

Minutes of the Planning Committee of Stow City Council Meeting held on Thursday, January 13, 2021 at 5:47 p.m.

Any members of the public wishing to have a public comment read at a standing committee or Council meeting must provide their name, address, and comment in writing to the Clerk of Council no later than 3 P.M. the day of the meeting. Comments may be delivered in person, by mail or emailed to clerkofcouncil@stow.oh.us. Any written public comments will be read by the Clerk of Council or another appropriate meeting participant during the requested meeting.

Public comments must come directly from the person requesting the comment to be read and cannot be compiled or vetted by a third-party representative. Any public comments requested to be read shall provide their name and address for the record and shall be read in the same reasonable time permitted to those speaking in person. Any public comments submitted by persons other than the indicated (signed) party will not be read.

Committee Members Present: Fiocca, Harrison, Licate and Lowdermilk

Committee Members Absent: None

Other Council Members Present: Feldman, McIntire

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, Finance Director Costello, Police Chief Film, Fire Chief Stone, City Engineer McCleary, Law Director Syx, Planning Director Leppo, Parks & Recreation Director Nahrstedt, Deputy Clerk of Council Mottram and Clerk of Council Villers.

Press Representatives: None

**Call to Order**

Mr. Fiocca called the meeting to order.

**Approval of Minutes**

Motion made by Licate seconded by Harrison for approval of Minutes of the Planning Committee Meeting of December 1, 2021. Vote - Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

*There was an overhead presentation displayed for the following item(s)*

**Business Item(s)**

T-200 – Amend §1133.01 (b)(61) & §1133.01 (b)(82) “Definitions” – §1145.02 “Permitted Uses Commercial Districts” – §1147.02 “Permitted Uses Industrial Districts”

AN ORDINANCE AMENDING CHAPTER 1133, C.O.S., ENTITLED, “DEFINITIONS,” PARTICULARLY AMENDING SECTION 1133.01(b)(61) AND 1133.01(b)(82) THEREOF; AND AMENDING CHAPTER 1145, C.O.S., ENTITLED, “COMMERCIAL DISTRICTS,”

PARTICULARLY AMENDING THE SCHEDULE FOUND IN SECTION 1145.02 THEREOF ; AND AMENDING CHAPTER 1147, C.O.S., ENTITLED, "INDUSTRIAL DISTRICTS," PARTICULARLY AMENDING THE SCHEDULE FOUND IN SECTION 1147.02 THEREOF, SO AS TO PRODUCE IDENTICAL REPEATED TERMINOLOGY THROUGHOUT THE CODE.

*Mr. Leppo's presentation is attached to the minutes.*

Mr. Leppo summarized that Stow City Council requested Planning Commission / Planning Staff to review and recommend a method to synchronize definitions from C.O.S. 1133, specifically "(61) Hospitals and Clinics" and "(82) Medical Clinic," to schedule 1145.02 and subsequently schedule 1147.02. The goal is to ensure an exact definition and schedule(s) match. During the review, the term "Hospitals" and "Medical Offices" were the predominately used titles for the two uses found throughout the Code. Therefore the changes require a few minor changes to accomplish the synchronization.

The goal of this text amendment is to:

- Produce identical repeated definition references throughout the Code.

Mr. Fiocca asked if Planning Commission had any comments. Mr. Leppo stated that the current Planning Commission process is to fix code errors as they arise. He noted that the Code does need an overall review. Mr. Lowdermilk asked for a history of the code review. Mr. Licate requested information regarding the code review process. Mr. Leppo was not sure when the last time the Planning Code had an overall review. He stated that Council recently approved a diagnostic review of the code. A complete review will take approximately two years.

Motion made by Harrison seconded by Licate to assign a number to T-200 and forward to this evening's Regular Council Meeting. Vote – Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

T-201 – CZC– Jimmy Beers Golf – Jimmy Beers – 752 McCauley Road, Unit 102

AN ORDINANCE GRANTING A CONDITIONAL ZONING CERTIFICATE TO JIMMY BEERS, OF THE PRO FROM STOW, LLC, d.b.a. JIMMY BEERS GOLF, ON BEHALF OF GVI, LLC, PROPERTY OWNER, TO PERMIT THE OPERATION OF AN INDOOR SPORTS TRAINING FACILITY, LOCATED AT 752 MCCAULEY ROAD, Unit 102, IN THE CITY OF STOW, OHIO.

*Mr. Leppo's presentation is attached to the minutes.*

Mr. Leppo summarized that Jimmy Beers had requested the approval of a Conditional Zoning Certificate to operate a proposed simulated golf business at 752 McCauley Rd Unit 102 (parcel 5613428). The property is zoned I-3 Community Retail, and car washes are conditionally permitted in this district, subject to site plan approval. The parcel is zoned I-2 Industrial District, and the proposed use of "Indoor Sports Training Facility" is a conditional use. The existing structure includes approximately 16,650 square feet of office space. The applicant intends to utilize 3,550 square feet in unit 102 for the business operation area. Previously in 2014,

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a dance studio was approved on this property under the designated use of “Indoor Sports Training Facility.”

Mr. Beers stated that his facility will be a golf simulator training facility. It will be open all year long. He said that many people prefer to learn with a simulator. He will offer various classes.

Motion made by Harrison seconded by Licate to assign a number to T-201 and forward to this evening’s Regular Council Meeting. Vote – Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

T-202 – Site Plan Review – Anthony Slabaugh – Navio Principal – 4724 Darrow

A RESOLUTION GRANTING SITE PLAN APPROVAL TO ANTHONY SLABAUGH, APPLICANT, ON BEHALF OF NAVIO PRINCIPAL, LLC, PROPERTY OWNER, TO CONSTRUCT A NEW 50 FT. X 32 FT. GARAGE, LOCATED ON 4724 DARROW ROAD IN THE CITY OF STOW, OHIO.

*Mr. Leppo’s presentation is attached to the minutes.*

Mr. Leppo stated that Anthony Slabaugh had requested the approval of a Site Plan Review to construct a proposed 50 ft. x 36 ft. accessory building (1,800 sq. ft. garage) for storage purposes, proposed in the back of the property at 4724 Darrow Rd Stow, OH 44224 (PARCEL 5619568) to replace an existing 10 ft. x 18 ft. shed (180 sq. ft.) that presently sits on the property. The parcel is zoned C-6 and is located in the Darrow Rd Overlay #2. Parcel 5619568 is approximately 1.216 acres (52,969 sq. ft.) and is the location of the main office/showroom (1,830 sq. ft.) for Anthony Slabaugh Remodeling.

Mr. Nick Boka was present to represent Anthony Slabaugh. He shared that the company is currently using a storage facility in Streetsboro. A larger storage facility on their property will accommodate their needs better. Mrs. Harrison asked if there would be sufficient parking with a larger storage facility on the property. Mr. Boka stated that the amount of parking spaces would be sufficient for staff and clients.

Motion made by Licate seconded by Harrison to assign a number to T-202 and forward to this evening’s Regular Council Meeting. Vote – Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

T-203 – CRA Reassignment – J & E Development to DHL

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ASSIGNMENT OF AN EXISTING COMMUNITY REINVESTMENT AREA (CRA) TAX INCENTIVE AGREEMENT WITH P & E DEVELOPMENT CORPORATION, p/k/a J & E DEVELOPMENT CORPORATION a/k/a J & E DEVELOPMENT, INC., AND GLOBAL MAIL, INC. d/b/a DHL eCOMMERCE, ALONG WITH AN ASSIGNMENT OF THE SCHOOL DISTRICT COMPENSATION AGREEMENT RELATED THERETO.

Mr. Leppo stated that this was a request by DHL eCommerce (“DHL”), (buyer), to reassign a current CRA Agreement and School Agreement in place located at 4753 Allen Rd. Stow OH, 44224 presently owned by J & E Development. No terms are being altered in the agreement itself.

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The only change to the documents will be the name of the entity owning the property to reassign the benefits and obligations of the CRA and School Agreement.

Mike, represented DHL. Mrs. Harrison requested information on how long the business has been in Stow. The representative stated that they have been in Stow for 5 years and their business has doubled. They anticipate to have the operation running by August, 2022.

Motion made by Harrison seconded by Lowdermilk to assign a number to T-203 and forward to this evening's Regular Council Meeting. Vote – Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

T-204 – Amend Chapter 965 – §965.01(II)(C) – Permit Fees and Costs and Bonding Requirements Letters

AN ORDINANCE AMENDING CHAPTER 965, C.O.S., ENTITLED “PERMIT FEES AND COSTS AND BONDING REQUIREMENTS,” SPECIFICALLY, SECTION 965.01 (II)(C) THEREOF, TO ADD A FEE FOR ZONING VERIFICATION LETTERS.

Mr. Leppo explained the need for the amendment to Chapter 965 and add fees. We have seen a considerable proliferation of property sales in the past six months. When these properties exchange hands, a multitude of private companies requests Zoning Verification Letters to complete their portion of due diligence. We have seen various title agencies, environmental firms, and insurance companies asking for this information. These requests take up a significant amount of time and resources from staff as we are asked to provide site plans, permits, and legislation going back decades. Therefore, a staff member has to research each property, consisting of up to 20 or more units (strip malls), scan large documents, collate, and then distribute the information back to the third party company. In most cases, multiple requests are made per property.

After research, it was discovered that proactive communities have set up procedures and fees for handling these requests. The proposed fee for these requests is \$100, which will align us with Fairlawn, OH, another Summit County Municipality.

Mr. Fiocca asked if this fee would impact individuals. Mr. Lowdermilk asked how the proposed fee differ from a public records requests. Mr. Leppo stated that the requests come from third party consultants who have the ability to research the information themselves. The amendment would also simplify the process for the City preparing information for the companies. The research could take up to 4 hours of employee time. Mrs. Syx clarified what type of information the City is legally obligated to provide and what is over and beyond a public record request. Mrs. Harrison asked for clarification and if other fees should be reassessed. Mr. Leppo agreed that fees should be reassessed.

Motion made by Fiocca seconded Lowdermilk by to table T-204 in committee. Vote – Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

**Planning Director's Report**

Nothing to Report. Mr. Leppo shared the status of the executive secretary position which will close on Monday, January 17, 2022. He stated that he has a few good applicants.

**Citizen Comment**

Mike Daniels, Ward 1, spoke about the appointment of the Ward 1 vacancy. He did not feel the current process was Democratic or fair. He feels that the voters should have the ability to decide who will represent Ward 1. He stated that an appointment should be for a shorter term and have the voters vote later this year

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for the remainder of the term. He feels that the process needs to be reevaluated. Mr. McIntire clarified that the process is in the Charter. Mr. Daniels stated that the current Charter process was adopted in 1987. He recommended that Council has the ability to change the Charter. Mr. Licate stated that he also questioned the process and suggested researching how other Cities address this issue.

**Adjournment**

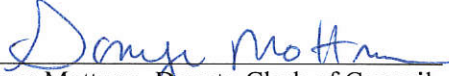
Motion made by Harrison seconded by Lowdermilk to adjourn. Vote - Yeas: Fiocca, Harrison, Licate and Lowdermilk. Nays: None. Motion carried unanimously.

The meeting adjourned at 6:48 p.m.

\_\_\_\_\_  
Lorree Villers, Clerk of Council

  
\_\_\_\_\_  
Mario Fiocca, Chairman

Minutes prepared by:

  
\_\_\_\_\_  
Sonya Mottram, Deputy Clerk of Council

## a. T-200

### **Request:**

- Stow City Council

### **Text Amendments for Definitions Found in 1133. + Schedule 1145.02 + Schedule 1147.02**

A request by Stow City Council to have Planning Commission review the best approach to updating the code language regarding definitions found in C.O.S. 1133.01 and schedule 1145.02 ("Hospitals and Clinics" and "Medical Clinic")

### **The Goal of The Proposal:**

- Produce identical repeated terminology throughout the Code.

# Potential Changes – Continuity

## Potential changes to 1145.02 – Permitted Uses In Commercial Districts (see titles)

PERMITTED USES	C-2 Limited Retail	C-3 Comm. Retail	C-4 General Business	C-5 High- way Services	C-6 Office/ Business	C-7 Office / Multi- Family	C-8 Office/ Service
b. Professional / Medical	C						
2. Medical Offices	C	P	P	P	P	P	P
4. Hospitals				C	C	C	C

## Proposed changes to 1147.02 - Permitted Uses in Industrial Districts

Permitted Uses.	I-1 Limited Industrial Commercial	I-2 Industrial
(a) Office/Professional		
(1) Administrative, Business, Professional and Medical Offices	P	P
(2) Laboratories/Research Facilities	P	P
(3) Employee and Workers Instructional Training Facility	P	P
(4) Hospitals and Clinics	P	P

# Potential Changes

## Potential changes to 1133.01 – Definitions

- (61) **HOSPITALS ~~AND CLINICS~~**: A hospital or "hospital complex" consists of one or more buildings in which the primary service provided is medical or surgical care for the sick or injured and may include but not limited to the following uses: operating room facilities, beds for overnight stay, medical laboratories, administrative and medical offices or buildings, pharmacy, restaurant/cafeteria, auditorium/assembly hall, rehabilitation center, child care centers, parking facilities, helipad, maintenance facilities and retail services primarily for the benefit of patients, staff and visitors such as shops for gifts, flowers, medical or pharmaceutical equipment, hotel and restaurant. (Ord. 2018-7. Passed 3-8-18.)
- (82) **MEDICAL ~~CLINIC~~ OFFICES**: A building **or clinic** used for the diagnosis and treatment of human patients that does not include overnight care facilities.

### **Definition of *Clinic* - Webster**

1. : a class of medical instruction in which patients are examined and discussed
2. : a group meeting devoted to the analysis and solution of concrete problems or to the acquiring of specific skills or knowledge  
writing clinics golf clinics.
- 3a. : a facility (as of a hospital) for diagnosis and treatment of outpatients
- b. : a group practice in which several physicians work cooperatively
4. : a facility that offers professional services or consultation usually at discounted rates a legal clinic
5. : an exemplary display or performance put on a clinic in the tournament

## b. T-201

### Request:

- Jimmy Beers / Jimmy Beers Golf

### Proposed Address / Parcels:

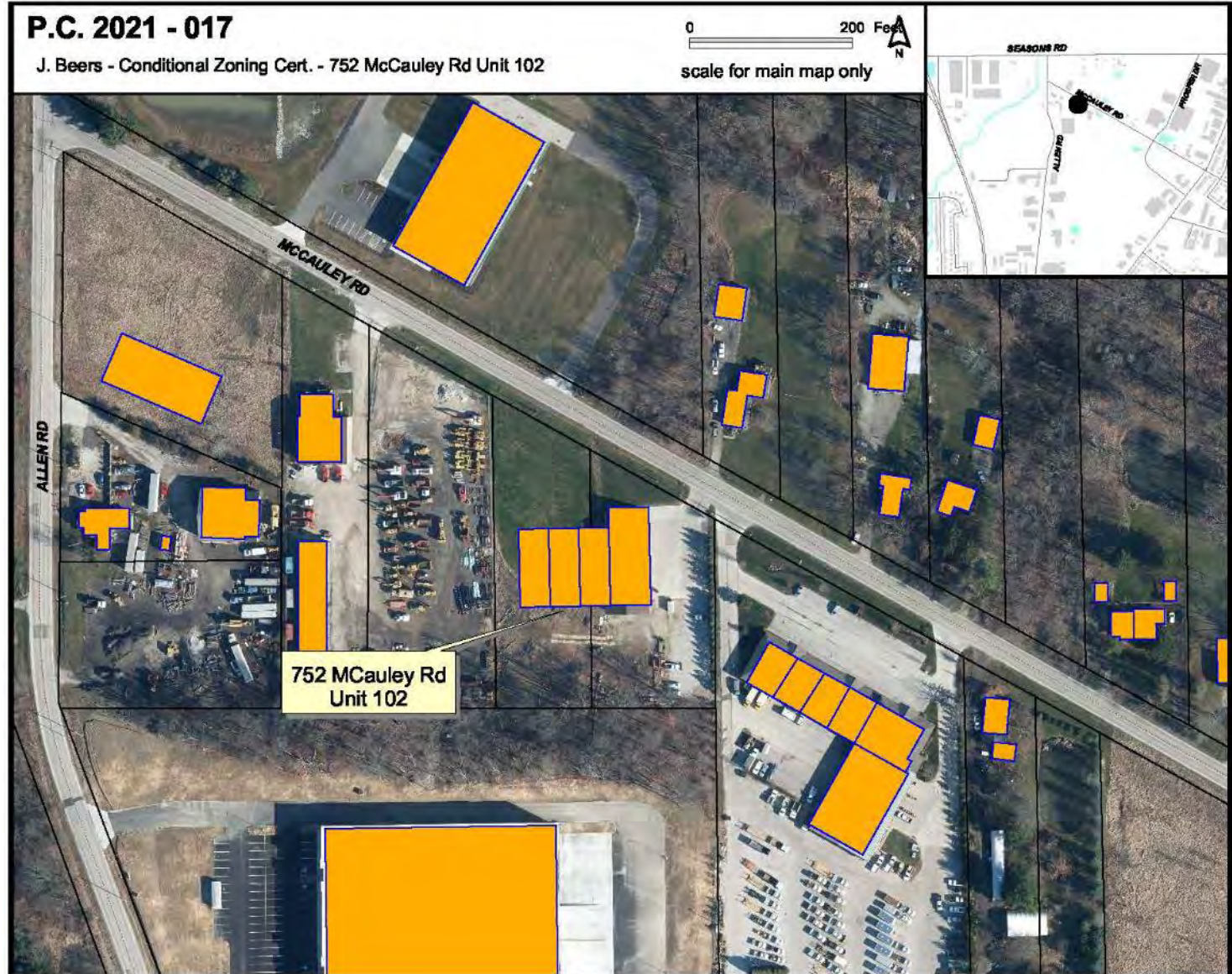
- 752 McCauley Rd. Unit 102  
Stow, Ohio 44224
- Parcel 56-19279

### Current Zoning:

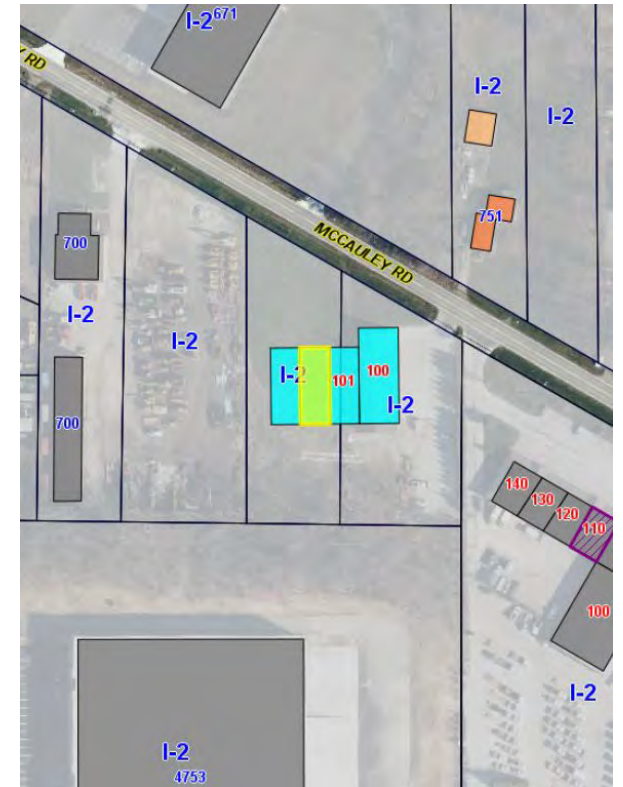
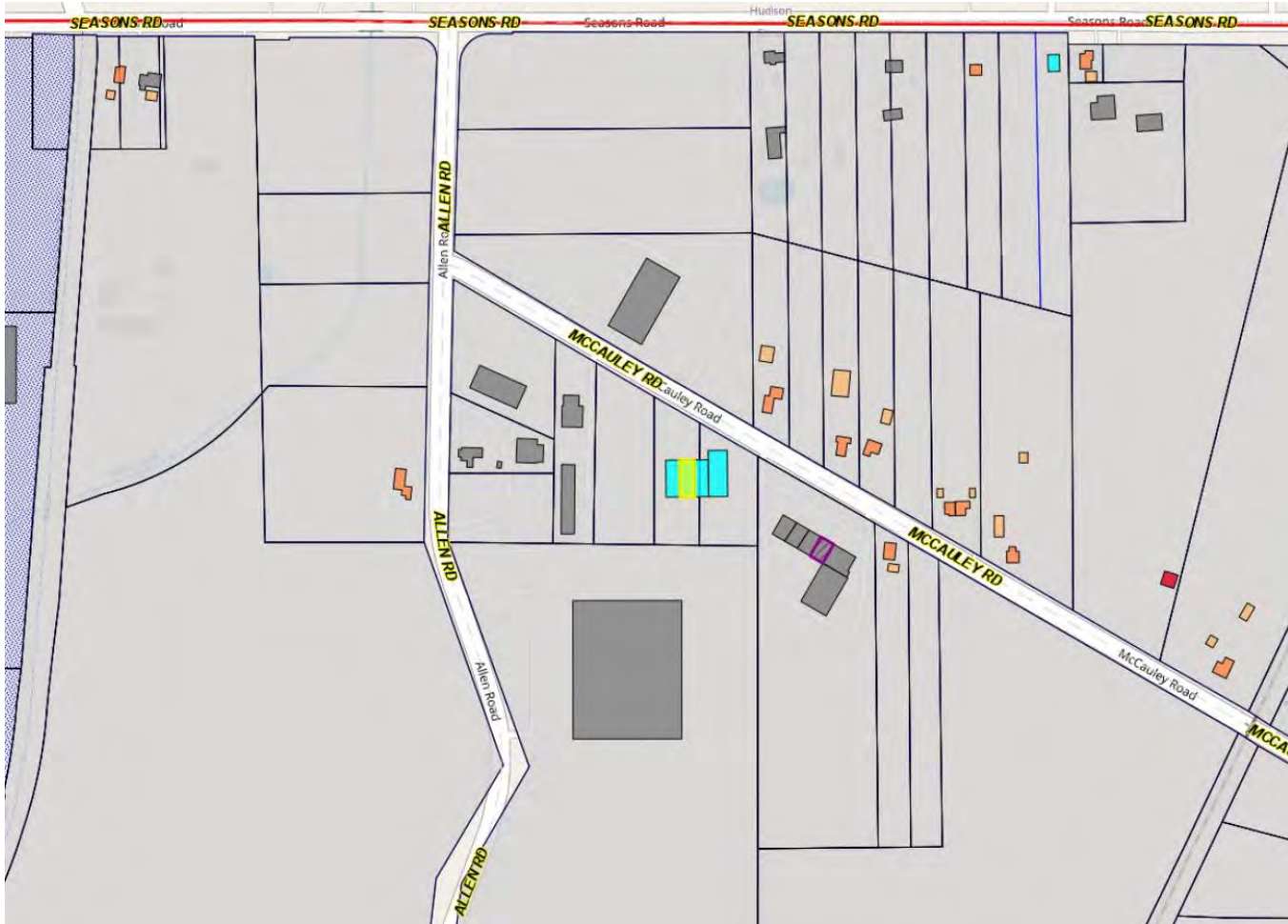
- I-2 Industrial District

### Topic of Business:

- Conditional Zoning Certificate –  
Indoor Sports Training Facility



# Zoning



# Intended Use

## Jimmy Beers Golf

MAKING GOLF FUN!

### BUSINESS PLAN

The Pro from Stow, LLC

dba: **Jimmy Beers Golf**

Making Golf Fun!

Website: [JimmyBeersGolf.com](http://JimmyBeersGolf.com)

Email Address: [jimmybeersgolf@gmail.com](mailto:jimmybeersgolf@gmail.com)

**Business Address:** 752 McCauley Road – Unit 3  
Stow, OH 44224

**Building Owner:** George Vizmeg

#### Prime Location Reasons:

1. Six minutes from my home.
2. Two minutes off Route 8 from Seasons Road Exit
3. Four minutes off Route 8 from Steels Corners Exit
4. Six minutes from Turnpike Exit at Route 8.
5. Within Twenty minutes from my former employment.
6. Central location for my reputation in the Golf Business.

#### START UP PLAN

The reason to start Jimmy Beers Golf is to share my passion for the Game of Golf with as many people as possible. As a PGA Professional for over 30 years, owning my own Golf Business would allow me to create opportunities for many different people in and around Northeast Ohio to learn the game of Golf! My business would launch in the City of Stow, located in Summit County Ohio.

# Aerial



## Current Conditions



# Simulated Golf



♡ 🔍 ⚡   
66 likes  
fullswingsimulators With over 100 interactive experiences #FullSwing has something for everyone! 🏈🏀🏉🏏... more

# Determination of Similar Use

## 1147.02 – Permitted Uses

Permitted Uses.	I-1 Limited Industrial Commercial	I-2 Industrial
(b) Commercial/Services.		
(5) Garden Centers with Major Outdoor Display, Storage, and Sales Facilities for garden, Nursery and landscaping materials and supplies	C	
(6) Lumber Mills, Yards and Building Materials		C
(7) Tree, Landscaping and Lawn Service if adjacent to a residential district	P	P
(8) Indoor Sports Training Facility	C	C

## 1133.01 Definitions

(63) INDOOR SPORTS TRAINING FACILITY: A wholly enclosed facility devoted exclusively to **advanced and/or professional instruction** and training relating to specific physical sports activities including, but not limited to, gymnastics, boxing, soccer, **golf**, baseball, or basketball. The term "sports training facility" shall be considered to be distinct from commercial recreational service uses catering to the general public such as health and fitness clubs, shooting ranges, archery ranges, racquet clubs, batting cages, etc. (Ord. 2010-164. Passed 12-9-10.)

# Administrative Analysis

## 1163.04 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

- (ii) **Indoor Sports Training Facility.** An indoor sports training facility may be permitted in an existing building in the I-1 or I-2 Districts in compliance with the following:
- (1) The building to contain the Indoor Sports Training Facility must have been previously occupied by an industrial, office or some other business use for at least five years following the completion of construction of the building.
  - (2) The construction required to accommodate the facility shall not permanently alter the building so that it cannot be reused for industrial, office or business purposes.
  - (3) The building must have been vacant for a minimum of two years prior to the application for an Indoor Sports Training Facility.
  - (4) No more than 10,000 square feet of space in any one building may be used as an Indoor Sports Training Facility. (Unit 102 ~ 3,550 s.f.)
  - (5) The applicant must have submitted a report as part of the Planning Commission application from an architect, engineer or contractor indicating the building is suitable for use as an Indoor Sports Training Facility and any building modifications required would not preclude the building's reuse for industrial, office or business purposes.

(Ord. 2010-164. Passed 12-9-10.)

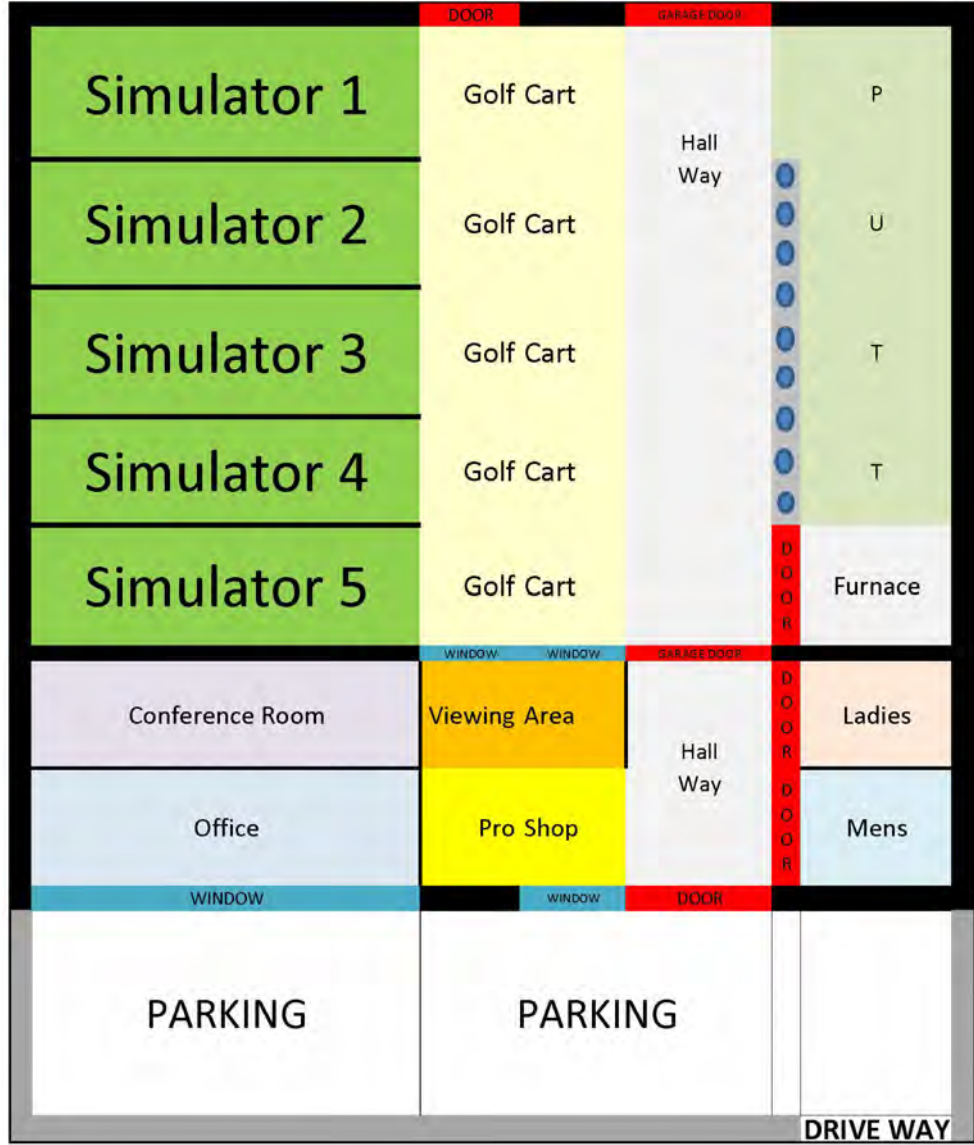
Original portion built in 1987

# History

## Approved P.C. Cases

Year	PC #	Topic
1987		Original Building Built
2001	2001-072	Conditional Zoning Certificate – Office Addition
<b>2014</b>	<b>2014-019</b>	<b>Conditional Zoning Certificate – Indoor Sports Facility (Dance Studio)</b>
2019	2019-006	Addition to Existing Building, add 3 new tenant space
2020	1992-108	Wetland Buffer Variance for approved site plan















# Internal Layout



# Comprehensive Plan



## Land Use Policies

	Low Density Residential		Office (Corporate / R&D)
	Medium Density Residential		Office / Limited Industrial
	Mixed Residential		Industrial
	Residential Business		Mixed Uses
	Retail / Service		Public Uses / Schools
	Office		Parks / Public Open Space
	Office / Retail		Private Open Space

## c. T-202

### Request:

Anthony Slabaugh – Navio Principal LLC.  
Anthony Slabaugh Remodeling & Design

### Existing Parcels:

- Approx. 1.21 Acres

### Proposed Address / Parcels:

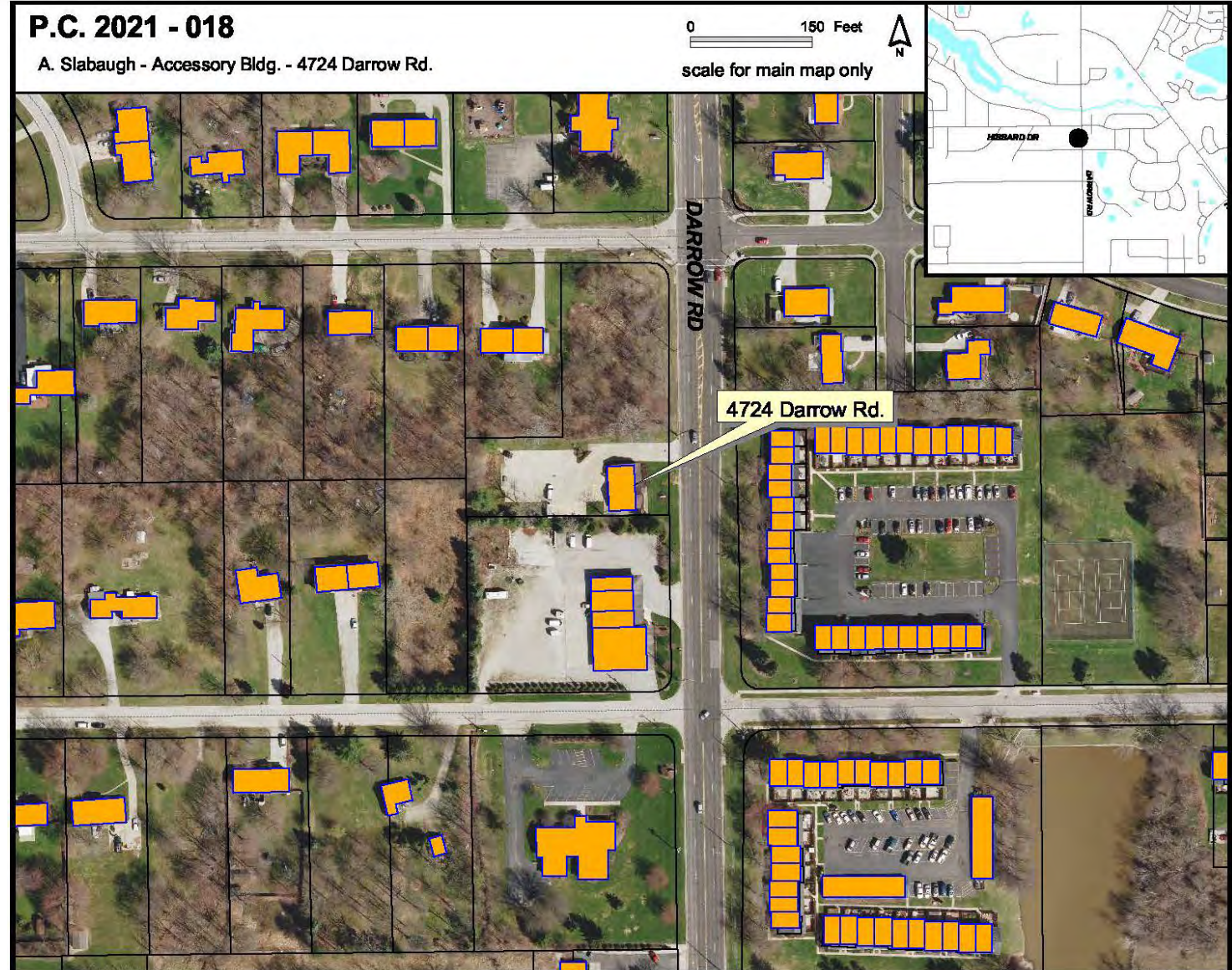
- 4724 Darrow Rr. Stow, Ohio 44224
- Parcel 56-19568

### Current Zoning:

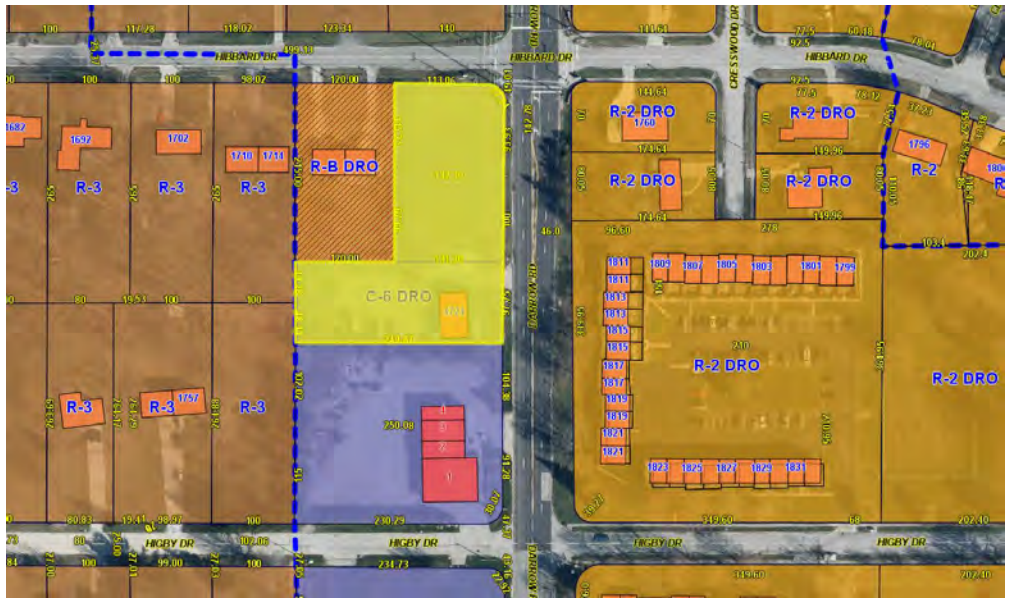
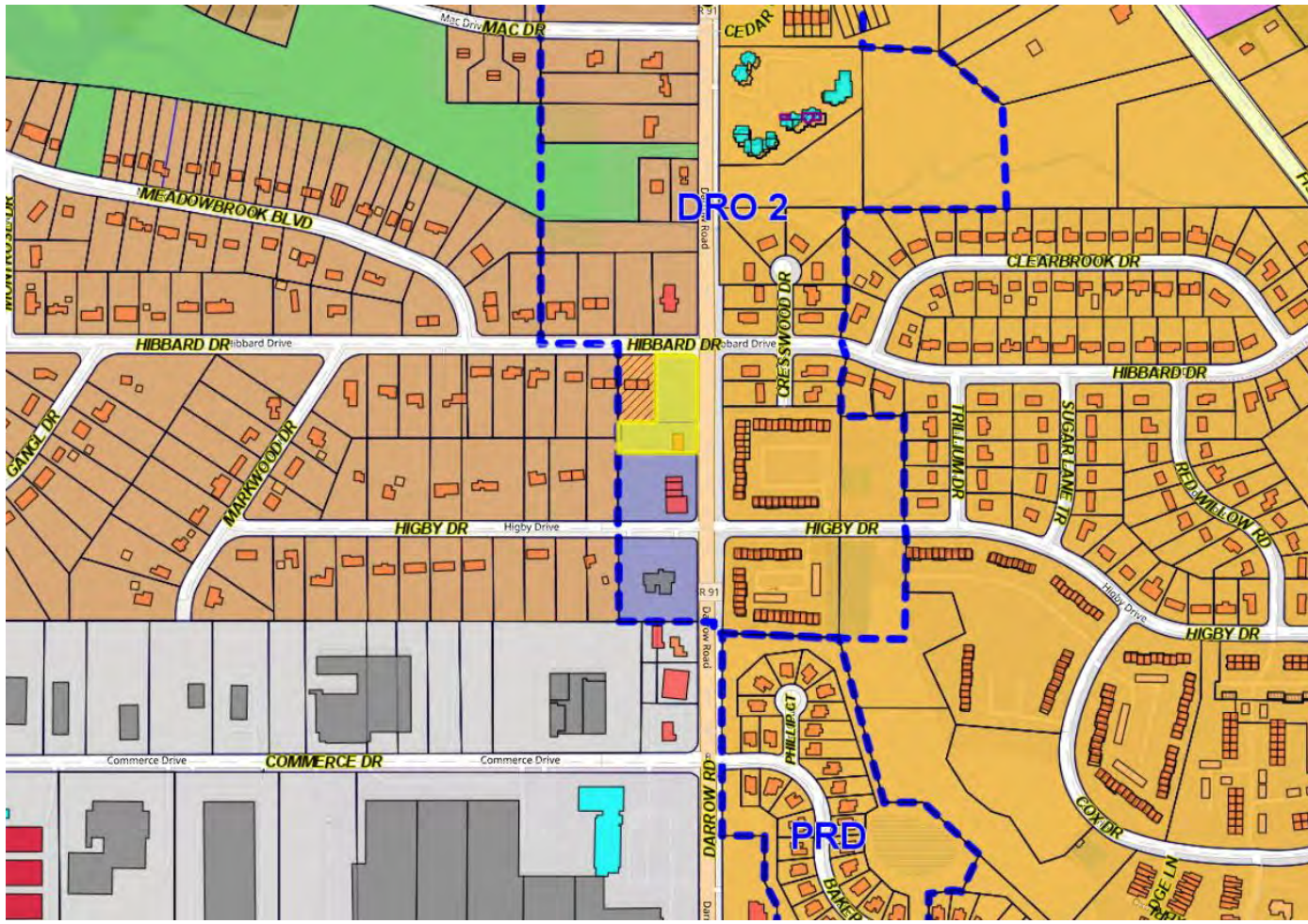
- C-6 – Office/ Business District

### Topic of Business:

- Site Plan Review
  - 50 ft. x 32 ft. Garage

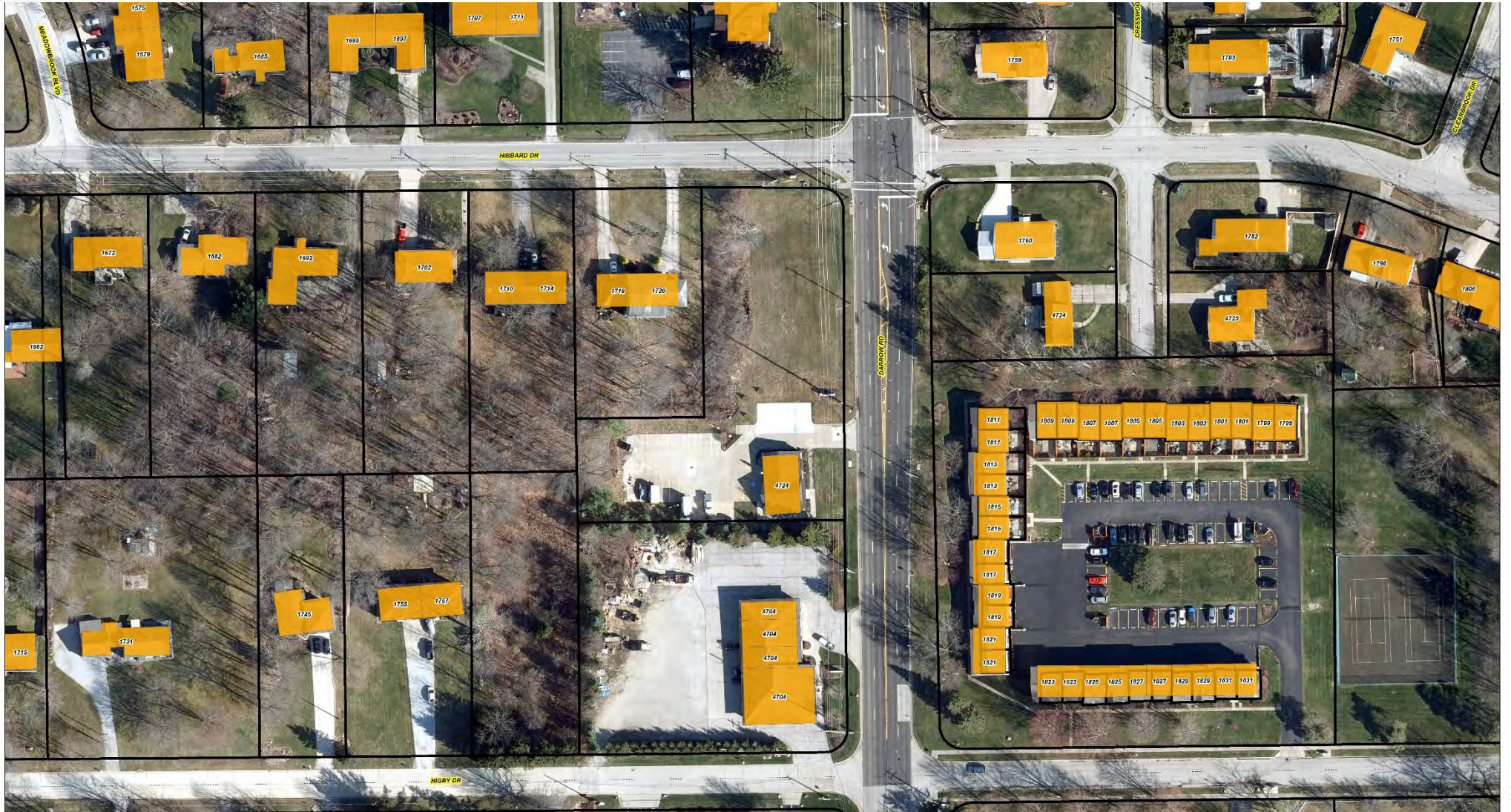


# Zoning



Acreage= 1.21 Acre  
Primary Building = ~1,800 sq. ft.

# Aerial



# History

## Approved P.C. Cases

<b>Year</b>	<b>PC #</b>	<b>Topic</b>
1991	1991-012	Epling Property, Acquisition; proposed open space
1993	1993-133	Rezone From R-3 to R-B (Turning Point Beauty Salon)
1994	1994-044	Building Conversion- Turning Point Salon
2019	2019-004	Rezoning – R-B to C-6

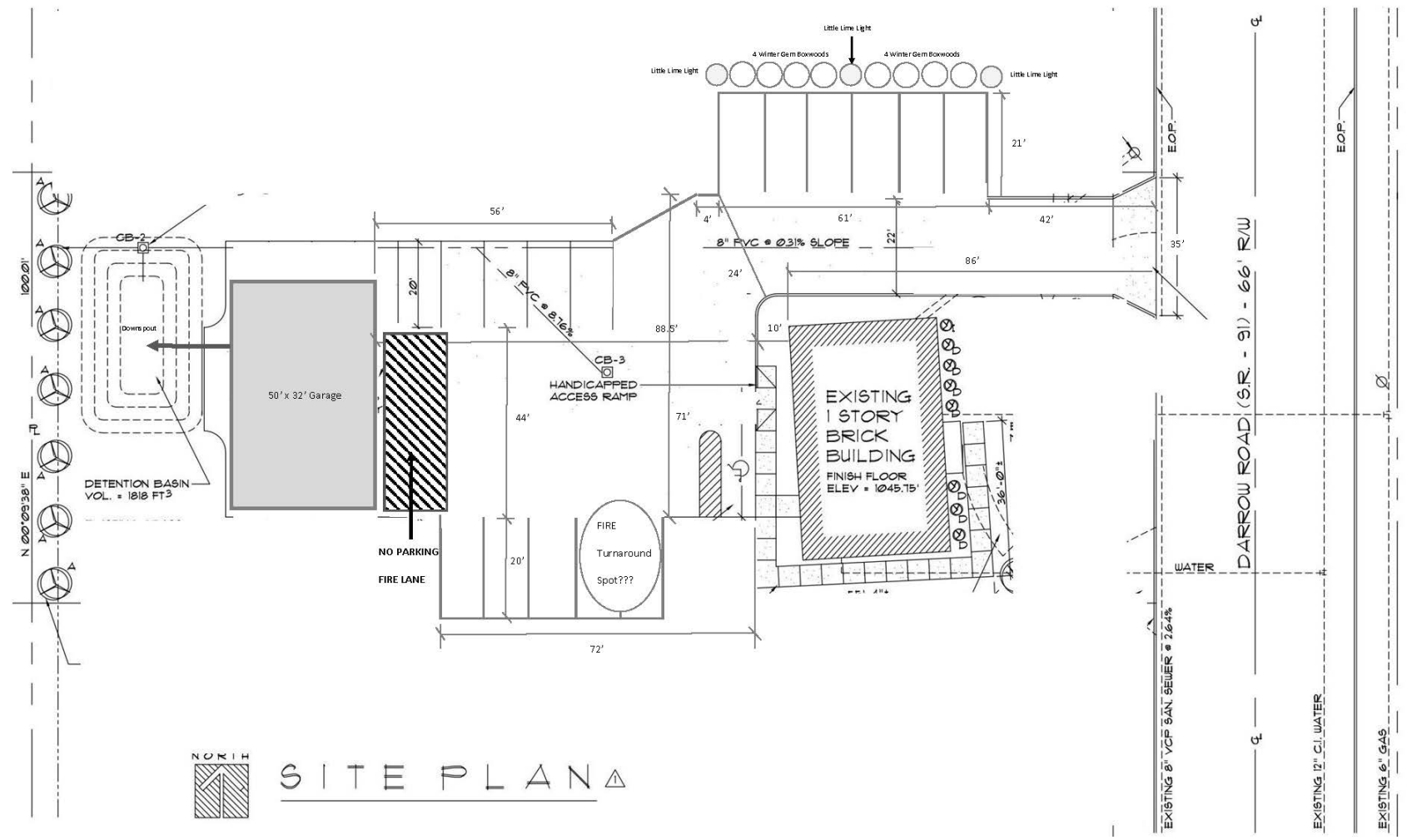
# Current Conditions



# Current Conditions



# Site Plan



 **S I T E P L A N**

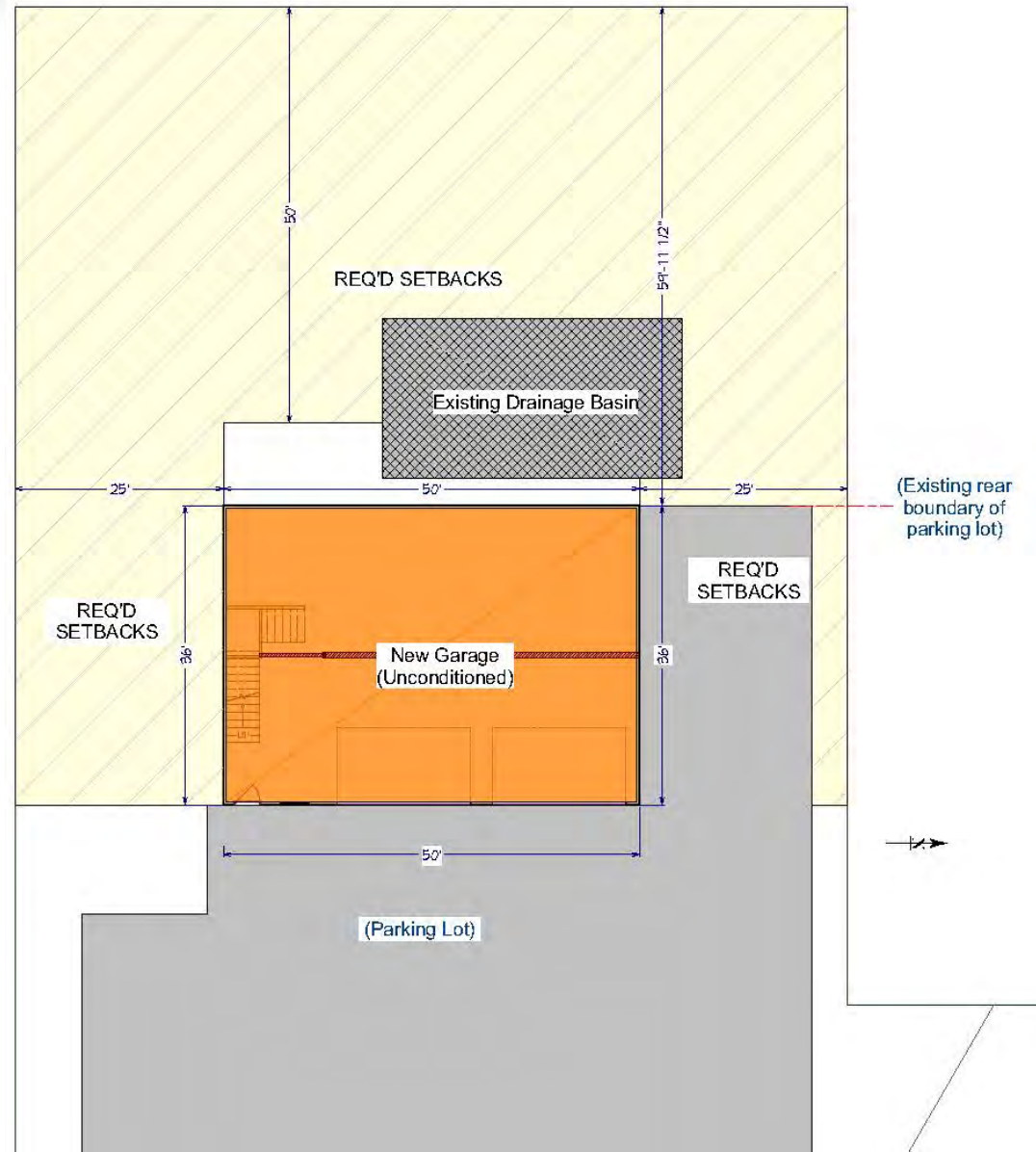
# Proposed Building



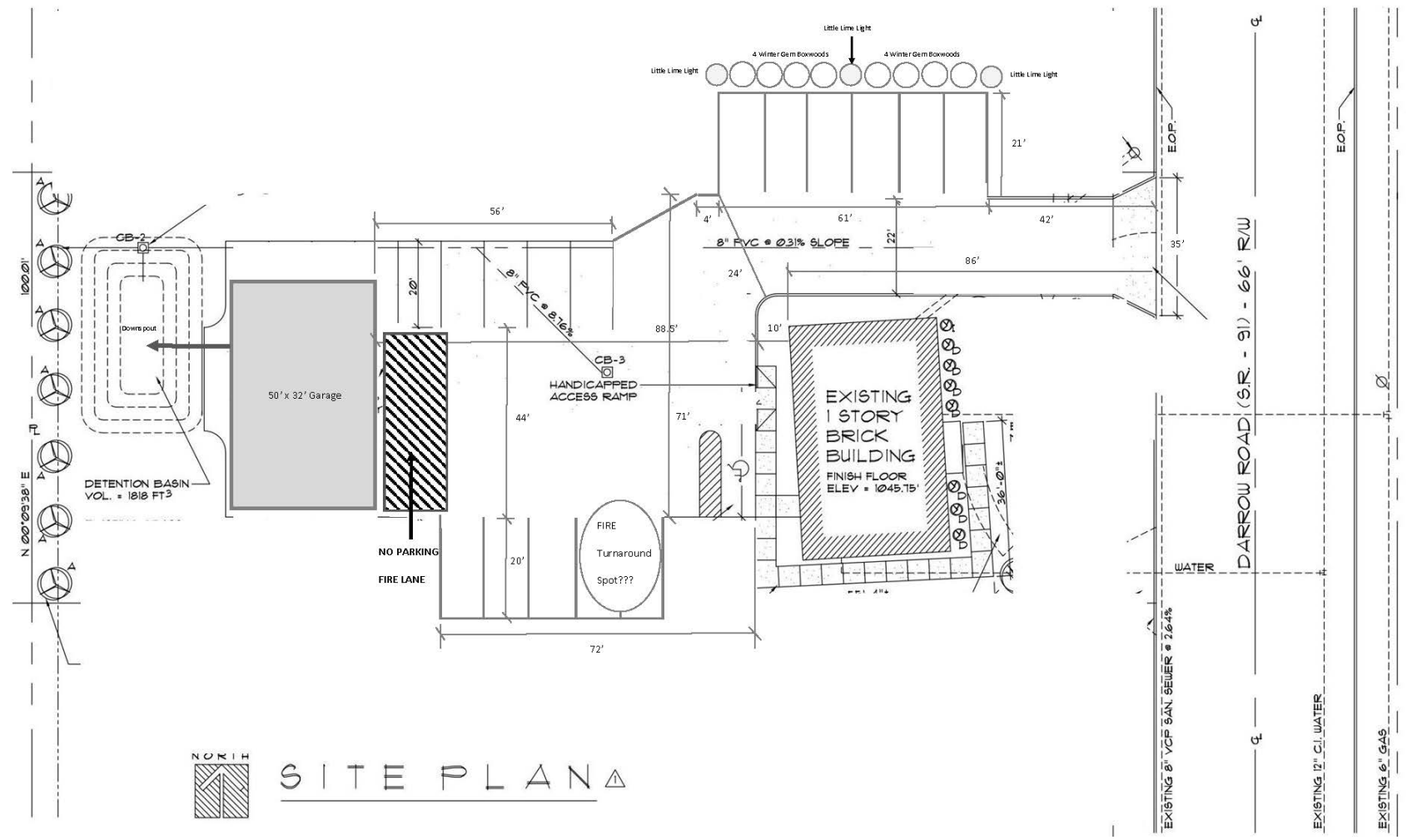
# Proposed Interior



# Site Diagram



# Site Plan



 **S I T E P L A N**

## Approved

1. Fire Department
2. City Arborist

## Conditions For Approval

1. Engineering and Building Department (as storage use) for approval of construction plans/permits.

## Additional Business Items

- d. T-203** – CRA Reassignment – J & E Development to DHL
- e. T-204** – Amend Chapter 965 – §965.01(II)(C) – Permit Fees and Costs and Bonding Requirements Letters