified 11/22/21 11:09 AM EST [1Z]WMBB-VUAJ-VFJL

Signature of Landowner (or Contract to Purchase) Jonathan Riley dotloop verified 11/22/21 11:09 AM EST [XTW-FKA7-ZVPR-H1YE

Date Submitted to Coventry Township 11/22/2021

Date of Fee Paid to Coventry Township (\$1,000.00) _____

Receipt Number: _____

Date of Initial Zoning Commission Hearing 12/21/2021

(Meetings are held in the Coventry Town Hall the 3rd Tuesday of each month at 7:00 PM)



COVENTRY TOWNSHIP ZONING DEPARTMENT

68 Portage Lakes Drive, Akron, Ohio 44319
Phone: (330) 644-0785 Fax: (330) 644-4806
zoning@coventrytownship.com

Office Hours: Monday, Wednesday, Friday, 8:00 A.M. to 12:00 Noon or by Appointment

November 2021

Steps in Rezoning or Text Change Process

1. Applicant submits Rezoning or Text Change to Zoning Inspector using 'Zoning Amendment Application' supplied by Zoning Inspector; include map if applicable and statement describing revision.
2. Zoning Inspector submits rezoning or text change to Coventry Zoning Commission who at a Public Hearing refers the request to the Summit County Planning Commission for a recommendation.
3. Zoning Inspector submits rezoning or text change to Summit County Planning Department.
4. The Summit County Planning Commission holds a hearing and makes a recommendation to the Township on proposal. (Applicant need be present)
5. The Coventry Zoning Commission holds a public hearing (legal ads are printed in the newspaper 10 days before the hearing) on the proposal, at which time the applicant states his case and other parties may make comments. The recommendation of the Planning Commission is read.
6. The Zoning Commission votes on the proposal, and passes the request along with their action on to the Coventry Board of Trustees
7. The Board of Trustees hold a Public Hearing (legal ads are again printed in the newspaper 10 days before the hearing) at which the recommendations of the Planning commission and Zoning Commission are read. The applicant again states their case and any other parties may make comment.
8. The Trustees vote on the matter. They may overturn what the Zoning Commission has ruled.
9. The proposal becomes effective 30 days after the hearing. The entire process usually takes about 3 months.

COVENTRY ZONING COMMISSION MEETING

7:00 P.M. PROMPT

**MEETING OF THE COVENTRY TOWNSHIP BOARD OF
ZONING COMMISSION WILL *COME TO ORDER.***

INTRODUCTION OF MEMBERS

Nichole Byers, Larry Moore, Terry Perona, John Rogers, Andrew Shriner and Shawn Welsh

READING OF ACKNOWLEDGEMENT

I hereby acknowledge that the full and complete proceedings of this public meeting are being taped and shall be kept with the Township Offices for a period of six (6) months. The tapes of tonight's proceedings, or any other meeting, may be listened to and reviewed at the township administration building between 8:00 am and 4:00 p.m., Monday through Friday. If you have any questions or comments, you must come to the microphone and state your name and address clearly.

PURPOSE

The main purpose of the Zoning Commission is advisory in nature, we are responsible for reviewing and recommending changes to the Zoning Resolution or Map. Our recommendation cannot be made without taking into account the recommendation of the Summit County Planning Commission. The Township Trustees then have final word on the revision or map change. We have several Zoning Revision (or map changes) to deal with today.

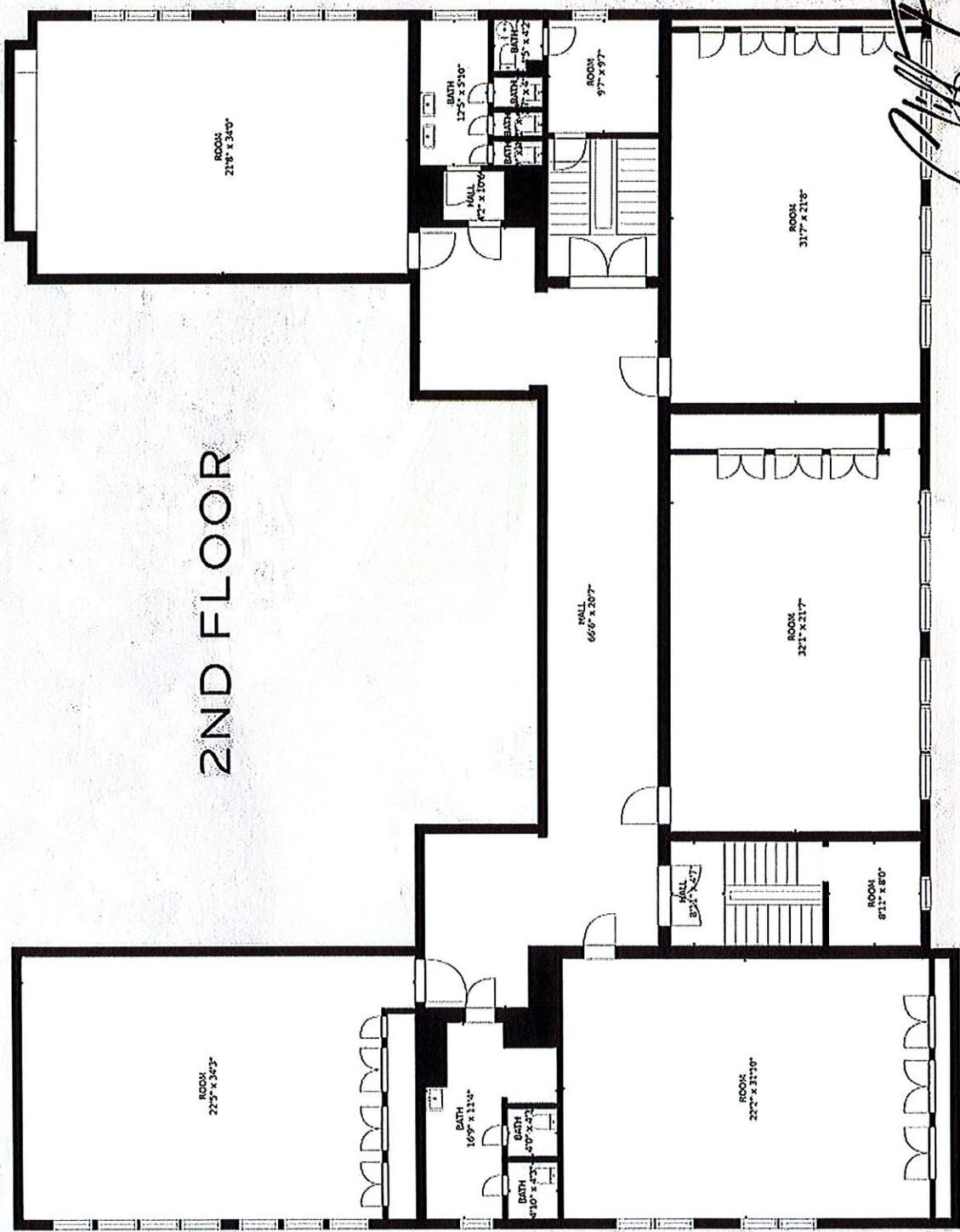
This meeting is a open public meeting and has been advertised in the local newspaper the Suburbanite ten days before this date.

SWEARING IN

All persons wishing to speak tonight, please stand, raise your right hand and I will administer the oath: Do you solemnly swear and affirm to tell the truth, they whole truth and nothing but the truth, so help you God.

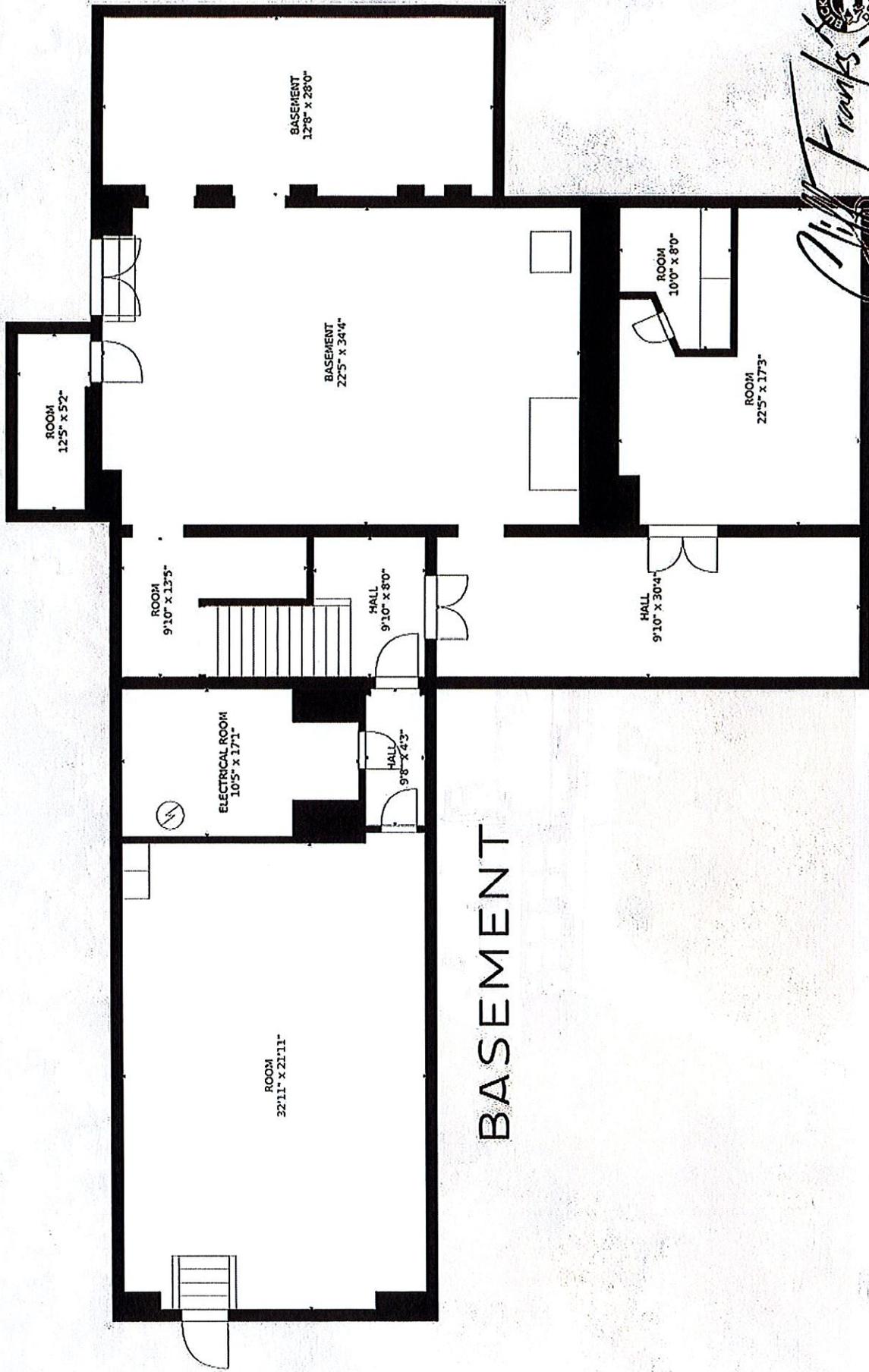
2910 S MAIN ST AKRON, OH 44319

2ND FLOOR



ALL DIMENSIONS AND FLOOR AREAS MUST BE CONSIDERED APPROXIMATE AND ARE SUBJECT TO INDEPENDENT VERIFICATION APHY

2910 S MAIN ST AKRON, OH 44319



BASEMENT

Bill Franks
LICENSED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL SURVEYOR

ALL DIMENSIONS AND FLOOR AREAS MUST BE CONSIDERED APPROXIMATE AND ARE SUBJECT TO INDEPENDENT VERIFICATION

ADJACENT

PROPERTY APPROVAL

Name

Address

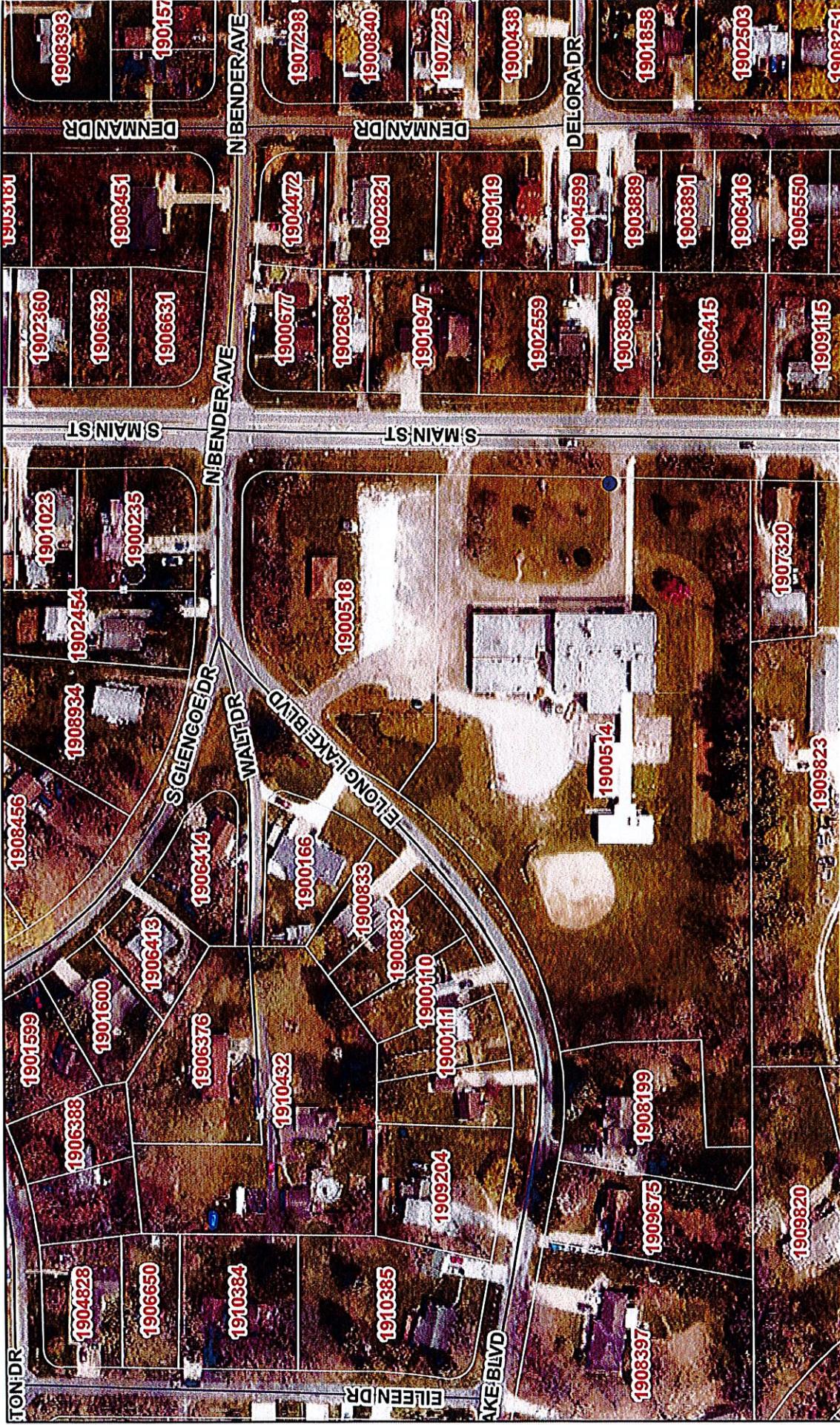
Signature

Tyler Pastor	2903 South Main St	Tyler Pastor
RON HODGES	45 E. LONGLAKE BLVD	Ronald Hodges

Thank You

FOR YOUR SUPPORT

ArcGIS Web Map



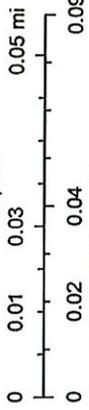
11/23/2021, 8:04:42 AM

Parcels

— Road Labels

□ Summit County Municipal Outlines

1:2,257



Maxar, Microsoft, Esri, HERE, Garmin, iPC

COVENTRY TOWNSHIP ZONING COMMISSION

December 21st, 2021 Regular Meeting Minutes

Coventry Township Hall, 68 Portage Lakes Dr.

Coventry Township, OH 44319

Zoning Commission (ZC) Members Present:

- Terry Perona
- Larry Moore
- Nichole Byers
- Shawn Welsh

ZC Members Absent:

- John Rogers
- Andrew Shriner (Chairman)

Others Present:

- John Riley & Greg Myers, 2910 S Main St applicants
- TJ Hollin, 3522 Manchester Rd applicant
- Mike Harrison, Zoning Inspector (ZI)

Audience Members Present:

- Dennis Ott, 3685 Lake Vista Rd

Call to Order:

Acting Chairman Terry Perona called the meeting to order at 7PM and read meeting guidelines and introduced the applicants:

Zoning Map Amendment Requests:

Jonathan Riley & Greg Myers, 2454 Country Club Dr., Uniontown, OH 44685- Requesting a change in zoning classification for 2910 S Main St., Akron, OH 44319 (Summit County Parcel #1900514). Located on the west side of S Main St., parcel #1900514 contains 4.22 acres of land. The previous use of this property was a public school. The request involves the rezoning of property currently zoned both B-2 Limited/Local Business and R-1 Residential to C/I Commercial Industrial. The proposed use of the property is indoor climate-controlled storage. No final decision will be made by the zoning commission at this initial public hearing. The request will be forwarded to the Summit County Planning Commission for their recommendation before returning to the Zoning Commission for action.

Mr. Perona asked if there were questions amongst the ZC.

Mr. Perona asked if there were questions from the ZC to the applicant.

Ms. Byers asked how ingress and egress would work at the facility.

Mr. Myers indicated there were no plans to alter the exterior of the building and individual unit configuration would be determined as needed.

Mr. Riley explained that the building will have a security system installed and each interior unit would be secure. The front entry doors would still be used.

Mr. Myers indicated they are just trying to utilize existing structure and space and limit renovations.

Mr. Riley explained they are trying to get rid of accessory classroom structures attached to the school.

Mr. Moore asked if any additional structures would be added to the site

Mr. Riley replied that there were no immediate plans, but if anything would be added it would be a boat storage building.

Mr. Moore asked if the existing access ways would be changed.

Mr. Myers replied that it would be unchanged unless the commission thought there would be an issue.

Mr. Perona mentioned that he noticed they intended to maintain the ball field.

Mr. Myers replied that he planned on letting tee-ball use the field, and this is another reason he was trying to get rid of the temporary accessory classrooms attached to the building.

Ms. Byers asked if they were planning on office space for themselves or for rent.

Mr. Riley indicated the plan is strictly storage at this time.

Mr. Myers indicated the build-outs would be simple and minimal demo would be required.

Mr. Welsh asked if they had researched loading, indicated the building was old.

Mr. Myers replied they hadn't gotten that far yet but they plan to make something work there, and the site will always be an asset for them.

Mr. Perona mentioned he noticed they had spoken with some adjacent neighbors and asked for a motion to send the request to the Summit County Planning Commission for their recommendation.

Mr. Moore made a motion, Mr. Welsh seconded.

All in favor:

Nichole Byers: Yes

Terry Perona: Yes

Shawn Welsh: Yes

Larry Moore: Yes

Motion approved 4-0

Mr. Harrison advised applicants he will contact SCPC regarding the agenda for the January 2022 meeting and that he will be in contact with them.

Mr. Perona introduced the next applicant.

Thomas Hollin, 4978 Will Dr., Akron, OH 44319- Requesting a change in zoning classification for 3522 Manchester Rd., Akron, OH 44319 (Summit County Parcel #1906573) and a portion of 3540 Manchester Rd., Akron, OH 44319 (Summit County Parcel #1904545). Located on the west side of Manchester Rd., parcel #1906573 contains 2.88 acres of land and parcel #1904545 contains 1.71 acres of land. The request involves rezoning of property currently zoned B-3 General Business to C/I Commercial Industrial. The proposal is for the construction of additional buildings for the use of flex space and storage units. The zoning commission held an initial hearing for this proposal on August 17th prior to the Summit County Planning Commission (SCPC) hearing the request on October 21st. SCPC recommended disapproval at the October 21st monthly meeting.

Mr. Perona explained the status of the request, that the request was heard by the Summit County Planning Commission (SCPC) in October 2021 and the commission recommended disapproval of the re-zone request. Mr. Perona asked if there was any discussion amongst the ZC.

Mr. Perona asked Mr. Hollin if any changes had been made (to his request).

Mr. Hollin indicated there were no changes from the meeting and he understood reservations from SCPC as it relates to spot-zoning.

Mr. Welsh asked if there were updates on possible stormwater management for the proposed site.

Mr. Hollin indicated that he hasn't gotten that far as he didn't think it was pertinent yet to the request, although he has consulted with an architect regarding building plans and site development.

Mr. Perona mentioned a note from the SCPC meeting regarding no adjacent properties being classified C/I, though there are a few along Manchester (he mentions Akron Steel Fabricators, a site near Acme Fresh Market, and the parcel at the end of Manchester Rd, owned by ANR Electric). He also mentions a note from SCPC that the property is able to be used as it is currently zoned (B-3).

Mr. Hollin notes the type of buildings initially planned would work in B-3 (flex-space) but he was seeking the re-zoning of the parcel for storage.

Mr. Perona mentioned that boat storage would be permitted in B-3 if it were indoors.

Mr. Hollin mentioned that part of the proposal involves the outdoor storage of boats. He indicated there is a location south on Manchester Rd where boats are stored outdoors.

Mr. Perona asks if he is referring to Portage Lakes Marine, and mentions that the code differentiates between boats stored outside for sale and boats outside for storage and/or repairs. He couldn't say with certainty, but assumed the boats stored outdoors at Portage Lakes Marine are for sale.

Mr. Hollin indicates that he is planning on storing boats far away from the road, in the rear of the site layout, unlike what is occurring down the road on Manchester and that both are properties are currently zoned B-3.

Mr. Moore indicated that he is certain that most boats at the location are for sale.

Mr. Perona intimated that SCPC focused on the higher-intensity use that could result from re-zoning and how it could adversely affect the surrounding areas, which is primarily small office space.

Mr. Moore expressed concern for the flag-lot proposal, as opposed to purchasing the entire lot

Mr. Hollin explained that the adjacent property owner was receptive to selling the majority (60%) of their property, but that it would be contingent on the rezone request being approved. He indicated he might be receptive to purchasing the entire lot, eventually.

Ms. Byers asked what would happen if this request was not approved and the property was not rezoned to Commercial-Industrial.

Mr. Hollin indicated he would explore possible flex buildings in the rear and toward the front of the existing property, but wanted to acquire more property in the rear for outdoor boat storage and thought it would be required to be re-zoned to do so.

Mr. Perona asked for any other discussion.

Mr. Welsh indicated that he doesn't think SCPC was wrong to recommend disapproval of the re-zone request.

Mr. Perona motioned to recommend disapproval.

Mr. Welsh seconded.

All in favor:

Nichole Byers: Yes

Larry Moore: Yes

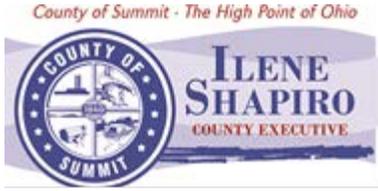
Terry Perona: Yes

Shawn Welsh: Yes

Motion is approved 4-0

Mr. Perona indicated that the next step in the process is a hearing with the Coventry Board of Trustees.

The meeting was adjourned at 7:42pm.



Planning Commission
Zoning Map Amendment
 1909647 & 1907510.
 Coventry Township

EXECUTIVE SUMMARY

Proposal: Requesting a change in zoning classification for parcels 1909647 and 1907510. Rezoning from B-3 Business to C/I Commercial Industrial, a zoning level and land use that allows self storage along with Flex Office Space, potential Multiple Stories, enclosed, temperature controlled.

Staff recommends APPROVAL

Meeting:	March 31, 2022	Proposed Zoning:	C/I
Item No.:	7	Council Dist.:	District 8
Current Zoning:	B-3	Processor:	Stephen Knittel

Parcel Number: 1909647 & 1907510
Location: Along S. Main St south of the I-277.
Proposal: Requesting a change in zoning classification for parcels 1909647 and 1907510. Rezoning from B-3 Business to C/I Commercial Industrial, a zoning level and land use that allows self storage along with Flex Office Space, potential Multiple Stories, enclosed, temperature controlled.
 From applicant, Steve Morris:
"Zoning level and land use that allows self storage along with Flex Office Space, I talked with county already, we are planning on making it Multiple Stories, enclosed, temperature controlled with good curb appeal. It would look more like a mixed use building."

Zoning:
 See attachments for zoning maps.

Direction	Zoning	Land Use	Jurisdiction
North	C/I	I-277 ramp	Coventry Township
East	B-3	Business	Coventry Township
South	C/I and B-2	Commercial INdustrial and Business	Coventry Township
West	C/I	Commercial Industrial	Coventry Township

Current Zoning: From Coventry Township’s Zoning Resolution, provided on Coventry Township’s website: <https://www.coventrytownship.us/>

B-3 General/Regional Business

SECTION 12.01
 This district is established to provide for principal shopping areas of community and/or regional

importance to the multipurpose consumer, where concentrations of various shopping facilities, services, and amusement/recreational uses may be found in quantity. This district includes activities, which because of their nature, such as a tendency to encourage traffic congestion, parking problems, storage problems, or other special problems, are best distinguished from local areas. Their location is desired on major thoroughfares.

A. PERMITTED USES

1. All uses permitted and conditionally permitted in "B-2" Local Business District.
2. Motels.
3. Bowling lanes, theaters, billiard halls, and public entertainment, recreation.****
4. Restaurants and drive-in restaurants.
5. Auto washes.
6. Supermarkets offering a wide variety of food, dry goods, clothing, etc.
7. Retailing with accessory outside storage of items offered for retail sales.**
8. Car sales, leasing and rental lots, and subject to the following conditions: *
 - a. All vehicle parking areas shall be of an impervious surface;
 - b. A ten (10) foot landscaped buffer shall be maintained around the full perimeter of the property, vehicles shall not be displayed or stored in these areas. Further no vehicles shall be permitted to be parked in the required side yard setback or rear yard setback if adjacent to a residentially zoned property. (Refer to "Facilities for Parking Motor Vehicles" Article 18.01 I and K.)*****
9. Light automotive repair such as brakes, mufflers and oil changes, painting, where all business is conducted inside of building.
10. Sale of home furnishings and appliances.
11. Boat and major marine engine repair may be permitted so long as all boat storage and or repair is conducted inside a building or buildings on the premises.**
12. Gas stations.
13. Tattoo Studio (parlor)*****

B. CONDITIONAL USES***

1. Outside Dining per Section 23.20.
2. Medical marijuana Dispensary per Section 23.21*****

SECTION 12.02 HEIGHT REGULATIONS

No building or structure shall exceed three (3) stories, or forty (40) feet in height, except with the approval of the Township Board of Zoning Appeals.

SECTION 12.03 AREA REGULATIONS

A. FRONT YARD

There shall be a front yard having a minimum depth of fifty (50) feet from the street right-of-way line.

No part of a building, including awning, canopy, or sign shall extend or be placed between the building line and the street right-of-way line unless authorized by the Township Board of Zoning Appeals.

B. SIDE YARDS

There shall be provided a side yard having a minimum width of ten (10) feet, or twenty (20) feet if adjacent to residentially zoned property. On the side of corner lots or lands nearest the street, there shall be provided a side yard having the same width as the required front yard depth on such street.

C. REAR YARD

There shall be provided a rear yard having a minimum depth of twenty (20) feet.

D. MINIMUM AREA OF LOT OR PARCEL OF LAND

The minimum square footage of each lot or parcel land shall be no less than one half acre (21,780 square feet) provided centralized sanitary sewer is available and one acre (43,560 square feet) if centralized sewer is not available.*

SECTION 12.04 PARKING FACILITIES

See Article 18.00.

Proposed Zoning:

C/I – Commercial Industrial

SECTION 14.01

In a Commercial-Industrial District, no building, structure, lot, or land shall be used except to provide for certain commercial and industrial uses engaged in the storage, distribution and handling of large quantities of goods and materials, and the fabrication, manufacture and repair of goods of such nature that no objectionable by-products such as odors, smoke, dust, refuse, electromagnetic interferences, noise, etc. are noticeable, and when all work activities and storage are conducted indoors. (No outdoor manufacturing, assembly or storage is permitted.)

A. RESTRICTIONS AND REQUIREMENTS: General Requirements:

1. Central sewer and water.
2. All utilities including telephone, electric, cable television, etc. are required to be underground.
3. All streets shall conform to the width restrictions of Summit County, and shall be of asphalt or concrete surface. Curbing and street lighting along all streets are required. All streets, driveways and parking areas shall consist of concrete or asphalt paving. All street lighting shall be attractive as well as useful.*(deleted sidewalk requirement 6/9/02)
4. At least thirty percent (30%) of all land must be used for open or Agreen@ space. All open space must be landscaped and well-maintained, and may be used for parks and recreational uses such as pools, tennis courts, and athletic fields. Roadways and parking areas may not be used in calculating the amount of land dedicated to open space. The percentage of required open space may be

reduced by developing and dedicating some of the land for use by the general public on a one-to-one basis, but the area required to be dedicated to open space may not be less than twenty percent (20%).

Example #1:	Land To Be DevelopedB	100 acres
	Required Open SpaceB	30 acres
Example #2:	Land To Be DevelopedB	100 acres
	Land dedicated for community use (Youth athletic fields, developed walking trails, tennis courts, etc.B)	5 acres*
	(*This reduces the overall open space requirement by an equal amount.)	
	Required Open SpaceB	20 acres

5. LOT SIZE

Land may be subdivided into parcels of no less than one and one-half acres, and expanded in one-half acre increments.

6. STRUCTURES

No more than forty-five percent (45%) of the area of each building site may be covered with buildings or other structures.

7. SITE COVERAGE

No more than seventy percent (70%) of the area of each building site may be covered with buildings, structures, street right-of-way paved areas, off street loading area, driveways, walkways parking areas and other paved areas, and the remaining area shall be devoted to open space, except as otherwise permitted under General Requirements.

8. HEIGHT OF BUILDINGS

No building shall exceed forty-five (45) feet in height.

a. SETBACKS

1. Front: Sixty (60) feet (as measured from the street right-of-way)
2. Rear: Twenty-five (25) feet (as measured from the rear property line)
3. Sides: Twenty-five (25) feet

b. PARKING AREAS

All designated parking areas or driveways must be separated from property lines or street right of way line by a minimum 20 foot landscaped buffer strip.*

B. CONDITIONALLY PERMITTED USES

1. Well drilling.
2. Excavation, extraction, removal or stripping of topsoil, subsoil, gravel, sand, etc.,

from lands (see Article 22.00).
3. Sexually oriented businesses.
 - a. A sexually oriented business may be located and shall be permitted only in accordance with the following restrictions:
 1. No such business shall be located on any parcel within five hundred (500) feet of any residential dwelling or any residentially zoned district within Coventry Township or any neighboring political subdivision.
 2. No such business shall be located on any parcel within one thousand (1,000) feet of any public library, private or public elementary or secondary school, day care center, preschool, public park, recreation area or church.
 3. No such business shall be located on any parcel within one thousand (1,000) feet of another sexually oriented business.
 4. Such businesses shall only be located in a Commercial-Industrial zoned district within Coventry Township.
 5. Must comply with all conditions of Article 3.06 General Conditions of Conditional Zoning.
 6. That the proposed use shall not enlarge or encourage the development of a blighting influence.
 7. That the establishment of an additional regulated use in the area shall not be contrary to any program of neighborhood conservation or rehabilitation.

8. Any display, device or sign that depicts or describes specified sexual activities or specified anatomical areas shall be out of view of the public way and surrounding property;

9. No adult cabaret or theater shall be established in the same building with another adult cabaret or adult bookstore or adult motion-picture theater.

10. Adult cabarets, adult bookstores, and adult motion-picture theaters shall only operate during hours reasonably designated by the Commission.

11. Businesses authorized under this section shall have entrances to the establishment shielded in such a way that individuals outside the business building will not be able to see the entertainment area inside the building. Additionally, said shielding shall not consist of curtain alone shall not obstruct any exit sign or panic hardware for any exit, nor shall the shielding be constructed in such a way as to block any exit. All shielding shall be approved by the Coventry Fire Department.

12. All entertainment shall be conducted on a stage, or upon an open floor in an area such as a dance floor. While entertainment is being conducted, the entertainment area shall be separated from the areas occupied by customers or patrons.

b. For the purposes of subdivision (A), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.

c. For the purposes of subdivision (A), the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects from the closest exterior wall of the structure in which each business is located.

d. No person shall establish, operate or cause the establishment or operation of any sexually oriented business in violation of the provisions

of this section. Nothing in this section shall be construed to prohibit or limit the display, sale or rental of descriptive, printed, film or video material or any live performance which, taken as a whole, contains serious literary, artistic, political, medical, educational or scientific value.

4. All permitted and conditionally permitted uses set forth in Article 12.00 shall be conditionally permitted in the “C” – Commercial Industrial District, subject to the following terms and conditions and all other conditional zoning requirements:**

- a. Any such use shall be conditionally permitted only in existing C-1 structures as of the date of this amendment.
- b. Such structures must be adjacent to an existing “B-3” General/Regional Business District.
- c. Such use shall comply with the sign requirements for the “C” Commercial Industrial District.
- d. Such use shall meet the parking requirements for a “B-3” General Regional/Business District.

STAFF REVIEW

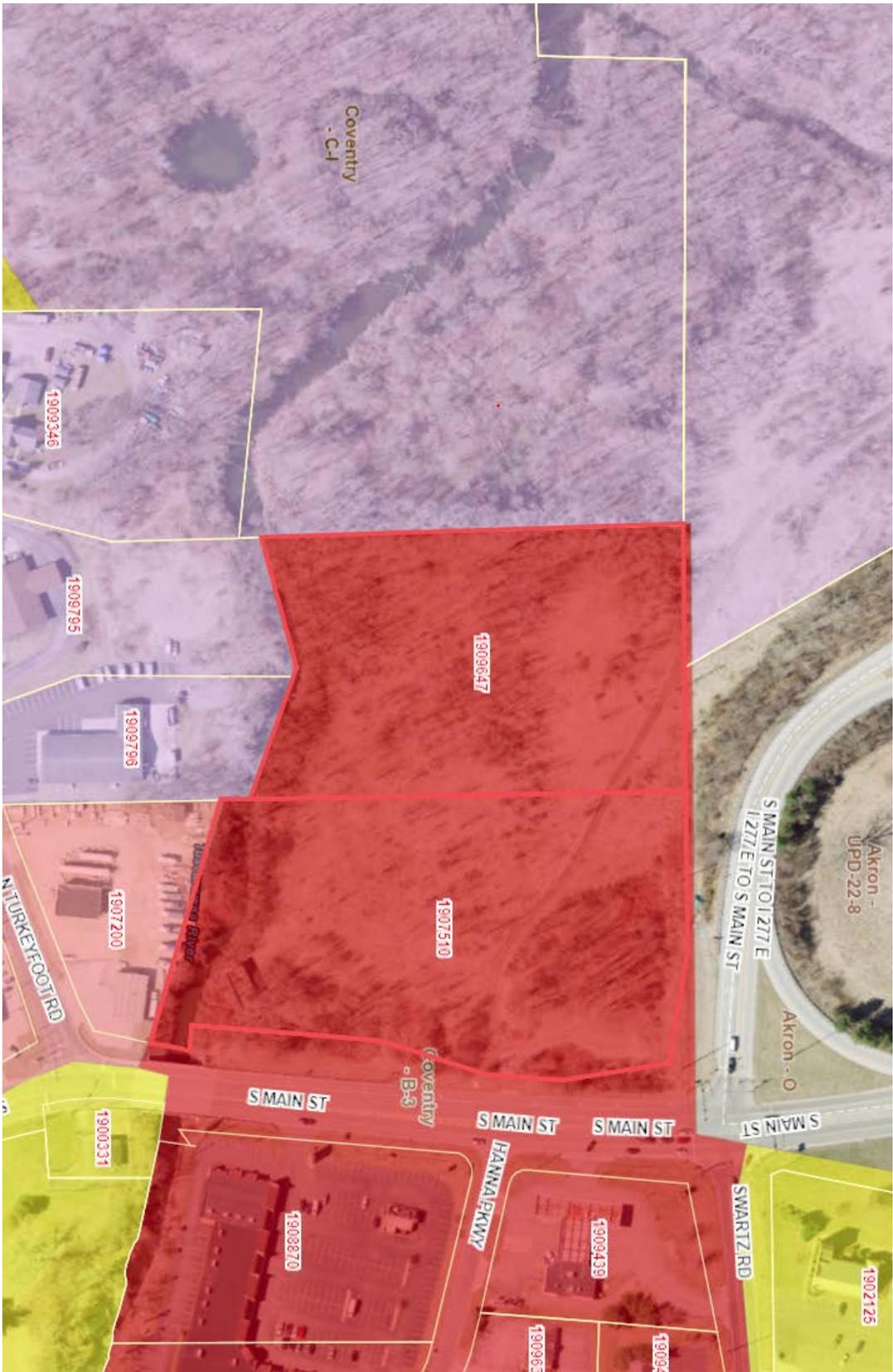
1. *Is the proposed zoning change reasonable given the nature of the surrounding area?* Yes this is a reasonable change given the nature of the surrounding area.
2. *Can the property reasonably be used as currently zoned?* Yes.
3. *Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan?* The Township does not have a Comprehensive/Future Land Use Plan.
4. *Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts?* Yes.
5. *How will the proposed zoning change impact public services and facilities?* The proposed zoning is a greater intensity use than the current zoning however it should not impact public services and facilities.
6. *How will the proposed zoning change impact traffic, especially traffic safety?* The proposed change should not have an impact on traffic nor traffic safety.
7. *Will the proposed zoning change adversely affect adjoining properties?* The proposed change is a greater intensity use than the current zoning and should not have an adverse impact as there are adjoining C/I uses already.

-
8. *Is this an appropriate location for the proposed use or are there other available locations better suited for it?* This is an appropriate location as there are adjacent C/I zoned properties.
 9. *Will the proposed zoning change, change the character of the neighborhood?*
The proposed change will not change the character of the neighborhood as there is C/I in the neighborhood currently.
 10. *Has there been a change in conditions that renders the original zoning inappropriate?* No.

Staff Comments:

- The site can be used as currently zoned.
- The proposed change is a greater intensity use than the current zoning however the proposed change should not have an adverse impact as there are adjoining C/I uses already.

Recommendation: Staff recommends APPROVAL.





COVENTRY TOWNSHIP ZONING DEPARTMENT

68 Portage Lakes Drive, Akron, Ohio 44319
Phone: (330) 644-0785 Fax: (330) 644-4806
zoning@coventrytownship.com

Office Hours: Monday, Wednesday, Friday, 8:00 A.M. to 12:00 Noon or by Appointment

November 2021

APPLICATION FOR MAP AMENDMENT OR TEXT CHANGE TO THE ZONING RESOLUTION OF COVENTRY TOWNSHIP, SUMMIT COUNTY, OHIO

Date 12/22/2021

Name of Applicant Steven Morris

Address of Applicant 4315 w 196th st. Fairview Park, OH 44126

Phone Number of Applicant 440-821-5671

Email of Applicant Stm802@gmail.com

Address & Parcel # of Location of Map Change & Map _____

Parcel Numbers 1909647 & 1907510

Name of Property Owner Red Door Renovations LLC

Address of Property Owner 4315 w 196th st. Fairview Park, OH 44126

Email of Property Owner Stm802@gmail.com

Present Zoning and Use of Property B-3 Business, Vacant land

Proposed Zoning and Use of Property Zoning level and land use that allows self storage

along with Flex Office Space, I talked with county already, we are planning on making it

Multiple Stories, enclosed, temperature controlled with good curb appeal.

It would look more like a mixed use building

List all Contiguous Property Owners & Addresses (Use additional space if needed)

We don't plan on using both parcels for storage but would like to have them

zoned the same with the land use viable for both parcels

Parcel Numbers 1909647 & 1907510

Section of Code to Be Revised (if applicable) _____

Reasoning For Request (Use additional space if needed) _____

To build on the new proposed land uses

Signature of Applicant _____

Signature of Landowner (or Contract to Purchase) _____

Date Submitted to Coventry Township 12/12/2022

Date of Fee Paid to Coventry Township (\$1,000.00) _____

Receipt Number: _____

Date of Initial Zoning Commission Hearing 11/12/2022

(Meetings are held in the Coventry Town Hall the 3rd Tuesday of each month at 7:00 PM)



BENCH MARK - BM
 CENTER OF MANHOLE COVER
 5TH WILLOUGHBY AT NW CORNER OF ALLEN RD.
 ELEVATION = 1037.27

- LEGEND**
- SON
 - M/W = RIGHT-OF-WAY
 - P/P = PROPERTY LINE
 - C = CENTERLINE
 - P = POWER POLE
 - L = LIGHT POLE
 - T = TELEPHONE/POWER POLE
 - X- = EXISTING FENCE
 - ⊙ = PROP. LIGHT POLE


2 WORKING DAYS
 SURVEY PROVIDED BY: CA ENGINEERING GROUP, INC.
 4215 KANG INDUSTRIAL PARKWAY
 STOW, OHIO 44224
 (330) 948-8111
 CALL TOLL FREE: 811
 OHIO LICENSED PROFESSIONAL ENGINEER

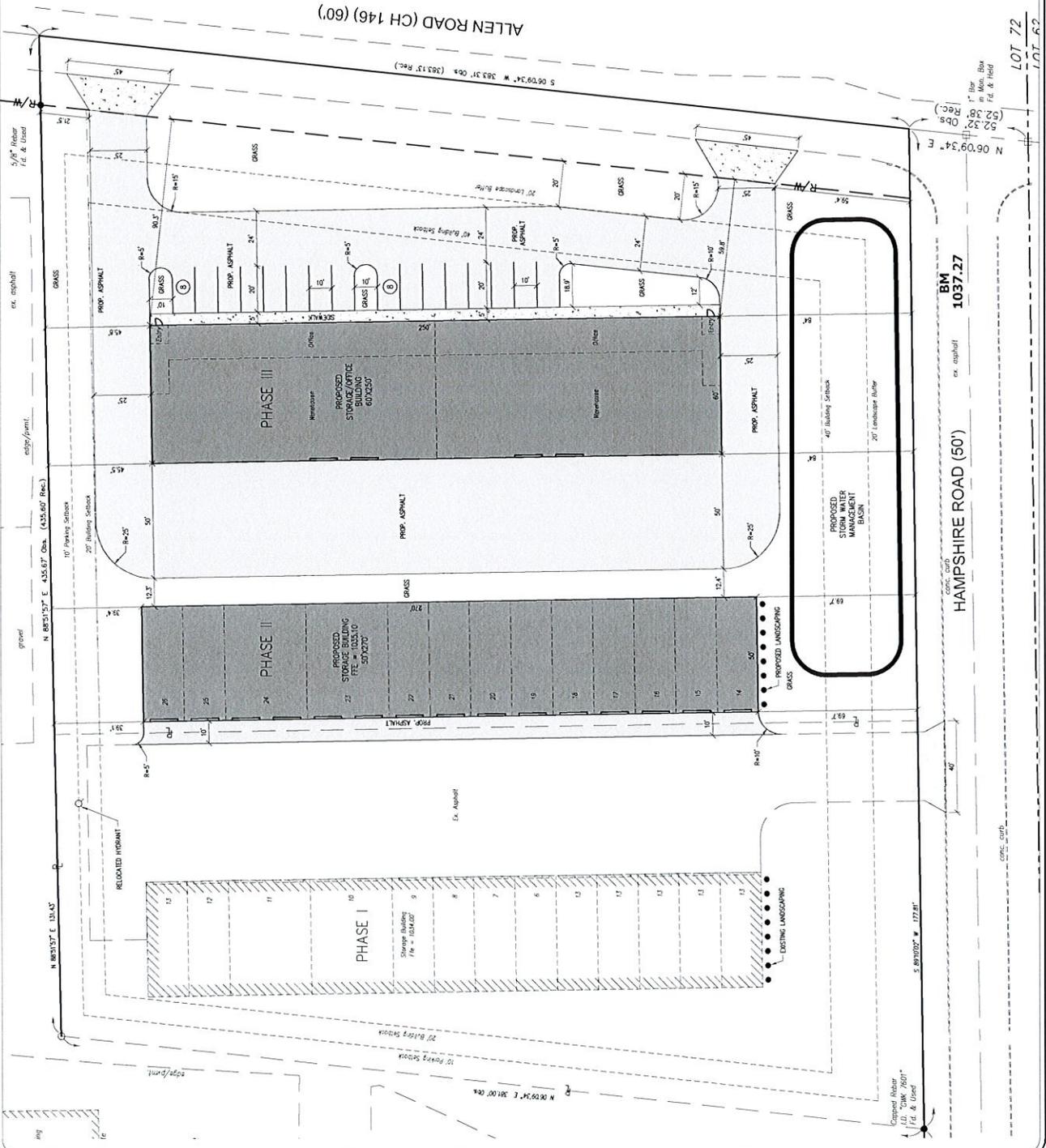
SITE PLAN

MRT PROPERTIES
 NW CORNER OF ALLEN AND HAMPSHIRE ROADS
 CITY OF STOW, SUMMIT COUNTY, OHIO

Title: _____
 Date: _____
 Drawn by: JLF
 Checked by: MAJ

Revisions: _____
 Date: _____

wohlwend
 engineering group
 4215 KANG INDUSTRIAL PARKWAY
 STOW, OHIO 44224
 (330) 948-8111
 JOB NO.: 20170041
 SHEET: C-2



LOT 72
 LOT 62



COVENTRY TOWNSHIP ZONING DEPARTMENT

68 Portage Lakes Drive, Akron, Ohio 44319
Phone: (330) 644-0785 Fax: (330) 644-4806
zoning@coventrytownship.com

Office Hours: Monday, Wednesday, Friday, 8:00 A.M. to 12:00 Noon or by Appointment

November 2021

Steps in Rezoning or Text Change Process

1. Applicant submits Rezoning or Text Change to Zoning Inspector using 'Zoning Amendment Application' supplied by Zoning Inspector; include map if applicable and statement describing revision.
2. Zoning Inspector submits rezoning or text change to Coventry Zoning Commission who at a Public Hearing refers the request to the Summit County Planning Commission for a recommendation.
3. Zoning Inspector submits rezoning or text change to Summit County Planning Department.
4. The Summit County Planning Commission holds a hearing and makes a recommendation to the Township on proposal. (Applicant need be present)
5. The Coventry Zoning Commission holds a public hearing (legal ads are printed in the newspaper 10 days before the hearing) on the proposal, at which time the applicant states his case and other parties may make comments. The recommendation of the Planning Commission is read.
6. The Zoning Commission votes on the proposal, and passes the request along with their action on to the Coventry Board of Trustees
7. The Board of Trustees hold a Public Hearing (legal ads are again printed in the newspaper 10 days before the hearing) at which the recommendations of the Planning commission and Zoning Commission are read. The applicant again states their case and any other parties may make comment.
8. The Trustees vote on the matter. They may overturn what the Zoning Commission has ruled.
9. The proposal becomes effective 30 days after the hearing. The entire process usually takes about 3 months.

COVENTRY ZONING COMMISSION MEETING

7:00 P.M. PROMPT

MEETING OF THE COVENTRY TOWNSHIP BOARD OF ZONING COMMISSION WILL *COME TO ORDER.*

INTRODUCTION OF MEMBERS

Nichole Byers, Larry Moore, Terry Perona, John Rogers, Andrew Shriner and Shawn Welsh

READING OF ACKNOWLEDGEMENT

I hereby acknowledge that the full and complete proceedings of this public meeting are being taped and shall be kept with the Township Offices for a period of six (6) months. The tapes of tonight's proceedings, or any other meeting, may be listened to and reviewed at the township administration building between 8:00 am and 4:00 p.m., Monday through Friday. If you have any questions or comments, you must come to the microphone and state your name and address clearly.

PURPOSE

The main purpose of the Zoning Commission is advisory in nature, we are responsible for reviewing and recommending changes to the Zoning Resolution or Map. Our recommendation cannot be made without taking into account the recommendation of the Summit County Planning Commission. The Township Trustees then have final word on the revision or map change. We have several Zoning Revision (or map changes) to deal with today.

This meeting is a open public meeting and has been advertised in the local newspaper the Suburbanite ten days before this date.

SWEARING IN

All persons wishing to speak tonight, please stand, raise your right hand and I will administer the oath: Do you solemnly swear and affirm to tell the truth, they whole truth and nothing but the truth, so help you God.



County of Summit - The High Point of Ohio
 Planning Commission
Zoning Map Amendment
 1909647 & 1907510.
 Copley Township

EXECUTIVE SUMMARY

Proposal: Requesting approval of a Mixed Use Compact Development (MUCD) District comprised of 21.25 acres consisting of Parcels 1504432 and 1501804. The project is a 3 Phase Planned Approach to the development of 21.25 acres.

Staff recommends APPROVAL

Meeting:	March 31, 2022	Proposed Zoning:	MUCD
Item No.:	8	Council Dist.:	District 5
Current Zoning:	CGR	Processor:	Stephen Knittel

Parcel Number: 1504432 and 1501804

Location: Along Rothrock Rd, east of I-77.

Proposal: Requesting approval of a Mixed Use Compact Development (MUCD) District comprised of 21.25 acres consisting of Parcels 1504432 and 1501804. The project is a 3 Phase Planned Approach to the development of 21.25 acres.
 From applicant, Matt Birch:

“The MUCD use will create neighborhoods where residential, commercial, and civil buildings can develop a live, work, and play environment type of development.”

Zoning:

See attachments for zoning maps.

Direction	Zoning	Land Use	Jurisdiction
North	C-GR	Legal Non-Conforming Residential	Copley Township
East	Fairlawn R-1	Residential	Fairlawn
South	C-GR	Conditional: Copley Place Senior Living	Copley Township
West	C-GR/R-MD	I-77/Residential	Copley Township

Current Zoning: From Copley Township’s Zoning Resolution, provided on Copley Township’s website: <https://www.copley.oh.us/>

4.1 C-GR General Retail Commercial District

A. Purpose

This District, comprising the C-3 District in the previous Zoning Resolution until such time as the township zoning map is amended to designate the location of the C-GR District, is established to provide for a wide range of retail and service uses, including high intensity retail and service uses, such as large-scale retail establishments, that meet the shopping needs of the community and the region. This District is an appropriate location for developments featuring multiple retail and service uses on large sites with parking and drives for multiple tenants and coordinated signage and landscaping.

B. Permitted Uses

1. Retail goods and personal services establishments that provide goods, products, merchandise and/or services directly to the consumer, including high intensity retail and service uses, such as large-scale retail establishments, that meet the shopping needs of the community and the region.
2. Restaurants and Nightclubs.
3. Accessory uses normally and regularly associated with the principal uses listed above.
4. Signs - As regulated by Article 8 of this Resolution.
5. Offices of governmental agencies at the federal, state, county and local level whose primary purpose is to serve the residents of Copley Township and surrounding communities.

C. Permitted Uses with Additional Restrictions

The following uses are permitted when conducted no closer than fifty (50) feet from an R-District. Where the C-GR District abuts an R-District, but is separated from the R-District by a street, the width of the street shall not be considered as part of the fifty (50) foot required setback.

1. Air-conditioning, cabinet making and carpentry, heating and plumbing, painting, roofing, sheet metal, and upholstering.

2. Dry cleaning, cleaning and dyeing, and laundry service.
3. Repair services for machinery and equipment establishments including: body shop, fender shop, motor shop, motor tune-ups, muffler shop, radiator shop, and tire repairing sales and service, including vulcanizing.
4. Uses that are substantially similar to those listed above as regards their land-use impacts on surrounding properties.

D. Conditionally Permitted Uses

The Board of Zoning Appeals may issue Conditional Zoning Certificates for the uses listed below, subject to Article 7, Standards for Conditional Uses.

1. Bed and Breakfast.
2. Churches.
3. Clubs and Lodges.
4. Day Care Center.
5. Drive-up Window Facility.
6. Gasoline service station – Full Service or Multi-Use.
7. Hotel/motel.
8. Life care facility.
9. Recreational Facility.
10. Schools / educational facilities.
11. Theatre and assembly uses.
12. Wind Turbines.

E. Prohibited Uses

1. Any proposed use that is not listed in the regulations for the C-GR District as a permitted or conditional use, and which in the opinion of the Zoning Inspector, is not in accordance with the Copley Township Comprehensive Land Use Plan or any current or future JEDD agreement, or that will be detrimental to or endanger the public health, safety or general welfare.
2. Any proposed use that is not listed in the regulations for the C-GR District as a permitted or conditional use, and which, in the opinion of the Zoning Inspector, is not substantially similar, as regards its land-use impacts on surrounding properties, to a use currently operating lawfully as a permitted use in the C-GR District. For the purposes of this section, land-use impacts include, but are not limited to: traffic, noise, stormwater 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 for uses permitted as-of-right in the District.

F. Development Standards

1. Minimum Front Yard Setback From the Street Right-of-Way Line – Twenty-five (25) feet.
2. Minimum Rear Yard Setback – Fifty (50) feet.
3. Minimum Side Yard Setback – Twenty-five (25) feet.
4. Minimum Side Yard Setback If Adjacent to Residential District – Fifty (50) feet.
5. Height Regulations - No building shall exceed thirty-five (35) feet in height, except as provided otherwise in this Resolution.
6. Off-Street Parking - As regulated by Article 9 of this Resolution
7. Sidewalk and/or Shared Use Path – New buildings, structures, and parking areas shall include the installation of a sidewalk and/or shared use path. The sidewalk and/or shared use path shall connect to similar facilities on adjacent property. In special cases, such as if no adjacent property sidewalk or shared use path exists, the facility type(s) and location shall be approved by Copley Township Community and Economic Development

Staff via Site Plan review. See Section 13 of this document.

Proposed Zoning:

4.07 Mixed-Use Compact Development District

A. Purpose

The Mixed Use Compact Development (MUCD) District and its regulations are established in order to permit compact, mixed use neighborhoods where residential, commercial and civic buildings could be within close proximity to each other. More specifically, the MUCD District would:

1. Permit mixed use development in appropriate areas of the Township as suggested by the Copley Township Comprehensive Land Use Plan.
2. Permit, in these areas, a pedestrian oriented mixture of uses including civic uses, offices, limited retail, and higher density residential in a manner that reinforces existing compact development.
3. Expand and diversify housing opportunities to meet current and future needs.
4. Ensure that new development and/or redevelopment will occur in a manner that provides adequate transition between more intense retail uses and lower density residential.
5. Ensure that new development and/or redevelopment comply with these objectives by requiring a development plan and establishing a review process to ensure that all phases of a development are consistent with these regulations.
6. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. These regulations are established under the Authority of O.R.C. §519.021(C), Planned Unit Development.

B. Establishment of a MUCD District

Mixed Use Compact Development (MUCD) Districts may be established under the Authority of O.R.C. § 519.021 (C), Planned Unit Development. The boundaries of a Mixed Use Compact Development District shall be indicated

on the Official Zoning Map with the symbol MUCD.

C. Application of the MUCD District

The Mixed Use Compact Development (MUCD) District shall be in addition to and shall overlay all other zoning districts where the MUCD district is established. Therefore, any parcel of land lying in the MUCD district shall also lie in one or more of the other zoning districts provided for in this Zoning Resolution. The district designation of MUCD shall be superimposed over the existing zoning designations on the Zoning Map.

D. Project Development Requirements

In order to accomplish the purposes set forth in Section 4.06 A. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. The uses permitted in a Mixed Use Compact Development (MUCD) District shall be developed in a manner that achieves some or all of the following:

- 1.** Includes a variety of housing types that results in a cohesive development which may have a higher density in some areas provided that the density in that portion of the MUCD District that abuts existing lower density residential development is no greater than the density in that residential development.
- 2.** Provides for convenient pedestrian circulation among the uses to create a more traditional neighborhood development in the community by including wherever possible given the size of the particular MUCD District:
 - a. A network of interconnecting streets and blocks;
 - b. Well configured squares, plazas, landscaped streets, and parks woven into the pattern of the neighborhood;
 - c. Connections to community facilities, offices and retail centers within and adjacent to the MUCD District.
- 3.** Conforms to a set of design guidelines approved at the time of rezoning to ensure that:
 - a. Buildings, open spaces and other visual features that act as landmarks are included in the MUCD District;
 - b. Buildings and other improvements are compatible based on their architecture, massing, orientation and arrangement; and
 - c. A cohesive environment is created.
- 4.** Reduces the impact between the MUCD District and existing and future development adjacent to the MUCD District by providing adequate transitional features such as:
 - a. Primary uses in a MUCD District that are similar in intensity to existing and/or expected uses in the abutting districts.

- b. Placing the lower intensity uses in a MUCD District adjacent to the lower intensity uses and zoning districts that are outside the MUCD District, and
 - c. Including adequate screening and buffering around the perimeter of the MUCD District.
5. Is located adjacent to areas zoned for either Commercial or Industrial use and where central sewer and water services are available or will be made available by the developer as a condition of project approval.

E. Minimum Project Area and Ownership

The gross area of a tract of land proposed to be developed as a MUCD District shall be at least twenty (20) acres.

1. The Architectural Review Board (ARB) may waive this requirement when it determines that, because of unique circumstances, this minimum cannot be achieved and the development of the property at a lesser standard will not have any material adverse impact on the adjacent property or the Township provided that in no case shall the area of the MUCD District be less than five (5) acres. Unique circumstances may include but are not limited to:

- a. The proposed MUCD District is adjacent to and thus becomes an extension of an existing or separately proposed MUCD District; or
- b. Because of existing uses, natural features, or ownership patterns there is no, or little, likelihood that contiguous land area can be acquired and consolidated to achieve the requisite 20 acres.

2. To be eligible for an MUCD District, such tract of land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations provided that an application must be filed by the owner or jointly by owners of all property included in the project area. In the case of multiple ownership, the approved final development plan and related conditions, including the phasing of development, shall be binding on all owners.

F. Permitted Uses

It is the intent of these regulations that a Mixed Use Compact Development District may contain a mixture of uses and a variety of building types not otherwise allowed in a given underlying zoning district and that such deviations may be allowed under circumstances where the Architectural Review Board determines it to be sufficiently advantageous and appropriate to grant such permission to depart from the normal requirements of the applicable zoning district. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended

for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. As a guide to the Architectural Review Board in making such determinations, a Mixed Use Compact Development District may contain, but is not strictly limited to, one or more of the uses specifically enumerated below in Table A.

(see next page for Table A)

Table A Permitted Uses

1. Residential:	
a. Single-family detached dwellings	P
b. Cluster single-family dwelling	P
c. Attached single-family dwelling with not more than 4 units attached	P
d. Townhouse with not more than 6 units attached	P*
e. Multifamily dwellings	P*
f. Assisted living facility	P*
g. Congregate living facility	P*
2. Offices:	
a. Offices including administrative, medical, business and professional	P
b. Sales offices with only samples of products	P
3. Retail/Services:	
a. Retail establishments in completely enclosed buildings	P
b. Banks	P
P = use is permitted; P* = use is permitted subject to 4.06 l.	

1. Conditionally Permitted Uses. Uses that are conditionally permitted in the underlying zoning districts and are not listed in Table A above, may be conditionally permitted in any location in the MUCD subject to the criteria established in Section 4.06 l. In addition, a Live/Work Use may be permitted as a conditional use in any MUCD District.

2 Accessory Uses. The following uses that are accessory to an establishment in a MUCD district shall be permitted when they are clearly incidental to and subordinate to, meet the setbacks of, and are located on the same lot as the principal building or use.

- a. Off-street Parking. Off-street parking as regulated in Section 4.06 H 3 and Article 9.
- b. Fences and Walls. Fences and walls may be erected in a MUCD District in compliance with this Resolution.

- c. Accessory Facilities for Residents of Development. Community centers, pools, tennis courts, and other indoor and/or outdoor recreational and/or community gathering places typically associated with single-family detached dwellings, two-family dwellings, single-family attached dwellings and/or multifamily dwellings, for use by residents of the MUCDDistrict.

d. Signs. Signs as regulated by Article 8.

G. Density

The maximum number of dwelling units permitted in any Mixed Use Development shall be determined by the Architectural Review Board to assure compliance with the purpose and intent of these regulations and to adequately protect the public safety and welfare, but shall not exceed the maximum number of dwelling units per acre set forth below. The availability of public sewer shall be a major factor in the Architectural Review Board's determination of the permissible density.

1. Density for Residential Development. The density of each area of a MUCD project devoted to a specific dwelling unit type shall not exceed the maximum number of dwelling units per acre set forth below:

- a. Single-family Detached Dwellings - Maximum density shall be four (4) dwelling units per acre.

b. Two-family Dwellings and Single-family Attached Dwellings -Maximum density shall be eight (8) dwelling units per acre.

c. Multifamily Dwellings - Maximum density shall be twelve (12) dwelling units per acre.

2. Maximum Number of Dwelling Units. The maximum number of dwelling units permitted for a particular MUCD project shall be calculated by multiplying the total area devoted to each dwelling unit type, as identified and delineated on the general development plan, by the maximum density per acre permitted above.

H. Development Standards

1. Setbacks and Separations. Setbacks and separations for new buildings, structures and parking areas shall be as established on the approved final development plan. In establishing said setbacks and separations for particular use areas within a MUCD, the Township shall consider the spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, building configurations, energy- efficient siting, and the relationships of building sites to circulation patterns. In no case shall the approved setbacks and/or separations be less than, and when specified, not more than, the following:

a. Minimum and Maximum Building Setbacks from Project Boundaries and Streets: All new buildings and structures shall comply with the minimum and maximum setbacks specified in Table B.

Table B

a. Minimum Setback of New Buildings from Project Boundaries	40 feet
b. Minimum Setback of New Buildings from Existing Public Street Rights-of-Way .dedicated as of the date the MUCD general development plan application is submitted	40 feet
c. Setback of New Buildings from proposed public street Right-of-Ways within the MUCD	
1) Minimum	10 feet
2) Maximum	20 feet

b. Minimum Separation Between New Buildings: In order to ensure reasonable privacy and separation of buildings, individual buildings located within the MUCD shall be separated by the minimum distances specified below:

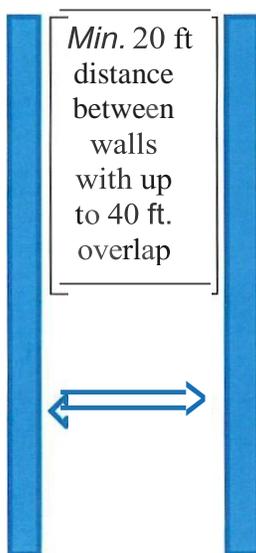
i. Single-family detached dwellings: All new single-family detached dwelling units shall be separated from each other by a minimum of 15 feet, except that when two walls facing each other both contain windows of living areas, or adjacent patios or decks, the minimum separation shall be 40 feet. For the purposes of this Section, living areas shall include: living room, family room or dining room.

ii Single-family detached dwellings adjacent to other uses: The minimum separation between new single-family detached dwelling units shall be 40 feet from attached single-family dwellings and 60 feet from all other buildings other than accessory buildings and detached garages associated with each single-family detached dwelling.

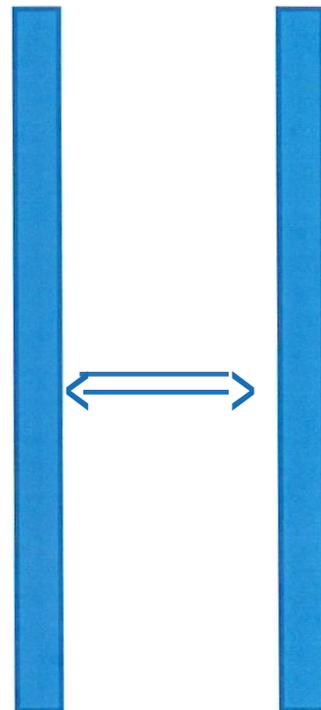
iii. All new attached single-family dwellings, multi-family dwellings, and non-residential buildings: Between two walls facing each other, the distance between two such walls shall be a minimum of 20 feet plus one foot of additional separation for every two feet of building wall overlap greater than 40 feet. The maximum separation required shall not exceed 60 feet when neither of the two walls contains windows and 100 feet when one or both walls contain windows.

Illustration of Development Standard H. 1. B. iii

"Between two walls facing each other, the distance between two such walls shall be a minimum of 20 feet plus one foot of additional separation for every two feet of building wall overlap greater than 40 feet."



In the illustration on the right, the walls overlap by 50 feet and so the required distance between them is increased to 25 feet



2. **Building Height:** The maximum height of any principal building shall be 35 feet unless a greater height is specifically authorized by the Architectural Review Board and with the approval of the Fire Chief.
3. **Parking and Roadway Setbacks:** Off-street parking areas and roadways shall be screened according to Articles 9 and 14 and shall comply with the following setback requirements:
 - a. Off-street parking areas shall be located to the side or rear of buildings and shall not extend into a front yard.
 - b.** All off-street parking areas shall be set back from an existing or proposed right-of-way a distance not less than 20 feet.
 - c. All off-street parking areas and roadways shall be set back from all other boundaries of the MUCD project a distance not less than 20 feet.
4. **Sidewalk and/or Shared Use Path -** New buildings, structures, and parking areas shall include the installation of a sidewalk and/or shared use path. The sidewalk and/or shared use path shall connect to similar facilities on adjacent property. In special cases, such as if no adjacent property sidewalk or shared use path exists, the facility type(s) and location shall be approved by Copley Township Community and Economic Development Staff via Site Plan review. See Section 13 of this document.
5. **Ownership:** Any ownership arrangement, including fee simple lots, condominiums, and zero lot line parcels, is permitted in a residential development proposed as part of a MUCD provided the arrangement of the dwelling units shall comply with the spacing requirements of this section. Within any such subplot, the applicant shall depict the maximum parameters, or building envelope, which indicates where the buildings shall be located and demonstrate that such building locations will be in compliance with the spacing requirements of this section. Alternatively, if such building locations are not depicted on any such sublots, the Architectural Review Board may establish on the development plan the appropriate front, side, and rear yard dimensions for each subplot.

I. Supplemental Requirements

Each proposed MUCD shall comply with the following supplemental requirements:

1. Similar land uses should face across streets, and dissimilar land uses should abut at rear lot lines or across alleys.
2. The vehicular circulation system shall be designed to ensure that the entire MUCD is a cohesive development, and to promote inter-connection

among individual projects. All streets shall be public and shall comply with the construction standards set forth in the Summit County Subdivision Regulations.

3. All activities except off-street parking, accessory recreation, and refuse storage shall be conducted in completely enclosed buildings.
4. All proposed developments, in addition to the requirements specified in Article 14 (Landscaping/Buffering), shall provide and maintain the following landscaping, screening, and privacy requirements:
5. Screening through the use of walls, fences, and/or landscaping shall be provided to minimize potential incompatibility between contrasting uses within a MUCD.
6. All open areas, including required yards, shall be landscaped according to an approved landscape plan. All pervious areas of the MUCD shall be permanently protected from soil erosion with grass or other suitable ground cover.
7. Dwelling units shall be grouped or clustered to maximize privacy and preservation of open space.
8. The Architectural Review Board may impose additional conditions on uses to ensure the uses are consistent with the intent of these regulations.

J. Modifications

Modifications may be granted by the Township Architectural Review Board only when it determines that certain standards set forth in this Section do not or should not apply specifically to the circumstances of a particular project and when the alternative method proposed to achieve the objectives of the numerical standard is equal to or better than the strict application of the specified standard. The Township Architectural Review Board may modify such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health and safety of the community and without detriment to or impairment of the intent of this Section.

A modification shall only be considered by the Architectural Review Board during the review and approval procedures for a development plan.

K. Development Plan Review

1. The establishment of a MUCD district requires that the following steps shall be completed concurrently:

a. Application for zoning map amendment is submitted, pursuant to this Resolution.

b. Application for review of the general development plan, pursuant to this Resolution.

2. Additional development requirements, whether standards or criteria, formulated to achieve the objectives of the MUCD District may be established during the Architectural Review Board's review of the General Development Plan. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed development.
3. After a General Development Plan is approved for a MUCD project, the applicant shall prepare and submit a Final Development Plan for either all or a phase of the development.

4. After approval of the Final Development Plan has been obtained from the Architectural Review Board, a Zoning Certificate may be obtained.

Comprehensive Plan:

The Montrose Neighborhood of Copley is located in the north quadrant of the Township. The area is bound by Medina Road to the north, SR 21 to the west, S. Cleveland-Massillon Road to the east and Rothrock Road to the South. The neighborhood is bordered by the City of Fairlawn to the east and south and Bath Township to the north.

Retail and commercial development characterize this neighborhood.

The Commercial-General Retail (C-GR) District is established to provide for a wide range of retail and service uses, including high intensity retail and service uses, such as large-scale retail establishments, that meet the shopping needs of the community and the region. This District is an appropriate location for developments featuring multiple retail and service uses on large sites with parking and drives for multiple tenants and coordinated signage and landscaping.

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. This District does not permit large-scale retail establishments or other similar high intensity retail and service uses/

The Commercial-Neighborhood Retail (C-NR) District, is established to accommodate individual and smaller groupings of retail and personal service businesses on relatively small lots of two (2) acres or less in proximity to residential districts that will primarily serve the residents of the immediate and nearby neighborhoods. This District does not

permit large-scale retail establishments or other similar high intensity retail and service uses on large lots.

The Residential-Medium Density (R-MD) District is established to accommodate single-family & two-family residential dwellings at existing densities in the areas so defined. The object of the regulations in this District is to maintain the suburban character of the area and to discourage large concentrations of intensive development.

The Residential-High Density (R-HD) District is established to accommodate single-family residential dwellings with the objective of permitting a higher density of population where centralized sewer and water facilities are provided, and where positioning of homes can be used to buffer higher and lower density uses. A minimum of five (5) acres is required to establish an R-HD District. At least seventy-five percent (75%) of the lots must front on a local roadway or cul-de-sac street.

Future Land Use Plan: The Future Land Use Plan has this area designated as Commercial Retail.

STAFF REVIEW

1. *Is the proposed zoning change reasonable given the nature of the surrounding area?* Yes this is a reasonable change given the nature of the surrounding area.
2. *Can the property reasonably be used as currently zoned?* Yes.
3. *Is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan?* The Township's Comprehensive Plan/Future Land Use Plan has this property designated as Commercial Retail.
4. *Is the proposed zoning change consistent with the stated purpose and intent of the zoning resolution and the applicable districts?* Yes.
5. *How will the proposed zoning change impact public services and facilities?* The proposed zoning should not impact public services and facilities.
6. *How will the proposed zoning change impact traffic, especially traffic safety?* The proposed change should not have an impact on traffic nor traffic safety.
7. *Will the proposed zoning change adversely affect adjoining properties?* The proposed change should not have an adverse impact as there are adjoining C/I uses already.
8. *Is this an appropriate location for the proposed use or are there other available locations better suited for it?* This is an appropriate location as the proposed area meets the acreage requirement for the MUCD.
9. *Will the proposed zoning change, change the character of the neighborhood?* The proposed change will not change the character of the neighborhood as there is both business and residential uses in the neighborhood currently.
10. *Has there been a change in conditions that renders the original zoning inappropriate?* No.

Staff Comments:

- The site can be used as currently zoned.
- The Township's Comprehensive Plan/Future Land Use Plan has this property designated as Commercial Retail.
- The proposed change will not change the character of the neighborhood as there is both business and residential uses in the neighborhood currently.

Recommendation: Staff recommends APPROVAL.



COPLEY TOWNSHIP

Zoning Commission & Board of Trustees

MAP AMENDMENT APPLICATION

\$500 NON-REFUNDABLE FEE DUE UPON SUBMITTAL

Address/Parcel of Subject Site: 506 Rothrock Road - PPN 15-04432

Landowner: One Hundred Three, LLC

Applicant: Birch Group, LLC

Address of Applicant: PO Box 246, Bath, OH 44210

Email of Applicant: mattbirch60@gmail.com

Telephone of Applicant: 330-903-1185

Current Zoning Classification: CGR Proposed Rezoning: Overlay

- A map of the lot(s) and surrounding area must be included with this application.

The existing zoning of the land is unreasonable because: CGR does not permit mixed use compact development (MUCD).

The rezoning would be better because: The MUCD use will create neighborhoods where residential, commercial, and civil buildings can develop a live, work, and plan environment type of development.

List All Abutting Property Owners (name, address, city, state and zip code):

1. Copley Place, 528 Rothrock Road, Copley, OH 44321 (South abutting)
2. East Montrose, LTD, 444 Rothrock Road, Copley, OH 44321 (North abutting)
3. Treno Services, LLC, 483 Rothrock Road, Fairlawn, OH (East across Rothrock)
4. Interstate 77 (West)

Owner's Signature: *Matthew J. Birch* Date: 2/1/2022

Print Name: Matthew J. Birch, Managing Member

Applicant's Signature: *Matthew J. Birch* Date: 2/1/2022

Print Name: Matthew J. Birch, Managing Member

*****TOWNSHIP USE ONLY*****

Township Official Receiving Application: *She He*

Date Received: 2/1/22 Fee Received: ✓



COPLEY TOWNSHIP

Zoning Commission & Board of Trustees

MAP AMENDMENT APPLICATION

\$500 NON-REFUNDABLE FEE DUE UPON SUBMITTAL

Address/Parcel of Subject Site: 444 Rothrock Road - PPN 15-01804

Landowner: East Montrose, LTD

Applicant: Birch Group, LLC

Address of Applicant: PO Box 246, Bath, OH 44210

Email of Applicant: mattbirch60@gmail.com

Telephone of Applicant: 330-903-1185

Current Zoning Classification: CGR Proposed Rezoning: Overlay

- A map of the lot(s) and surrounding area must be included with this application.

The existing zoning of the land is unreasonable because: CGR does not permit mixed use compact development (MUCD).

The rezoning would be better because: The MUCD use will create neighborhoods where residential, commercial, and civil buildings can develop a live, work, and plan environment type of development.

List All Abutting Property Owners (name, address, city, state and zip code):

1. One Hundred Three, LLC, 506 Rothrock Road, Copley, OH 44321 (South abutting)
2. Polar Development, LLC, 400 Rothrock Road, Copley, OH 44321 (North abutting)
3. Thomas R. Briggie, 382 Rothrock Road, Fairlawn, OH (North abutting)
4. Treno Services, LLC, 447 Rothrock Road, Fairlawn, OH (East across Rothrock)
5. Rothrock Place Land Co., Rothrock Place, Copley, OH 44321 (East across Rothrock)
6. JTF Holdings, LLC, 405 Rothrock Road, Copley, OH 44321 (East across Rothrock)

Owner's Signature: *Matthew J. Birch* Date: 2/1/2022

Print Name: Matthew J. Birch, Agent for Owner

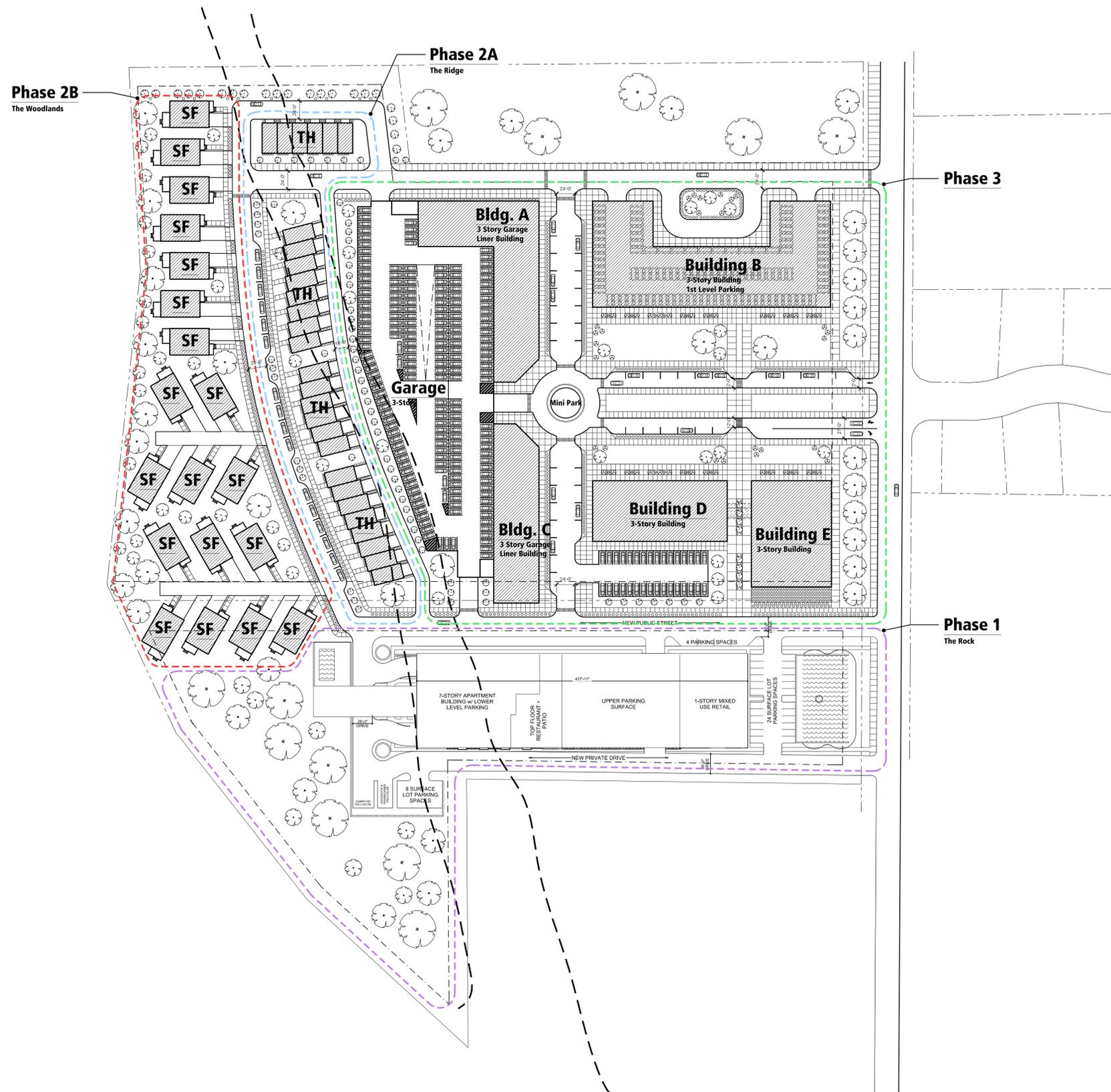
Applicant's Signature: *Matthew J. Birch* Date: 2/1/2022

Print Name: Matthew J. Birch, Managing Member

*****TOWNSHIP USE ONLY*****

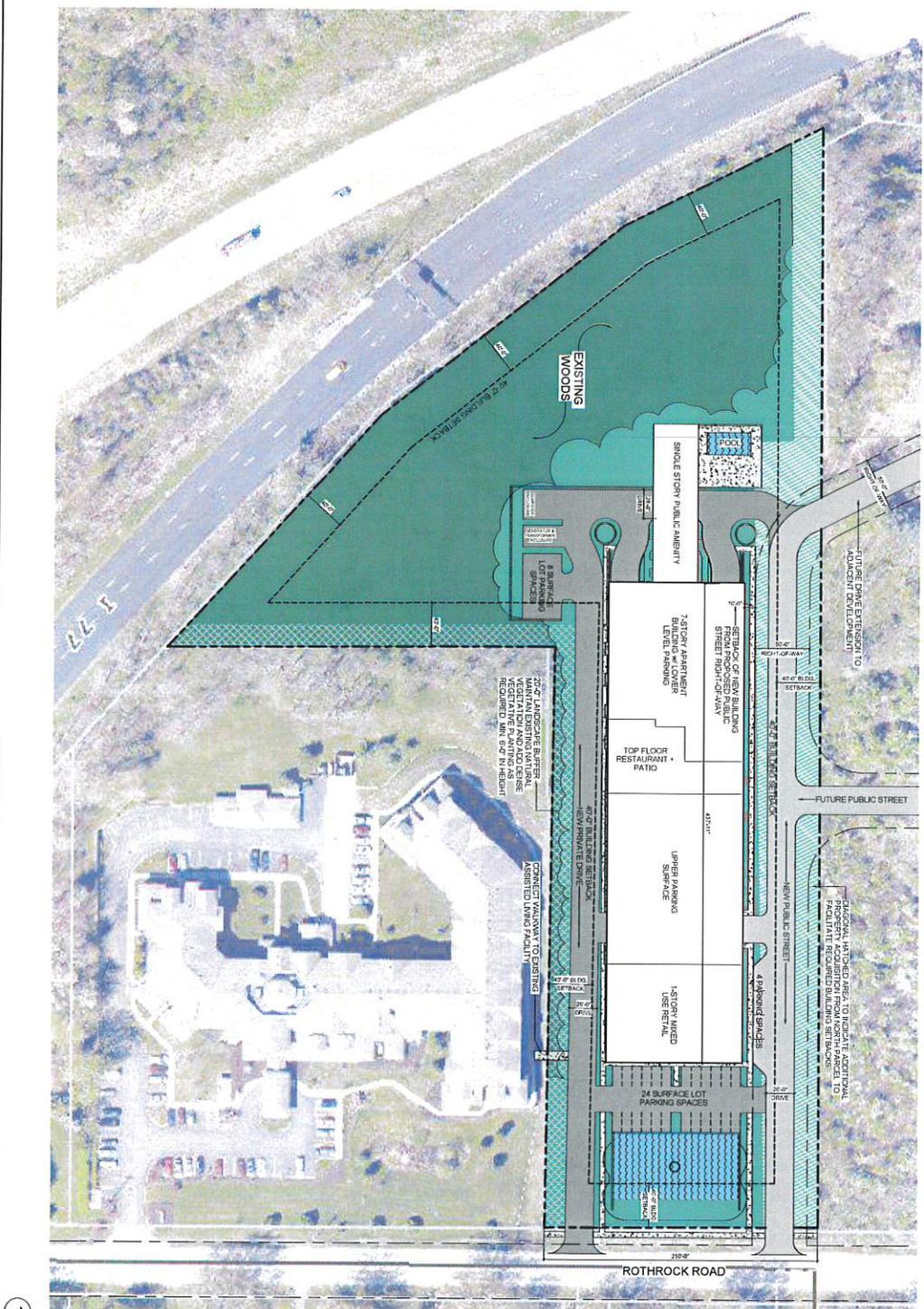
Township Official Receiving Application: *She He*

Date Received: 2/1/22 Fee Received: ✓

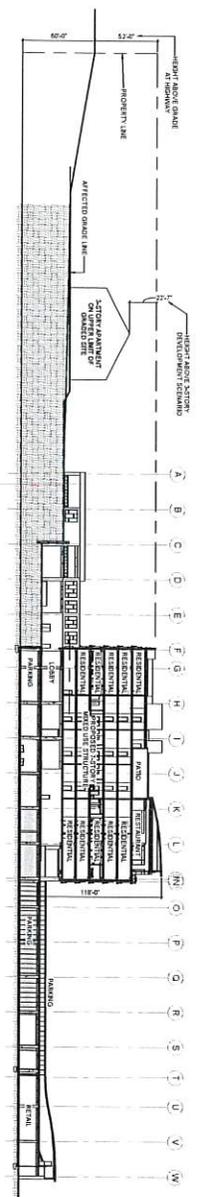


MASTER PLAN AREA & YIELD SUMMARY		
Yield by Use		
Phase 1:		
Multi-Family:		80 Units
Retail:		9,250 G.S.F.
Restaurant:		6,000 G.S.F.
Phase 2A & 2B:		
Total Residential:		47 Units
Single Family:		19 Units
Townhomes:		28 Units
Phase 3:		
Multi Family:		76 Units
Retail/Restaurant (Ground Floor):		
Building A:		19,850 G.S.F.
Building B:		14,250 G.S.F.
Building C:		13,700 G.S.F.
Building D:		14,250 G.S.F.
Building E:		14,850 G.S.F.
Office (Second Floor):		
Building A:		19,850 G.S.F.
Building B:		34,800 G.S.F.
Building C:		13,700 G.S.F.
Building D:		14,250 G.S.F.
Building E:		14,850 G.S.F.
Apartment (Third Floor):		
Building A:		19,850 G.S.F.
Building B:		34,800 G.S.F.
Building C:		13,700 G.S.F.
Building D:		14,250 G.S.F.
Building E:		14,850 G.S.F.
Parking Totals:		
Building B Ground Level		105 Spaces
On Street Parking		101 Spaces
Garage Parking - 3 Levels		577 Spaces
Surface Parking Lots		32 Spaces
Total Parking Spaces		815 Spaces
Total Acreage per Phase:		
Phase 1:		6.7 Acres
Phase 2A:		3.5 Acres
Phase 2B:		4.75 Acres
Phase 3:		6.3 Acres
Total Greenspace Acreage Per Phase:		
Phase 1:		3.4 Acres
Phase 2A:		0.8 Acres
Phase 2B:		1.5 Acres
Phase 3:		1.8 Acres
Summary:		
Phase 1:		6.7 Acres 80 Multi-Family Units 12 Units / Acre
Phase 2A:		3.5 Acres 28 Single-Family Attached 8 Units / Acre
Phase 2B:		4.75 Acres 19 Single-Family Detached 4 Units / Acre
Phase 3:		6.3 Acres 76 Multi-Family Units 12 Units / Acre
Phase 1 & Phase 3:		C-OR, C-GR, C-NR Permitted and Conditional Uses Per the Copley Township Zoning Resolution





1 PLAN CONCEPTUAL SITE PLAN
 1" = 40'-0"



2 SECTION CONCEPTUAL SITE PLAN
 1" = 4'-0"

SITE INFORMATION

PPN: 1504432
 PARCEL AREA (ACRES): 5.6866ac (BASE PARCEL)
 PARCEL AREA (ACRES): 1.0899ac (ADDED FROM N)
 ZONING DISTRICT: CDP BY TOWNSHIP C-CR,
 GENERAL RETAIL COMMERCIAL DISTRICT

PARKING REQUIREMENTS:

RESIDENTIAL REQUIRED PARKING:
 2 STALLS PER UNIT
 80 UNITS 2 SPACES
 = 160 SPACES

RETAIL REQUIRED PARKING:
 1 PER 250 GSF
 9,254/250
 = 39 SPACES

RESTAURANT REQUIRED PARKING:
 1 PER 75 NSF x 50% (COMPANION USE)
 (6,000/75)
 = 40 SPACES

TOTAL REQUIRED PARKING = 239 SPACES

LOWER LEVEL PROVIDED PARKING:
 GARAGE = 102 SPACES
 SURFACE LOT = 28 SPACES
 TOTAL PROVIDED = 130 SPACES

LEVEL 1 PROVIDED PARKING:
 GARAGE PROVIDED = 101 SPACES
 SURFACE LOT = 8 SPACES
 TOTAL PROVIDED = 109 SPACES

TOTAL PROVIDED PARKING = 239 SPACES

STANDARD STALL SIZE = 9'-0" x 18'-0" MINIMUM
 STANDARD AISLE WIDTH = 26'-0"
 PARKING SETBACKS = 20'-0" FROM R.O.W

SETBACKS

FRONT YARD SETBACK 40'-0" FROM R.O.W
 SIDE YARD SETBACK 40'-0"
 REAR YARD SETBACK 40'-0"

AGEAGE

TOTAL LOT AGEAGE = 6.7764 ACRES

UNITS PER ACREAGE

ALLOWED:
 MULTIFAMILY APARTMENTS
 = 12 UNITS PER 1 ACRE
 PROVIDED:
 80 UNITS ON 6.77 ACRES = 11.82 UNITS PER ACRE

AO.1
 X OF X

ARCHITECTURAL SITE PLAN
 PROJECT #: 16519 DATE: JANUARY 28, 2022
THE ROCK
 506 ROTHROCK ROAD
 AKRON, OH 44321

MPG phone 330.666.5770 fax 330.666.8612
 MANN • PARSONS • GRAY 3660 Embassy Parkway Fairlawn, OH 44333
 ARCHITECTS mpg-architects.com

the ROCK
 LUXURY LIVING

PRELIMINARY
 NOT TO BE USED FOR CONSTRUCTION

REVISIONS

1. Adult Entertainment.
 2. Gun and firearms sales.
 3. Automotive service stations and motor vehicle repair garages.
 4. Sale of alcoholic beverages; except when the sale of alcoholic beverages is an incidental use to the operation of a restaurant or dining establishment.
- ix. Live/Work Uses and the structures in which they are located must comply with any additional requirements imposed by the County Building Department, Health Department or Ohio EPA; the Township Zoning Inspector, Fire, Police and Service Departments; and any other appropriate governmental agency, intended to protect the public health, safety and welfare.
2. Conditionally Permitted Uses. Uses that are conditionally permitted in the underlying zoning districts shall continue to be conditionally permitted in the Copley Road/Jacoby Road MUCD District.
 3. Accessory Uses. Uses that are permitted as an accessory use in the underlying zoning districts shall continue to be permitted as an accessory use in the Copley Road/Jacoby Road MUCD District, provided, however, that single-family residential uses permitted under Section 4.06 D 1 shall be limited only to those accessory uses allowed in other single-family residential districts in this Resolution.
 4. Offices of governmental agencies at the federal, state, county or local level whose primary purpose is to serve the residents of Copley Township and surrounding communities.

4.07 Mixed-Use Compact Development District

A. Purpose

The Mixed Use Compact Development (MUCD) District and its regulations are established in order to permit compact, mixed use neighborhoods where residential, commercial and civic buildings could be within close proximity to each other. More specifically, the MUCD District would:

1. Permit mixed use development in appropriate areas of the Township as

suggested by the Copley Township Comprehensive Land Use Plan.

2. Permit, in these areas, a pedestrian oriented mixture of uses including civic uses, offices, limited retail, and higher density residential in a manner that reinforces existing compact development.
3. Expand and diversify housing opportunities to meet current and future needs.
4. Ensure that new development and/or redevelopment will occur in a manner that provides adequate transition between more intense retail uses and lower density residential.
5. Ensure that new development and/or redevelopment comply with these objectives by requiring a development plan and establishing a review process to ensure that all phases of a development are consistent with these regulations.
6. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. These regulations are established under the Authority of O.R.C. §519.021(C), Planned Unit Development.

B. Establishment of a MUCD District

Mixed Use Compact Development (MUCD) Districts may be established under the Authority of O.R.C. § 519.021(C), Planned Unit Development. The boundaries of a Mixed Use Compact Development District shall be indicated on the Official Zoning Map with the symbol MUCD.

C. Application of the MUCD District

The Mixed Use Compact Development (MUCD) District shall be in addition to and shall overlay all other zoning districts where the MUCD district is established. Therefore, any parcel of land lying in the MUCD district shall also lie in one or more of the other zoning districts provided for in this Zoning Resolution. The district designation of MUCD shall be superimposed over the existing zoning designations on the Zoning Map.

D. Project Development Requirements

Effective Date: March 16, 2012
Amended Date: April 18, 2014; March 12, 2019;
October 14, 2021

In order to accomplish the purposes set forth in Section 4.06 A. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. The uses permitted in a Mixed Use Compact Development (MUCD) District shall be developed in a manner that achieves some or all of the following:

- 1.** Includes a variety of housing types that results in a cohesive development which may have a higher density in some areas provided that the density in that portion of the MUCD District that abuts existing lower density residential development is no greater than the density in that residential development.
- 2.** Provides for convenient pedestrian circulation among the uses to create a more traditional neighborhood development in the community by including wherever possible given the size of the particular MUCD District:
 - a.** A network of interconnecting streets and blocks;
 - b.** Well configured squares, plazas, landscaped streets, and parks woven into the pattern of the neighborhood;
 - c.** Connections to community facilities, offices and retail centers within and adjacent to the MUCD District.
- 3.** Conforms to a set of design guidelines approved at the time of rezoning to ensure that:
 - a.** Buildings, open spaces and other visual features that act as landmarks are included in the MUCD District;

2. To be eligible for an MUCD District, such tract of land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations provided that an application must be filed by the owner or jointly by owners of all property included in the project area. In the case of multiple ownership, the approved final development plan and related conditions, including the phasing of development, shall be binding on all owners.

F. Permitted Uses

It is the intent of these regulations that a Mixed Use Compact Development District may contain a mixture of uses and a variety of building types not otherwise allowed in a given underlying zoning district and that such deviations may be allowed under circumstances where the Architectural Review Board determines it to be sufficiently advantageous and appropriate to grant such permission to depart from the normal requirements of the applicable zoning district. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. As a guide to the Architectural Review Board in making such determinations, a Mixed Use Compact Development District may contain, but is not strictly limited to, one or more of the uses specifically enumerated below in Table A.

(see next page for Table A)

Table A Permitted Uses

1. Residential:	
a. Single-family detached dwellings	P
b. Cluster single-family dwelling	P

c. Attached single-family dwelling with not more than 4 units attached	P
d. Townhouse with not more than 6 units attached	P*
e. Multifamily dwellings	P*
f. Assisted living facility	P*
g. Congregate living facility	P*
2. Offices:	
a. Offices including administrative, medical, business and professional	P
b. Sales offices with only samples of products	P
3. Retail/Services:	
a. Retail establishments in completely enclosed buildings	P
b. Banks	P
P = use is permitted; P* = use is permitted subject to 4.06 I.	

1. Conditionally Permitted Uses. Uses that are conditionally permitted in the underlying zoning districts and are not listed in Table A above, may be conditionally permitted in any location in the MUCD subject to the criteria established in Section 4.06 I. In addition, a Live/Work Use may be permitted as a conditional use in any MUCD District.

2. Accessory Uses. The following uses that are accessory to an establishment in a MUCD district shall be permitted when they are clearly incidental to and subordinate to, meet the setbacks of, and are located on the same lot as the principal building or use.

a. Off-street Parking. Off-street parking as regulated in Section 4.06 H 3 and Article 9.

b. Fences and Walls. Fences and walls may be erected in a MUCD District in compliance with this Resolution.

- c. Accessory Facilities for Residents of Development. Community centers, pools, tennis courts, and other indoor and/or outdoor recreational and/or community gathering places typically associated with single-family detached dwellings, two-family dwellings, single-family attached dwellings and/or multifamily dwellings, for use by residents of the MUCD District.
- d. Signs. Signs as regulated by Article 8.

G. Density

The maximum number of dwelling units permitted in any Mixed Use Development shall be determined by the Architectural Review Board to assure compliance with the purpose and intent of these regulations and to adequately protect the public safety and welfare, but shall not exceed the maximum number of dwelling units per acre set forth below. The availability of public sewer shall be a major factor in the Architectural Review Board's determination of the permissible density.

1. Density for Residential Development. The density of each area of a MUCD project devoted to a specific dwelling unit type shall not exceed the maximum number of dwelling units per acre set forth below:
 - a. Single-family Detached Dwellings - Maximum density shall be four (4) dwelling units per acre.
 - b. Two-family Dwellings and Single-family Attached Dwellings - Maximum density shall be eight (8) dwelling units per acre.
 - c. Multifamily Dwellings - Maximum density shall be twelve (12) dwelling units per acre.
2. Maximum Number of Dwelling Units. The maximum number of dwelling units permitted for a particular MUCD project shall be calculated by multiplying the total area devoted to each dwelling unit type, as identified and delineated on the general development plan, by the maximum density per acre permitted above.

H. Development Standards

Effective Date: March 16, 2012
Amended Date: April 18, 2014
Amended Date: March 12, 2019

1. **Setbacks and Separations.** Setbacks and separations for new buildings, structures and parking areas shall be as established on the approved final development plan. In establishing said setbacks and separations for particular use areas within a MUCD, the Township shall consider the spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, building configurations, energy-efficient siting, and the relationships of building sites to circulation patterns. In no case shall the approved setbacks and/or separations be less than, and when specified, not more than, the following:
 - a. **Minimum and Maximum Building Setbacks from Project Boundaries and Streets:** All new buildings and structures shall comply with the minimum and maximum setbacks specified in Table B.

Table B

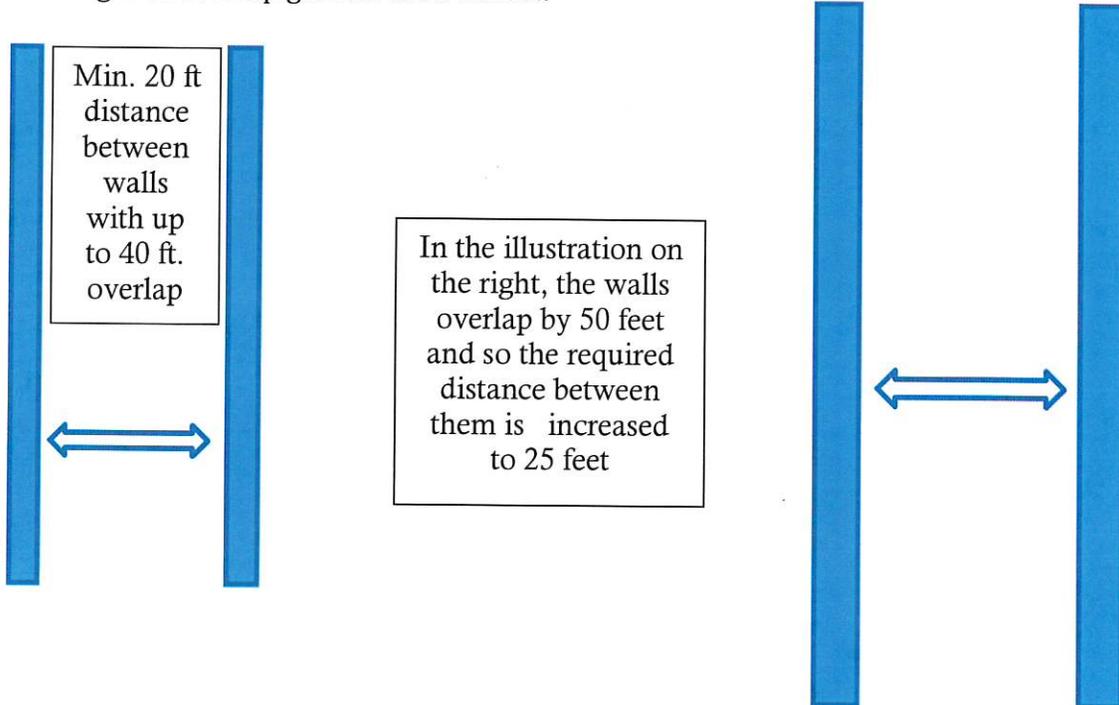
a. Minimum Setback of New Buildings from Project Boundaries	40 feet
b. Minimum Setback of New Buildings from Existing Public Street Rights-of-Way dedicated as of the date the MUCD general development plan application is submitted	40 feet
c. Setback of New Buildings from proposed public street Right-of-Ways within the MUCD	
1) Minimum	10 feet
2) Maximum	20 feet

- b. **Minimum Separation Between New Buildings:** In order to ensure reasonable privacy and separation of buildings, individual buildings located within the MUCD shall be separated by the minimum distances specified below:
 - i. **Single-family detached dwellings:** All new single-family detached dwelling units shall be separated from each other by a minimum of 15 feet, except that when two walls facing each other both contain windows of living areas, or adjacent patios or decks, the minimum separation shall be 40 feet. For the purposes of this Section, living areas shall include: living room, family room or dining room.

- ii. Single-family detached dwellings adjacent to other uses: The minimum separation between new single-family detached dwelling units shall be 40 feet from attached single-family dwellings and 60 feet from all other buildings other than accessory buildings and detached garages associated with each single-family detached dwelling.
- iii. All new attached single-family dwellings, multi-family dwellings, and non-residential buildings: Between two walls facing each other, the distance between two such walls shall be a minimum of 20 feet plus one foot of additional separation for every two feet of building wall overlap greater than 40 feet. The maximum separation required shall not exceed 60 feet when neither of the two walls contains windows and 100 feet when one or both walls contain windows.

Illustration of Development Standard H. 1. B. iii

“Between two walls facing each other, the distance between two such walls shall be a minimum of 20 feet plus one foot of additional separation for every two feet of building wall overlap greater than 40 feet.”



2. **Building Height:** The maximum height of any principal building shall be 35 feet unless a greater height is specifically authorized by the Architectural Review Board and with the approval of the Fire Chief.
3. **Parking and Roadway Setbacks:** Off-street parking areas and roadways shall be screened according to Articles 9 and 14 and shall comply with the following setback requirements:
 - a. Off-street parking areas shall be located to the side or rear of buildings and shall not extend into a front yard.
 - b. All off-street parking areas shall be set back from an existing or proposed right-of-way a distance not less than 20 feet.
 - c. All off-street parking areas and roadways shall be set back from all other boundaries of the MUCD project a distance not less than 20 feet.
4. **Sidewalk and/or Shared Use Path –** New buildings, structures, and parking areas shall include the installation of a sidewalk and/or shared use path. The sidewalk and/or shared use path shall connect to similar facilities on adjacent property. In special cases, such as if no adjacent property sidewalk or shared use path exists, the facility type(s) and location shall be approved by Copley Township Community and Economic Development Staff via Site Plan review. See Section 13 of this document.
5. **Ownership:** Any ownership arrangement, including fee simple lots, condominiums, and zero lot line parcels, is permitted in a residential development proposed as part of a MUCD provided the arrangement of the dwelling units shall comply with the spacing requirements of this section. Within any such subplot, the applicant shall depict the maximum parameters, or building envelope, which indicates where the buildings shall be located and demonstrate that such building locations will be in compliance with the spacing requirements of this section. Alternatively, if such building locations are not depicted on any such sublots, the Architectural Review Board may establish on the development plan the appropriate front, side, and rear yard dimensions for each subplot.

I. Supplemental Requirements

Effective Date: March 16, 2012
Amended Date: April 18, 2014
Amended Date: March 12, 2019

Each proposed MUCD shall comply with the following supplemental requirements:

1. Similar land uses should face across streets, and dissimilar land uses should abut at rear lot lines or across alleys.
2. The vehicular circulation system shall be designed to ensure that the entire MUCD is a cohesive development, and to promote inter-connection among individual projects. All streets shall be public and shall comply with the construction standards set forth in the Summit County Subdivision Regulations.
3. All activities except off-street parking, accessory recreation, and refuse storage shall be conducted in completely enclosed buildings.
4. All proposed developments, in addition to the requirements specified in Article 14 (Landscaping/Buffering), shall provide and maintain the following landscaping, screening, and privacy requirements:
5. Screening through the use of walls, fences, and/or landscaping shall be provided to minimize potential incompatibility between contrasting uses within a MUCD.
6. All open areas, including required yards, shall be landscaped according to an approved landscape plan. All pervious areas of the MUCD shall be permanently protected from soil erosion with grass or other suitable ground cover.
7. Dwelling units shall be grouped or clustered to maximize privacy and preservation of open space.
8. The Architectural Review Board may impose additional conditions on uses to ensure the uses are consistent with the intent of these regulations.

J. Modifications

Modifications may be granted by the Township Architectural Review Board only when it determines that certain standards set forth in this Section do not or should not apply specifically to the circumstances of a particular project and when the alternative method proposed to achieve the objectives of the numerical standard is equal to or better than the strict application of the

specified standard. The Township Architectural Review Board may modify such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health and safety of the community and without detriment to or impairment of the intent of this Section.

A modification shall only be considered by the Architectural Review Board during the review and approval procedures for a development plan.

K. Development Plan Review

1. The establishment of a MUCD district requires that the following steps shall be completed concurrently:
 - a. Application for zoning map amendment is submitted, pursuant to this Resolution.
 - b. Application for review of the general development plan, pursuant to this Resolution.
2. Additional development requirements, whether standards or criteria, formulated to achieve the objectives of the MUCD District may be established during the Architectural Review Board's review of the General Development Plan. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed development.
3. After a General Development Plan is approved for a MUCD project, the applicant shall prepare and submit a Final Development Plan for either all or a phase of the development.
4. After approval of the Final Development Plan has been obtained from the Architectural Review Board, a Zoning Certificate may be obtained.

COPLEY TOWNSHIP ROTHROCK ROAD MUCD FINAL DEVELOPMENT PLAN PHASE 1 MAJOR SITE PLAN STAFF REPORT



February 3, 2022

APPLICANT SUMMARY FINAL DEVELOPMENT PLAN

ORIGINAL SUBMISSION: August 5, 2019; AMENDED SUBMISSION JULY 6, 2021-Project Boundaries, Project Acreage, Building Design and Architecture, Total Investment; UPDATED 7/7/2021 ARB Recommendations; UPDATED 7/26/2021 Density, Permitted Overall Height, Phase 2 & 3 Details, Development Regulation Approval; UPDATED 1/19/2022 Masterplan, Landscape Plan Phase 1; UPDATED 2/2/2022 Final Development Plan Submission; Major Site Plan Submission Phase 1

<p>PROJECT: Rothrock Road Mixed Use Compact Development (MUCD) District</p> <p>PPN: 1504432-506 Rothrock Road</p> <p>PPN: 1501804-444 Rothrock Road</p>	<p>APPLICATION TYPE: General Development Plan; Final Development Plan</p> <p>APPROVED: Request to include an additional 15 acres in the MUCD General Development Plan for a total of 21 acres.</p>
<p>APPLICANT/LANDOWNER</p>	<p>APPLICANT: Matthew J. Birch</p> <p>LANDOWNER: One Hundred Three LLC (Parcel 1504432); East Montrose LTD (Parcel 1501804)</p>
<p>COMPANY PERFORMING WORK REQUESTED</p>	<p>Birch Group, LLC/TBD</p>
<p>INVESTMENT</p>	<p>\$176,400,000</p>
<p>APPLICATION SUMMARY</p>	<p>Applicant and Landowner, Matthew J. Birch, is requesting approval of a Mixed Use Compact Development (MUCD) District comprised of 21.25 acres consisting of Parcels 1504432 and 1501804. The project is a 3 Phase Planned Approach to the development of 21.25 acres.</p> <p>The Rock-Phase 1: 7 Story Mixed Use (80 apartments; 15,707 square feet of restaurant/retail): 6.7 Acres</p> <p>The Ridge-Phase 2A: Residential (28 Attached Single Family Townhomes); 3.5 Acres</p> <p>The Woodlands-Phase 2B: Residential Townhomes: (19 Detached Single Family); 4.75 Acres</p> <p>Copley Point at Montrose-Phase 3: 76 Apartments; 173,750 square feet of Retail/Community Services; 5,000 square feet of Government Services; 6.3 Acres</p> <p>Open Space: 7.5 Acres</p>

	<p>All Phases: 210 Dwelling Units; 200,000 square feet Commerical</p> <p>The site will be serviced with the following utilities:</p> <ul style="list-style-type: none"> • City of Akron Water-IN PROGRESS; NO OBJECTIONS • City of Akron Sewer-IN PROGRESS; NO OBJECTIONS • First Energy Electric-CONFIRMED • Dominion East Gas-CONFIRMED <p>Agencies or jurisdictions which will review and provide comments and/or services include:</p> <ul style="list-style-type: none"> • Copley Fire-NO OBJECTIONS • Copley Service Dept.-NO OBJECTIONS • Copley Police Dept.-NO OBJECTIONS • Copley Dept. of Community & Economic Development-RECOMMEND APPROVAL • Summit County Soil and Water Conservation-IN PROGRESS • Summit County Engineer-IN PROGRESS • City of Akron-NO OBJECTIONS
<p>REVIEW REQUIRED</p>	<p>Architectural Review Board-Approval of Final Development Plan and Development Plan Requirements</p> <p>Board of Zoning Appeals-There are no known variances required for this project.</p> <p>Zoning Commission-Map Amendment-APPLICATION SUBMITTED 2/1/2022</p> <p>Summit County Planning Commission-Map Amendment</p> <p>Board of Trustees-Map Amendment</p> <p>Traffic Questionnaire-Submitted to SCE</p> <p>Storm Water Plan-Calculations for Phase 1 Submitted to SCE/SSWCD</p>
<p>ARCHITECTURAL REVIEW BOARD</p>	<p>July 6, 2021, ARB motioned to approve the inclusion of Parcel 15018045 into the Development Plan for the proposed Rothrock Mixed Use Compact Development District. The ARB denied the use of a roof-top obelisk. The ARB recommended continuation of review of the proposed sign package.</p> <p>August 2, 2021 ARB motioned to approve the overall building height proposed for Phase 1 multi-story 116' conditioned upon approval of the Final Development Plan.</p>
<p>INITIATED BY</p>	<p>Applicant</p>
<p>DECISION TYPE</p>	<p><input checked="" type="checkbox"/> Informational</p> <p><input type="checkbox"/> Direction</p> <p><input checked="" type="checkbox"/> Action</p>
<p>LAND AREA</p>	<p>PPN: 1504432 (506 Rothrock Road) 6 acres</p> <p>PPN: 15018045-15 acres</p>

	Total: 21 acres
CODE REFERENCES	4.07 Mixed-Use Compact Development District Article 9-Parking Article 12-Zoning Commission and Zoning Amendments Article 14-Landscaping Buffering and Screening Article 16-Tree Preservation
GENERAL LOCATION	The properties are located on the east side 1-77 and the west side Rothrock Road, north of S Cleveland Massillon Road and south of Rosemont Blvd.
ZONING	C-GR (Commercial General Retail)



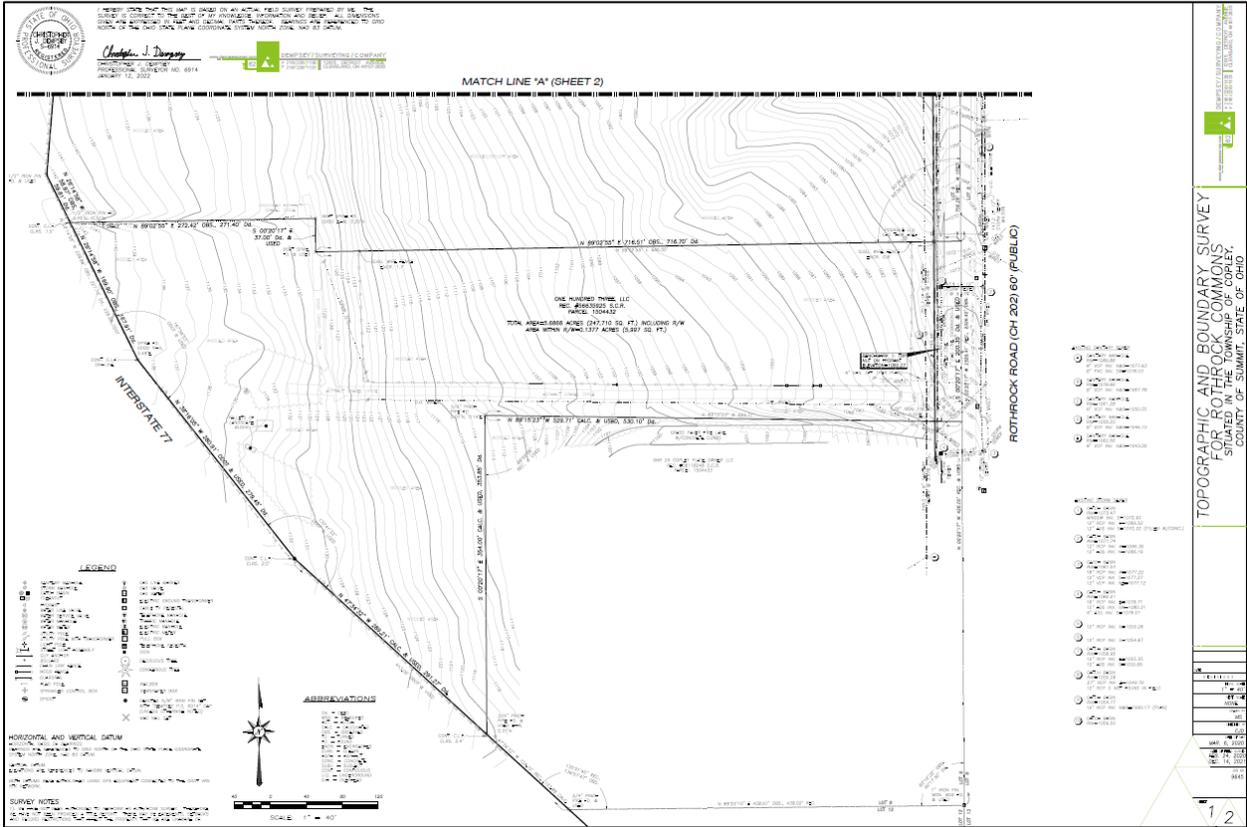
PROPERTY LOCATION

SITE	ZONING	LAND USE
North	C-GR	Legal Non-Conforming-Residential
South	C-GR	Conditional: Copley Place Senior Living
West	C-GR/R-MD	I-77/Residential

East	Fairlawn R-1	Residential
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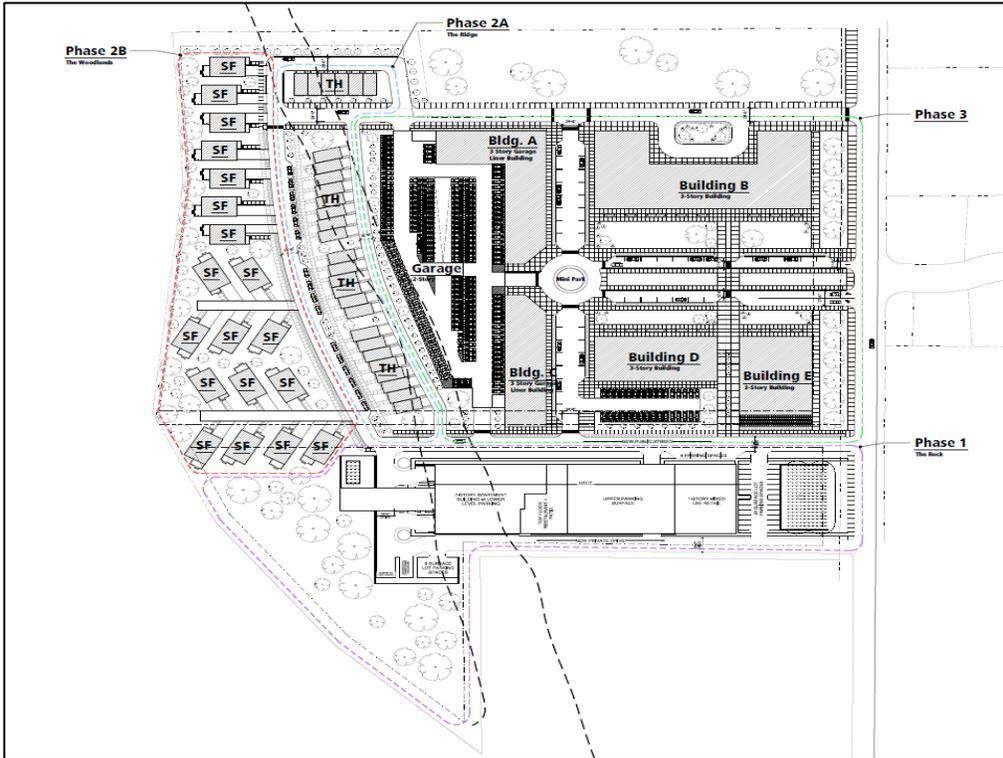
PROJECT DESCRIPTION

Applicant and Landowner, Matthew J. Birch, is requesting approval of a Mixed Use Compact Development (MUCD) District comprised of 21.25 acres consisting of Parcels 1504432 and 1501804. The project is a 3 Phase Planned Approach to the development of 21.25 acres.



- The Rock-Phase 1: 7 Story Mixed Use (80 apartments; 15,707 square feet of restaurant/retail); 6.7 Acres
- The Ridge-Phase 2A: Residential (28 Attached Single Family Townhomes); 3.5 Acres
- The Woodlands-Phase 2B: Residential Townhomes: (19 Detached Single Family); 4.75 Acres
- Copley Point at Montrose-Phase 3: 76 Apartments; 173,750 square feet of Retail/Community Services; 5,000 square feet of Government Services; 6.3 Acres
- Open Space: 7.5 Acres
- All Phases: 210 Dwelling Units; 200,000 square feet Commercial

THREE PHASE PLANNED DEVELOPMENT



MASTER PLAN AREA & YIELD SUMMARY

Yield by Use

Phase 1:	
Multi-Family:	80 Units
Retail:	9,250 G.S.F.
Restaurant:	6,000 G.S.F.

Phase 2A & 2B:	
Total Residential:	47 Units
Single Family:	19 Units
Townhomes:	28 Units

Phase 3:	
Multi Family:	76 Units
Retail/Restaurant (Ground Floor): 62,650 G.S.F.	
Building A:	19,850 G.S.F.
Building B:	-----
Building C:	13,700 G.S.F.
Building D:	14,250 G.S.F.
Building E:	14,850 G.S.F.
Office (Second Floor): 97,450 G.S.F.	
Building A:	19,850 G.S.F.
Building B:	34,800 G.S.F.
Building C:	13,700 G.S.F.
Building D:	14,250 G.S.F.
Building E:	14,850 G.S.F.
Apartment (Third Floor): 97,450 G.S.F.	
Building A:	19,850 G.S.F.
Building B:	34,800 G.S.F.
Building C:	13,700 G.S.F.
Building D:	14,250 G.S.F.
Building E:	14,850 G.S.F.

Parking Totals:	
Building B Ground Level	105 Spaces
On Street Parking	101 Spaces
Garage Parking - 3 Levels	577 Spaces
Surface Parking Lots	32 Spaces
Total Parking Spaces	815 Spaces

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Building B Ground Level	105 Spaces
On Street Parking	101 Spaces
Garage Parking - 3 Levels	577 Spaces
Surface Parking Lots	32 Spaces
Total Parking Spaces	815 Spaces

Total Acreage per Phase:	
Phase 1:	6.7 Acres
Phase 2A:	3.5 Acres
Phase 2B:	4.75 Acres
Phase 3:	6.3 Acres

Total Greenspace Acreage Per Phase:	
Phase 1:	3.4 Acres
Phase 2A:	0.8 Acres
Phase 2B:	1.5 Acres
Phase 3:	1.8 Acres

Summary:	
Phase 1:	6.7 Acres 80 Multi-Family Units 12 Units / Acre
Phase 2A:	3.5 Acres 28 Single-Family Attached 8 Units / Acre
Phase 2B:	4.75 Acres 19 Single-Family Detached 4 Units / Acre
Phase 3:	6.3 Acres 76 Multi-Family Units 12 Units / Acre
Phase 1 & Phase 3:	C-OR, C-GR, C-NR Permitted and Conditional Uses Per the Copley Township Zoning Resolution

INTERNAL REVIEW

DEVELOPMENT REQUIREMENTS

ARTICLE 4

SECTION 4.07

A. The Mixed Use Compact Development (MUCD) District and its regulations are established in order to permit compact, mixed use neighborhoods where residential, commercial and civic buildings could be within close proximity to each other. More specifically, the MUCD District would:

1. Permit mixed use development in appropriate areas of the Township as suggested by the Copley Township Comprehensive Land Use Plan. –ACCORDING TO THE COMPREHENSIVE LAND USE PLAN, MIXED USE

COMPACT DEVELOPMENT IS A SUGGESTED PLANNING TOOL FOR THIS AREA OF THE TOWNSHIP-MONTROSE

2. Permit, in these areas, a pedestrian oriented mixture of uses including civic uses, offices, limited retail, and higher density residential in a manner that reinforces existing compact development. **–THE GENERAL DEVELOPMENT PLAN CALLS FOR A MIX OF HIGHER DENSITY RESIDENTIAL AND LIMITED RETAIL. THE PLAN CALLS FOR OPEN PARKLAND. RECOMMEND INCLUSION OF TRAIL SYSTEM AND/OR SHARED USE PATH NORTH AND SOUTH TO PERMIT CONNECTIVITY TO THE MONTROSE RETAIL CENTER AND THE ROTHROCK ROAD ROUND A BOUT.**

3. Expand and diversify housing opportunities to meet current and future needs. **–THE COMPREHENSIVE LAND USE PLAN ENCOURAGES HOUSING DIVERSITY INCLUDED IN THE PROPOSAL-APARTMENTS; TOWNHOMES**

4. Ensure that new development and/or redevelopment will occur in a manner that provides adequate transition between more intense retail uses and lower density residential. **–THE PLAN WOULD MAKE A SUITABLE TRANSITION BUFFER BETWEEN THE EXISTING SENIOR LIVING FACILITY AND PROPOSED PARCELS ZONED FOR LARGE SCALE RETAIL.**

5. Ensure that new development and/or redevelopment comply with these objectives by requiring a development plan and establishing a review process to ensure that all phases of a development are consistent with these regulations. **A ZONING CERTIFICATE SHALL BE ISSUED FOR ALL PHASES OF DEVELOPMENT SUBJECT TO APPROVAL BY THE ARCHITECTURAL REVIEW BOARD UTILIZNG THE MAJOR SITE PLAN APPLICATION AND THE DEVELOPMENT REGULATIONS FOUND IN SECTION 4.07 OF THE COPLEY TOWNSHIP ZONING RESOLUTION.**

6. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. These regulations are established under the Authority of O.R.C. §519.021(C), Planned Unit Development-**THE PLAN INCLUDES RENTAL UNITS, SINGLE FAMILY OWNER OCCUPIED UNITS AND NEIGHBORHOOD RETAIL; 54% RESIDENTIAL; 18% OFFICE; 26% COMMERCIAL RETAIL**

B. Establishment of a MUCD District Mixed Use Compact Development (MUCD) Districts may be established under the Authority of O.R.C. § 519.021(C), Planned Unit Development. The boundaries of a Mixed Use Compact Development District shall be indicated on the Official Zoning Map with the symbol MUCD.

C. Application of the MUCD District The Mixed Use Compact Development (MUCD) District shall be in addition to and shall overlay all other zoning districts where the MUCD district is established. Therefore, any parcel of land lying in the MUCD district shall also lie in one or more of the other zoning districts provided for in this Zoning Resolution. The district designation of MUCD shall be superimposed over the existing zoning designations on the Zoning Map.

D. Project Development Requirements in order to accomplish the purposes set forth in Section 4.06

A. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of non-residential uses in the proposed development. **54% RESIDENTIAL; 18% OFFICE; 26% COMMERCIAL RETAIL; OPEN SPACE**

The uses permitted in a Mixed Use Compact Development (MUCD) District shall be developed in a manner that achieves some or all of the following:

1. Includes a variety of housing types that results in a cohesive development which may have a higher density in some areas provided that the density in that portion of the MUCD District that abuts existing lower density residential development is no greater than the density in that residential development. **–THE PLAN WOULD OFFER HIGHER DENSITY RESIDENTIAL COMPATIBLE WITH GENERAL RETAIL AND A SENIOR LIVING COMMUNITY.**

2. Provides for convenient pedestrian circulation among the uses to create a more traditional neighborhood development in the community by including wherever possible given the size of the particular MUCD District:

a. A network of interconnecting streets and blocks; **PLAN CALLS FOR PUBLIC STREETS/BOUDLEVARDS WHICH ARE INTERCONNECTED THROUGHOUT THE DEVELOPMENT**

b. Well configured squares, plazas, landscaped streets, and parks woven into the pattern of the neighborhood; **THE PLAN CALLS FOR STREET LANDSCAPING; MINI PARK, 7.5 (35%) OPEN SPACE**

c. Connections to community facilities, offices and retail centers within and adjacent to the MUCD District. **RECOMMEND INCLUSION OF TRAIL SYSTEM AND/OR SHARED USE PATH NORTH AND SOUTH TO PERMIT CONNECTIVITY TO THE MONTROSE RETAIL CENTER AND THE ROTHROCK ROAD ROUND A BOUT.**

3. Conforms to a set of design guidelines approved at the time of rezoning to ensure that: **ALL PHASES ARE SUBJECT TO ADDITIONAL APPROVAL BY THE ARCHITECTURAL REVIEW BOARD. THE MASTERPLAN APPROPRIATELY ADDRESSES THE FOLLOWING:**

a. Buildings, open spaces and other visual features that act as landmarks are included in the MUCD District;

b. Buildings and other improvements are compatible based on their architecture, massing, orientation and arrangement; and

c. A cohesive environment is created. **THE PLAN CALLS FOR A COHESIVE DESIGN OF MIXED USES**

4. Reduces the impact between the MUCD District and existing and future development adjacent to the MUCD District by providing adequate transitional features such as: a. Primary uses in a MUCD District that are similar in intensity to existing and/or expected uses in the abutting districts. b. Placing the lower intensity uses in a MUCD District adjacent to the lower intensity uses and zoning districts that are outside the MUCD District, and c. Including adequate screening and buffering around the perimeter of the MUCD District. **THE PLAN PLACES RESIDENTIAL UNITS IN THE AREA CLOSEST TO THE SENIOR LIVING COMPLEX AND THE PROPOSED RETAIL ADJACENT TO THE VANCANT C-GR; COPLEY PLACE IS A HIGH DENSITY RESIDENTIAL SENIOR COMMUNITY AT 120 UNITS PER 4.88 ACRES.**

5. Is located adjacent to areas zoned for either Commercial or Industrial use and where central sewer and water services are available or will be made available by the developer as a condition of project approval. **CENTRALIZED SEWER AND WATER SERVICES ARE AVAILABLE IN THIS AREA**

E. Minimum Project Area and Ownership The gross area of a tract of land proposed to be developed as a MUCD District shall be at least twenty (20) acres. **PLAN CALLS FOR 21.25 ACRES OVERALL**

1. The Architectural Review Board (ARB) may waive this requirement when it determines that, because of unique circumstances, this minimum cannot be achieved and the development of the property at a lesser standard will not have any material adverse impact on the adjacent property or the Township provided that in no case shall the area of the MUCD District be less than five (5) acres. Unique circumstances may include but are not limited to: a. The proposed MUCD District is adjacent to and thus becomes an extension of an existing or separately proposed MUCD District; or b. Because of existing uses, natural features, or ownership patterns there is no, or little, likelihood that contiguous land area can be acquired and consolidated to achieve the requisite 20 acres. **NA**

2. To be eligible for an MUCD District, such tract of land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations provided that an application must be filed by the owner or jointly by owners of all property included in the project area. In the case of multiple ownership, the approved final development plan and related conditions, including the phasing of development, shall be binding on all owners. F. Permitted Uses It is the intent of these regulations that a Mixed Use Compact Development District may contain a mixture of uses and a variety of building types not otherwise allowed in a given underlying zoning district and that such deviations may be allowed under circumstances where the Architectural Review Board determines it to be sufficiently

advantageous and appropriate to grant such permission to depart from the normal requirements of the applicable zoning district. The Mixed Use Compact Development (MUCD) District and its regulations are intended for development that mixes residential use(s) with at least one other type of use. This district is not intended for solely residential use, nor shall it be used primarily to increase residential density by failing to provide for a substantial amount of nonresidential uses in the proposed development. As a guide to the Architectural Review Board in making such determinations, a Mixed Use Compact Development District may contain, but is not strictly limited to, one or more of the uses specifically enumerated below in Table A.

Table A Permitted Uses

1. Residential:	
a. Single-family detached dwellings	P
b. Cluster single-family dwelling	P
2. Offices:	
c. Attached single-family dwelling with not more than 4 units attached	P
d. Townhouse with not more than 6 units attached	P*
e. Multifamily dwellings	P*
f. Assisted living facility	P*
g. Congregate living facility	P*
3. Retail/Services:	
a. Retail establishments in completely enclosed buildings	P
b. Banks	P
P = use is permitted; P* = use is permitted subject to 4.06 I.	

1. Conditionally Permitted Uses. Uses that are conditionally permitted in the underlying zoning districts and are not listed in Table A above, may be conditionally permitted in any location in the MUCD subject to the criteria established in Section 4.06 I. In addition, a Live/Work Use may be permitted as a conditional use in any MUCD District.

2. Accessory Uses. The following uses that are accessory to an establishment in a MUCD district shall be permitted when they are clearly incidental to and subordinate to, meet the setbacks of, and are located on the same lot as the principal building or use.

a. Off-street Parking. Off-street parking as regulated in Section 4.06 H 3 and Article 9.

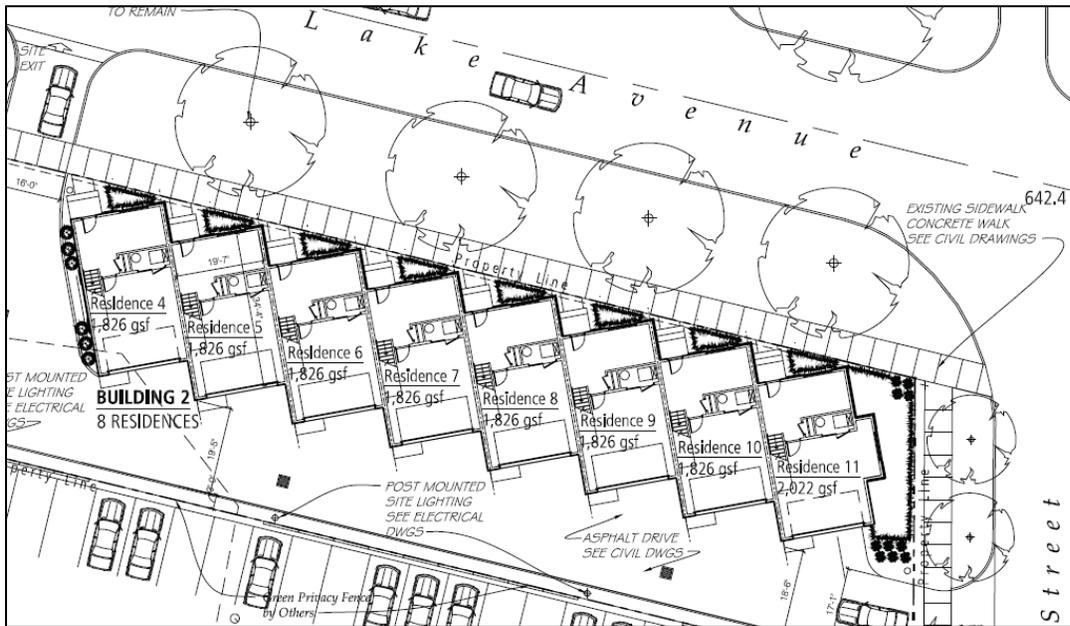
b. Fences and Walls. Fences and walls may be erected in a MUCD District in compliance with this Resolution.

c. Accessory Facilities for Residents of Development. Community centers, pools, tennis courts, and other indoor and/or outdoor recreational and/or community gathering places typically associated with single-family detached dwellings, two-family dwellings, single-family attached dwellings and/or multifamily dwellings, for use by residents of the MUCD District.

d. Signs. Signs as regulated by Article 8.

THE PLAN CALLS FOR RETAINING WALLS, OUTDOOR POOL AND COMMUNITY GATHER PLACE

THE PLAN CALLS FOR 8 ATTACHED TOWNHOME BUILDINGS. RECOMMEND APPROVAL. SEE SAMPLE CONSTRUCTION OF PROPOSED 8 UNIT BUILDING BELOW:



G. Density The maximum number of dwelling units permitted in any Mixed Use Development shall be determined by the Architectural Review Board to assure compliance with the purpose and intent of these regulations and to adequately protect the public safety and welfare, but shall not exceed the maximum number of dwelling units per acre set forth below. The availability of public sewer shall be a major factor in the Architectural Review Board's determination of the permissible density.

1. Density for Residential Development. The density of each area of a MUCD project devoted to a specific dwelling unit type shall not exceed the maximum number of dwelling units per acre set forth below:

a. Single-family Detached Dwellings – Maximum density shall be four (4) dwelling units per acre. **Phase 2B: Proposed 19 Units/4 Units Per Acre; 4.75 Acres required**

b. Two-family Dwellings and Single-family Attached Dwellings - Maximum density shall be eight (8) dwelling units per acre. **Phase 2A: Proposed 28 Units; 3.5 Acres required**

c. Multifamily Dwellings - Maximum density shall be twelve (12) dwelling units per acre. **Phase 1 Proposed 80 units/12 units per acre; 6.7 acres required; Phase 3 Proposed 76 Units/12 units per acre; 6.3 acres required**

2. Maximum Number of Dwelling Units. The maximum number of dwelling units permitted for a particular MUCD project shall be calculated by multiplying the total area devoted to each dwelling unit type, as identified and delineated on the general development plan, by the maximum density per acre permitted above.

H. Development Standards

A ZONING CERTIFICATE SHALL BE ISSUED FOR ALL PHASES OF DEVELOPMENT SUBJECT TO APPROVAL BY THE ARCHITECTURAL REVIEW BOARD UTILIZNG THE MAJOR SITE PLAN APPLICATION AND THE DEVELOPMENT REGULATIONS FOUND IN SECTION 4.07 OF THE COPLEY TOWNSHIP ZONING RESOLUTION.

1. Setbacks and Separations. Setbacks and separations for new buildings, structures and parking areas shall be as established on the approved final development plan. In establishing said setbacks and separations for particular use areas within a MUCD, the Township shall consider the spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, building configurations, energy efficient siting, and the relationships of building sites to circulation patterns. In no case shall the approved setbacks and/or separations be less than, and when specified, not more than, the following:

a. Minimum and Maximum Building Setbacks from Project Boundaries and Streets: All new buildings and structures shall comply with the minimum and maximum setbacks specified in Table B. Table B

a. Minimum Setback of New Buildings from Project Boundaries 40 feet **ALL PHASES OF MASTERPLAN SHALL BE 40' FROM PROJECT BOUNDARIES**

b. Minimum Setback of New Buildings from Existing Public Street Rights-of-Way dedicated as of the date the MUCD general development plan application is submitted 40 feet **ALL PHASES SHALL BE SETBACK A MINIMUM OF 40' FROM ROTHROCK ROAD**

c. Setback of New Buildings from proposed public street Right-of Ways within the MUCD 1) Minimum 10' 2) Maximum 20' **ALL PHASES SHALL BE SETBACK A MINIMUM OF 10' FROM PROPOSED PUBLIC RIGHT OF WAYS**

b. Minimum Separation Between New Buildings: In order to ensure reasonable privacy and separation of buildings, individual buildings located within the MUCD shall be separated by the minimum distances specified below:

i. Single-family detached dwellings: All new single-family detached dwelling units shall be separated from each other by a minimum of 15 feet, except that when two walls facing each other both contain windows of living areas, or adjacent patios or decks, the minimum separation shall be 40 feet. For the purposes of this Section, living areas shall include: living room, family room or dining room. **ALL SINGLE FAMILY DETACHED DWELLINGS IN PHASE 2B SHALL BE DESIGNED SO THAT A SEPARATION OF 15' SHALL BE ESTABLISHED**

ii. Single-family detached dwellings adjacent to other uses: The minimum separation between new single-family detached dwelling units shall be 40 feet from attached single-family dwellings and 60 feet from all other buildings other than accessory buildings and detached garages associated with each single-family detached dwelling. **THE PLANS CALLS FROM 50+' OF SEPARATION BETWEEN ATTACHED SINGLE FAMILY AND DETACHED SINGLE FAMILY. THE PLAN CALLS FOR ATTACHED GARAGES.**

iii. All new attached single-family dwellings, multi-family dwellings, and non-residential buildings: Between two walls facing each other, the distance between two such walls shall be a minimum of 20 feet plus one foot of additional separation for every two feet of building wall overlap greater than 40 feet. The maximum separation required shall not exceed 60 feet when neither of the two walls contains windows and 100 feet when one or both walls contain windows. **THE PLAN SHALL MEET THIS REQUIREMENT.**

2. Building Height: The maximum height of any principal building shall be 35 feet unless a greater height is specifically authorized by the Architectural Review Board and with the approval of the Fire Chief. **PHASE 1 BUILDING HAS BEEN APPROVED BY THE COPLEY TOWNSHIP ARCHITECTURAL REVIEW BOARD AND THE COPLEY TOWNSHIP FIRE CHIEF AT A MAXIMUM OF 116' IN OVERALL HEIGHT. ALL BUILDINGS IN PHASE 2A, 2B, AND 3 SHALL NOT EXCEED A MAXIMUM BUILDING HEIGHT OF 35'.**

3. Parking and Roadway Setbacks: Off-street parking areas and roadways shall be screened according to Articles 9 and 14 and shall comply with the following setback requirements:

a. Off-street parking areas shall be located to the side or rear of buildings and shall not extend into a front yard. **THE PLAN CALLS FOR OFF STREET PARKING OF PHASE 1 TO THE FRONT OF THE RETAIL BUILDING AND UNDERGROUND PARKING GARAGE. RECOMMEND APPROVAL OF FRONT PARKING FOR A MAXIMUM OF 24 SPACES. THIS WILL ALLOW EASE OF DIRECT ACCESS TO THE RETAIL PORTION OF THE LOWER LEVEL.**

b. All off-street parking areas shall be set back from an existing or proposed right-of-way a distance not less than 20 feet. **OFF STREET PARKING IS PROPOSED AT 120+' FROM ROTHROCK ROAD.**

c. All off-street parking areas and roadways shall be set back from all other boundaries of the MUCD project a distance not less than 20feet. **OFF STREET PARKING FOR PHASE 1 IS PROPOSED AT 10' FROM THE PROPOSED PUBLIC STREET "STREET A". RECOMMEND APPROVAL OF 10' SETBACK OF PARKING GARAGE FROM "STEET A".**

4. Sidewalk and/or Shared Use Path – New buildings, structures, and parking areas shall include the installation of a sidewalk and/or shared use path. The sidewalk and/or shared use path shall connect to similar facilities on adjacent property. In special cases, such as if no adjacent property sidewalk or shared use path exists, the facility type(s) and location shall be approved by Copley Township Community and Economic Development Staff via Site Plan review. See Section 13 of this document. **PLANS CALLS FOR INSTALLATION OF INTERCONNECTED SIDEWALKS THROUGHOUT THE DEVELOPMENT AND ALONG ROTHROCK ROAD. RECOMMEND INCLUSION OF TRAIL SYSTEM AND/OR SHARED USE PATH NORTH AND SOUTH TO PERMIT CONNECTIVITY TO THE MONTROSE RETAIL CENTER AND THE ROTHROCK ROAD ROUND A BOUT.**

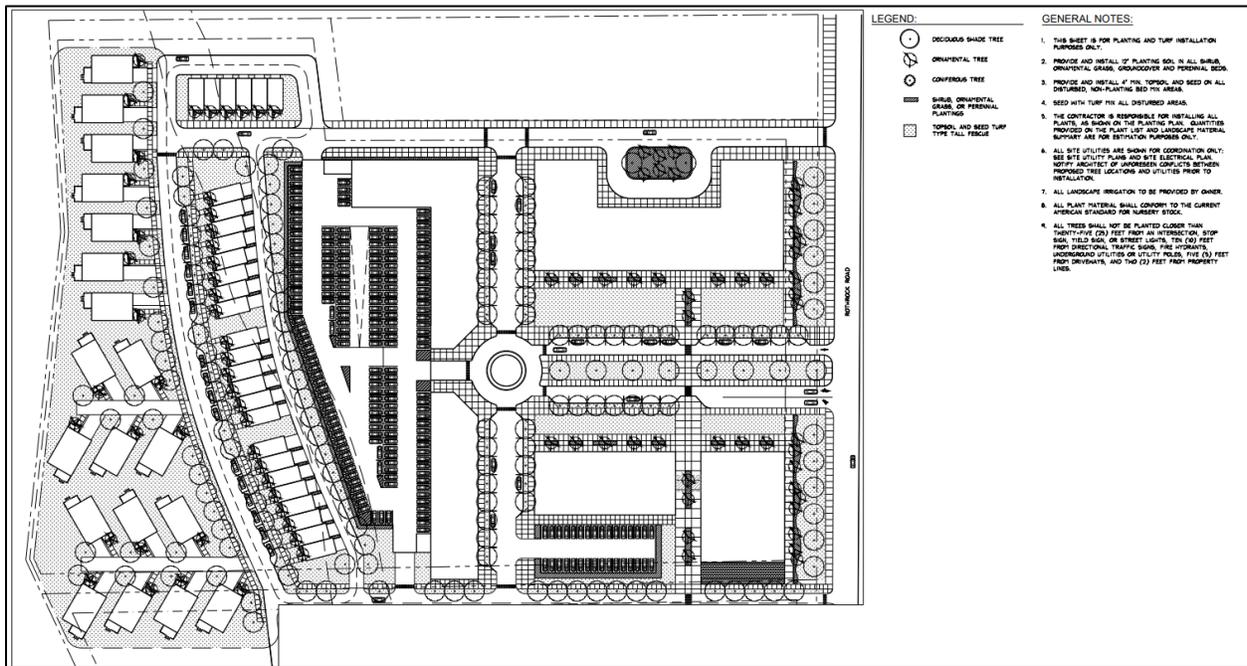
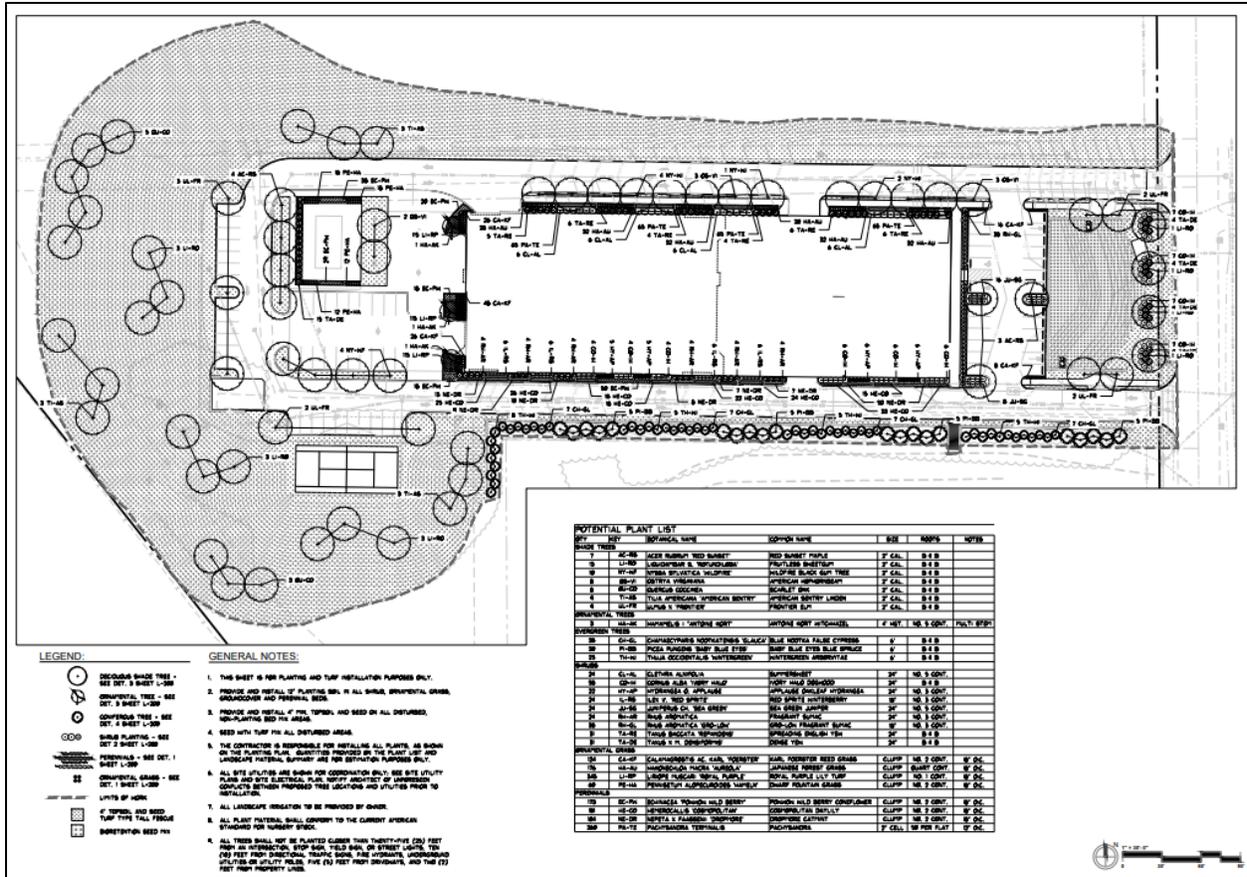
5. Ownership: Any ownership arrangement, including fee simple lots, condominiums, and zero lot line parcels, is permitted in a residential development proposed as part of a MUCD provided the arrangement of the dwelling units shall comply with the spacing requirements of this section. Within any such subplot, the applicant shall depict the maximum parameters, or building envelope, which indicates where the buildings shall be located and demonstrate that such building locations will be in compliance with the spacing requirements of this section. Alternatively, if such building locations are not depicted on any such sublots, the Architectural Review Board may establish on the development plan

the appropriate front, side, and rear yard dimensions for each subplot. **THE PLAN CALLS FOR ZERO LOT LINE PARCELS IN PHASE 2A AND THE BUILDING ENVELOPE FOR PHASE 2B SHALL BE SUBJECT TO REVIEW BY THE ARB VIA THE MAJOR SITE PLAN APPLICATION. THE APPLICANT WILL MAINTAIN A MINIMUM SIDEYARD SETBACK OF 15' IN PHASE 2B AND A MINIMUM 15' BUILDING SEPARATION IN PHASE 2A. SETBACKS MAY BE GREATER WHERE EASEMENTS ARE REQUIRED.**

Supplemental Requirements

Each proposed MUCD shall comply with the following supplemental requirements:

1. Similar land uses should face across streets, and dissimilar land uses should abut at rear lot lines or across alleys. - **PLAN CALLS FOR SF ATTACHED AND DETACHED TO FACE ONE ANOTHER AND BUILDINGS OF PHASE 3 TO SHARE, FRONT-FACING, A COMMON COURTYARD/MINI PARK AND BOULEVARD.**
2. The vehicular circulation system shall be designed to ensure that the entire MUCD is a cohesive development, and to promote inter-connection among individual projects. All streets shall be public and shall comply with the construction standards set forth in the Summit County Subdivision Regulations. **PLAN CALLS FOR INTERCONNECTING STREETS AND SHALL INCLUDE PUBLIC STREETS COMPLIANT TO SUMMIT COUNTY STANDARDS**
3. All activities except off-street parking, accessory recreation, and refuse storage shall be conducted in completely enclosed buildings. -**PLAN CALLS FOR ENCLOSURES, INCLUSIVE OF OFF-STREET PARKING**
4. All proposed developments, in addition to the requirements specified in Article 14 (Landscaping/Buffering), shall provide and maintain the following landscaping, screening, and privacy requirements: -**PLAN SHALL MEET THE REGULATIONS OF ARTICLE 14**
5. Screening through the use of walls, fences, and/or landscaping shall be provided to minimize potential incompatibility between contrasting uses within a MUCD. -PLAN CALLS FOR A RETAINING WALL TO BUFFER THE ATTACHED SINGLE FAMILY HOMES AND THE PHASE 3.
6. All open areas, including required yards, shall be landscaped according to an approved landscape plan. All pervious areas of the MUCD shall be permanently protected from soil erosion with grass or other suitable ground cover. **PLAN SHALL MEET THE REGULATIONS OF ARTICLE 14**



7. Dwelling units shall be grouped or clustered to maximize privacy and preservation of open space. **PLAN CALLS FOR GROUPED DWELLING UNITS**

8. The Architectural Review Board may impose additional conditions on uses to ensure the uses are consistent with the intent of these regulations.

J. Modifications

Modifications may be granted by the Township Architectural Review Board only when it determines that certain standards set forth in this Section do not or should not apply specifically to the circumstances of a particular project and when the alternative method proposed to achieve the objectives of the numerical standard is equal to or better than the strict application of the

K. Development Plan Review

1. The establishment of a MUCD district requires that the following steps shall be completed concurrently:

a. Application for zoning map amendment is submitted, pursuant to this Resolution. -**SUBMITTED**

b. Application for review of the general development plan, pursuant to this Resolution. **APPROVED**

2. Additional development requirements, whether standards or criteria, formulated to achieve the objectives of the MUCD District may be established during the Architectural Review Board's review of the General Development Plan. Any such development requirements adopted with such plan shall become binding land use requirements for the proposed development.

3. After a General Development Plan is approved for a MUCD project, the applicant shall prepare and submit a Final Development Plan for either all or a phase of the development. **SUBMITTED**

4. After approval of the Final Development Plan has been obtained from the Architectural Review Board, a Zoning Certificate may be obtained.

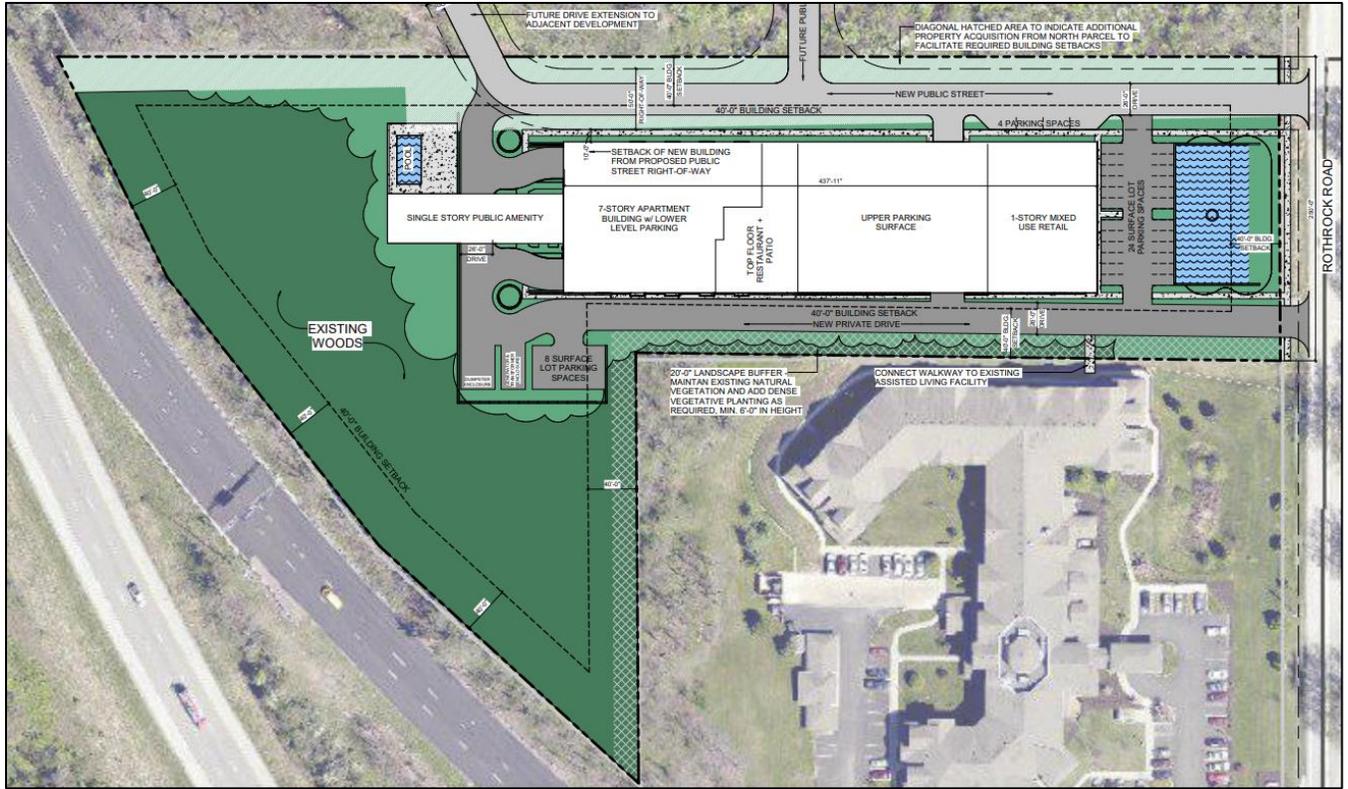
APPROVAL OF A GENERAL DEVELOPMENT PLAN AND FINAL DEVELOPMENT PLAN DOES NOT GUARANTEE APPROVAL OF THE REQUIRED MAP AMENDMENT. THE FINAL DEVELOPMENT PLAN AND DEVELOPMENT REQUIREMENTS FOR THE NEW MUCD MUST BE APPROVED IN ORDER TO ESTABLISH THE REQUESTED MUCD.

****Text Amendment requirement has been removed from this Staff Report. Upon further review, it has been determined that all phases of the proposal will be held to the regulations as found in Article 4, Section 4.07 and new text regulations are not required for this plan.***

PHASE ONE

Seven-Story Mixed Use (80 residential units; 9,250 sf retail; 6,000 sf restaurant)

Phase One will consist of one seven-story mixed use building, inclusive of Level B (multi-tenant retail) and Levels 1-7 (residential/restaurant). The building is 128' x 440' for a total of 56,320 square feet in overall area and 116' in overall height.



SITE INFORMATION

PPN: 1504432
PARCEL AREA (ACRES): 5.6866ac (BASE PARCEL)
PARCEL AREA (ACRES): 1.0898ac (ADDED FROM N.)
PARCEL AREA (TOTAL): 6.7764ac
ZONING DISTRICT: COPLEY TOWNSHIP, C-GR,
GENERAL RETAIL COMMERCIAL DISTRICT

PARKING REQUIREMENTS:

RESIDENTIAL REQUIRED PARKING:
2 STALLS PER UNIT
80 UNITS*2 SPACES = 160 SPACES

RETAIL REQUIRED PARKING:
1 PER 250 GSF
9,254/250 = 39 SPACES

RESTAURANT REQUIRED PARKING:
1 PER 75 NSF x 50% (COMPANION USE)
(6,000/75).5 = 40 SPACES

TOTAL REQUIRED PARKING = 239 SPACES

LOWER LEVEL PROVIDED PARKING:
GARAGE = 102 SPACES
SURFACE LOT = 28 SPACES
TOTAL PROVIDED = 130 SPACES

LEVEL 1 PROVIDED PARKING:
GARAGE PROVIDED = 101 SPACES
SURFACE LOT = 8 SPACES
TOTAL PROVIDED = 109 SPACES

TOTAL PROVIDED PARKING = 239 SPACES

STANDARD STALL SIZE = 9'-0" x 18'-0" MINIMUM
STANDARD AISLE WIDTH = 26'-0"
PARKING SETBACKS = 20'-0" FROM R.O.W

SETBACKS

FRONT YARD SETBACK 40'-0" FROM R.O.W
SIDE YARD SETBACK 40'-0"
REAR YARD SETBACK 40'-0"

ACREAGE

TOTAL LOT ACREAGE = 6.7764 ACRES

UNITS PER ACREAGE

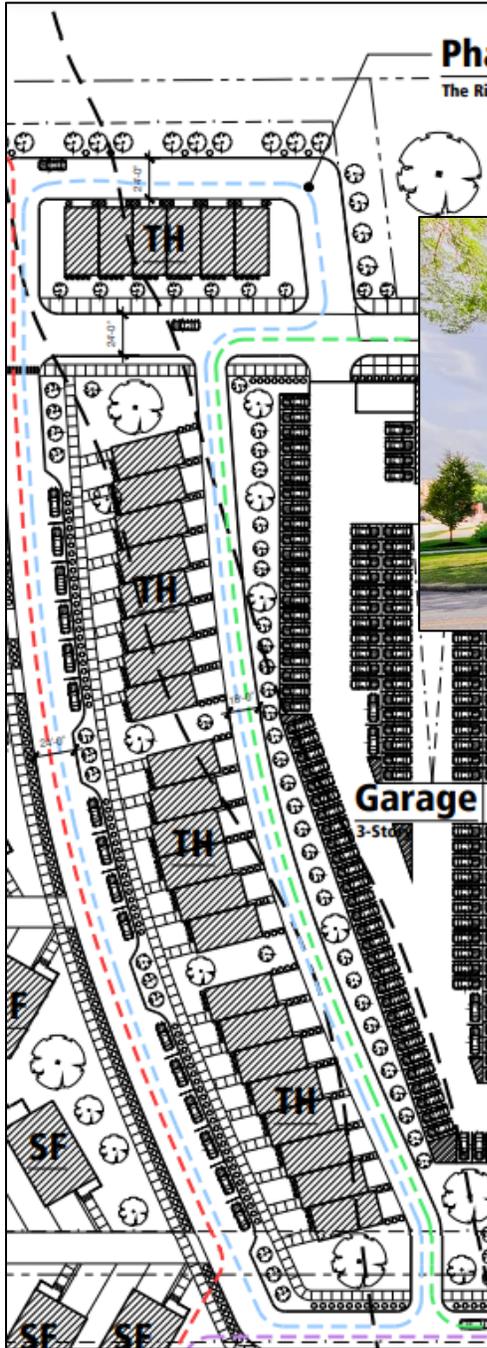
ALLOWED:
MULTIFAMILY APARTMENTS
= 12 UNITS PER 1 ACRE

PROVIDED:
80 UNITS ON 6.77 ACRES = 11.82 UNITS PER ACRE



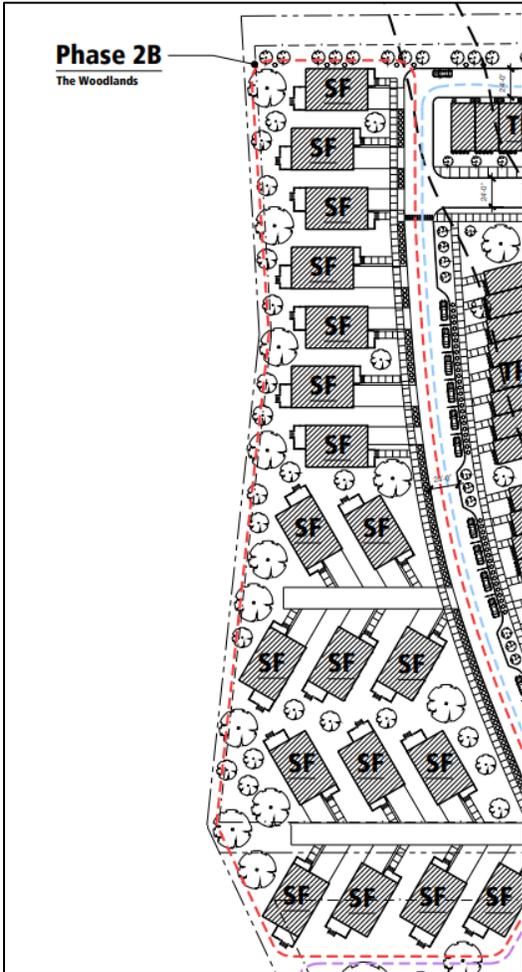
PHASE 2A-THE RIDGE

The Ridge-Phase 2A: Residential (28 Attached Single Family Townhomes); 3.5 Acres



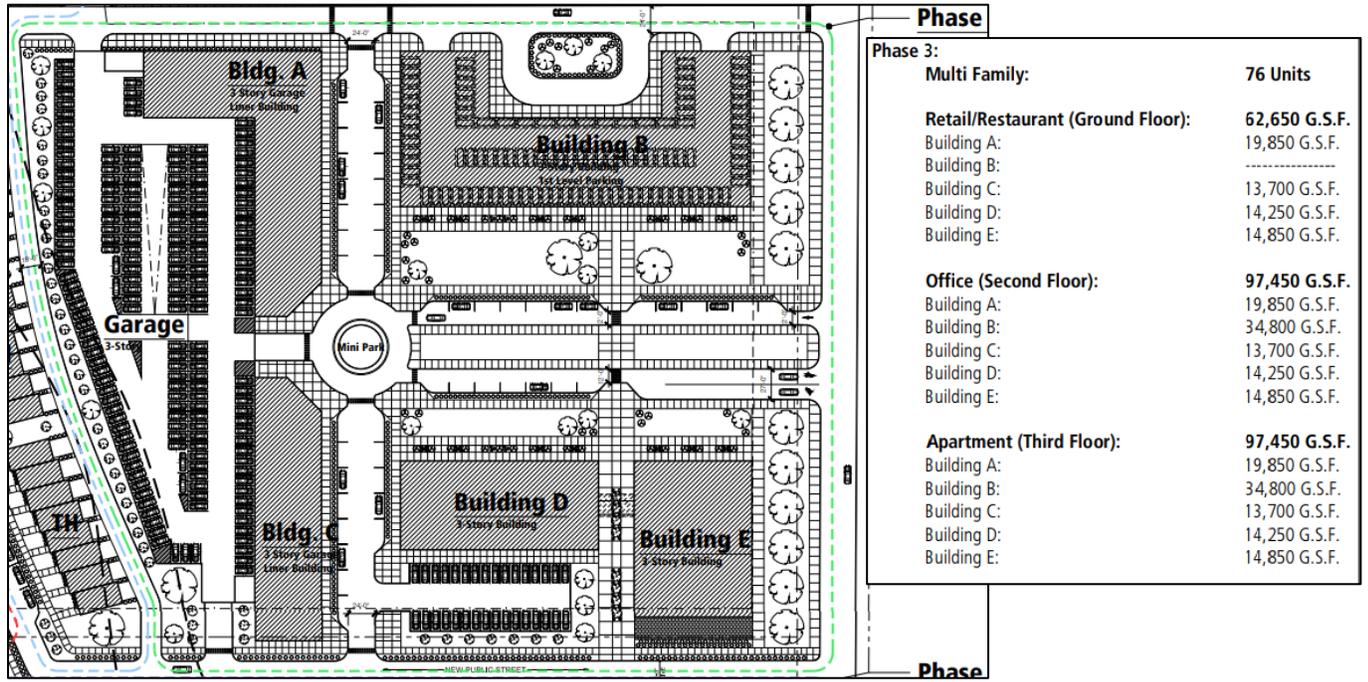
PHASE 2B-THE WOODLANDS

The Woodlands-Phase 2B: 19 Detached Single Family; 4.75 Acres



PHASE 3-COPLEY POINT AT MONTROSE

Copley Point at Montrose-Phase 3: 76 Apartments; Retail/Community Services: 6.3 Acres



SUGGESTED MOTIONS AND AUTHORITY TO PROCEED FINAL DEVELOPMENT PLAN

The Copley Township Architectural Review Board motions to approve the applicants Final Development Plan as proposed conditioned upon satisfying all external agencies, lot consolidation and approval of a Map Amendment of the Mixed Use Compact Development District.

The Copley Township Architectural Review Board motions to approve the Major Site Plan application for Phase 1 of the Final Development Plan as proposed conditioned upon satisfying all external agencies; lot consolidation and approval of a Map Amendment of the Mixed Use Compact Development District.

APPLICANT SUMMARY PHASE 1-THE ROCK ROTHROCK MIXED USE COMPACT DEVELOPMENT DISTRICT

<p>PROJECT: Phase 1-The Rock PPN: 1504432-506 Rothrock Road PPN: 1501804-444 Rothrock Road</p>	<p>APPLICATION TYPE: Major Site Plan Application</p>
<p>APPLICANT/LANDOWNER</p>	<p>APPLICANT: Matthew J. Birch LANDOWNER: One Hundred Three LLC (Parcel 1504432); East Montrose LTD (Parcel 1501804)</p>
<p>COMPANY PERFORMING WORK REQUESTED</p>	<p>Birch Group, LLC/TBD</p>
<p>INVESTMENT</p>	<p>\$22,000,000</p>
<p>APPLICATION SUMMARY</p>	<p>Applicant and Landowner, Matthew J. Birch, is requesting approval of The Rock-Phase 1: 7 Story Mixed Use (80 apartments; 15,707 square feet of restaurant/retail): 6.7 Acres Open Space: 3.4 Acres The site will be serviced with the following utilities:</p> <ul style="list-style-type: none"> • City of Akron Water-IN PROGRESS; NO OBJECTIONS • City of Akron Sewer-IN PROGRESS; NO OBJECTIONS • First Energy Electric-CONFIRMED • Dominion East Gas-CONFIRMED <p>Agencies or jurisdictions which will review and provide comments and/or services include:</p> <ul style="list-style-type: none"> • Copley Fire-NO OBJECTIONS • Copley Service Dept.-NO OBJECTIONS • Copley Police Dept.-NO OBJECTIONS • Copley Dept. of Community & Economic Development-RECOMMEND APPROVAL • Summit County Soil and Water Conservation-IN

	<p>PROGRESS</p> <ul style="list-style-type: none"> Summit County Engineer-IN PROGRESS City of Akron-NO OBJECTIONS
REVIEW REQUIRED	<p>Architectural Review Board-Approval of Final Development Plan and Development Plan Requirements</p> <p>Board of Zoning Appeals-There are no known variances required for this project.</p> <p>Zoning Commission-Map Amendment-APPLICATION SUBMITTED 2/1/2022</p> <p>Summit County Planning Commission-Map Amendment</p> <p>Board of Trustees-Map Amendment</p> <p>Traffic Questionnaire-Submitted to SCE</p> <p>Storm Water Plan-Calculations for Phase 1 Submitted to SCE/SSWCD</p>
ARCHITECTURAL REVIEW BOARD	<p>July 6, 2021, ARB motioned to approve the inclusion of Parcel 15018045 into the Development Plan for the proposed Rothrock Mixed Use Compact Development District. The ARB denied the use of a roof-top obelisk. The ARB recommended continuation of review of the proposed sign package.</p> <p>August 2, 2021 ARB motioned to approve the overall building height proposed for Phase 1 multi-story 116' conditioned upon approval of the Final Development Plan.</p>
INITIATED BY	Applicant
DECISION TYPE	<input checked="" type="checkbox"/> Informational <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action
LAND AREA	<p>PPN: 1504432 (506 Rothrock Road) 6 acres</p> <p>PPN: 15018045-15 acres</p> <p>Total: 21 acres</p>
CODE REFERENCES	<p>4.07 Mixed-Use Compact Development District</p> <p>Article 9-Parking</p> <p>Article 12-Zoning Commission and Zoning Amendments</p> <p>Article 14-Landscaping Buffering and Screening</p> <p>Article 16-Tree Preservation</p>
GENERAL LOCATION	The properties are located on the east side 1-77 and the west side Rothrock Road, north of S Cleveland Massillon Road and south of Rosemont Blvd.
ZONING	C-GR (Commercial General Retail)

PROJECT DESCRIPTION

PHASE ONE

Seven-Story Mixed Use (80 residential units; 9,250 sf retail; 6,000 sf restaurant)

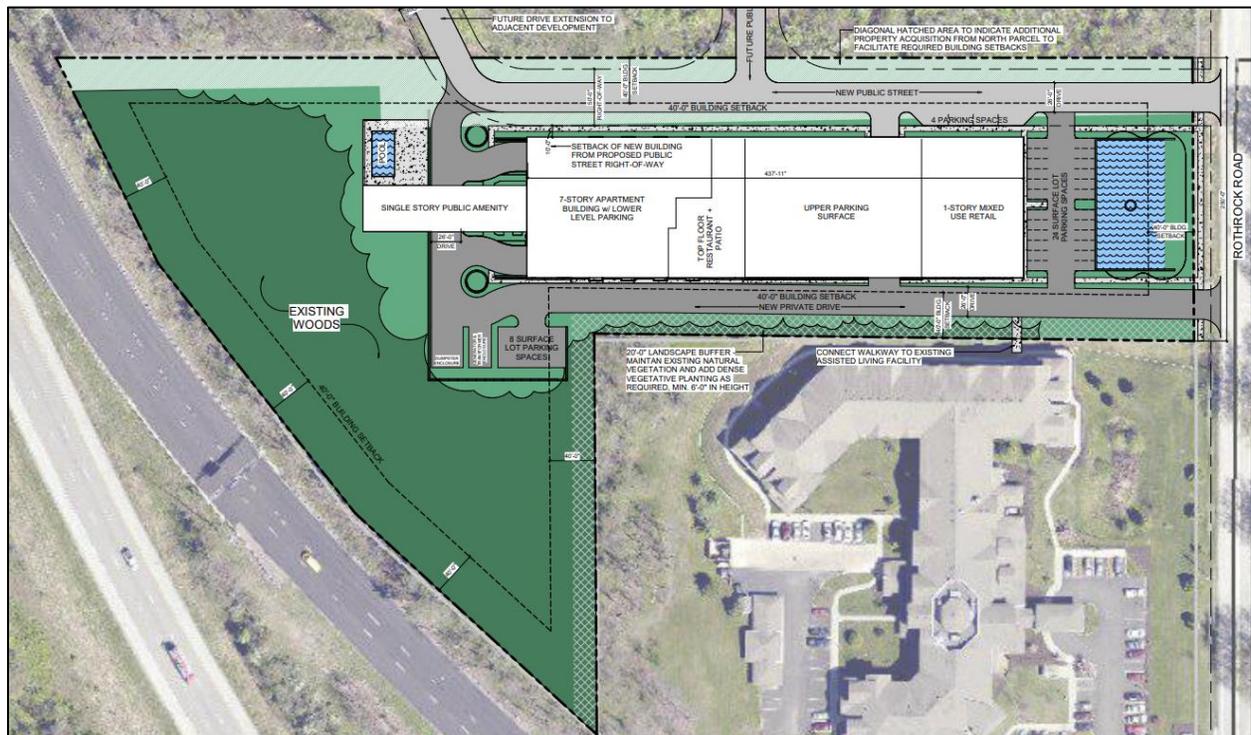
Phase One will consist of one seven-story mixed use building, inclusive of Level B (multi-tenant retail) and Levels 1-7 (residential/restaurant). The building is 128' x 440' for a total of 56,320 square feet in overall area and 116' in overall height.

Residential units are inclusive of (20) one bed units averaging 1100 square feet in overall area and (60) two bed units averaging 1400 square feet in overall area.

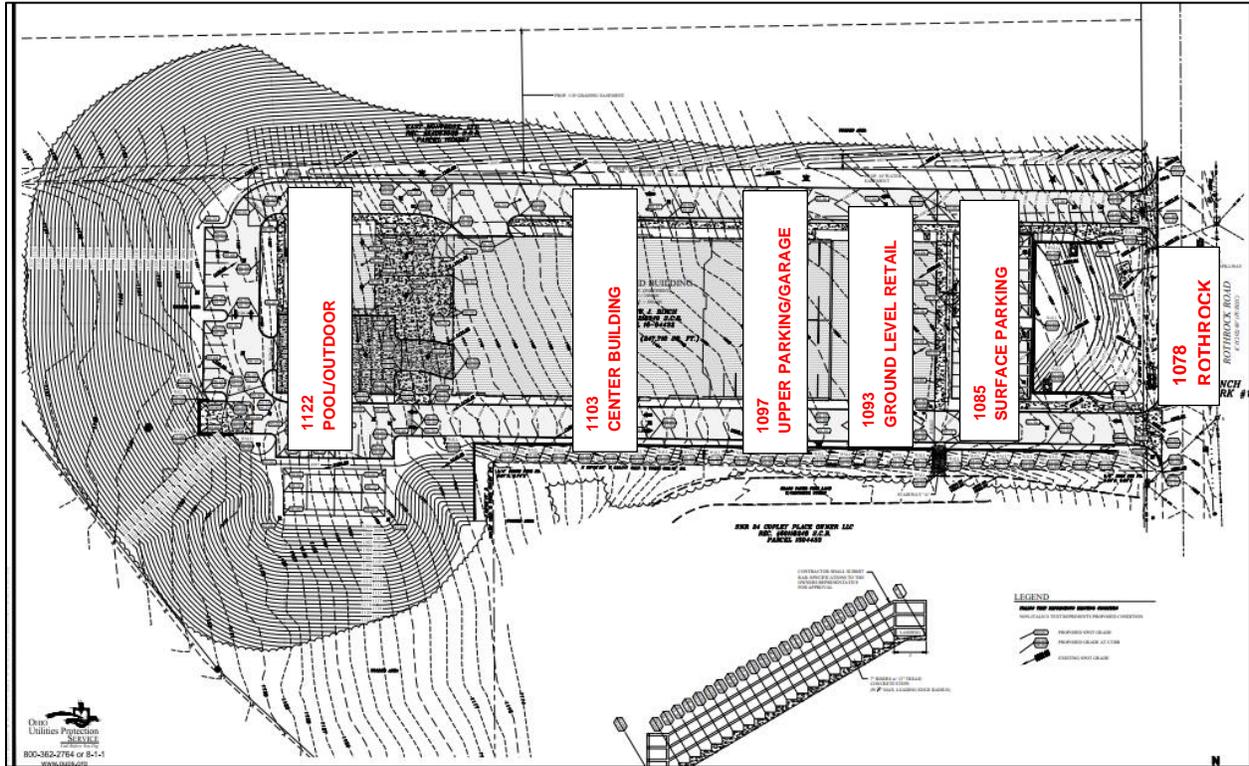
Phase 1 is inclusive of a publically dedicated roadway with a proposed 50' right of way and a 24' access drive to service the rear of the building and resident access for loading/unloading. Proposed roadways are interconnected to Phases 2 and 3 of the overall Masterplan.

A 5' sidewalk is proposed along the northern elevation of the building and along Rothrock Road. A walkway is proposed to connect Phase 1 to Copley Place to the south. Recommend addition of a shared use path to connect the rear of each phase, the existing Montrose retail district and the Rothrock road round a bout.

Development standard review for Phase 1 is included in the overall Final Development Plan. This Phase meets the development requirements as found in Section 4.07 of the Copley Township Zoning Resolution.



TOPOGRAPHY



ROTHROCK: 1078

SURFACE PARKING FOR GROUND LEVEL REATIL: 1085

UPPER PARKING/GARAGE: 1093

CENTER BUILDING: 1103

POOL/OUTDOOR AMENITIES: 1122

FINAL ELEVATION: 1037

Applicant is requesting approval of tree removal plan for Phase 1 and Phase 2A for purpose of excavation of Phase 1 and dirt storage on Phase 2A (see plan below).

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PARCEL AREA (TOTAL): 6.7764ac
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UNITS PER ACREAGE

ALLOWED:
MULTIFAMILY APARTMENTS
= 12 UNITS PER 1 ACRE

PROVIDED:
80 UNITS ON 6.77 ACRES = 11.82 UNITS PER ACRE

ELEVATIONS



FLAG NOTES - EXTERIOR ELEVATIONS

- 1 APPROXIMATE FINISHED GRADE.
- 2 ACM PANEL, COLOR: GRAY
- 3 BLACK ANODIZED ALUMINUM STOREFRONT SYSTEM
- 4 BRICK MASONRY, SIOUX CITY BRICK "EBONITE VELOUR"
- 5 METAL COPING
- 6 ACM PANEL, COLOR: OFF-WHITE
- 7 WHITE ALUMINUM ROOF FASCIA
- 8 WINDOW PER SCHEDULE, TYP. SEE PLANS
- 9 BALCONY, FINISHES TO BE COORDINATED WITH OWNER.
- 10 GLASS INFILL PANEL RAILING, TYP.

NORTHEAST-FACING ROTHROCK



SOUTHEAST-FACING RORTHROCK



SITE ENTRANCE PERSPECTIVE (DRIVE) | 2

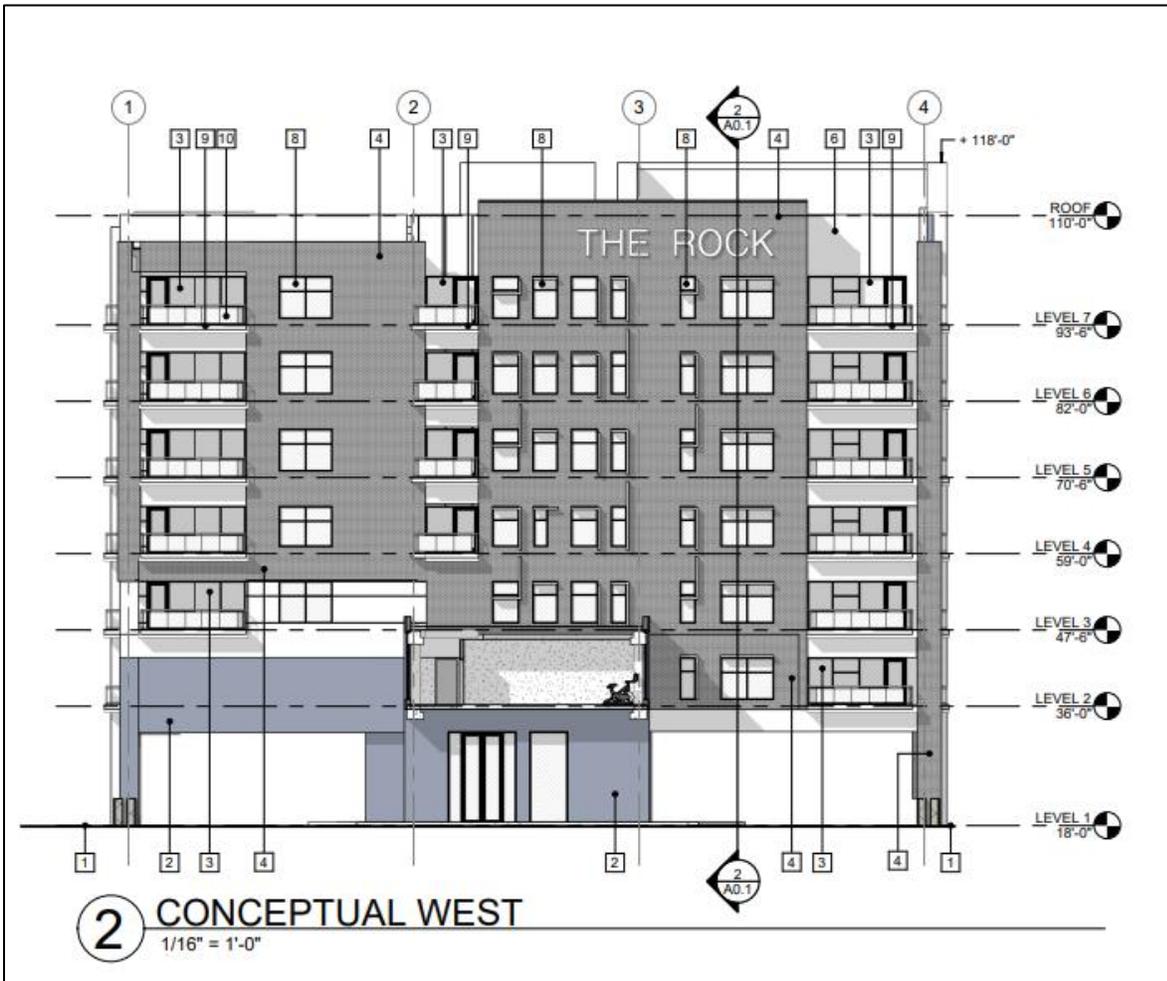
SOUTHWEST-FACING 1-77

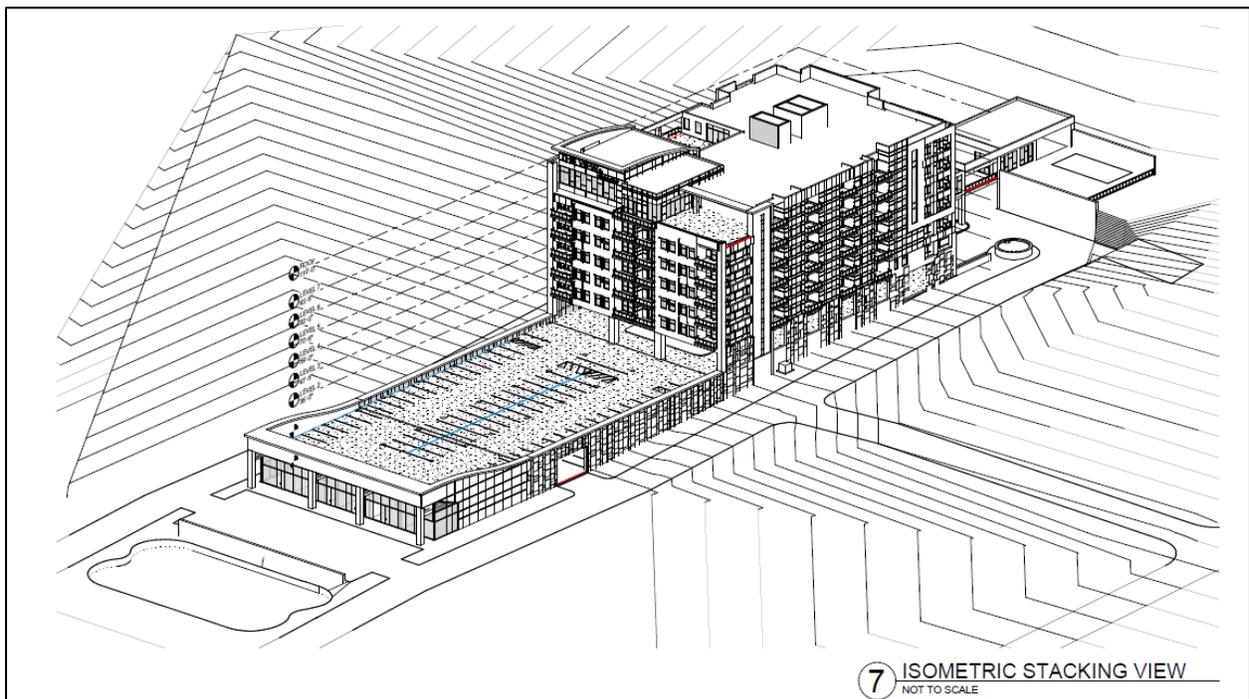
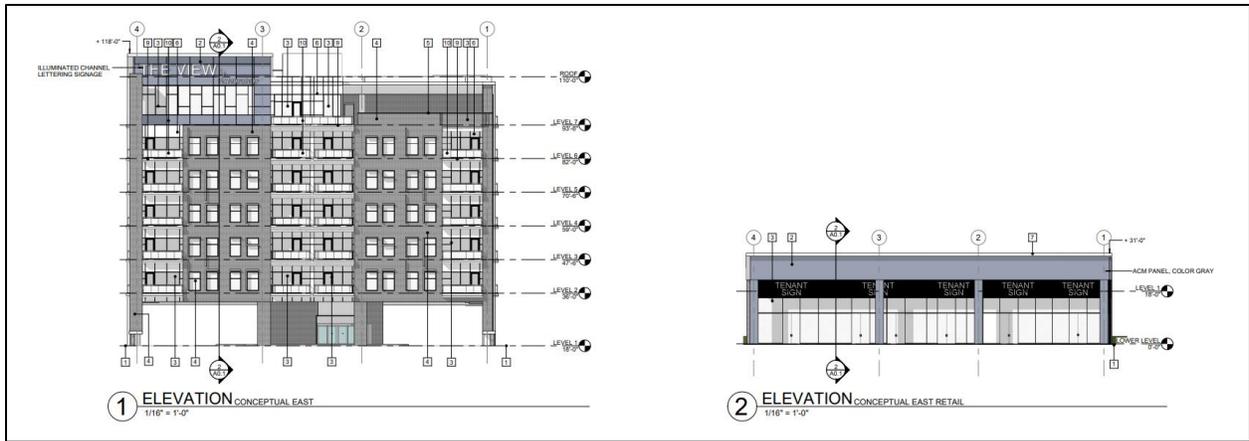


SITE PERSPECTIVE | 3

NORTHWEST-FACING I-77



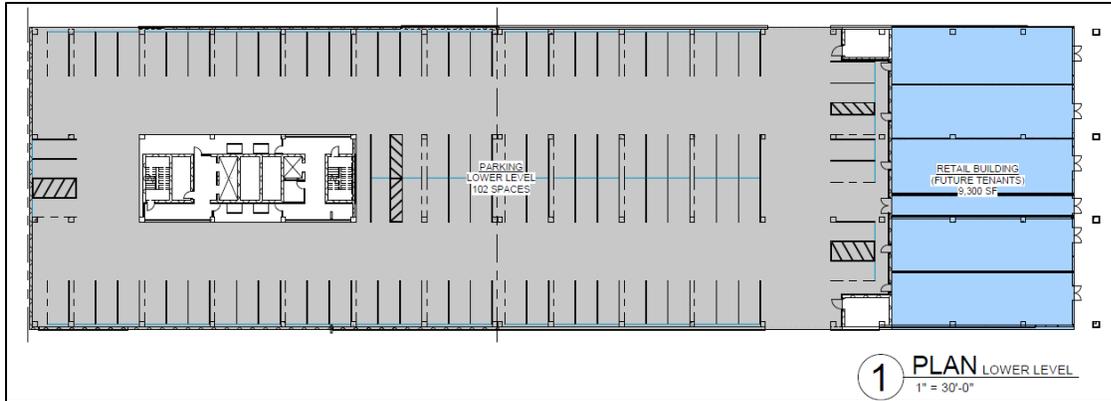




OVERALL BUILDING AREA BREAKDOWN									
	LEVEL B	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6	LEVEL 7	TOTAL
RETAIL (BUSINESS)	9,300 SF								9,300 SF
PARKING GARAGE	40,130 SF	47,850 SF							87,980 SF
COMMUNITY AMENITY (w/ PATIOS)		1,905 SF	11,944 SF	1,518 SF	235 SF	235 SF	235 SF	2,503 SF	18,575 SF
RESIDENTIAL UNIT (w/ BALCONY)			16,210 SF	17,900 SF	19,210 SF	19,210 SF	19,210 SF	10,915 SF	102,655 SF
RESTAURANT (w/ PATIO)								6,258 SF	6,258 SF
CORRIDORS / CORE FUNCTIONS	3,752 SF	4,500 SF	4,433 SF	4,457 SF	4,457 SF	4,457 SF	4,457 SF	3,820 SF	34,333 SF
TOTAL	53,182 SF	54,255 SF	32,587 SF	23,875 SF	23,902 SF	23,902 SF	23,902 SF	23,496 SF	259,101 SF

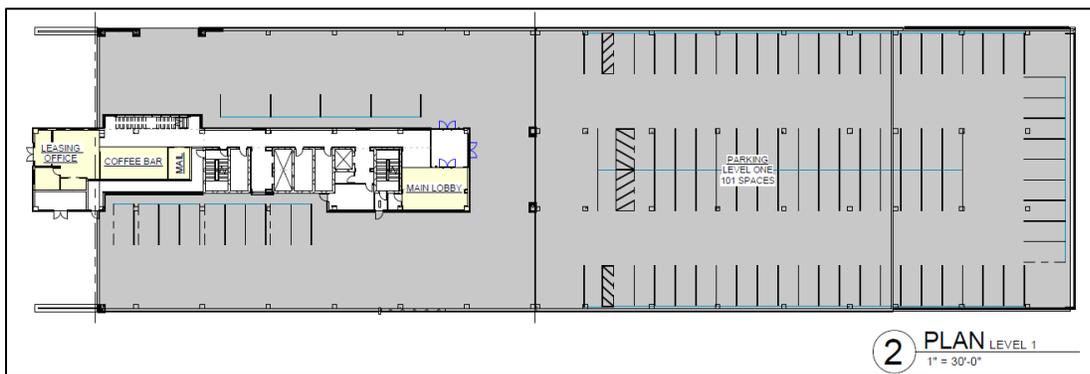
LOWER LEVEL

Level B will consist of 9,300 square feet of multi-tenant retail. Five tenant spaces are currently proposed for the building. Lower Level parking will accommodate 102 spaces.



LEVEL 1

Level 1 will consist of community amenities inclusive of a leasing office, coffee bar, mail center, core functions areas and parking to accommodate 101 spaces.



LEVEL 2

Level 2 will consist of community amenities inclusive of an outdoor pool, outdoor lounge, fitness center, clubhouse, theatre, co-work space, (9) two bed units and (4) one bed units.



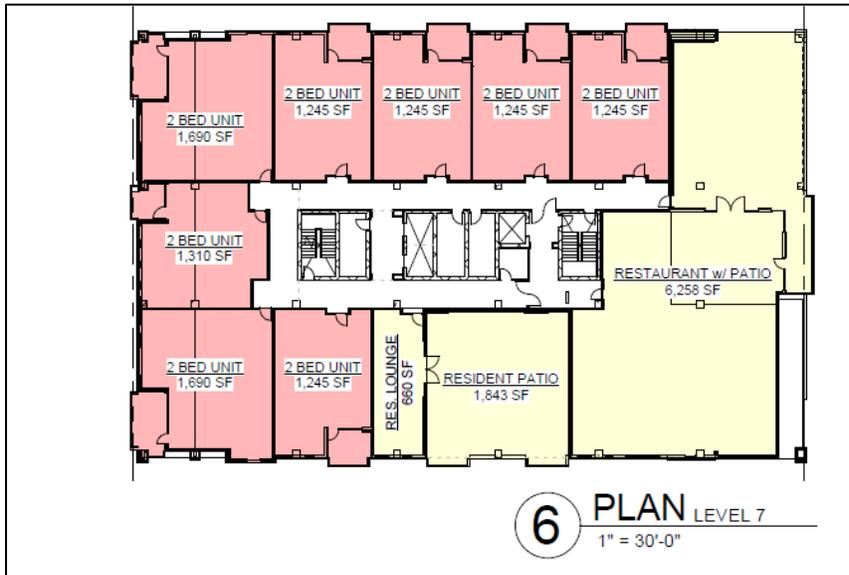
LEVELS 3-6

Levels 3-6 will consist of (43) two bed units and (16) one bed units.



LEVEL 7

Level will consist of a full service restaurant, lounge and (8) two bed units.



PARKING

PARKING REQUIREMENTS:	
RESIDENTIAL REQUIRED PARKING:	
2 STALLS PER UNIT	
80 UNITS*2 SPACES	= 160 SPACES
RETAIL REQUIRED PARKING:	
1 PER 250 GSF	
9,254/250	= 39 SPACES
RESTAURANT REQUIRED PARKING:	
1 PER 75 NSF x 50% (COMPANION USE)	
(6,000/75).5	= 40 SPACES
TOTAL REQUIRED PARKING = 239 SPACES	
LOWER LEVEL PROVIDED PARKING:	
GARAGE	= 102 SPACES
SURFACE LOT	= 28 SPACES
TOTAL PROVIDED	= 130 SPACES
LEVEL 1 PROVIDED PARKING:	
GARAGE PROVIDED	= 101 SPACES
SURFACE LOT	= 8 SPACES
TOTAL PROVIDED	= 109 SPACES
TOTAL PROVIDED PARKING = 239 SPACES	
STANDARD STALL SIZE	= 9'-0" x 18'-0" MINIMUM
STANDARD AISLE WIDTH	= 26'-0"
PARKING SETBACKS	= 20'-0" FROM R.O.W

- a. Off-street parking areas shall be located to the side or rear of buildings and shall not extend into a front yard. **THE PLAN CALLS FOR OFF STREET PARKING OF PHASE 1 TO THE FRONT OF THE RETAIL BUILDING AND UNDERGROUND PARKING GARAGE. RECOMMEND APPROVAL OF FRONT PARKING FOR A MAXIMUM OF 24 SPACES. THIS WILL ALLOW EASE OF DIRECT ACCESS TO THE RETAIL PORTION OF THE LOWER LEVEL.**
- b. All off-street parking areas shall be set back from an existing or proposed right-of-way a distance not less than 20 feet. **OFF STREET PARKING IS PROPOSED AT 120+' FROM ROTHROCK ROAD.**
- c. All off-street parking areas and roadways shall be set back from all other boundaries of the MUCD project a distance not less than 20feet. **OFF STREET PARKING FOR PHASE 1 IS PROPOSED AT 10' FROM THE PROPOSED PUBLIC STREET "STREET A". RECOMMEND APPROVAL OF 10' SETBACK OF PARKING GARAGE FROM "STEET A".**



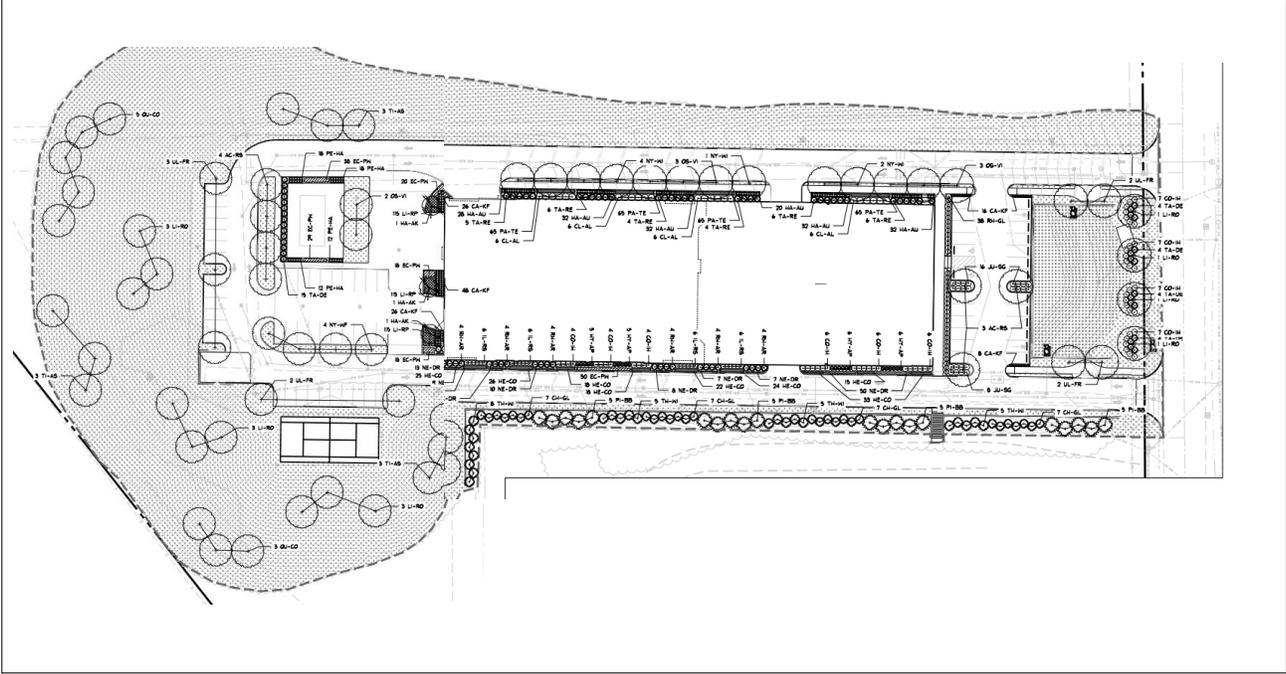
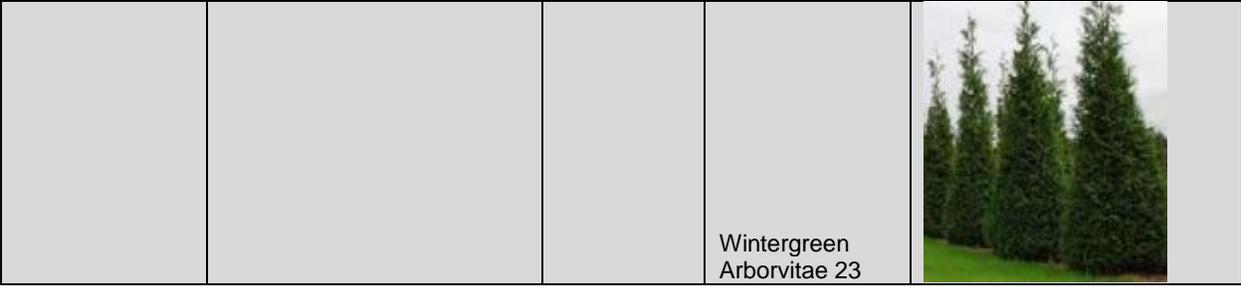
LANDSCAPE/BUFFER/SCREEN PHASE 1

CATEGORY	REGULATION	LOCATION	INSTALLATION	PHOTO
Street Landscape Screening/ Buffer	1 Deciduous for every 25' of frontage	Street 1-South (Building North Façade Landscape)	Meets requirements (18 Deciduous Trees); 200' of frontage Rothrock	SEE BELOW
	20' Buffer	Rothrock Road	20; Buffer	
	Dense Plantings of Trees/Evergreens/Hedges		Bioretention See Mix	
			44 Shrubs; 4 Deciduous Trees Shown in Plan; Maximize evergreen plantings to create a dense screen-Minimum 6'	
			Sweetgum 4	SEE BELOW

			Ivory Halo Dogwood 28	
			Dense Yew 16	
	Copley Place-Residential Use (Zoned CGR)	Western Property Line	71 Evergreens Proposed	
			Cypress, Blue Spruce, Wintergreen Arborvitae	SEE BELOW
Building Façade	75% of façade w/n 20'	Building North	18 Deciduous Trees	SEE BELOW
			Hornbeam, Gumtree,	
	3 Deciduous for every 100' of façade	Building South	NA (Buffer landscape adjacent to drive on the north side)	
		Building West	5 Deciduous Trees	
		Building East	40 Shrubs (Parking Landscape)	
			Gro Low Sumac	
Open Space			28 Shade Trees	SEE BELOW
			American Sentry Linden, Scarlet Oak, Sweetgum,	Recommend infill of trees where available in this area
Loading Areas/Storage	Fully screened to rear of property		Screening Proposed	

Parking Lots	Interior: 160 sf island for every 10 spaces		3 Parking islands provided on plan; Junipers	
	Perimeter Buffer 10'		Feet TBD on west side	
			Perimeter included for above ground lot on Phase 1	
Retaining Walls	Retaining Walls proposed along the western elevation of Phase 1 and the eastern elevation of Phase 3.			
TOTAL DECIDUOUS INSTALLATION			64	
			Red Sunset Maple 7	
			Fruitless Sweetgum 13	
			Black Gum 10	
			American Hornbeam 8	

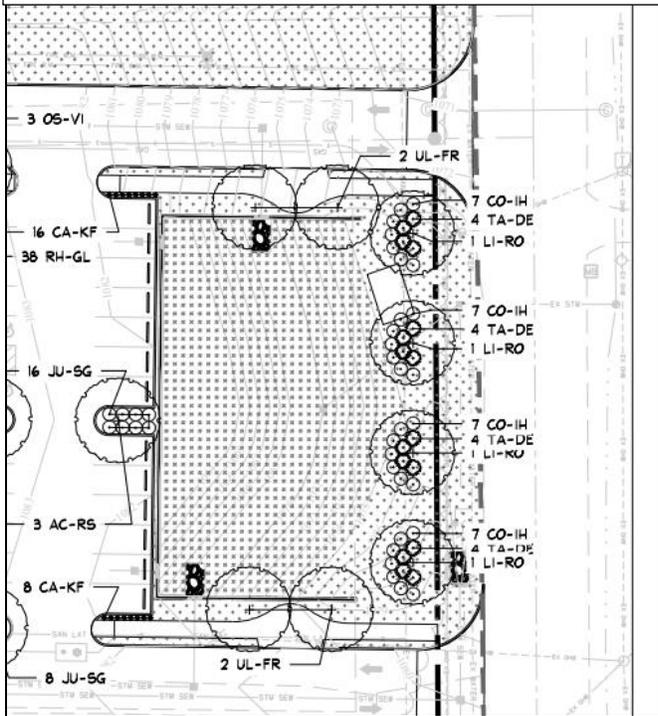
			Scarlet Oak 8		
			American Sentry Linden 9		
			Frontier Elm 9		
TOTAL EVERGREEN INSTALLATION			71		
			False Cypress 28		
			Blue Spruce 20		



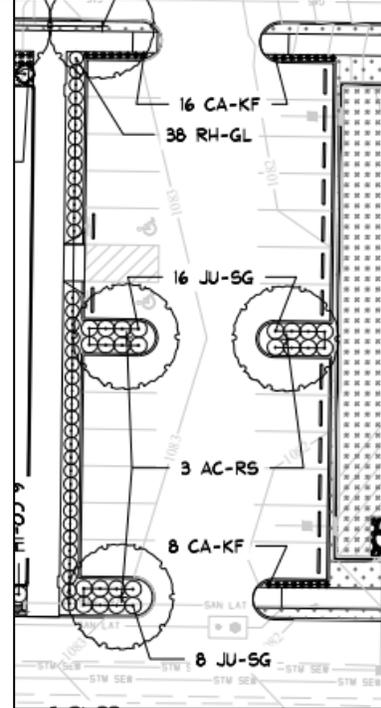
POTENTIAL PLANT LIST

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOTS	NOTES
SHADE TREES						
7	AC-RS	ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	2" CAL.	B & B	
13	LI-RO	LIQUIDAMBAR S. 'ROTUNDILOBA'	FRUITLESS SWEETGUM	2" CAL.	B & B	
10	NY-WF	NYSSA SYLVATICA 'WILDFIRE'	WILDFIRE BLACK GUM TREE	2" CAL.	B & B	
8	OS-VI	OSTRYA VIRGINIANA	AMERICAN HOPHORNBEAM	2" CAL.	B & B	
8	QU-CO	QUERCUS COCCINEA	SCARLET OAK	2" CAL.	B & B	
9	TI-AS	TILIA AMERICANA 'AMERICAN SENTRY'	AMERICAN SENTRY LINDEN	2" CAL.	B & B	
9	UL-FR	ULMUS X 'FRONTIER'	FRONTIER ELM	2" CAL.	B & B	
ORNAMENTAL TREES						
3	HA-AK	HAMAMELIS I 'ANTOINE KORT'	ANTOINE KORT WITCHHAZEL	4' HGT.	NO. 5 CONT.	MULTI STEM
EVERGREEN TREES						
28	CH-GL	CHAMAECYPARIS NOOTKATENSIS 'GLAUCA'	BLUE NOOTKA FALSE CYPRESS	6'	B & B	
20	PI-BB	PICEA PUNGENS 'BABY BLUE EYES'	BABY BLUE EYES BLUE SPRUCE	6'	B & B	
23	TH-WI	THUJA OCCIDENTALIS 'WINTERGREEN'	WINTERGREEN ARBORVITAE	6'	B & B	
SHRUBS						
24	CL-AL	CLETHRA ALNIFOLIA	SUMMERSWEET	24"	NO. 5 CONT.	
58	CO-IH	CORNUS ALBA 'IVORY HALO'	IVORY HALO DOGWOOD	24"	B & B	
22	HY-AP	HYDRANGEA Q. APPLAUSE	APPLAUSE OAKLEAF HYDRANGEA	24"	NO. 3 CONT.	
24	IL-RS	ILEX V. 'RED SPRITE'	RED SPRITE WINTERBERRY	18"	NO. 3 CONT.	
24	JU-SG	JUNIPERUS CH. 'SEA GREEN'	SEA GREEN JUNIPER	24"	NO. 5 CONT.	
24	RH-AR	RHUS AROMATICA	FRAGRANT SUMAC	24"	NO. 3 CONT.	
38	RH-GL	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	18"	NO. 3 CONT.	
31	TA-RE	TAXUS BACCATA 'REPANDENS'	SPREADING ENGLISH YEW	24"	B & B	
31	TA-DE	TAXUS X M. DENSIFORMIS'	DENSE YEW	24"	B & B	
ORNAMENTAL GRASS						
124	CA-KF	CALAMAGROSTIS AC. KARL 'FOERSTER'	KARL FOERSTER REED GRASS	CLUMP	NO. 2 CONT.	18" O.C.
176	HA-AU	HAKONECHLOA MACRA 'AUREOLA'	JAPANESE FOREST GRASS	CLUMP	QUART CONT.	18" O.C.
345	LI-RP	LIRIOPE MUSCARI 'ROYAL PURPLE'	ROYAL PURPLE LILY TURF	CLUMP	NO. 1 CONT.	18" O.C.
60	PE-HA	PENNISETUM ALOPECUROIDES 'HAMELN'	DWARF FOUNTAIN GRASS	CLUMP	NO. 2 CONT.	18" O.C.
PERENNIALS						
173	EC-PW	ECHINACEA 'POWOW WILD BERRY'	POWOW WILD BERRY CONEFLOWER	CLUMP	NO. 2 CONT.	18" O.C.
181	HE-CO	HEMEROCALLIS 'COSMOPOLITAN'	COSMOPOLITAN DAYLILY	CLUMP	NO. 2 CONT.	18" O.C.
104	NE-DR	NEPETA X FAASSENII 'DROPMORE'	DROPMORE CATMINT	CLUMP	NO. 2 CONT.	18" O.C.
260	PA-TE	PACHYSANDRA TERMINALIS	PACHYSANDRA	2" CELL	50 PER FLAT	12" O.C.

ROTHROCK STREET TREES AND RETENTION BUFFER



SURFACE PARKING ISLANDS



RECOMMENDATION: ADDITION OF FULL EVERGREEN SCREEN BUFFER ALONG THE WESTERN PORTION OF PHASE 1

TREE INVENTORY ASSESSMENT

The applicant has completed a Tree Inventory Assessment of Phases 1 and 2 of the proposed development.

1. THIS DOCUMENT WAS PREPARED BY CERTIFIED ARBORIST BRADLEY PETRU (MA-5819A).
2. AERIAL IMAGERY (MARCH, 2017) OBTAINED FROM OHIO STATEWIDE IMAGERY PROGRAM.
3. APPROXIMATE ROTHROCK COMMONS PROPERTY IS DEFINED AS SUMMIT COUNTY, OHIO TAX PARCELS 1501804 AND 1504432 (APPROXIMATELY 20.44 ACRES). PHASE 1 THE ROCK PROJECT IS APPROXIMATELY 6.91 ACRES: 1.47 ACRES (21.3%) OF PARCEL 1501804 AND THE ENTIRE 5.44 ACRES (78.7%) OF PARCEL 1504432.
4. A FIELD BASED ASSESSMENT OF WOODLANDS AT LEAST 6.0 INCHES DIAMETER AT BREAST HEIGHT (DBH) OR LARGER WAS CONDUCTED PER COPLEY TOWNSHIP TREE PRESERVATION ARTICLE 16.02.B.2a. CANOPY COVERAGE DRIPLINE DEPICTED HEREIN IS BASED ON FIELD OBSERVATIONS RECORDED ON JANUARY 19, 2022.
5. COPLEY TOWNSHIP TREE PRESERVATION ARTICLE 16.02.B.1 INDICATES A MINIMUM OF FIFTY PERCENT (50%) OF THE EXISTING WOODLANDS SHALL BE PRESERVED. APPROXIMATELY 4.16 ACRES OF WOODLAND CANOPY COVERAGE DRIPLINE WAS MAPPED IN THE 6.91-ACRE PHASE 1 THE ROCK PROJECT.

The applicant is requesting the use of plot point survey to identify the total canopy present on the site consisting of Phases 1 and 2. (11) plots, 30' in diameter have been identified as follows. One 30' diameter circle equals .02 acre

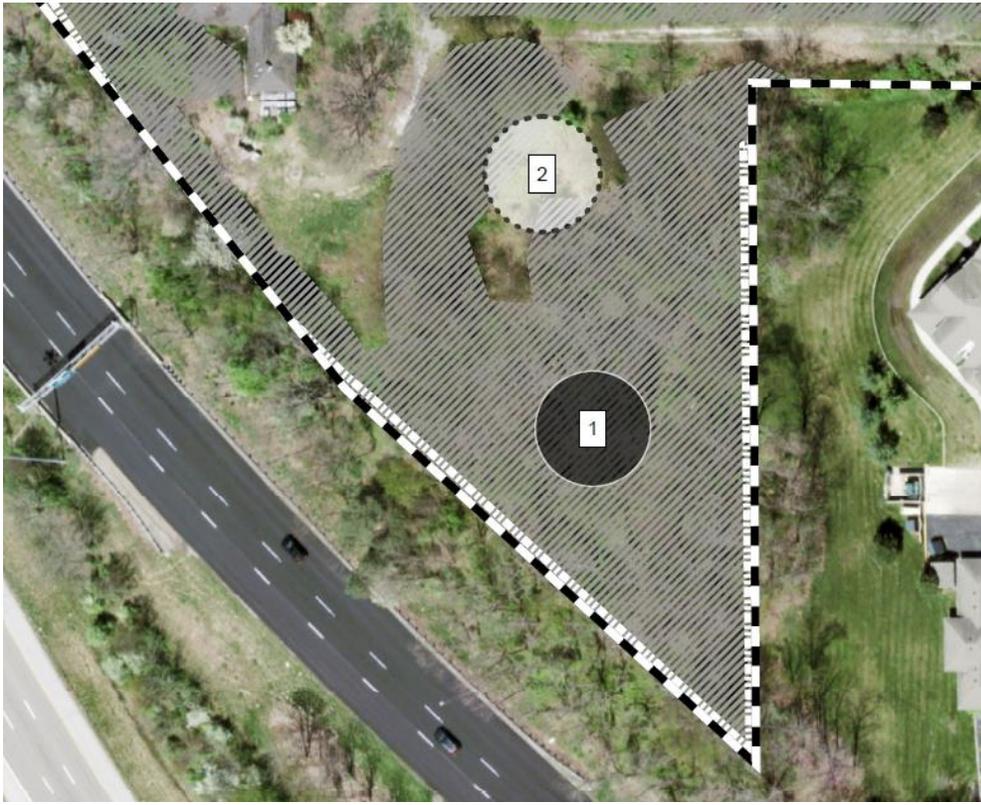
LEGEND

	ROTHROCK COMMONS PROPERTY (20.44 ACRES)
	PHASE 1 - THE ROCK PROJECT (6.91 ACRES)
	APPROXIMATE PROPOSED PHASE 2 BOUNDARY
	APPROXIMATE PROPOSED PHASE 3 BOUNDARY
	WOODLAND AREA (9.76 ACRES)
	30' NON-WOODLAND PLOT
	30' WOODLAND PLOT



The survey consists of 6 woodland canopy plots and 5 non-woodland canopy plots located inside and outside of the limits of disturbance.

PLOT/LOCATION	# SURVEYED	COMMON SPECIES	DBH	TREE CONDITION	GENERAL NOTES
1-Phase 1	19	Black Cherry/Black Locust	9"-20"	Fair-Good	Woodland to be preserved
2-Phase	4	Walnut, Locust, Pin Oak	8"-15"	Fair-Good	Non woodland to be removed



PLOT/LOCATION	# SURVEYED	COMMON SPECIES	DBH	TREE CONDITION	GENERAL NOTES
3-Phase 1	8	Cherry	9"-51"	Poor	Woodland to be removed
4-Phase 1	3	Green Ash	10"	Fair	Non Woodland to be removed
5-Phase 1	9	Locust	10"-20"	Fair	Woodland to be removed
6-Phase 1	2	Green Ash	10"	Good	Non Woodland to be removed



PLOT/LOCATION	# SURVEYED	COMMON SPECIES	DBH	TREE CONDITION	GENERAL NOTES
7-Phase 3	5	Black Cherry	9"-24"	Fair-Poor	Non woodland to be removed

8-Phase 2/3	4	Walnut	7"-10"	Fair	Woodland to be removed
9-Phase 2	7	White Spruce	13"-23"	Fair-Poor	Woodland to be removed
10-Phase 2	8	White Ash, American Elm	9"-21"	Fair	Woodland to be removed
11-Phase 3					Non woodland

TREE CLEARING PLAN

The applicant has identified 4.16 acres of woodland canopy. The applicant is permitted to clear 2.08 acres of woodland canopy. The applicant has requested to clear 3.24 acres of woodland canopy for the purpose of constructing Phase 1 of the Rothrock MUCD Phased Development Plan. The applicant is requesting Fee In Lieu of for 1.16 acres to meet the regulations of Article 16.

Parcel 1501804-0.54 Acre (16.7%)

Parcel 1504432-2.7 Acres (83.3%)

The applicant is requesting to apply the clearing percentage to the Assessed Land Value of each parcel reduction of the total 1.16 acres for the Fee in Lieu of.

16.7% of 1.16 Acres (0.166 acres) at Assessed Acreage Value of \$32,200=\$5,366.77

83.3% of 1.16 Acres (0.833 acres) at Assessed Acreage Value of \$3,340=\$2,783.38

Total Fee In Lieu Payment=\$8,150.15.

7. PER COPLEY TOWNSHIP TREE PRESERVATION ARTICLE 16.03.A.1 FAIR MARKET CALCULATION:

A. TOTAL NUMBER OF WOODLAND ACRES PRESENT IN THE 6.91-ACRE PHASE 1 THE ROCK PROJECT IS 4.16 ACRES (ARTICLE 16.03.A.1a).

B. PERMITTED REDUCTION IN WOODLAND ACRES (50%) IS 2.08 ACRES (ARTICLE 16.03.A.1b).

C. TOTAL NUMBER OF WOODLAND ACRES REDUCTION REQUESTED IS 3.24 ACRES (ARTICLE 16.03.A.1c). 77.9% OF WOODLAND WILL BE CLEARED IN THE 6.91-ACRE PHASE 1 THE ROCK PROJECT.

I. APPROXIMATELY 1.16 ACRES OF WOODLAND CLEARING IS PROPOSED ABOVE THE 50% PRESERVATION (2.08 ACRES) REQUIREMENT.

ii. OF THE 3.24 ACRES PROPOSED FOR CLEARING: 0.54 ACRES (16.7%) IS BEING CLEARED IN PARCEL 1501804 AND 2.7 ACRES (83.3%) IS BEING CLEARED IN PARCEL 1504432.

8. THIS TREE REMOVAL AND PRESERVATION PLAN IS INTENDED FOR USE BY THE ARCHITECTURAL REVIEW BOARD. A TREE REMOVAL PERMIT FOR TREES GREATER THAN 6 IN DBH WILL BE REQUIRED IN ACCORDANCE WITH ARTICLE 13 AND ARTICLE 16.05.

9. TREE RESTORATION AND RELIEF (ARTICLE 16.03): WHERE THE TREE PRESERVATION STANDARD SET FORTH IN ARTICLE 16.02.B CANNOT BE IMPLEMENTED, AND ONLY WITH THE RECOMMENDATION AND/OR APPROVAL OF THE ARCHITECTURAL REVIEW BOARD AND/OR BOARD OF ZONING APPEALS, THE DEVELOPER IS REQUESTING A FEE-IN LIEU OF TREE PRESERVATION.

A. FEE-IN LIEU OF TREE PRESERVATION TO OFFSET LOSS OF TREES BY DEPOSITING FUNDS INTO THE COPLEY TOWNSHIP TREE FUND IN ACCORDANCE WITH ARTICLE 16.03.A.

i. CURRENT TAX VALUE OF SUMMIT COUNTY PARCEL 1501804 IS \$32,200 PER ACRE, AND PARCEL 1504432 IS \$3,340.07 PER ACRE.

ii. APPLICANT IS PROPOSING TO CLEAR 1.16 ACRES OVER THE CURRENT 50% PRESERVATION REQUIREMENT OF 2.08 ACRES (8.B).

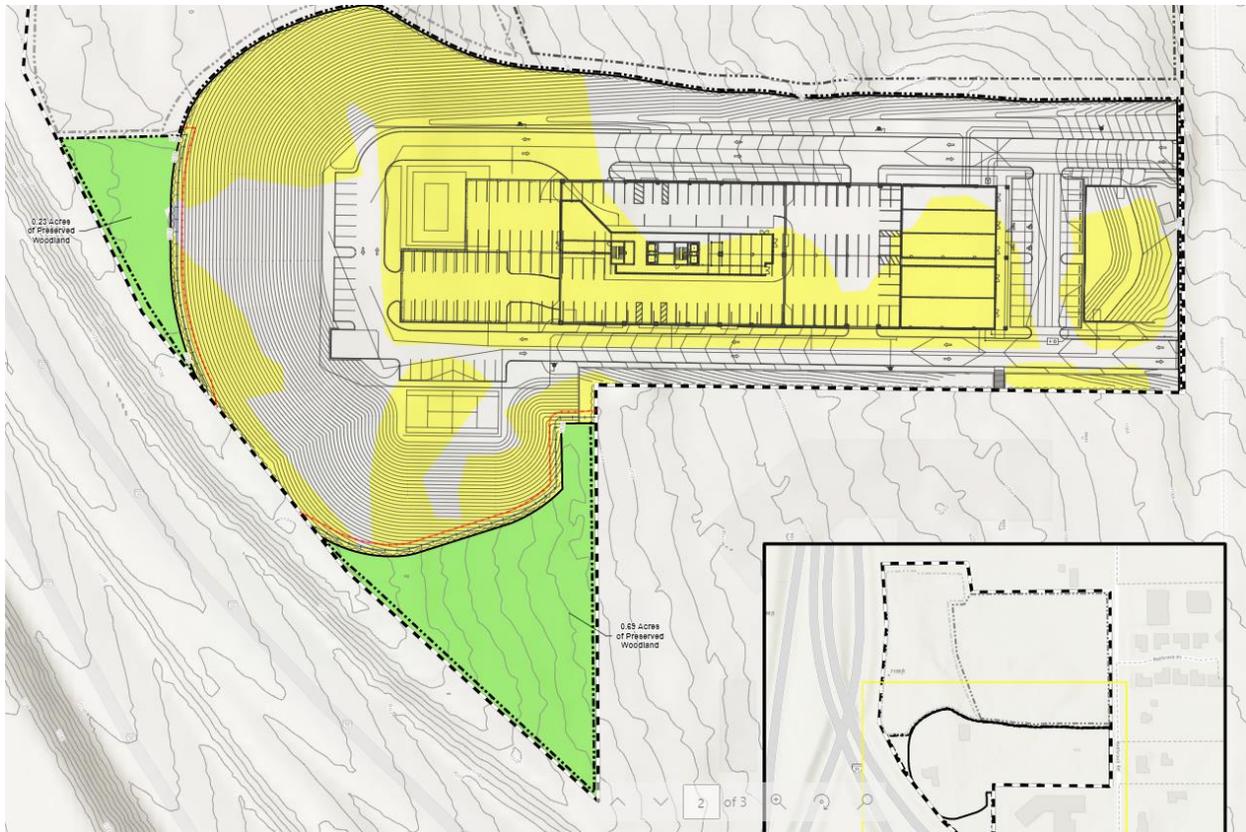
iii. 5.97-ACRE PHASE 1 THE ROCK LOD CONTAINS 16.7% OF PARCEL 1501804 AND 83.3% OF PARCEL 1504432. THE CURRENT ACREAGE OVER THE 50% PRESERVATION REQUIREMENT IS 1.16 ACRES. THE APPLICANT IS PREPARED TO DEPOSIT \$8,150.15 INTO COPLEY TOWNSHIP'S FEE-IN LIEU TREE FUND.

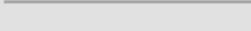
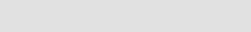
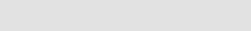
1. 16.7% OF 1.16 ACRES = 0.16667 ac x \$32,200 = \$5,366.77
2. 83.3% OF 1.16 ACRES = 0.83333 ac x \$3,340.07 = \$2,783.38
3. TOTAL FEE PAYMENT: \$5,366.77 + \$2,783.38 = 8,150.15

TREE PRESERVATION PLAN

The applicant is requesting to preserve a total of 0.92 acres of identified woodland canopy in Phase 1. Within the 0.92 acres of woodland canopy, the applicant has identified the following trees for preservation using a plot point survey to be representative of the woodland within this area.

PLOT	TREE SPECIES (Latin)	TREE SPECIES (common)	DIAMETER AT BREAST HEIGHT (DBH, IN)	DRIPLINE RADIUS (FT)	TREE CONDITION	TREE CONDITION NOTES
1	<i>Prunus serotina</i>	Black Cherry	10	5	Fair	vines, slight lean
	<i>Prunus serotina</i>	Black Cherry	14	20	Fair	vines, dead limbs (prune to maintain)
	<i>Prunus serotina</i>	Black Cherry	12	10	Fair	vines, poor structure
	<i>Prunus serotina</i>	Black cherry	21	15	Poor	bark damage, dead limbs, poor structure, remove tree
	<i>Prunus serotina</i>	Black cherry	20	25	Good	vines
	<i>Prunus serotina</i>	Black cherry	11	10	Good	vines
	<i>Prunus serotina</i>	Black cherry	18	20	Fair	vines, dead limbs (prune to maintain), slight lean
	<i>Prunus serotina</i>	Black cherry	12	5	Poor	vines, dead limbs, poor structure, moderate lean, remove tree
	<i>Prunus serotina</i>	Black cherry	15	20	Poor	vines, poor structure, moderate lean, remove tree
	<i>Prunus serotina</i>	Black Cherry	20	10	Fair	vines, slight lean
	<i>Robinia pseudoacacia</i>	Black Locust	22	10	Good	vines, low amount of dead limbs (prune to maintain)
	<i>Robinia pseudoacacia</i>	Black Locust	22	15	Fair	vines, dead limbs (prune to maintain)
	<i>Robinia pseudoacacia</i>	Black Locust	9	5	Poor	vines, dead limbs, poor structure, remove tree
	<i>Robinia pseudoacacia</i>	Black Locust	10	5	Poor	vines, significant lean, remove tree
	<i>Robinia pseudoacacia</i>	Black Locust	13	5	Fair	vines, dead limbs (prune to maintain)
	<i>Robinia pseudoacacia</i>	Black Locust	9	5	Fair	bark damage, slight lean
	<i>Robinia pseudoacacia</i>	Black Locust	22	10	Good	vines, few dead limbs (prune to maintain)
	<i>Robinia pseudoacacia</i>	Black Locust	17	20	Fair	vines, dead limbs (prune to maintain)
	<i>Robinia pseudoacacia</i>	Black Locust	25	20	Poor	vines, bark damage, dead limbs, cavity present, remove tree



LEGEND	
	ROTHROCK COMMONS PROPERTY (20.44 ACRES)
	PHASE 1 - THE ROCK LIMITS OF DISTURBANCE (LOD, 5.97 ACRES)
	PHASE 1 - THE ROCK PROJECT (6.91 ACRES)
	APPROXIMATE PROPOSED PHASE 3 BOUNDARY
	APPROXIMATE PROPOSED PHASE 2 BOUNDARY
	PHASE 1 WOODLAND IN LOD (3.24 ACRES)
	PHASE 1 PRESERVED WOODLAND (0.92 ACRES)
	PROPOSED SITE PLAN
	EXISTING 2' CONTOUR
	LIMITS OF ROOT PRUNING
	TREE PROTECTION FENCING

The applicant will include a Tree Preservation Plan in the full construction set drawings. The plan will identify the following requirements as found in Article 16, Section 16.05:

Any tree removal, other than permissible removal of damaged or diseased trees shall be permitted only when an application for a tree removal permit is approved by the Zoning Inspector in accordance with Article 13 of this Resolution and the following procedures.

A. The property owner shall file a Tree Preservation Plan, which has been approved by a Certified Arborist, with the Architectural Review Board illustrating tree protection and root protection zones, methods and details for protecting existing vegetation during construction and clearly indicates the following:

1. The location, species name, health and size of the following individual trees and groups of trees: **APPLICANT HAS REQUESTED SUBMISSION OF PLOT POINT SURVEY TO SATISFY REQUIREMENT 1a, 1b, 1c, 1d, 1 f**

a. The limits of any woodlands, as defined in Sec. 16.02

b. Trees that have a DBH of six (6) inches or greater

c. All existing trees and woodlands identified in Subsection a. above that are to remain on the site after construction.

d. All existing trees and woodlands identified in Subsection a. above that are to be removed from the proposed site.

e. The location, species name and size of all new trees to be planted on the proposed site. **SEE LANDSCAPE PLAN**

f. Classification of the tree condition (Good, Fair, Poor, Dead)

2. The plan shall minimize the loss of soil and roots that will compromise the health and structural stability of trees. Compaction, soil structure damage and water diversion shall be avoided. Roots and infrastructure conflicts shall be minimized.

3. Tree and Root Protection Methods. The Plan shall illustrate tree protection and root protection zones, methods, and details for protecting existing vegetation during construction shall be required as part of any site modifications.

a. Tree Protection Zone (TPZ). Each group of trees to be retained shall have a TPZ around the drip line of the tree(s), the area which may vary depending on species, factors, age and health of the plant, soil conditions, and proposed construction. The TPZ shall be established prior to any excavating, grading, trenching or boring, or demolition work, and remain in place until the completion of grading, landscaping, irrigation, or other work that may impact the tree or Critical Root Zone.

b. Critical Root Zone (CRZ). The Critical Root Zone shall include any tree roots present on the property to be disturbed, including roots from adjacent properties. No more than 33% of a single tree's CRZ shall be disturbed with the Tree Protection Zone. If more than 33% of a single tree's CRZ is disturbed the tree will not be counted towards meeting minimum tree preservation standards.

c. Barriers. Tree protection fencing, notes and details shall be shown on the required Tree Preservation Plan. The zone may be accomplished by physical barriers or soil protection layers or treatments. Barriers shall be erected before demolition, grading or construction begins and remain in place until final inspection. The fencing or other protective barrier must be located a distance from the trunk that equals, at a minimum, the distance of the critical root zone or 5 feet, whichever is greater. The fencing or other physical barrier must remain in place and be secure in an upright position during the entire construction period to prevent impingement of construction vehicles, materials, spoils, and equipment into or upon the tree preservation area.

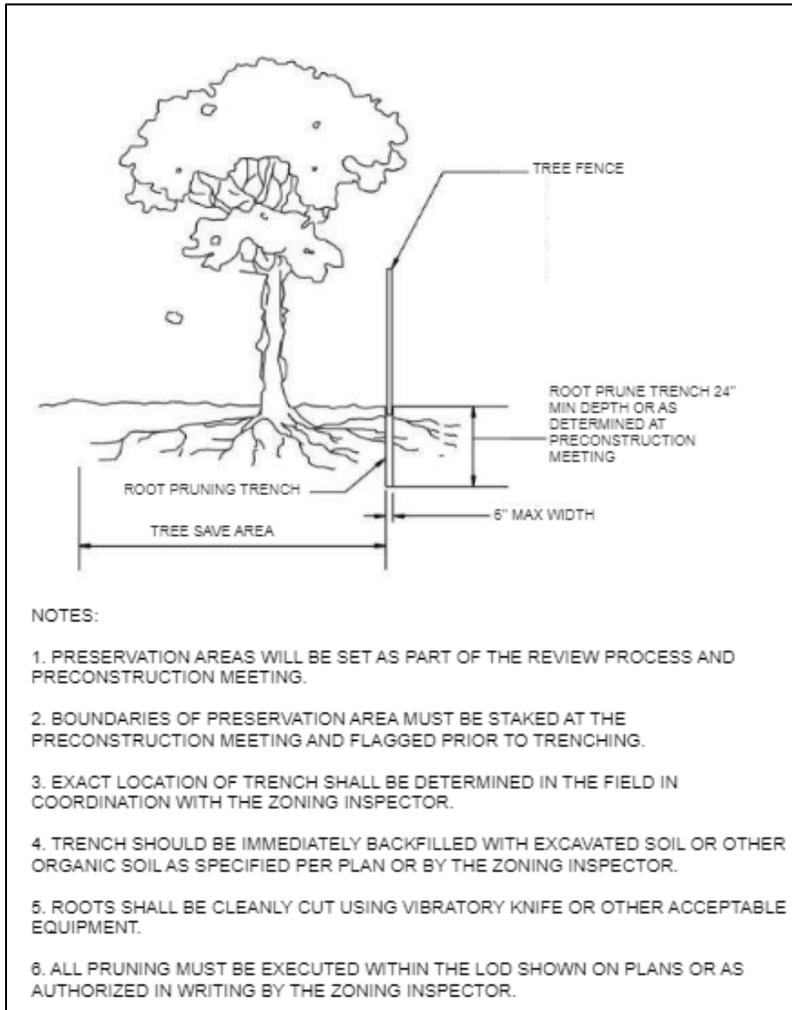
d. Tree protection signs must be located along the fencing.

4. Show the existing and proposed topography with contours no greater than 2'.

5. A post construction tree inventory survey must be submitted at the conclusion of the project to ensure the goals of the plan have been met.

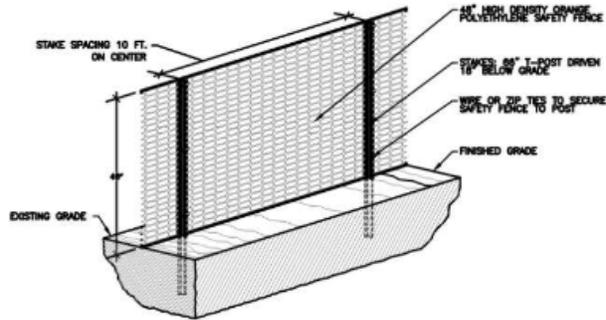
B. Immediately upon completion of its review of the tree removal plan, the Architectural Review Board shall inform the Zoning Inspector whether it recommends approval or disapproval of the plan.

C. A tree removal permit may be issued simultaneously with a site plan, when required, pursuant to Article 13.



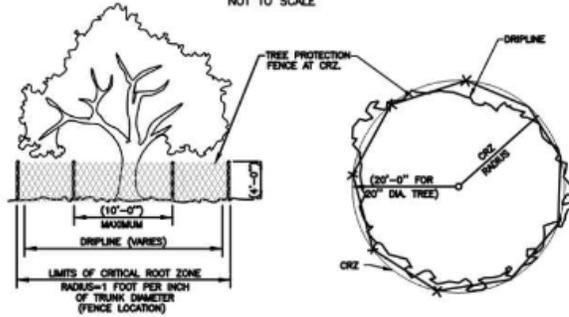
ROOT PRUNING DETAIL

NTS



DETAIL 1 - 48" TREE PROTECTION FENCE DETAIL

NOT TO SCALE



DETAIL 2 - 48" TREE PROTECTION FENCE DETAIL

NOT TO SCALE

NOTES:

1. INSTALL TREE PROTECTION FENCING EXACTLY AS SHOWN ON THIS PLAN. ANY ADJUSTMENTS TO FENCING LOCATIONS MUST BE APPROVED BY A CERTIFIED ARBORIST. FENCE LOCATIONS MUST BE REVIEWED AND APPROVED IN THE FIELD BY THE ARBORIST AND ANY DEVIATION FROM THIS PLAN OR APPROVED CHANGE WILL BE CORRECTED BY THE GENERAL CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.

2. ALL TREE AND ROOT PRUNING AND LIMB REMOVAL SHALL BE PERFORMED BY A QUALIFIED AND EXPERIENCED CONTRACTOR OR ARBORIST. GENERAL CONTRACTOR SHALL NOT PRUNE TREES, ROOTS OR REMOVE LIMBS.

3. NO STAGING, EQUIPMENT OR VEHICLES WITHIN CRITICAL ROOT ZONE AREAS UNLESS INDICATED OTHERWISE ON PLAN.

4. CONTRACTOR SHALL REFER TO OTHER PLANS WITHIN THIS CONSTRUCTION SET OR OTHER PERTINENT INFORMATION. IT IS NOT THE ENGINEER'S INTENT THAT ANY SINGLE PLAN SHEET IN THIS SET OF DOCUMENTS FULLY DEPICT ALL WORK ASSOCIATED WITH THE PROJECT.

RECOMMENDATION: Approval of Tree Assessment and Fee In Lieu of plan for removal. Approval of tree clearing for Phase 1 Limits of Disturbance in advance of the Zoning Certificate conditioned upon approval from Summit Soil & Water Conservation District and express approval by property owner for Parcel 1501804.

RECOMMENDATION: Use of Fee In Lieu to assist in canopy planting in the Montrose Retail Neighborhood.



Planning Commission
Zoning Text Amendment
Accessory Dwellings
Copley Township

Item No.: 9
Meeting: March 31, 2022
Applicant: Copley Zoning Commission
Proposal: **Accessory Dwellings**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Copley Township Zoning Resolution be revised to help support Copley residents ability to age in place, care for family/extended family members and provide for multi-generational housing. The proposed text amendment supports the Goals and Initiatives which promote community character by: Sustaining Copley as a good place to live by offering affordable housing opportunities; preserving housing density diversity.

Proposed Text Amendments:

Copley Township

Accessory Dwelling Units

Article 2-Section 2.03 Definitions

ACCESSORY BUILDING, OR USE: A subordinate building, or use customarily incidental to and located upon the same lot occupied by the main building and use, including but not limited to detached garages, **detached accessory dwelling units**, sheds, gazebos, and other similar buildings. See Building, Accessory and Use. See also Article 6, Section 6.010.

ACCESSORY DWELLING UNIT (ADU): An independent room or rooms designed for or used exclusively for residence purposes located on a lot containing a single family dwelling. An accessory dwelling unit on a residentially-zoned lot may not be a primary structure.

Per the current Zoning Resolution:

DWELLING UNIT: One or more rooms providing complete living facilities for one family, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping, and eating.

DWELLING, SINGLE-FAMILY: A building designed for, or used exclusively for, residence purposes by one family situated on a parcel having a front, side, and rear yard.

Article 3-Residential Districts

- 3.1 R-LD, C. Conditionally Permitted Uses, 10. Accessory Dwelling Units
- 3.2 R-MD, C. Conditionally Permitted Uses, 11. Accessory Dwelling Units
- 3.3 R-S/MF Not Permitted (Zoning permits multifamily)
- 3.4 R-HDC. Conditionally Permitted Uses, 9. Accessory Dwelling Units
- 3.5 R-OC, C. Conditionally Permitted Uses, 11. Accessory Dwelling Units
- 3.6 R-CD Not Permitted (Zoning permits multifamily)
- 3.7 PROD Not Permitted (Zoning permits multifamily)

Article 7-7.09 List of Conditional Uses and Where Permitted BB.

Accessory Dwelling Units-R-LD, R-MD, R-HD,R-OC

Article 7-7.10 Additional Criteria for Specified Conditional Uses, BB. Accessory Dwelling Units

Accessory dwelling units may be permitted as a Conditional Use when compliant with the following regulations and any other applicable sections of this resolution.

1. The use shall be interior to the principal dwelling or attached to the principal dwelling or detached from the principal dwelling.
2. Only one accessory dwelling unit may be permitted on any single lot.
3. The floor area for the accessory dwelling unit is limited as follows:
 - a. Interior-Maximum of 25 percent of the square footage of the principal dwelling. The interior dwelling unit must comply with setbacks as established for the district.
 - b. Attached- Maximum of 750 square feet or 25 percent of the square footage of the principal dwelling, whichever is less. The attached dwelling unit must comply with setbacks as established for the district.
 - c. Detached-A detached accessory dwelling unit is classified as an accessory building and may be constructed as one of the two permitted accessory buildings. The size of the accessory dwelling unit may not exceed 750 square feet. Detached accessory dwelling units must comply with setbacks as established for accessory buildings. See also Article 2, 2.03 Accessory Building/Use
 - d. Accessory uses are not permitted to accompany accessory dwelling units.
4. Accessory dwelling units must share utilities with the principal dwelling unit.
5. The property owner must reside in either the principal dwelling unit or the accessory dwelling unit.
6. A principal dwelling unit may not be transferred, split or subdivided from an accessory dwelling unit.
7. The occupants of the principal dwelling and the accessory dwelling unit shall not exceed one single housekeeping unit in total. See also Article 2, 2.03 Family

This is our current definition of Family per the Zoning Resolution: FAMILY: One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from a group occupying a boarding house, lodging

house, hotel, tourist dwelling, sorority, or fraternity, provided that no family shall contain over five {5} persons not related by blood, marriage or adoption.

Staff Comments:

The desire for multi-generational living and accessory dwelling units has increased in recent years. A common concern with accessory living units is that they will be used for rental units, either traditional subletting or Air BnB type short term rentals. If the township has these concerns language should be added to address the rental/leasing possibilities of Accessory Dwelling Units.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.



Planning Commission
Zoning Text Amendment
Platted and Un-Platted
Northfield Center Township

Item No.: 9
Meeting: March 31, 2022
Applicant: Northfield Center Zoning Commission
Proposal: Platted and Un-Platted
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution be revised to define Platted and Un-Platted Developments.

Proposed Text Amendments:

Northfield Center Township

Chapter 130 “Definitions”, add the following new definitions:

Platted Development: A parcel of land divided into lots, as in a subdivision. The platted lots are filed with the County Clerk’s Office in a “plat” book.

Un-platted Development: A parcel of property which is not filed in a plat book and the legal description is described using a section, township, or range.

Staff Comments:

The definition of Platted Development references a County Clerk’s Office – we use the term Recorder’s Office as seen in Springfield Township’s definition of a lot:

“LOT

A parcel of land that is part of a plat, legally recorded in the Recorder’s Office of Summit County, Ohio, occupied or intended to be occupied by a principal use or structure, together with any accessory structures or uses and such access ways, parking area, yards, and open spaces required in this resolution. “

For the definition of Un-platted lot the subdivision regulations require a deed with a metes and bounds legal description signed and sealed by a registered surveyor.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED** with due consideration to staff comments.