



Mrs. Hussing gave a short summary of the case.

The representative for the case, Nathan Gault, was sworn in.

Mr. Gault had nothing to add at this time.

*Additional questions/comments from the Commission with answers*

- Q: The plans show a new showroom and service garage. Is it the intention to do anything with the existing structures?  
A: No. Current structures were just renovated about 6-7 years ago. Will be redoing landscaping in the front.
- Q: What is the intent for storm water for this site?  
A: The area behind the parking is going to be designated for a retention basin.
- Q: Any idea when you'll be coming back with engineering drawings?  
A: Hopefully within the next couple weeks.
- Q: Is the shop garage an expansion of your current service garage?  
A: It's an expansion of our service garage and body shop
- Q: One story?  
A: Yes. Looking to build something similar to what Leppo built. We are open to what the City is looking for.
- Q: Why the expansion?  
A: Currently renting spaces for warehouse and parking, looking to offer more services to the community, space for community events. Looking to open things up a little bit.
- Q: How would you control the flow of traffic through the site?  
A: Most traffic will come in through existing entrance. Most of the new parking will be for inventory to open up for customer parking.
- Q: Will you have some type of agreement with Command Plastics for using their private Dr?  
A: Correct.

*Received no requests to speak and no communications from residents.*

***The following motion was made by Mr. Heilmeyer and seconded by Mrs. Oliver:***

**I move for a finding, based upon the evidence presented, that the proposed zoning amendment for approximately 6.015 acres located at Parcel Nos. 6004169, 6004333, 6004342 & 6004343 on West Avenue is consistent with the Comprehensive Plan and the economic development goals of the City and the intent of the zoning code for promoting the health, safety and welfare of the citizens.**

All members voted in favor. (5-0)

***The following motion was made by Mr. Ryder and seconded by Mr. Heilmeyer:***

**I move for a finding, based upon the evidence presented, that there has been a change in demand for land which alters the information upon which the Zoning Map is based.**

All members voted in favor. (5-0)

***The following motion was made by Mr. Larson and seconded by Mrs. Oliver:***

**I move for the adoption of the following findings, based on the evidence presented that:**

- (1) The proposed amendment and proposed use are in compliance with adopted plans, goals and policies.**
- (2) The proposed rezoning is suitable for the proposed use.**
- (3) There are adequate public facilities such as transportation, utilities, and other required public services to serve the proposed use.**
- (4) There is not a negative effect of the proposed rezoning on surrounding uses.**
- (5) There is not a negative effect of the proposed rezoning on the economic viability of existing developed and vacant land within the City.**

- (6) The use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the same area;
- (7) The proposed rezoning will not be hazardous or disturbing to existing or future neighboring uses;
- (8) The proposed rezoning will not be detrimental to property in the immediate vicinity or to the community as a whole;
- (9) The proposed rezoning will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;
- (10) The proposed rezoning will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.
- (11) Any decision by this Commission is not based on a proposition that limitations upon financial gain from the land in question constitutes unreasonable zoning.
- (12) Evidence does support that the proposed amendment would materialize in a better land use.

All members voted in favor. (5-0)

*The following motion was made by Mrs. Oliver and seconded by Mr. Heilmeier:*

I move for a finding of this Commission that the adoption of the requested amendment to the Tallmadge Zoning Map is (or is not) in the public interest and is not (or is) solely for the interest of the applicant.

All members voted in favor. (5-0)

*The following motion was made by Mr. Ryder and seconded by Mrs. Oliver:*

I move to recommend to Council to Adopt (Reject) the Amendment to the Zoning Map Application for Item #PZ 21-01-01, Serpentine Management II, LLC, applicant, SKP Holdings LLC, owner of Parcel 6004333, Parcel 6004342 & Parcel 6004343, Family Medical Care Plus, Inc, owner of Parcel 6004169, consisting of approximately 6.015 acres from C-3 Commercial to C-4 Commercial District based upon the application submitted to the Zoning Department on December 18, 2020 subject to the following conditions, modifications and/or amendments, based on the evidence presented:

- Site Plan Review approval by the Planning & Zoning Commission;
- Heritage Commission approval for the portion located in the Design Control Overlay District;
- Approval of the storm water management plan and photometric lighting plan, if applicable by the City Engineer;
- City approval of a Traffic Impact Study (TIS), the scope established by the City of Tallmadge, prepared by a licensed professional engineer. The applicant is responsible for all fees and city consultant review fees associated with the preparation of the study. The applicant shall comply with all the finding of the approved Traffic Impact Study.

All members voted in favor. (5-0)

**Item PZ 21-01-02 Conditional Zoning**

County of Summit, applicant/owner

- a. Parcel 6015571, 6.000-acre the eastern portion of the parcel formerly known as 6009947;
- b. Parcel 6010570, 6.164-acre the western portion of the parcel formerly known as 6009947;
- c. Parcel 6010572, 4.876-acre the northern portion of the parcel formerly known as 6009947;
- d. Parcel 6010569, 11.539-acre the central portion of the parcel formerly known as 6009947; and
- e. 730 North Avenue, Parcel 6009948

- For review & recommendation

Mrs. Hussing and Mayor Kline gave a short summary of the application.

The representatives for the case, Linda Murphy, Jason Dodson, and Russell DuPlain were sworn in.

Representatives had nothing to add at this time.

*Public Hearing opened at 7:48 pm*

*Additional questions/comments from the Commission with answers*

- Q: If at some point parcel D changes from government use, it has to come back to us for revision?  
A: That's correct.
- Q: Impact on traffic?  
A: Traffic will not be impacted.
- Q: Will there be people there 24/7 for dispatch?  
A: Yes.
- Q: How many people do you anticipate?  
A: About 50 people on around the clock shifts.
- Q: Do you anticipate an outside remodel?  
A: Possibly in the future.
- Q: If Summit County decides to do something different with their parcels, they would have to come back before us?  
A: That's correct.

*Public Comment*

*Registered speaker:*

William DiPuccio, 58 E Howe, Tallmadge, OH 44278, was sworn in.

Concerned about lighting.

*Communications read into record:*

Karen and Edward Dunn at 527 S Munroe Rd, Munroe Falls

Richard Harden Jr at 592 Alandale Dr, Tallmadge

Masonic Lodge at 2307 Sackett Ave, Cuyahoga Falls

Mayor Kline addressed the concerns of Mr. DiPuccio and from the communications per the application.

*Public Hearing closed at 8:16 pm*

***The following motion was made by Mr. Larson and seconded by Mrs. Oliver:***

**I move for adoption of the following findings, based upon the evidence presented, that the Conditional Zoning Certificate for Government Owned Buildings & Facilities at**

- Parcel 6015571, 6.000-acre the eastern portion of the parcel formerly known as 6009947;
- Parcel 6010570, 6.164-acre the western portion of the parcel formerly known as 6009947;
- Parcel 6010569, 11.539-acre the central portion of the parcel formerly known as 6009947

**(a) Is harmonious and in accordance with the general objectives of this Code;**

**(b) Is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and so that such use shall not change the essential character of the same area;**

**(c) Is not hazardous or disturbing to neighboring uses;**

**(d) Is served adequately by essential public facilities and services;**

**(e) Is not detrimental to the economic welfare of the community;**

**(f) Does not involve uses, activities, processes, material, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

**(g) Does have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.**

**(h) Does comply with the City of Tallmadge Thoroughfare Plan. If additional street right-of-way width is required for compliance, the property owner shall dedicate the required land at a time requested by the City at no cost to the property owner.**

All members voted in favor. (5-0)

*The following motion was made by Mr. Ryder and seconded by Mrs. Heilmeier:*

**I move to recommend to Council to adopt the Conditional Zoning Certificate for Government Owned Buildings & Facilities Item PZ 21-01-02, Applicant-Owner County of Summit, Ohio for**

- Parcel 6015571, 6.000-acre the eastern portion of the parcel formerly known as 6009947;
- Parcel 6010570, 6.164-acre the western portion of the parcel formerly known as 6009947;
- Parcel 6010569, 11.539-acre the central portion of the parcel formerly known as 6009947

**based on the plans and application submitted to the Planning & Zoning Department on December 18, 23 & 28, 2020 subject to the following conditions, modifications and/or amendments in addition to those set forth in Tallmadge Codified Ordinance Section 1189.05, subsection 105,108, 110 and 113, based on the evidence presented.**

- None

All members voted in favor. (5-0)

*The following motion was made by Mrs. Oliver and seconded by Mr. Heilmeier:*

**I move for adoption of the following findings, based upon the evidence presented, that the Conditional Zoning Certificate for Government Owned Parks & Playgrounds at**

- Parcel 6010572, 4.876-acre the northern portion of the parcel formerly known as 6009947; and
- Parcel 6009948, 14.029-acre parcel.

**(a) Is harmonious and in accordance with the general objectives of this Code;**

**(b) Is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and so that such use shall not change the essential character of the same area;**

**(c) Is not hazardous or disturbing to neighboring uses;**

**(d) Is served adequately by essential public facilities and services;**

**(e) Is not detrimental to the economic welfare of the community;**

**(f) Does not involve uses, activities, processes, material, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**

**(g) Does have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.**

**(h) Does comply with the City of Tallmadge Thoroughfare Plan. If additional street right-of-way width is required for compliance, the property owner shall dedicate the required land at a time requested by the City at no cost to the property owner.**

*The following motion was made by Mr. Heilmeier and seconded by Mrs. Oliver:*

**I move to recommend to Council to adopt the Conditional Zoning Certificate for Government Owned Parks & Playgrounds Item PZ 21-01-02, Applicant-Owner County of Summit, Ohio for**

- Parcel 6010572, 4.876-acre the northern portion of the parcel formerly known as 6009947; and
- Parcel 6009948, 14.029-acre parcel.

based on the plans and application submitted to the Planning & Zoning Department on December 18, 23 & 28, 2020 subject to the following conditions, modifications and/or amendments in addition to those set forth in Tallmadge Codified Ordinance Section 1189.05, subsection 102,105, 110 and 113, based on the evidence presented:

- None

All members voted in favor. (5-0)

**Item PZ 21-01-03 Conditional Zoning**

**Keith Wenzel, applicant/owner**

**1106 N Munroe Rd (PN 6010139)**

- For review & recommendation

Mrs. Hussing gave a short summary of the application.

The representative for the case, Keith Wenzel, was sworn in.

Mr. Wenzel stated that before the lot was split and Tallmadge bought the property, he was in the smaller building on the now Tallmadge property doing the same business.

*Public Hearing opened at 8:38 pm.*

*Additional questions/comments from the Commission with answers*

- Q: You're only using 5 acres out of the 31 acres?  
A: That's correct.
- Q: You're using the existing driveway as an entrance?  
A: Planning on putting an entrance more north on the property.
- Q: What's the indoor storage?  
A: Lawn maintenance vehicles.
- Q: Are you going to have multiple users?  
A: Yes, there are 5 units. 3 will be leased out.
- Q: Everything will be inside, correct?  
A: Correct.
- Q: Small trucks only, correct?  
A: That's correct
- Q: Just approving the one building?  
A: Correct. To build the other buildings, they would have to come back. If it exceeds the 5.657 acres, they will have to get Conditional Zoning to include that.
- Q: Is there a restriction on what the 3 rented units could be used for?  
A: They must meet the Conditional Use which is before you.
- Q: Who defines small Contractor?  
A: As defined our Zoning Code
- Q: Has a wetland delineation been done?  
A: No.

*Received no requests to speak and no communications from residents.*

*Public Hearing closed at 8:59 pm.*

***The following motion was made by Mrs. Oliver and seconded by Mr. Heilmeier:***

**I move for adoption of the following findings, based upon the evidence presented, that the Conditional Zoning Certificate for multi-use Small Contractor/Indoor Storage Facility Item PZ 21-01-03, Applicant-Owner Keith Wenzel for 1106 N Munroe Rd, Parcel 6010139:**

- (a) Is harmonious and in accordance with the general objectives of this Code;**

- (b) Is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and so that such use shall not change the essential character of the same area;**
- (c) Is not hazardous or disturbing to neighboring uses;**
- (d) Is served adequately by essential public facilities and services;**
- (e) Is not detrimental to the economic welfare of the community;**
- (f) Does not involve uses, activities, processes, material, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.**
- (g) Does have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.**
- (h) Does comply with the City of Tallmadge Thoroughfare Plan. If additional street right-of-way width is required for compliance, the property owner shall dedicate the required land at a time requested by the City at no cost to the property owner.**

All members voted in favor. (5-0)

*The following motion was made by Mr. Ryder and seconded by Mr. Heilmeyer:*

**I move to recommend to Council to adopt the Conditional Zoning Special Non-Residential Development Certificate for multi-use Small Contractor/Indoor Storage Facility Item PZ 21-01-03, Applicant-Owner Keith Wenzel for 1106 N Munroe Rd, Parcel 6010139 based on the plans and application submitted to the Planning & Zoning Department on December 18, 2020 & January 5, 2021 subject to the following conditions, modifications and/or amendments in addition to those set forth in Tallmadge Codified Ordinance Section 1189.05, subsection 105,108, 110 and 113, based on the evidence presented:**

- Subject to Site Plan Review approval;**
- Subject to Summit County Health Department approval for septic and well installations;**
- Year-round dense vegetation screening is maintained at North Munroe Road street frontage; and**
- All storage is limited to indoor storage only.**
- Subject to review and approval by the City Engineer for Construction Storm Water Management, Lighting, Landscape and Utility Plans.**

All members voted in favor. (5-0)

VI. Adjournment

**A motion to adjourn was made by Mr. Larson and seconded by Mrs. Oliver.**

All members voted in favor. (5-0)

Meeting adjourned at 9:05 pm

Respectfully submitted,

  
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Kelli Funk, Secretary

  
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Gerald Taylor, Chairman