

Westfield Township Board of Trustees

Public Hearing and General Business Meeting

June 2nd, 2021

Trustee Horner commenced the Trustee public hearing and general business meeting via Zoom and in person on June 2nd, 2021, at 6:34pm. Roll call: Patterson- here, Schmidt-here, Horner-here. Meeting commenced.

Guests- Carol Rumburg, Ron Oiler, Terri Grimm, Joe Doty, Jason Laver.

Trustee Horner referred to the finalized map and text amendment application that was approved by the Zoning Commission as exhibit A (See Attached).

Comments from the public

- N/A

ZC Chairman Doty summarized the drafting process of the map and text amendment that was presented and approved by the committee.

ZI Banfield noted that Laver and group were compliant in not planning any exits onto Greenwich Road.

Trustee Schmidt thanked the ZC, ZI Banfield and the zoning and trustee secretaries for their work on this application.

Trustee Horner and Trustee Patterson mirrored Schmidt's comments and added that they appreciated Jason Laver and group's patience during the process.

Trustee Horner motioned to accept the application for highway commercial industrial planned unit overlay district as presented by the Westfield Township ZC; seconded by Patterson. Roll call: Patterson-aye, Schmidt-aye, Horner-aye. Motion passes.

Trustee Horner motioned to adjourn the meeting at 6:41pm; seconded by Patterson. Roll call: Patterson-aye, Schmidt-aye, Horner-aye. Meeting adjourned.

Westfield Township Board of Trustees

Respectfully submitted by:

Amy M. Banfield

Date approved: 6-21-21



Trustee Craig Horner, Chair



Trustee Kent Patterson, Vice-Chair

Trustee Michael Schmidt, board member

309 Highway Commercial Industrial Planned Unit Overlay District

A. Purpose

The term "Highway Commercial Industrial Planned Unit Overlay District" used in this text references the area east of Lake Road and bordered on the north by US 224, on the south by Greenwich Road, and to the west of the I-71/I-76 interchange. The purpose of this district is to provide for a mix of highway service commercial and industrial uses to serve the automobile and truck traffic on US 224/I-76 and I-71 and the local surrounding market. This optional overlay district is designed to allow flexibility between highway commercial uses and industrial uses by allowing development alternatives not currently available in the existing zoning districts.

B. Effect of the Highway Commercial Industrial Planned Unit Overlay District

- a. This Article III, Section 309, establishes the area of the Highway Commercial Industrial Planned Unit Overlay District and the planned unit development regulations for a Highway Commercial/Industrial Planned Development (HCI).
- b. The regulations in effect in the zoning districts currently designated within the Overlay District area shall continue to be in effect on properties within the Overlay District until the owner(s) of property(ies) apply for a HCI and the Township approves as provided in this Article.

C. Area of the Highway Commercial Industrial Planned Unit Overlay District

The Overlay District includes the properties located within the area of Westfield Township as identified in the Westfield Township Zoning District Map.

D. Uses

1. Permitted Uses

- | | |
|----|-------------------------------|
| a. | Restaurants and eating places |
|----|-------------------------------|

HIGHWAY COMMERCIAL INDUSTRIAL PLANNED UNIT OVERLAY DISTRICT

b.	Motels
c.	Accessory uses and structures as provided in Section 205 and including signs as regulated by Article IV, parking and loading as regulated by Article V
d.	Convenient Care Clinic
e.	Manufacturing activities including: assembling component parts in manufactured products; mechanical or chemical transformation of materials into new products; transformation of materials by heat, electricity, or other forms of energy; the blending of new materials; and the packaging of materials.
f.	Warehousing and storage
g.	Wholesale trade
h.	Terminal facilities and motor freight transportation.
i.	Research and testing.
j.	Printing and publishing.
k.	Equipment leasing/rental business
l.	Bed and Breakfast establishments
m.	Veterinary clinic or hospital.
n.	Educational, religious or philanthropic institutions.

2. **Conditional Uses**

		Subject to subsections of Section 606
a.	Drive-in establishments, including any permitted use listed in Section 309.D.1 above, and including auto washes, bank(s), and refreshment stands but excluding drive-in theaters and commercial amusement parks	3, 4, 6, 8, 10, 14, 15, 16, 21(a) and 21 (c)
b.	Gasoline filling stations	3, 4, 6, 8, 10, 14, 15, 16, 17 and 21

c.	Automotive and truck repair	3, 4, 6, 8, 10, 14, 15, 16, 17 and 21
d.	Auto wash	3, 4, 6, 8, 10, 14, 15, 16 17 and 21
e.	Grocery and food stores not exceeding 75,000 square feet	3, 4, 6, 8, 10, 14, 15 ,16, 21(a), and 21 (c)
f.	Establishments engaged in providing a variety of services to individuals and business establishments, such as personal services; miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, banking, credit agencies, investment firms, real estate, insurance, data management/storage, professional, nonprofit, charitable and labor organizations	3, 4, 6, 8, 10, 14, 15, 16, 21 (c),
g.	Recreational activities such as: dance studio and school, bowling alley, club pool or commercial pool, tennis, basketball, badminton, volleyball courts, football and soccer fields, motion picture and theatrical playhouse.	3, 4, 6, 8, 10, 14, 15, 16, 21 (c),
h.	Establishments engaged in retail trade such as drug stores, books and stationery, apparel, florist, garden supply, antiques, sporting goods, jewelry, optical goods, furniture, home furnishings, office equipment and office supplies, not exceeding 30,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, 21 (c),
i.	Government Projects	33
j.	Similar use	32

309D3. Any of the above permitted uses, conditional uses and identified similar uses may be located within a common structure, providing such structure and site plan complies with the requirements of this Resolution.

309E. **Minimum Dimensions for Lots and Yards.**

1. Lots and yards in the Highway Commercial Industrial Planned Unit Overlay District shall comply with the minimum requirements stated in the following table:

HIGHWAY COMMERCIAL INDUSTRIAL PLANNED UNIT OVERLAY DISTRICT
Minimum Dimensions for Lots and Yards

Lot Area	1 acre
Lot Frontage	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet*
Lot Width at Minimum Building Setback Line	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet*
Minimum Lot Depth	200 feet
Front Yard Setback	
Lots fronting on Lake Road and/or Greenwich Road	100 feet
Lots fronting on all other streets	40 feet
Side Yard Setback	25 feet
Rear Yard Setback	25 feet
Maximum Impervious Surface	75%
*All measurements of frontage and setback lines to follow the same arc as the road	

2. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front line of a lot shall not be less than 30 feet from the centerline.

309F. **Landscaping and Buffers Required.** On any lot the following buffers shall be constructed and permanently maintained.

1. **Front Yard Buffer.** A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
2. **Side Yard Buffer.** The side yard shall consist of a landscaped and planted buffer strip five (5) feet in width and running the length of the side yard.
 - a. Designated wetlands at least ten (10) feet in width may be substituted for the landscape and buffer requirement.
3. **Rear Yard Buffer.** The rear yard shall consist of a landscaped and planted buffer strip five (5) feet in width and running the length of the rear yard.
 - a. Designated wetlands at least ten (10) feet in width may be substituted for the landscape and buffer requirement.
4. Additional landscaping and buffer requirements for Outdoor Storage of Materials and Outdoor Storage Businesses can be found in Section 309G4.k.

309G. **Supplementary Regulations.**

1. **Merchandise Display.** Storage of materials, equipment, supplies and displays shall take place within a completely enclosed building.
2. **Refuse Storage.** All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
3. **Natural Hazard Areas.** Areas within the Natural Hazards District are subject to all requirements of Section 302 of this Resolution.
4. **Outdoor Storage of Materials and Outdoor Storage Businesses.** Outdoor storage of materials, goods, equipment or vehicles, including customer equipment and vehicles temporarily stored on site for servicing or repair only as a use accessory to an otherwise permitted or conditional use provided that:
 - a. Vehicles brought to and removed from the site on a daily basis which are owned by employees, customers, or persons providing services to the business may be stored in a parking area as authorized by this Resolution and shall not be subject to these provisions;
 - b. All materials, goods, equipment or vehicles stored on the site shall be owned, rented, or leased by the business which is the use of the site. No part of the site shall be used for the storage of materials, goods, equipment, or vehicles owned by uses which are not approved uses of the

site. No outdoor storage space shall be permitted to be used, rented, leased, or otherwise authorized by the property owner or user of the site for a purpose which is not directly associated with the approved use of the site.

- c. Outdoor storage shall not be located within one hundred feet (100') from any residential zoned district or current residence. Outdoor storage shall be located so that it does not adversely affect the use of neighboring properties and the health or safety of persons residing and/or working in the neighborhood. Storage shall be placed in a manner which protects neighboring properties from any exposure to noise, odor, dust or vibration.
- d. Outdoor storage of any top soil, loam, sand, gravel or other erodible fill type substances on land shall be prohibited unless done pursuant to a zoning permit which may include provisions for monthly inspections, a limit on the nature and volume of materials to be stored, and provisions for erosion control, elimination of standing and stagnant water, dust control, silt fences or other site storm water runoff controls necessary to control, prevent and limit storm water runoff including sediment and other pollutants into the private and public storm water ditches and facilities or the natural lakes and streams.
- e. The excavation, demolition, processing or outdoor storage for sale or transfer off-site of soil, mulch, other earth substances, logs, stumps, demolition debris or other types of fill material (collectively hereinafter referred to as substances) is prohibited unless the materials are generated by, or the consequence of construction pursuant to or implementation of a presently approved construction permit for the site or subdivision improvements. The substance(s) shall not be treated, screened or otherwise processed or refined upon the site prior to storage or transfer from the site.
- f. The outdoor area (or areas) intended to be used for such outdoor storage is (are) clearly indicated on a site plan attached to and made part of the Zoning Permit
- g. A description of the general nature of the materials, goods, equipment, or vehicles to be stored in the outdoor areas shall be attached to the Zoning Permit

- h. The total area of such outdoor storage shall not exceed thirty percent (30%) of the area of the overlay on which the permitted use is located.
 - i. The area(s) where incoming and outgoing traffic, deliveries, or any other public traffic turning movements occur shall be paved with asphalt or concrete, and setback as required for buildings and outdoor uses. Designated storage areas or yards are permitted to be stone or gravel base and shall be gated from direct access from public roadways. Stone or gravel base yards shall be professionally maintained and repaired as needed by the landowner.
 - j. No stored materials, goods, equipment or vehicle or any part thereof shall exceed a height of fifteen (15) feet above natural grade
 - k. The approved outdoor storage area shall be screened by one of the following methods:
 1. The entire outdoor storage area shall be enclosed on all sides (except any side where visibility is obstructed by a building on the site) by a solid wall or a minimum six (6) foot solid fence with openings no greater than fifteen percent (15%) or no less than 85% opaque, OR
 2. A dense vegetative planting incorporating trees, evergreens, and/or hedges of a variety that are as equally effective in their screening effect, in both summer and winter, as a solid wall or solid fence with openings no greater than fifteen percent (15%) or no less than 85% opaque. OR
 3. A seeded topsoil mound(s) a minimum of six (6) feet in height. The topsoil mound shall be maintained and mowed in a professional manner. OR
 4. A combination of the methods described in 1,2 or 3 above.
 5. The approved screening shall be maintained in healthy and sound condition in compliance with the intended screening effect at all times that outdoor storage or outdoor business is conducted on the storage area.
5. **Water and Sewer.** Central water and sanitary sewer services are recommended in the Highway Commercial Industrial Planned Unit Overlay District.

6. **Industrial Performance Standards.** Every establishment desiring to locate in the Industrial District shall submit evidence to the satisfaction of the Zoning Inspector that its activities will not violate the following performance standards:

- a. **Air Pollution.** Establishments emitting air pollution affecting ambient air quality shall show evidence of conformance with all Ohio Environmental Protection Agency (OEPA) requirements.
 - b. **Vibration.** No vibration shall be permitted which is discernible without instruments at the property line of the establishments creating such vibration and beyond any boundary of the district.
 - c. **Smoke, Fly Ash, Dust, Dirt.** No establishment shall exhaust or discharge into the air any quantity of fly ash, smoke, dust, dirt, or similar form of particulate matter except as permitted by the standards of OEPA.
 - d. **Odors.** No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable beyond the property line.
 - e. **Solid and Liquid Wastes.** No discharge of liquid or solid wastes into any public or private sewage system, lake, stream, ditch, or other body of water, floodway, swale, retention pond, or other intermittent facility for water storage or management or onto or into the ground except as approved by the OEPA.
 - f. **Radioactivity.** No establishment shall produce, store, transfer, or use radioactive materials in any manner hazardous to human health.
 - g. **Electric or Electronic Disturbance.** No establishment shall produce electronic or electrical disturbances perceptible beyond the property line.
 - h. **Fire and Explosion Hazards.** Materials and processes having potential for fire or explosion hazards shall not be permitted in close proximity to residential areas where they constitute undue safety hazards. When permitted, such uses shall be controlled by the requirements of the Westfield Fire Department.
 - i. **Noise.** Noise which is determined objectionable to an ordinary person at the property line due to volume, frequency or beat shall be prohibited.
7. **Direct access to and from Greenwich Road.** Direct access to and from Greenwich Road from a lot with frontage there on shall only be permitted whereas found it is not feasible to have access Lake Road or any approved new access road(s).

309H. Procedures for Application, Review, and Approval of Planned Development

1. Pre-Application Conference The applicant for a planned development is encouraged to request a meeting with the Zoning Inspector prior to submitting an application for the purposes of reviewing the applicable regulations and to obtain other information relevant to the proposal. Applicants are encouraged to confer with public officials and agencies who may be involved in review and approval of proposed development, including but not limited to the Medina County Health Department, County Highway Engineer, Director of Planning Services, and County Sanitary Engineer.

2. Preliminary Development Plan

a. Application An application for a planned development shall be submitted to the Zoning Commission by the owner, owner's authorized representative or option holder of the property that is the subject of the application. The application shall be submitted in the form of a letter of request along with a fee and deposits established by the Township Trustees, and a Preliminary Development Plan containing the information specified below.

b. Preliminary Development Plan A Preliminary Development Plan shall be submitted at the time of application and include the following:

1. Name, address, phone number and email address of the applicant.
2. Name, address, phone number and email address of the professional or firm that prepared the plan.
3. Legal description of the property.
4. North arrow, scale and title block.
5. General location map.
6. Property boundary survey.
7. Adjacent buildings and structures within two hundred (200) feet of the property boundaries.
8. All perimeter streets abutting the property, including right-of-way width.
9. Existing topographic conditions (minimum two-foot intervals).
10. Existing natural features (woods, ponds, streams, wetlands)
11. Approximate location of existing and proposed utilities, including a preliminary utility and drainage concept plan.

12. Uses proposed within the planned development and general locations.
 13. Numbers and types of bed and breakfast establishments proposed and locations.
 14. Conceptual layout of the development illustrating the general location of interior streets, access points to abutting streets, common open spaces, areas to be developed by type of use, parking areas and easements, subject to the Medina County Subdivision rules and regulations.
 15. The Zoning Commission reserves the right to request a traffic impact study to assess the impacts of proposed development on existing traffic facilities, to determine the feasibility of accommodating the traffic, and to identify necessary improvements and sources of funding for the improvement. Required improvements should be not only those directly on the frontages of the subject site, but also those which can be determined necessary to mitigate the impacts on roads and facilities utilized to access the site or area.
 16. Any other information deemed necessary by the Zoning Commission to determine the character of the proposed development and compliance with these regulations.
3. Staff Review The Zoning Inspector will review the application and Preliminary Development Plan to determine if it contains all items and information required by this Resolution. When it is determined that an application is complete, the Zoning Inspector shall set the date for a public hearing. The application must be received at least 14 calendar days prior to the public hearing. The Zoning Commission does have the ability to call for a special meeting at their discretion and ability to review the submitted application.
4. Requests for Reviews Upon setting the date for a hearing, the Commission may submit the application to such agencies and professionals as it deems necessary, which may include but not be limited to the Township Fire Chief, the Medina

County Highway Engineer, the Medina County Sanitary Engineer, and the Director of County Planning Services.

5. Public Hearing The Zoning Commission shall conduct a public hearing in accordance with its rules of procedure.
6. Recommendation Upon voting on the application, the Zoning Commission shall forward its recommendation to the Board of Township Trustees that the Preliminary Development Plan be approved as presented, approved with supplementary conditions, or not approved.
7. Board of Township Trustees Action Within thirty (30) days of receiving the recommendation from the Zoning Commission, the Board of Township Trustees shall conduct a public hearing prior to taking final action on the Preliminary Development Plan.
 - a. Notice of hearing. Notice shall be provided in the manner set forth for the Zoning Commission review above.
 - b. Public Hearing. The Board shall conduct a public hearing in accordance with its rules of procedure.
 - c. Action. After the public hearing, the Board of Township Trustees shall vote to approve, approve with supplementary conditions or disapprove the Preliminary Development Plan.
 - d. Failure of the applicant to comply with any conditions of approval shall be considered a violation of the Zoning Resolution and is subject to all applicable enforcement, remedies and penalties available to the Township in law or equity and as provided for in this Resolution.
 - e. Effect of Trustees Action. Board of Trustees action approving a Preliminary Development Plan authorizes the applicant to prepare and submit a Final Development Plan, but not to initiate construction or take any other action. Approval of a Preliminary Development Plan shall not constitute approval of the Final Plan. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan and as a guide to the preparation of the Final Plan, which will be submitted for approval of the Zoning Commission upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. Board of Trustees action disapproving a Preliminary Development Plan shall halt any other action on the part of the Township with regard to the Plan or the

Board may authorize the applicant to resubmit and amended Preliminary Development Plan.

8. Final Development Plan a. Timing

1. An application for Final Development Plan can be submitted to the Zoning Commission after the Zoning Commissions review and recommendations are forwarded to the Board of Trustees. The Final Development Plan can not be heard at Zoning Commission until the Board of Trustees has voted to approve or approve with supplementary conditions. If the Board of Trustees does not vote on the Preliminary Development Plan to approve or approve with supplementary conditions, the application for Final Development Plan will be rejected by the Zoning Commission and will not be heard. If the Preliminary Development Plan is approved or approved with supplementary conditions, the application for Final Development Plan shall be acted upon by the Zoning Commission within (thirty) 30 days of the Board of Trustees vote on the Preliminary Development Plan.
 2. An application for Final Development Plan approval shall be filed not later than twenty-four (24) months after the effective date of Board of Trustees approval of the Preliminary Development Plan, otherwise the Preliminary Development Plan approval shall expire. Three (3) oneyear extensions may be authorized by the Zoning Commission for good reason and justifiable cause. The applicant must demonstrate they have made a good faith attempt to work towards a Final Development Plan submittal. The applicant shall submit the request for extension in writing to the Zoning Commission who shall make a written determination regarding its decision to extend or deny the extension. Both the request and the determination shall be made part of the record. If the applicant fails to submit a Final Development Plan within this timeframe, the approved Preliminary Development Plan shall be deemed to have expired and the applicant must submit a new Planned Development application.
- b. Application An application for approval of the Final Development Plan shall be submitted by the property owner or owner's authorized representative

to the Zoning Inspector. The application shall be filed in the form of a letter, along with a fee established by the Township Trustees, including a Final Development Plan and narrative containing the information specified in the following subsections. Incomplete payment of established fees or an incomplete application will not be accepted and will not be processed or forwarded to the Zoning Commission.

- c. Final Plan A Final Development Plan, substantially consistent with the approved Preliminary Development Plan shall be submitted with the required application. The Final Plan shall contain all information deemed necessary by the Zoning Commission to confirm compliance with the provisions of this Article and with all other applicable regulations. At minimum, the application for Final Development Plan shall include:
1. The proposed locations of all uses including but not limited to dwellings, open spaces, commercial uses, and infrastructure.
 2. A subdivision plan or other survey indicating the locations of all lots, rights-of-way, easements, and other divisions of land.
 3. A grading plan indicating existing and planned topography.
 4. A storm water facilities plan.
- d. Project Narrative A project narrative shall also accompany the application and Final Development Plan and provide the following:
1. Proposed covenants and/or deed restrictions governing the use, design, maintenance, ownership and control of development and common areas;
 2. Identification of the entity responsible for maintenance of common areas to the satisfaction of the Zoning Commission;
 3. Description of all deviations from the otherwise applicable zoning requirements;
 4. Improvements that would be the responsibility of the developer such as off-site improvements as identified in 309H2b.
- e. The Zoning Commission may require additional information beyond what is specifically required if, in its judgement, more detailed information is necessary due to the size of the development, number of phases proposed; or the interrelationship of roads, utilities or drainage systems with the total site.

- f. Phasing If a Planned Development is to be constructed in two or more phases, Final Development Plan approval may be granted for individual phases; provided, a complete plan for the entire Planned Development was first given Preliminary Development Plan approval and that each subsequent phase shall be submitted for Final Development Plan approval and is consistent with the approved Preliminary Development Plan. Each phase shall have adequate provision for access, parking, storm water management, and other public improvements to serve the development. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.
9. Zoning Commission Review The application materials shall be forwarded to the Zoning Commission for review. The Zoning Commission shall consider the application based on the timing of the submittal and 309H8a and take action to approve, approve with supplementary conditions or not approve the Final Development Plan, based on the review standards of 309H10. The Final Development Plan shall be approved if it conforms to the Preliminary Plan. Approval by the Zoning Commission shall authorize the applicant to proceed with the Planned Development subject to all applicable regulations, conditions, and agreements. Disapproval by the Zoning Commission shall halt any other action on the part of the Township with regard to the Plan unless the Commission authorizes the applicant to resubmit an amended Final Development Plan.
10. Review Standards In considering a Planned Development application, the Zoning Commission shall find that the development meets all applicable requirements and qualifying conditions, as well as the following general standards:
- a. Purpose of the PD The Planned Development shall be consistent with the stated Purposes of the District.
 - b. Surrounding Uses The Planned Development shall be compatible with the existing and intended uses surrounding the subject property.
 - c. Public Facilities and Services The Planned Development shall not place undue burden on the capacity of public facilities and services such as, but not limited to roads, fire and police protection, water, sanitary sewer service and drainage.

- d. Protects Health, Safety and Welfare The Planned Development shall not contain uses or conditions of use that may be injurious to the public health, safety or welfare.
 - e. Consistent with All Applicable Standards and Requirements The Planned Development shall conform to all applicable requirements of the Resolution.
 - f. Final Development Plan The Final Development Plan is substantially consistent with the representations made and plans shown during the Preliminary Development stage of approval.
11. Commencement of Construction; Revocation of Approval Construction shall commence and proceed meaningfully toward completion subsequent to Final Development Plan approval, or approved phases thereof, in accordance with the following:
- a. For purposes of this section, meaningful progress toward completion shall mean, at a minimum, all of the following: site clearing, rough grading, and installation of infrastructure improvement: sanitary sewer, storm water facilities including storm water management facilities, and water mains.
 - b. If construction has not commenced within twenty-four (24) months, the applicant may request one extension of up to twenty-four (24) additional months. The request shall be submitted, in writing, to the Zoning Commission prior to the expiration of the original twenty-four (24) month time limit and shall provide reasonable evidence to the effect that unforeseen difficulties or special circumstances have been encountered, causing delay in commencement of the Planned Development. If an extension is not requested or is not submitted prior to the expiration of the original time limit, the Final Development Plan shall become null and void.
 - c. Following expiration of the foregoing time limits, the Board of Trustees may initiate proceedings to revoke approval of the Planned Development.
12. Amendments, Approval of Minor Changes Changes to an approved Final Development Plan shall be permitted only under the following circumstances:
- a. The holder of an approved Final Development Plan shall notify the Zoning Commission of any proposed change to the approved plan in writing, identifying proposed changes "from and to" as identified in the site plan and or plan narrative.

HIGHWAY COMMERCIAL INDUSTRIAL PLANNED UNIT OVERLAY DISTRICT

- b. Minor changes may be approved by the Zoning Commission during a regular or special meeting called for the purpose, with a majority of members present. Changes may be approved upon determining that the proposed revisions(s) will not alter the basic design nor any specified conditions or commitments imposed as part of the original approval.
- c. Minor changes are one or more of the following:
 - 1. Reduction or increase in building size up to five percent of the total approved floor area;
 - 2. Movement of building or other structures to a location that meets all established setbacks;
 - 3. Changes in parking layout that do not alter the number of spaces by more than five percent of the total spaces within the parking area and do not change the location of driveways or roads providing access to the parking area. The Zoning Commission shall not reduce the number of parking spaces below the minimum requirement of Article V, Section 502.
 - 4. Changes required or requested by a county, state or federal regulatory agency in order to conform to other laws or regulations.
 - 5. Any changes approved shall be noted on the previously approved site plan of the planned development.
- d. A proposed change to an approved Final Development Plan that does not meet one of the criteria above shall be considered an amendment to the approved Final Development Plan and a request for modification shall be submitted to the Zoning Commission and reviewed in accordance with the procedures established for the Final Development Plan review and approval process.
- e. When, in the judgment of the Zoning Commission, the proposed requested modification(s) substantially deviates from the approved Preliminary Development Plan, the requested modification(s) shall be reviewed by the Zoning Commission as an Amended Preliminary Development Plan, and shall be reviewed in accordance with the provisions of this Article for the approval of a Preliminary Development Plan.

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Westfield Township Zoning Commission

May 8, 2021

Westfield Township Trustees

Dear Trustees:

The Westfield Township Zoning Commission held a public meeting/hearing on Wednesday, May 5, 2021 at 6:30 p.m. The Meeting was to hear and vote on:

An application from Preston Riccardi and Tom Bombard for a Highway Commercial Industrial Planned Unit Overlay District. This is for the area east of Lake Road and bordered on the north by US 224, on the south by Greenwich Rd, and to the west of the I-71, I-76 interchange.

At the May 5, 2021 meeting, the Zoning Commission made and unanimously passed a motion recommending the new text go forward to the Trustees.

Please accept this recommendation from the Zoning Commission and schedule your meeting accordingly.

Respectfully,

Julie Carr

Zoning Secretary

WESTFIELD TOWNSHIP ZONING

APPLICATION FOR ZONING MAP AMENDMENT

Name of Applicant Preston Riccardi
Mailing Address 4314 Erma Rd. Norton, Ohio 44203

Phone Number 330-608-1771 Business Number _____
Cell Phone Number _____ Fax Number _____

Name of Property Owner Preston Riccardi
Address of Property Owner 4314 Erma Rd. Norton, Ohio 44203

Property Owner Phone Number 330-608-1771 Riccardi-330.608.1771 ; Tom Bombard- 330.769.4600 ;
Omni-216.896.5614 or 216.831.8100
Fax Number _____

Address of Property to be Rezoned PID 041-15B-44-010: 8989 Lake Road Seville OH 44273 ; PID 041-15B-44-022: 8919 Lake Road Seville OH 44273 ; PID 041-15B-50-009: Greenwich Road Seville OH 44273 ; PID 041-15B-49-004: 6015 Greenwich Road Seville OH 44273

Present Township Zoning District(s) of Property HC - Highway Commercial

Attach the Following:

1. Legal Description of the Property
2. Permanent Parcel Number (s) PID: 041-15B-44-022; PID: 041-15B-50-009; PID: 041-15B-44-010; PID: 041-15B-49-004
3. Property Size in Acres 40.47 Cumulative Acreage
4. Map of Property from Medina County Tax Map Office
5. Map Showing Surrounding Parcels and Zoning Districts of those Parcels
6. List of Names and Addresses of Owners of all Properties within and contiguous to and directly across the street from the subject parcel(s) (available from Medina County Tax Map Office or online at www.highwayengineer.co.medina.oh.us)
7. If only a portion of the recorded parcel is being considered for rezoning, a map, drawn at 1"=100' scale must be submitted for the subject parcel. Such map must be prepared by a registered civil engineer, surveyor or other competent person showing exact dimension or portion of recorded parcel being considered for rezoning.

Does the lot conform to the existing zoning? PID's: 041-15B-44-022; 041-15B-50-009; 041-15B-44-010 conforming
PID: 041-15B-49-004 non-conforming

Does the current use conform to the existing zoning? PID's: 041-15B-44-022; 041-15B-50-009; 041-15B-44-010 conforming
PID: 041-15B-49-004 non-conforming

Are there any variances on the property? No known variances

Are there any conditional uses on the property? No known conditional uses

Proposed Zoning Highway Commercial Industrial Planned Unit Overlay District
Proposing to create Article III Section 309 through
corresponding Text Amendment Application

Revised 2/06

The property will be used for, and have the following buildings, parking and other improvements constructed:
Trailer parking with small check-in structure on Parcel 041-15B-44-010. Future lots use TBD

Have there been any previous requests for rezoning of this property? Per discussion with Carolyn Sims, no known requests within the past decade
If yes, from _____ zoning district to _____ zoning district

Date of previous request _____ Granted or Denied? _____

What is the proposed use of this property in the Township Comprehensive Plan? _____
HC - Highway Commercial

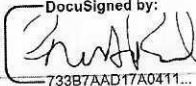
The existing zoning is unreasonable and deprives the owner of his lawful and reasonable use of the land because The existing zoning limits the use of the property to highway commercial. The property has sat vacant for a significant number of years and has not attracted development, and has left an unattractive vacant car wash and weed filled parking lot. Allowing this text amendment will allow for more uses that still are in accordance with the township's comprehensive development plan. This amendment will open up more opportunities to utilize this land in a manner that will be advantageous to the owner and the township.
The property has the following deed restrictions Limited Warranty Deed 79100470 attached as supplementary information

The change will not be materially detrimental to the public welfare nor to the property of other persons located in the vicinity there of because It is very similar to the existing zoning of Highway Commercial that is present and is in accordance with the intent of the township's comprehensive development plan.

How will the proposed rezoning of this property benefit the community? _____
This will allow a previously vacant property to be utilized and hopefully attract further development to this area.

NOTE: Nine (9) copies of the application and supporting information are required.

The undersigned hereby states that the above information and attached documents are true and accurate to the best of my knowledge.

Applicant 
DocuSigned by:
733B7AAD17A0411...

Date 2/9/2021

WESTFIELD TOWNSHIP ZONING

APPLICATION FOR ZONING MAP AMENDMENT

Name of Applicant Tom Bombard
 Mailing Address PO Box 148 Westfield Center OH 44251

Phone Number 330.769.4600 Business Number _____
 Cell Phone Number _____ Fax Number _____

Name of Property Owner Thomas G & Diane L Bombard (PID: 041-15B-49-004)
 Address of Property Owner PO Box 148 Westfield Center, OH 44251

Property Owner Phone Number Riccardi-330.608.1771 ; Tom Bombard- 330.769.4600 Omni-216.896.5614 or 216.831.8100
 Fax Number 330 304 -8700

Address of Property to be Rezoned PID 041-15B-44-010: 8989 Lake Road Seville OH 44273 ; PID 041-15B-44-022: 8919 Lake Road Seville OH 44273
 PID 041-15B-50-009: Greenwich Road Seville OH 44273 ; PID 041-15B-49-004: 6015 Greenwich Road Seville OH 44273
 Present Township Zoning District(s) of Property HC - Highway Commercial

Attach the Following:

1. Legal Description of the Property
2. Permanent Parcel Number (s) PID: 041-15B-44-022; PID: 041-15B-50-009; PID: 041-15B-44-010; PID: 041-15B-49-004
3. Property Size in Acres 40.47 Cumulative Acreage
4. Map of Property from Medina County Tax Map Office
5. Map Showing Surrounding Parcels and Zoning Districts of those Parcels
6. List of Names and Addresses of Owners of all Properties within and contiguous to and directly across the street from the subject parcel(s) (available from Medina County Tax Map Office or online at www.highwayengineer.co.medina.oh.us)
7. If only a portion of the recorded parcel is being considered for rezoning, a map, drawn at 1"=100' scale must be submitted for the subject parcel. Such map must be prepared by a registered civil engineer, surveyor or other competent person showing exact dimension or portion of recorded parcel being considered for rezoning.

Does the lot conform to the existing zoning? PID's: 041-15B-44-022; 041-15B-50-009; 041-15B-44-010 conforming
 PID: 041-15B-49-004 non-conforming

Does the current use conform to the existing zoning? PID's: 041-15B-44-022; 041-15B-50-009; 041-15B-44-010 conforming
 PID: 041-15B-49-004 non-conforming

Are there any variances on the property? No known variances

Are there any conditional uses on the property? No known conditional uses

Proposed Zoning Highway Commercial Industrial Planned Unit Overlay District
Proposing to create Article III Section 309 through
corresponding Text Amendment Application

Revised 2/06

T.B. 2/19/21

The property will be used for, and have the following buildings, parking and other improvements constructed:

Trailer parking with small check-in structure on Parcel 041-15B-44-010. Future lots use TBD

Have there been any previous requests for rezoning of this property? Per discussion with Carolyn Sims, no known requests within the last decade.
If yes, from _____ zoning district to _____ zoning district

Date of previous request _____ Granted or Denied? _____

What is the proposed use of this property in the Township Comprehensive Plan? _____
HC - Highway Commercial

The existing zoning is unreasonable and deprives the owner of his lawful and reasonable use of the land because The existing zoning limits the use of the property to highway commercial. The property has sat vacant for a significant number of years and has not attracted development, and has left an unattractive vacant car wash and weed filled parking lot. Allowing this text amendment will allow for more uses that still are in accordance with the township's comprehensive development plan. This amendment will open up more opportunities to utilize this land in a manner that will be advantageous to the owner and the township.

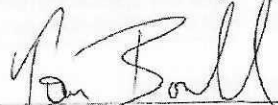
The property has the following deed restrictions Limited Warranty Deed 79100470 attached as supplementary information.

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How will the proposed rezoning of this property benefit the community?
This will allow a previously vacant property to be utilized and hopefully attract further development to this area.

NOTE: Nine (9) copies of the application and supporting information are required.

The undersigned hereby states that the above information and attached documents are true and accurate to the best of my knowledge.

Applicant 

Date 2/09/2021

40.47 Acre Parcel

Situated in the Township of Westfield, County of Medina, and the State of Ohio and being part of Lot 45 of said Township and all Medina County Parcels 041-15B-44-022, 041-15B-50-009, 041-15B-44-010 and 041-15B-49-004

Commencing at a railroad spike found at the Southwest corner of said Lot 45,

thence **N 00°49'57" E**, a distance of **750.83 feet**;

thence **S 81°55'11" E**, a distance of **18.08 feet**;

thence **N 00°53'19" E**, a distance of **49.97 feet**;

thence **S 89°06'41" E**, a distance of **10.00 feet**;

thence **N 00°53'19" E**, a distance of **100.00 feet**;

thence **N 89°06'41" W**, a distance of **10.00 feet**;

thence **N 00°53'19" E**, a distance of **376.63 feet**;

thence **N 02°47'56" E**, a distance of **150.00 feet**;

thence **N 09°28'46" E**, a distance of **96.64 feet**;

thence Easterly, a distance of 223.23 feet along a non tangent curve to the left of which the radius point lies N 08°17'55" E a radius of 3,986.53 feet, and having a central angle of 03°12'30";

thence **S 84°14'59" E**, a distance of **357.69 feet**;

thence **S 89°35'37" E**, a distance of **210.66 feet**;

thence continue **S 89°35'37" E** along said line, a distance of **189.27 feet**;

thence **S 86°02'12" E**, a distance of **195.38 feet**;

thence **S 04°41'57" E**, a distance of **339.14 feet**;

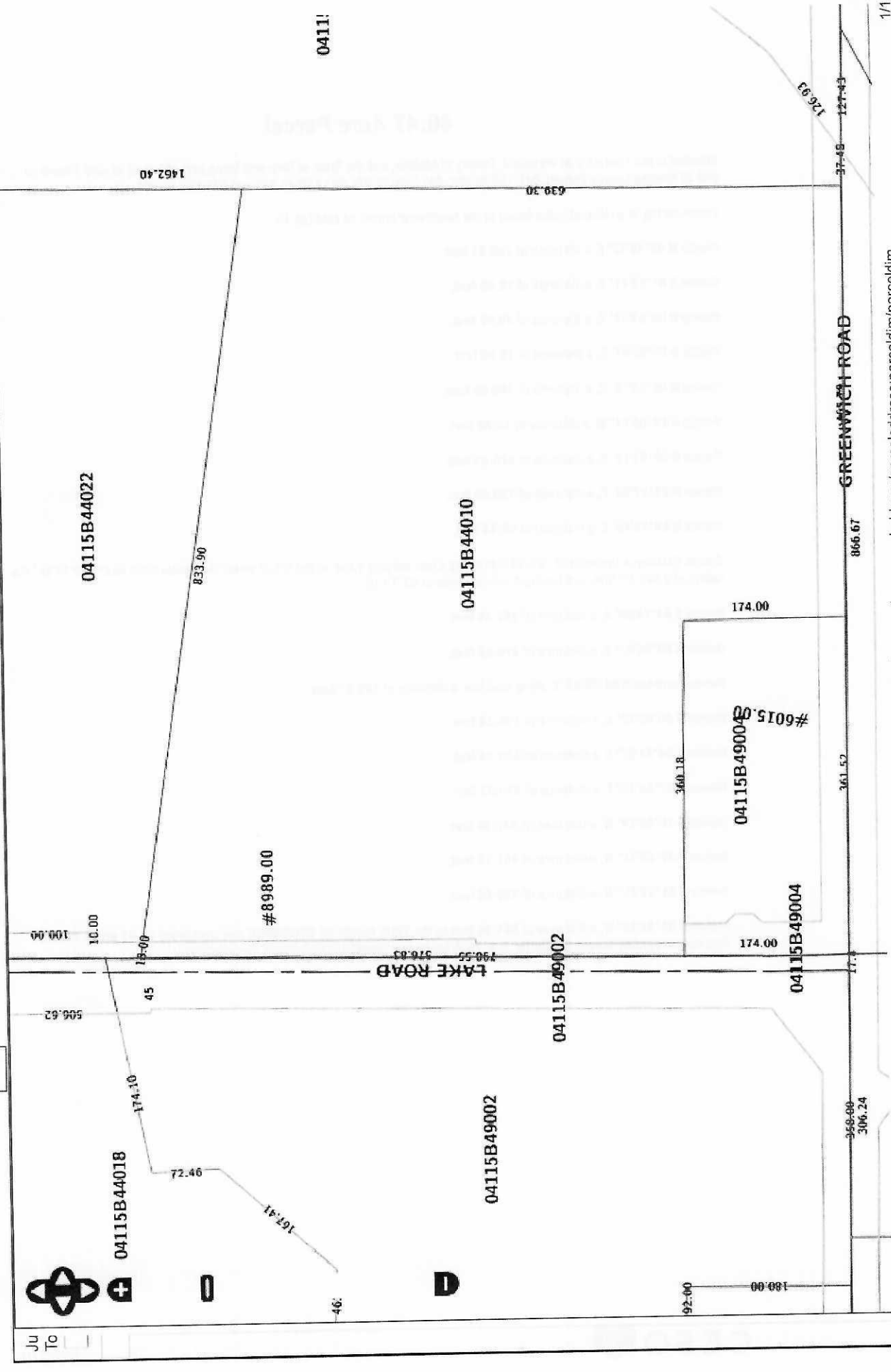
thence **S 07°56'33" E**, a distance of **414.37 feet**;

thence **S 16°00'19" W**, a distance of **332.36 feet**;

thence **S 39°50'56" W**, a distance of **401.15 feet**;

thence **S 55°33'45" W**, a distance of **126.88 feet**;

thence **N 89°36'29" W**, a distance of **864.36 feet** to the **TRUE PLACE OF BEGINNING** and containing **40.47 acres**, more or less as surveyed by Steven W. Clutter, P.S. 7655 for and on behalf of CESO, Inc in January 2021.



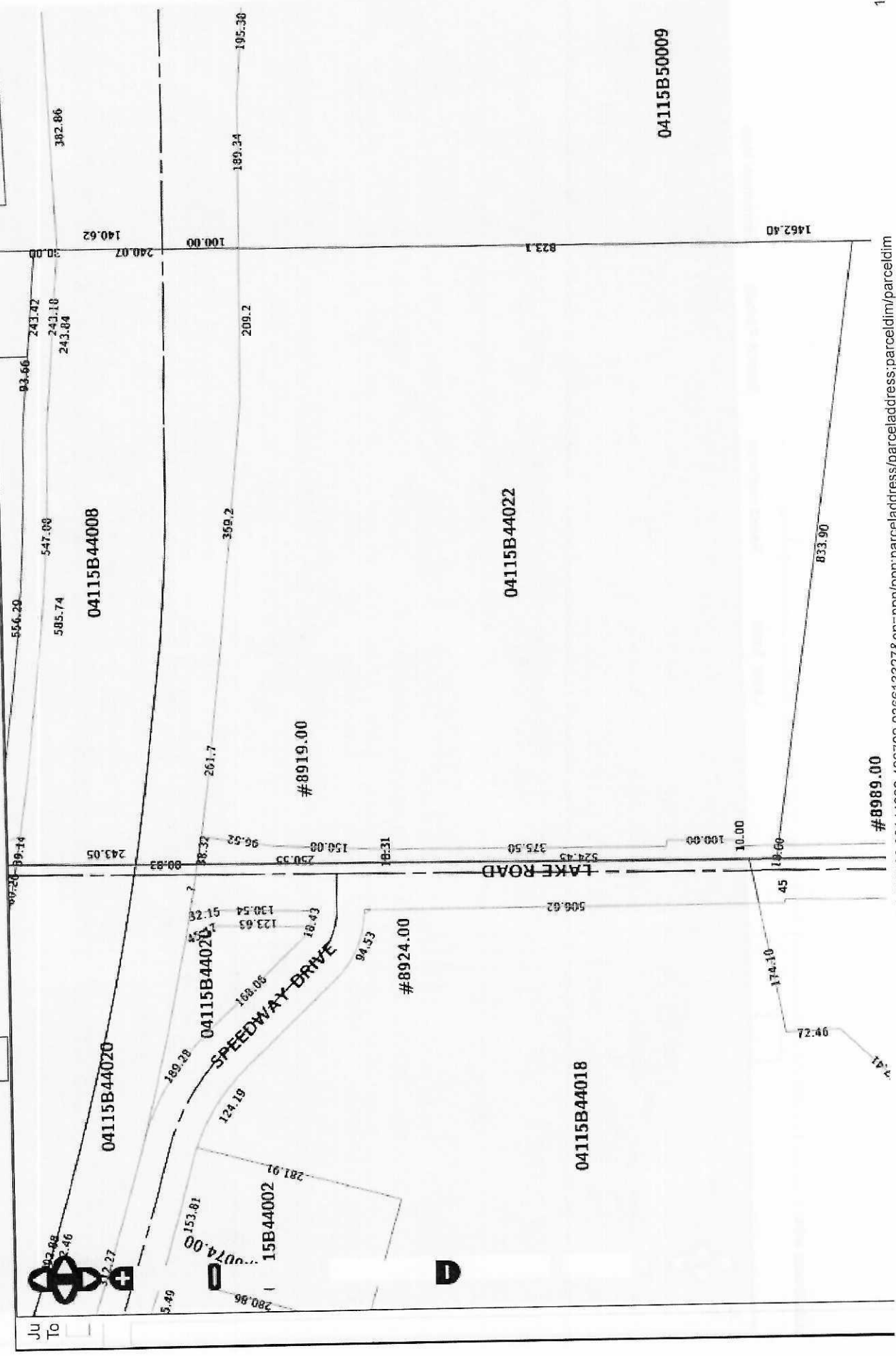
Additional Info: Engineer | Gsd/MOOSE | Map Server | Data | County Road Map | Conveyance Standards | How to

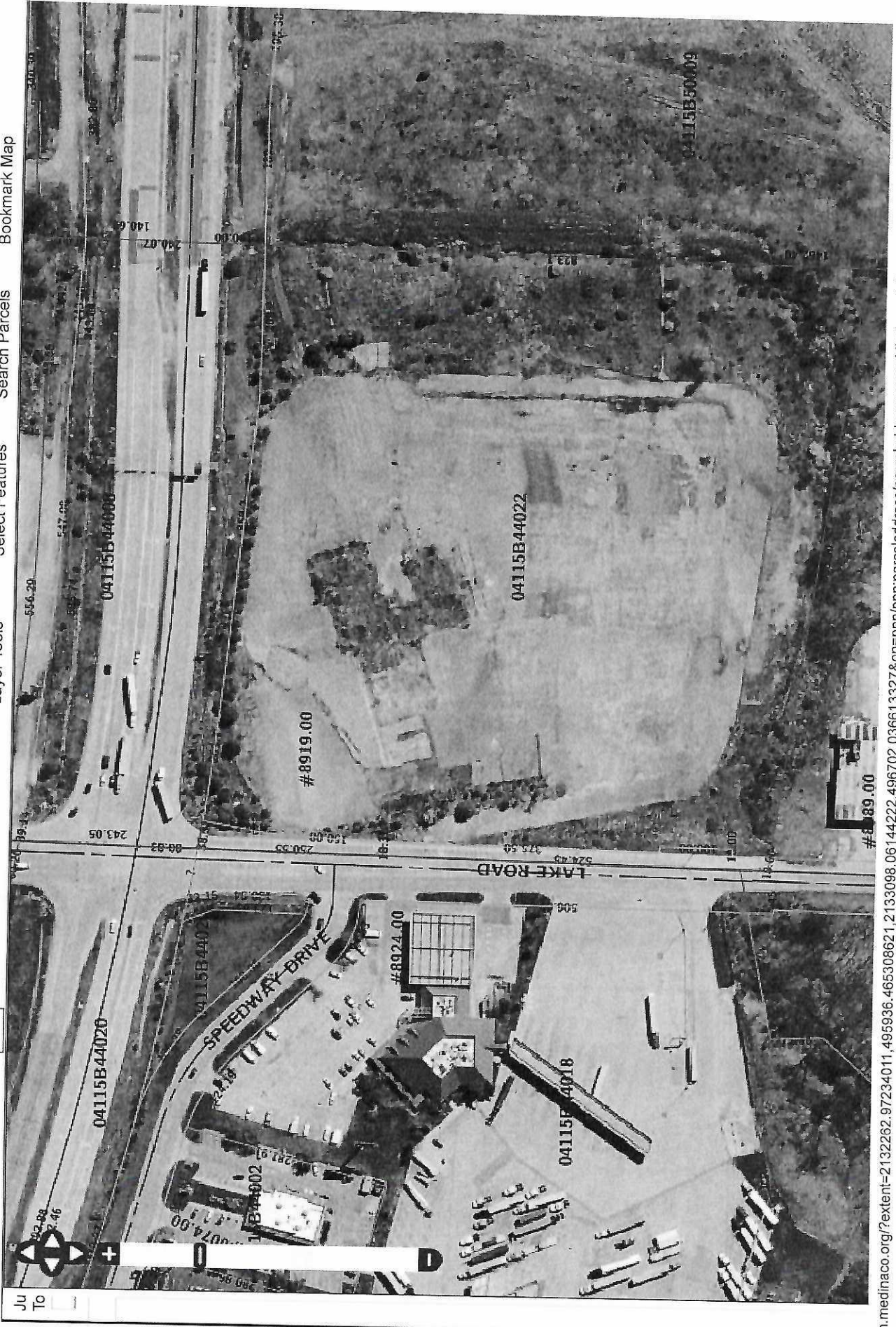
Layer Tools Select Features Search Parcels Bookmark Map



Additional Info: Engineer | GeoMOOSE | MapServer | Data | County Road Map | Conveyance Standards | Howto

Layer Tools Select Features Search Parcels Bookmark Map



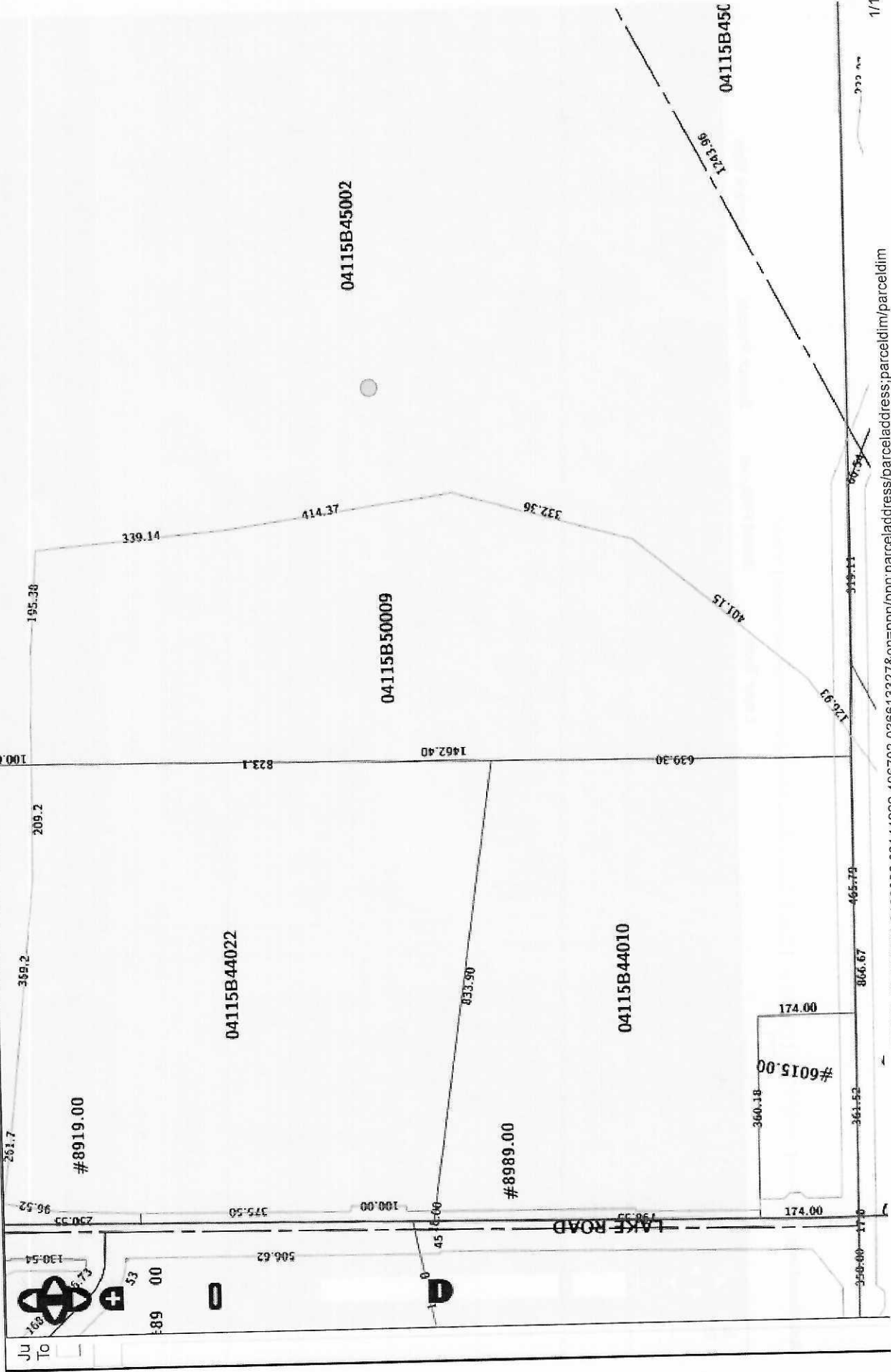


Additional Info: Engineer | GeoMOOSE | MapServer | Data | County Road Map | Conveyance Standards | Howto

Layer Tools | Select Features | Search Parcels | Bookmark Map







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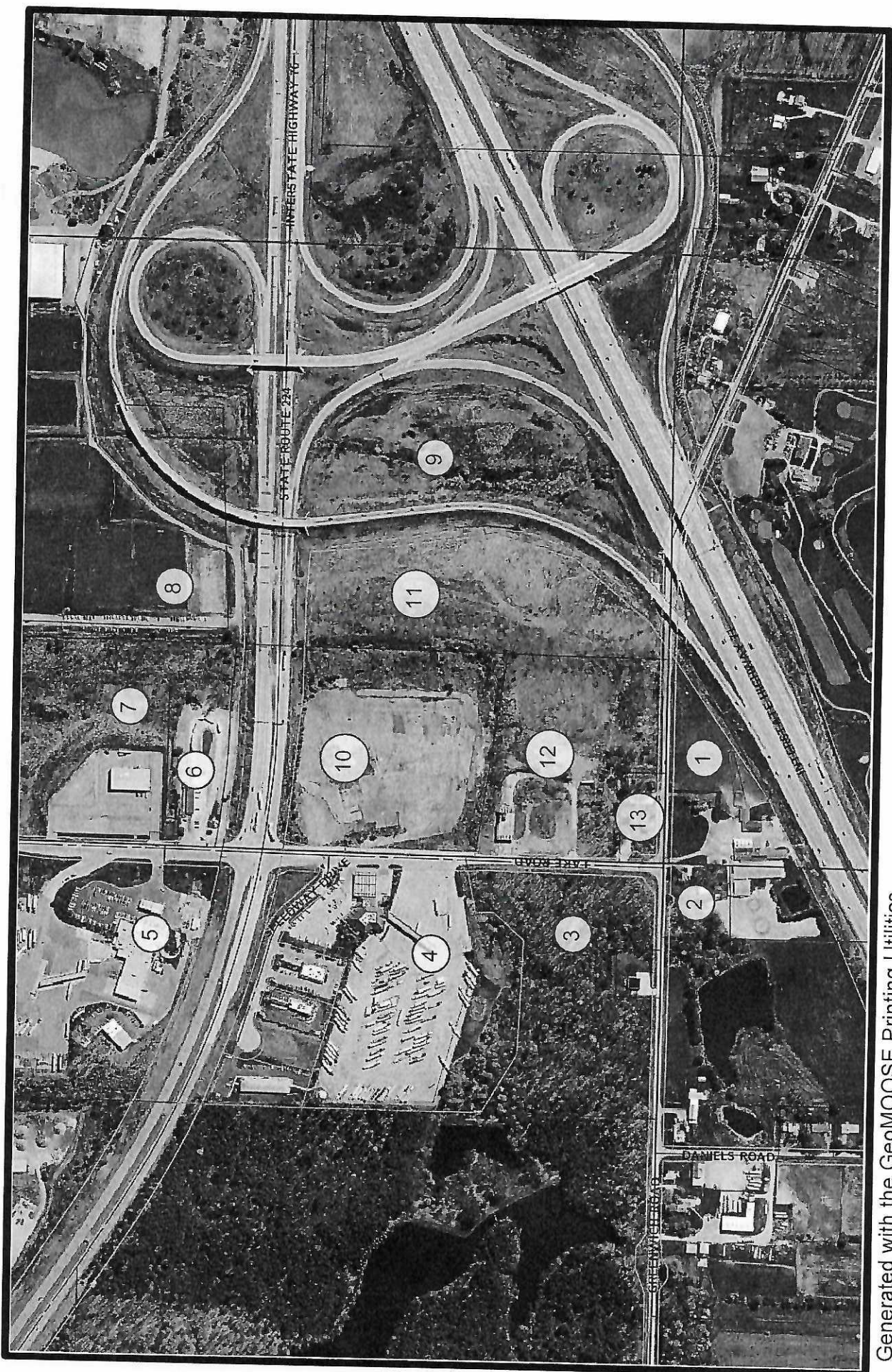


Surrounding & Included Properties with Names and Addresses of Owners

PID	Owner	Parcel Address	Owner Mailing Address	GIS Map Number	Zoning
04115D02022	Daniel R Trein	6032 Greenwich Road Seville OH 44273	6006 Greenwich Road Seville OH 44273	1	HC
04115D02016	Daniel R & Darlene E Trein	6032 Greenwich Road Seville OH 44273	6007 Greenwich Road Seville OH 44273	2	HC
04115B49002	S and B 33 LLC	Greenwich & Lake Road Seville OH 44273	P.O. Box 517 Bath OH 44210	3	HC
04115B44018	SSA Delaware LLC	8924 Lake Road Seville OH 44273	P.O. Box 54470 Lexington KY 40555	4	HC
04115B39031	HPT TA Properties Trust	8834 Lake Road Seville OH 44273	24601 Center Ridge Rpad Suite 200 Westlake OH 44145	5	HC
04115B44015	Blue Beacon International Incorporated	8859 Lake Road Seville OH 44273	P.O. Box 856 Salina KS 674002	6	HC
04115B39032	TA Operating LLC	8845 Lake Road Seville OH 44273	24601 Center Ridge Rpad Suite 200 Westlake OH 44145	7	HC
04115B39033	North Coast Premier Soccer LTD	8809 Lake Road Seville OH 44273	P.O. Box 1118 Brunswick, OH 44212	8	LC
04115B45002	State of Ohio	Greenwich Road / St Rt 224 Seville OH 44273	241 Stanford Parkway Findlay OH 45840	9	RR
04115B44022	Omni Westfield LLC	8919 Lake Road Seville OH 44273	3401 Richmond Road STE 200 Bechwood OH 44122	10	HC
04115B50009	Omni Westfield LLC	Greenwich Road Seville OH 44273	3401 Richmond Road STE 200 Bechwood OH 44122	11	HC
04115B44010	Philip & Preston Riccardi	8989 Lake Road Seville OH 44273	3811 Woodglen Ave Norton, OH 44203	12	HC
04115B49004	Thomas G & Diane L Bombard	6015 Greenwich Road Seville OH 44273	PO Box 148 Westfield Center, OH 44251	13	HC

Map

See Surrounding & Included Properties Sheet for Parcel ID, Owner, and Address



Title First Agency, Inc.

LIMITED WARRANTY DEED

79100470

BY THIS LIMITED WARRANTY DEED, executed and delivered by TA OPERATING CORPORATION, a Delaware corporation, successor by merger to National Auto/Truckstops, Inc ("Grantor") to OMNI-WESTFIELD, LLC, an Ohio limited liability company ("Grantee"), Grantor, for Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, grants to Grantee, its successors and assigns, with limited warranty covenants, the land described on Exhibit A hereto, together with all buildings, improvements, fixtures and interests located thereon or appurtenant thereto, provided, however, that the real property described above is conveyed subject to, and there are excepted from the limited warranty covenants of Grantor, all of the following (i) zoning ordinances, if any, (ii) liens of taxes and assessments, both general and special, not yet due and payable; and (iii) such reservations, restrictions, limitations, easements and conditions of record as listed on Exhibit B attached hereto and made a part hereof


For a period of twenty-five (25) years from the date of this deed, or until such time as Grantor its successors or assigns abandons its use as a travel center of the property currently operated by Grantor at I-71 and I-76 at Route 224, Exit 209, in Lodi, Ohio, Grantee is prohibited from using the property herein granted, in whole or in part, for (i) use as a truckstop, travel center (excluding the services of a travel agency engaged in the business of planning travel and vacation services) or similar truck related business servicing trucks or vehicles for the commercial transportation of goods or people, except that the service of passenger vehicles, excluding commercial trucks and tractor trailers, shall be permitted if in connection with a business selling new and/or used passenger vehicles, or (ii) the sale of gasoline or diesel fuel from pumps This covenant shall run with the land and shall survive closing

Prior Instrument Reference. Vol. 797 Page 898 of the Official Records of Medina County, Ohio.

Grantee's Tax Mailing Address 29225 Chagrin Boulevard, Suite 250
Pepper Pike, Ohio 44124

EXECUTED this 21st day of December, 2004

TA OPERATING CORPORATION, successor by merger to National Auto/Truckstops, Inc

By 
Print Name Peter P. Moore
Its: Senior Vice Pres. in Charge (Development)

This Conveyance has been examined and the Grantor has complied with Section 318.038 of the Revised Code
Date: 12-24-04
FEE \$ 4050.00
1.00 EXEMPT
Michael E. Kowalik, Medina Co. Auditor

(DEED DOC. 5)