

Chairman Bill Frye convened the Zoning Commission meeting at 6:00 p.m. Present were Ernest Stein, Bill Frye, Jane Scott and Colleen Ahern. Alternates Walter Benson and Mark Wasick were also present. Patrick Craig arrived at 6:10 p.m. Kim Ferencz, Zoning Inspector, was present.

Mrs. Scott made a motion to approve the minutes of January 8, Mr. Frye, second. Mr. Frye called for the vote. Mr. Stein, aye, Mr. Frye, aye, Mrs. Scott, aye, Mrs. Ahern, aye. The motion carried.

NEW BUSINESS: Mrs. Ferencz requested a public hearing be set for the following application:

APPLICANT: **WXZ DEVELOPMENT**
LANDOWNER: **RONALD NOLAND**
APPLICATION: **MAP AMENDMENT**
LOCATION: **4672 & 4666 MEDINA ROAD**
CURRENTLY: **C-2 COMMERCIAL**
PROPOSED: **C-3 COMMERCIAL**

Mrs. Ferencz stated that the applicant was before the Board of Zoning Appeals for two Use Variances and an Area Variance for a proposed Rite Aid Drug Store. The applicant withdrew the request for the Use Variances (one with prejudice and one without prejudice). The applicant is still permitted to re-apply for the Area Variance.

Mrs. Ahern moved to schedule the public hearing for the rezoning of 4672 & 4666 Medina Road for March 5th at 6:00 p.m., Mrs. Scott, second. Mr. Frye called for the vote. Mrs. Ahern, aye, Mr. Frye, aye, Mr. Stein, aye, Mrs. Scott, aye. The motion carried.

The Zoning Commission requested copies of the file from the Board of Zoning Appeals' Variance hearing.

Patrick Craig arrived.

BUSINESS FOR THE ZONING COMMISSION:

Mr. Bill Gribble went before the Zoning Commission and was sworn in. Mr. Gribble stated that he purchased the old Hyponex building on Sawmill Road. A question arose on the number of parking spaces that would be required to provide for the site.

Mrs. Ferencz stated that under Art. VI of the Copley Township Zoning Resolution, it states: "Each use shall have and/or occupancy shall be allocated sufficient off-street parking capacity such that no parking will be required within any public right-of-way, but not less than either 1) based on the design occupant load applied by the governing building authority as follows:

Business, Manufacturing, Institutional and Residential Uses one space per two (2) occupants.

Places of assembly and Storage uses one (1) space per three (3) occupants, and for

Mercantile Uses one (1) space per four (4) occupants, or

2) The following:

Places of Assembly, and they are all listed.

Mrs. Ferencz asked that if the Code, as written, means that a business has the option of going with what the Summit County Building Department terms the "occupancy load" for calculating the parking spaces instead of the Copley Township parking requirements as stated above?

Mr. Gribble inquired if he could go by the occupancy load for parking? If calculated by the occupancy load, 113 parking spaces would be required. If this was calculated by the square footage, 144 parking spaces would be required. Mr. Gribble stated that he only has seven (7) employees. The business makes recycled plastic picnic tables as well as other plastic products.

Mr. Wasick asked Mr. Gribble how many parking spaces he thinks that he needs to operate his business. Mr. Gribble stated that the truck dock was not included in the parking calculations. Mr. Gribble would like to turn the back of the building into the front of the building due to the dust and debris on Sawmill Road.

Mrs. Ferencz stated that Mr. Gribble had more than adequate parking, even with 113 parking spaces.

Mr. Gribble stated that there will be asphalt where the majority of the cars and trucks travel. The parking may be in chip and seal. At this time it is vacant land.

Mrs. Ahern moved to approve the parking under Art. VI, Sec. 601-1 based on the design occupant load applied by the governing building authority (113 parking spaces are required) for the old Hyponex building on Sawmill Road for Mr. Gribble's business (Plasteak), Mr. Stein seconded the motion. Mr. Frye called for the vote. Mrs. Ahern, aye, Mr. Frye, aye, Mr. Stein, aye, Mrs. Scott, aye. The motion carried.

Household Pet Boarding Facility: Mrs. Ferencz stated that that Zoning Department was seeking further clarification on the parking requirements for the Montrose Pet Center, 3712 Commerce Drive.

The Zoning Commission minutes of July 5, 2006, (lines 51 through 54): "Schultz asked about the parking requirements for this Use. Atty. Fisher stated that he thought this Use would fall under Business, Professional Offices, Banks and Personal Services – 1 per 175 nsf. The Zoning Commission concurred."

The Montrose Pet Resort consists of 8,750 feet of interior building space.

According to Art. II, Definitions of the Copley Township Resolution, Floor

Area – Net Building (NSF): The gross building area less the area of such accessory spaces the use of which does not increase the number of persons occupying or using a building, including but not necessarily limited to hallways, exitways, elevators and elevator lobbies, mechanical equipment rooms and shafts, building equipment rooms and service closets, public toilets and other similar areas.

The Zoning Department feels that if the parking requirement for Montrose Pet Center would fall under Business, Professional Offices, banks and Personal Services, that too many parking spaces would be required that are not needed, for a use that is primarily dropping off and picking up your pet.

Mrs. Ferencz stated that she would like it based on Institutional Uses – One (1) per 500 gross square feet. This would require 18 parking spaces (paved and striped).

Mr. Stein moved to allow 18 parking spaces (paved and striped, (based on Institutional uses, Inpatient – 1 per 500 gsf) for the Montrose Pet Resort located at 3712 Commerce Drive, Mrs. Ahern seconded the motion. Mr. Frye called for the vote. Mrs. Ahern, aye, Mr. Frye, aye, Mr. Stein, aye, Mrs. Scott, aye, Mr. Craig, aye. The motion carried.

Mrs. Ferencz stated that we will be working with a Consultant to update the Copley Township Comprehensive Land Use Plan and a re-write of the Copley Township Zoning Resolution.

NEXT MEETING DATE: March 5, 2007.

With no further business to come before the Board, the meeting was adjourned at 6:40 p.m.

Bill Frye, Chairman

Sue Schultz, Secretary