



**CITY OF TALLMADGE  
PLANNING & ZONING COMMISSION  
MEETING MINUTES**

THURSDAY, APRIL 6, 2023  
7:00 p.m.

COUNCIL CHAMBERS

**CALL TO ORDER**

Chair Patrick Larson called the meeting to order at 7:00 pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Commission Members present: Patrick Larson  
Julie Oliver  
Stephan Ryder  
Kevin Heilmeier

*A motion to excuse Mr. Kostko was made by Mr. Heilmeier and seconded by Mr. Ryder.*

All members voted in favor. (4-0)

Administration present: Dave Kline, Mayor  
Megan Raber, Law Director  
Helene Hussing, Planning and Zoning Manager  
Mary Ann Driscoll, PE, Burgess & Niple

**ADOPTION OF MINUTES**

*A motion to adopt the March 2, 2023 minutes was made by Mrs. Oliver and seconded by Mr. Ryder:*

All members voted in favor. (4-0)

**AGENDA ADDITIONS**

*None*

**CORRESPONDENCE AND COMMUNICATIONS**

*McDonalds signage updated plans and Memo from Planning and Zoning Manager.*

**AGENDA ITEMS**

**FILING - none**

**CASES**

**Case PZ 23-04-01**

**Site Plan Review for Signage**

**For Review and Determination**

**Address:** 505 West Ave (PN 6010716)

**Applicant:** Heather English, Apex Pinnacle Services

**Owner:** Hutton Tallmadge OH ST LLC

Mrs. Hussing gave a summary of the case.

The representative for the case, Michael Holsman (Apex Pinnacle) gave more information on the case according to the submitted plans.

---

*DISCUSSION*

Mr. Larson: The difference between the square footage allowed and the square footage you're asking for is pretty significant. I had a chance to drive by the facility on Manchester Rd and there is nothing on the front of that building at all. So, to me the signage above the doors makes sense... but you've got a monument sign at the entrance of the facility on West Ave that's very visible in both directions. You're going to have something up top by South Thomas Rd and that's quite a bit of signage already, so I think there's really a challenge to go that far over. I think we need to trim it back.

Mr. Holsman: The most important sign of the 4 requested is the car wash sign over the east elevation, over the actual car wash entry. So, ModWash would forfeit the 2<sup>nd</sup> ground sign if we can go ahead with the sign at the South Thomas Rd entrance.

Mrs. Hussing: That's not how it works.

Mrs. Oliver: My initial thought is, the drops and the car wash signs are not as critical, in my opinion, to the operation as some of the others. Those 3 I have the problem with.

Mr. Ryder: There's also the ground mounted sign by West Ave.

Mrs. Hussing: I think what they are trying to do is make it more visible coming from west to east and that's why that car wash sign is there.

Mrs. Hussing: As for the directional signs, they've met the code and that is not part of the calculation.

Mr. Heilmeier: Going toward Brittain Rd, I could see why they would need the car wash sign above the entrance. I don't see why they would need one on the exit. The cars are already in there. Plus they have the big sign on that side of the building anyway. I wouldn't be opposed to that one but I don't think they need one on the other end of the tunnel.

Mr. Ryder: When you're going towards Brittain Rd, you already have the ground mounted one at the entrance, so you know where the entrance is. Why do you need a car wash on the east side of the building? I don't know about the drop on the building. It's already on the sign facing north and south so that's kind of redundant.

Mr. Larson: Our code says a business like this is allowed to have 2 signs and you're asking for 6. Same with square footage. What you're asking for is in excess of what's allowed so we have to make a determination whether or not some or all of the excess should be granted.

Mr. Holsman: Ok, the tear drop is part of the logo and not as important as the verbiage on the building so if we could at least get the one over the entrance, the west elevation, that would be very nice. Like I said earlier, if we could get that sign, they would be willing to forgo a possible 2<sup>nd</sup> monument sign, if any of that helps.

Mr. Larson: The monument sign doesn't have anything to do with this discussion. I think the tear drops are a pretty big piece, 128 square footage of signage not really directing anybody or telling anybody what the building is and the logo is already encapsulated on the tower with the 2 pieces. So, by eliminating the 128 sf, that puts it less than 100 sf of signage. That puts it a little bit closer to what we allow. I kind of like the car wash over the entrance and

exit because it adds a little balance and it signifies coming and going what the building actually is so I think those are more important than the tear drops.

Mrs. Hussing: I believe the applicant is willing to forgo the teardrops and I believe he said he only wanted the entry side sign...

Mr. Holsman: That's the most important one.

Mrs. Hussing: So if they only request that one, the total square footage of the wall signs would be 71.34 which then the variance request would only be for 11.34 square feet.

Mr. Larson: And also would drop it down from 6 to 3 signs. With your knowledge of the company, is that something they would be willing to compromise on in order to get the rest of the signage on the building?

Mr. Holsman: I believe that would be acceptable.

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

**I move to approve the Site Plan Review Application, Case #PZ 23-04-01 for a site modification to signage, applicant Heather English, Apex Pinnacle Services, owner Hutton OH ST LLC at 505 West Ave, based upon the application & plans submitted March 22, 2023, to the Planning & Zoning Department subject to the following conditions, modifications and/or amendments based on the evidence presented:**

**1. Based on the evidence that:**

- a. The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.**
- b. There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.**
- c. The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought and will not materially impair the purpose of this Zoning Code.**

**The following variance is granted:**

- 1) From Sections 1108.05 A (8) and 1108.11 E (2), where the maximum size area for wall signs is 60 square feet, to allow 71.34 square feet of sign area;**
- 2. That the illumination of all signs complies with the standards as listed in Section 1108.05 F Sign Illumination;**
- 3. That all installations are met and approved by the Summit County Department of Building Standards; (and)**
- 4. That any temporary signage comply with the City of Tallmadge Sign Regulations in the Zoning Code.**

*Discussion*

Mr. Larson: Based on the conditions and modifications, I think we've looked at that and we're still allowing the variance for the signage so I guess the strict application and provisions of the zoning code... we've covered that.

Mrs. Oliver: I feel that allowing them to continue moving forward with the sign over the entry is significant enough to assist them in their quest to be more consistent with other facilities. So, I'm

pleased that they are willing to make these modifications because I definitely felt that what we saw initially was very excessive considering what our code states.

All members present voted in favor. (4-0)

**Case PZ 23-04-02****Site Plan Review****For Review and Determination**

**Address:** 2 East Ave/23 Southeast Ave (PNs 6004952, 6004951, 6006783, 6006785)

**Applicant:** Bob Bumbarger, Larsen Architects

**Owner:** Michele Miller for McDonalds Corp LLC

Mrs. Hussing gave a summary of the case.

The representative for the case, Bob Bumbarger, gave more information based on the submitted plans.

*DISCUSSION*

Mr. Larson: Do you have any knowledge of how many vehicles at peak time are stacked at the drive-through window?

John Blickle approached the podium to speak.

Mr. Blickle: We run about 83% of our business through the drive-thru windows. What we've experienced over the years is that in a 2-lane drive-thru, you could probably have a maximum of 15 total cars in 2 lanes and the average serve time is under 2 minutes and so you never really stack more than 7-8 cars per lane for 2 lanes combined for 15 cars.

Mr. Larson: What do you do with the overflow?

Mr. Blickle: *Refers to site plan shown on screen*-There are 18 cars on this proposal, so 9 cars per lane. I wish I would see 9 cars per lane, but I don't. This is the very first restaurant in the United States that had 2 lanes of drive-thru. Since 1988 we've run this as a 2-lane restaurant. We've never experienced a stack problem unfortunately. I would love to, but I'm not getting it.

Mr. Ryder: Can we discuss signage?

Mr. Bumbarger went over the signage according to the submitted plans.

Mr. Larson: The area by the handicap, that's just an open area?

Mr. Bumbarger: Yes, it is.

Mr. Larson: That would not be suggested to add any parking spots in there?

Mr. Bumbarger: I would not want to add any parking spots there. I know that we are under parked per the code but I can tell you, we are over parked for McDonalds.

Mr. Larson: If you're saying that only 17% of your patrons go into the building, the parking is not going to be an issue.

Mrs. Oliver: I see no issue with the variance for parking, as far as location and setback, due to the nature of this parcel, I don't see what else you could do, so I see no issue there. As I go back to the signs, you're only 42 sf over what the max area for the walls sign is. Now there is 5, however the nature of this parcel lends itself to additional signs and the fact is we could

have 1 large obnoxious sign that's over or we could split it up 5 ways and only be 42 sf over so I guess from that standpoint, I'm good with the signage. Was there something else...?

Mrs. Hussing: You did not submit a landscaping request because you were changing...

Mr. Bumbarger: Not sure how to do this but we will meet all the requirements that are listed there. So, the previous submittal had issues, had variances requested so we are trying to do it with no variances for any of those. I did have my landscape architect finish up the drawings so all those areas that needed to be planted have been. I have some copies if you want to look at them now but I believe were meeting all the zoning requirements and our goal is to have no variances for landscaping.

Mr. Larson: Ok, 2 questions. There was something regarding the strip between Arby's property and your property and that was going to be changed.

Mr. Bumbarger passed out the new landscape plan.

Mr. Bumbarger: I tried to bring attention to the changes from the original to the new plan.

Mr. Larson: On one of the plans (Sheet C1), on the righthand side of the drive-thru lane there was a curb, there was a section that was delineated that separated the parking lot from the drive-thru lanes. It was requested that there be some type of screening...

Mr. Bumbarger: John, how do you feel about that?

Mr. Larson: There is a similar situation at an existing business off the circle and they have that same structure and they put in grasses or something in. I think that's what's being requested.

Mr. Blicke: So it's essentially a concrete island so the cars don't roll into the drive-thru lane.

Mr. Larson: Can something be planted in the island?

Mr. Blicke: It's a very difficult area to plant and also people would have to walk through the planting to get to the restaurants. My preference would be to keep it concrete. I think that's going to be impactful to the transit from those stalls to the restaurant. If it's grass, it's going to be beat up and worn down by people walking across it.

Mr. Heilmeier: What about pea gravel or something, with a few plants?

Mr. Blicke: I'll do whatever you want, I'm just giving you the factual considerations. What we've been using is either pea gravel or river rock or in some cases broken up shale, which is really attractive but very expensive. Any kind of plantings, I'm worried about how long they would last. Just thinking out loud, but maybe a dwarf tree of some nature? They would grow and not be disturbed by people cutting across. There is 75 Nordic Hollies between us and Arby's.

Mrs. Hussing: I think the only screening that was required was by the menu boards and they have provided that on their plan. It would be impossible for them to put screening outside that stacking lane because it will be in the way of the 20 ft turn radius. I think having landscaping between the parking and the stacking lane, as Mr. Blicke said, I don't think that is a good idea.

Mr. Bumbarger: We did propose it in the South, where it says grass, we did try to screen at least from the road to the drive-thru.

Mr. Larson: Is the new entrance going to be where that existing storm drain is? Will that have to be moved?

Mr. Bumbarger: Yes, that will have to be worked out with engineering.

Mr. Larson: Has the lighting issue been addressed?

Mr. Bumbarger: We will comply with any of the lighting requirements that are addressed. I think the lighting plans you have are not compliant but we will comply with anything.

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

I move to approve Site Plan Review Application for Case PZ 23-04-02, applicant Bob Bumbarger, Larsen Architects and owner McDonalds Corp LLC at 2 East Ave/23 Southeast Ave (PNs 6004952, 6004951, 6006783, 6006785) for a new build with accessories based on the application and plans submitted March 23, 30 and April 4 & 6, 2023 to the Planning & Zoning Department, subject to the following approvals, conditions, modifications and/or amendments, based on the evidence presented:

1. A Certificate of Appropriateness is granted by the Architectural Review Board;
2. Based on the evidence that:
  - a. The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.
  - b. There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.
  - c. The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought and will not materially impair the purpose of this Zoning Code

The following variances are granted:

- (1) From Section 1103.12 k, where the front build-to line or zone is within the 10ft to 30 ft and no larger than the lesser of the existing building setbacks of the side adjacent parcels to allow a front setback of 57.8 ft on East Ave, 71.8 ft on Southeast Ave and 103.8 ft on Tallmadge Circle;
  - (2) From 1105.05 where the minimum parking requirement is 60 spaces, to allow 53 spaces;
  - (3) From 1104.08 F (2), where the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right of way, to allow the drive-through area to be located as presented on the plans;
  - (4) From 1104.08 F (5), where any building with drive-through use shall have a prominent entrance facing each street upon which it has frontage, to allow the location and orientation as presented on the plans;
  - (5) From 1104.08 F (7), where stacking lanes shall not be located between the building and a street and may not be located in a required front yard, to allow the drive-through area to be located as presented on the plans;
  - (6) From 1108.12, where the maximum number of permitted wall signs are 1 per tenant, allow 5 wall signs; and
  - (7) From 1108.12, where the maximum size for wall signs is 60 square feet, to allow 102 square feet.
3. Hours of construction shall comply with city ordinances;
  4. Approval by Summit County Department of Building Standards;
  5. Approval by Tallmadge Fire Department;

- 6. Stormwater and Water Quality review and approval by the City Engineer and Summit County Soil & Water Conservation District;
- 7. A Long-Term Stormwater Maintenance Agreement with the City is to be completed;
- 8. An easement for the stormwater basin is recorded at the County;
- 9. An easement for the sidewalk and landscaping installed on City property is recorded with appropriate maintenance agreement;
- 10. Lighting Plan with Photometrics review and approval by the City Engineer;
- 11. All utility plans, connections and inspections subject to City of Tallmadge construction standards by review and approval of Public Service Department;
- 12. Foundation plantings have non-combustible mulch material within 3 feet of the building wall.
- 13. Appropriate curbs, parking blocks or other devices shall be installed to separate landscape areas from sidewalks and/or parking areas.
- 14. A Maintenance Bond in the amount of 10% of the estimated cost of landscaping must be posted and held for a period of 2 years;
- 15. A Performance Bond for landscaping if not installed due to unforeseen circumstances or inclement weather.

All members present voted in favor. (4-0)

**Case PZ 23-04-03**

**Site Plan Review**

**For Review and Determination**

**Address:** 280 Progress Blvd (PN 49-019-00-00-011-021)

**Applicant:** Russell Henestofel, EMH&T

**Owner:** Stream’s Edge Properties, LLC Mayor Kline gave a summary of the case.

Mrs. Hussing gave a summary of the case.

The representative for the case, Russell Henestofel, added more information according to the submitted plans.

*DISCUSSION*

Mr. Larson: Is the next phase going to add to the parking deficiency or cover it?

Mrs. Hussing: It will have to be reviewed again because the building will be expanded it will have to be recalculated at that time.

Mr. Larson: Is the salt dome a prefab building?

Mr. Henestofel: It is set on concrete blocks and has a metal frame with canvas on the top.

Mr. Larson: You would expect that if there is salt on the ground and with rain, you're going to get some leaching.

Mr. Henestofel: That’s correct.

Mr. Larson: Is there any containment?

Mr. Henestofel: We have the swale that’s right behind this, which is rock lined, and then it goes into the first catch basin which has what is known as an Enviroshield.

Mrs. Oliver: I think the explanation you gave for each variance is sufficient, in my opinion, to approve each of those.

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



To approve the Site Plan Review Application for Case PZ 23-04-03, applicant Russell Henestofel, EMH&T and owner Stream’s Edge Properties, LLC at 280 Progress Blvd (PN 49-019-00-00-011-021) for operations expansions, which includes additional parking, tractor/trailer parking, accessory structure with patio, dumpster enclosure, salt shed, landscaping, lighting and future building expansion based on the application and plans submitted March 23, 27, 28 & 30, 2023 to the Planning & Zoning Department, subject to the following approvals, conditions, modifications and/or amendments, based on the evidence presented:

1. Hours of construction shall comply with city ordinances;
2. Approval by Summit County Department of Building Standards;
3. Approval by Tallmadge Fire Department;
4. Stormwater and Water Quality review and approval by the City Engineer and Portage County Soil & Water Conservation District;
5. Approval by the City Engineer for the Salt Storage Structure;
6. A Long-Term Maintenance Agreement with the City is to be completed;
7. Lighting Plan with Photometrics review and approval by the City Engineer;
8. All utility plans, connections and inspections subject to City of Tallmadge construction standards by review and approval of Public Service Department;
9. A Maintenance Bond in the amount of 10% of the estimated cost of landscaping must be posted and held for a period of 2 years;
10. A Performance Bond for landscaping if not installed due to unforeseen circumstances or inclement weather;
11. If there is any deviation from the development plan for the future building expansion, a site plan review application is submitted for review and determination by the Planning & Zoning Commission;
12. Based on the evidence that:
  - a. The strict application of the provisions of this Zoning Code would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Zoning Code.
  - b. There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use or development of the property that do not apply generally to other properties or uses in the same zoning district or neighborhood.
  - c. The granting of such variance will not be of substantial detriment to the public interest or to property or improvements in such district in which the variance is sought and will not materially impair the purpose of this Zoning Code.

The following variances are granted:

- i. From Section 1105.05, where the minimum parking requirement is 166 spaces, to allow 134 spaces, of which 115 are existing;
- ii. From Section 1104.03 H, where the maximum height limit of an accessory structure is 20 feet, to allow a height of no greater than 25’-8”;
- iii. From Sections 1106.05.E.(3) and 1106.05.F, to delay the installation of the required screening for the planned snow scraper until the future project expansion of the building, tractor/trailer area, and employee parking occurs.

All members present voted in favor. (4-0)

**Case PZ 23-03-01**

**Amendment to the Zoning Text**

**Applicant:** City of Tallmadge

**Zoning Text:** Title 08 Signs

**Public Meeting:** April 6, 2023



Mrs. Hussing gave a summary of the case.

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

**I move to continue this to the next meeting.**

All members present voted in favor. (4-0)


**ADJOURNMENT**

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

All members present voted in favor. (4-0)

Meeting adjourned at 8:43 pm

Respectfully submitted,

  
\_\_\_\_\_  
Kelli Funk, Secretary

  
\_\_\_\_\_  
Patrick Larson, Chairman

*Full audio recording of meeting is hereby incorporated as part of meeting record.*