

Twinsburg Township Zoning Commission – Regular Meeting

Tuesday, August 11,

2020

Chair Harris called the meeting to order at 7:00 PM and noted that the meeting was being video-recorded, and that a copy of the recording will be available for public inspection at the Township offices. *Because Township Hall remains closed to the public due to COVID-19, public attendance at the meeting cannot be permitted. The meeting will, however, be live streamed on the Township's website, and the public is encouraged to access the meeting on the Township's website Live Stream web page, www.twinsburgtwp.com/livestreamingvideopage.aspx, and to provide comments as outlined below. All documents are on file and available for public inspection.*

Mr. Kagler called the roll. Present were Keith Harris, Dan Richner, Everett Waite, and Matthew Woods. Don Marshall, Karlie Newton II, and Franklin Myles were absent. Township Manager Rob Kagler was also present.

Swearing In of New and Reappointed Members.

Chair Keith Harris swore in Matthew Woods as an alternate of the Zoning Commission with a term ending December 31, 2020.

Approval of Minutes.

Mr. Richner moved and Mr. Waite seconded the motion to approve the minutes of January 7, 2020 regular meeting. Upon roll call the motion passed unanimously.

Old Business.

New Business.

Mr. Harris opened the discussion regarding proposed text amendments and a conceptual site plan submitted by the Interchange Mixed Use (IMU) District majority property owner for informal consideration by the Commission.

Mr. Kagler provided a brief history regarding how the IMU District was established in 2008. The IMU District consists of approximately 100 acres of property on the east side of Hadden Road, 40 acres in the Township and 60 acres in the City of Twinsburg, and was created as an underlying office, technology, and research district. This district is considered to have less intense uses than heavy industrial uses. Additionally, the IMU District also included a provision specifically for a fashion shopping mall use. However, due to the recession which began in the fall of 2008, the types of uses intended for the property within this district were not feasible. Mr. Kagler mentioned that majority property owner, Dr. Bahman Guyuron, his associates, and potential buyers have proposed different uses for the property, throughout the years, including commercial and residential. However, none of the proposals have come to fruition. He said that presently Dr. Guyuron has a proposal for the development of this property, which would require an amendment to the IMU District. Mr. Kagler briefly reviewed the proposed text amendment to include warehousing in the district, and the conceptual site plan illustrating how the property could be developed if the proposed text amendment were added.

Mr. Kagler contacted Dr. Bahman Guyuron (applicant), Majeed Makhoulouf (attorney), and Gary Biales (colleague) via telephone.

Dr. Bahman Guyuron commented that multiple uses have been researched and explored for this property during the past 12 years and for different reasons, such uses have not culminated with development. He expressed his sensitivity to being a good neighbor and

Twinsburg Township Zoning Commission – Regular Meeting

Tuesday, August 11,

2020

the effort to put forth a plan which addresses any potential issues the Township may have. Dr. Guyuron mentioned that the City of Twinsburg is interested in land suitable for industrial development, but he is interested in working with the Township regarding the development of the property. He also noted that regardless of how the property is developed in the future, the financial loss has been extremely significant and, he is seeking a means by which he can recoup some of his lost investment. Dr. Guyuron conveyed his hope that Township and Zoning Commission can work with him regarding the development of this property.

Majeed Makhlouf, attorney with Berns, Ockner, and Greenberger, LLC, mentioned that while feedback is being sought from the Zoning Commission, the presented proposal is not a hypothetical situation, but one under serious consideration. He stated that he believes this proposed warehousing use is less intense than the uses allowed under the current zoning. Mr. Makhlouf also noted that since this property is the only land zoned as IMU District in the Township, then the proposed text amendments would only affect this property. He reviewed the proposed text amendment and offered to answer questions from the Commission.

Mr. Richner asked for clarification regarding how the proposed building height of 60 ft. would relate to the elevation of Hadden Road.

Gary Biales, colleague of Dr. Guyuron, answered that the property does slope down and since the first floor elevation of the building is approximately 15 ft lower than Hadden Road, a buffer which consists of a 10 ft. mound with 15 ft trees was included in the proposal. The building would not be visible from the road.

Dr. Guyuron added that the location of the building would not be contiguous to residents, but the parking lot which would be adjacent residential properties would not be visible from Hadden Road due to the mound and trees.

Mr. Richner asked if the proposed text consists of generic language or in anticipation of specific uses.

Mr. Biales responded that the language is based documentation from similar projects, which were permitted in other jurisdictions.

Mr. Waite commented that the proposed language seems to be limited to proposed uses that are clean and relatively quiet, and not including heavy manufacturing. He also mentioned that it would provide some flexibility for other uses to meet the general limitations.

Mr. Biales stated that the proposal is intended to permit clean uses, such as warehousing for storage and distribution, and possibly assembly, but not manufacturing.

Mr. Richner questioned the architectural design of the building, given that it will have a visual impact from roads and highways in the City of Twinsburg.

Mr. Biales noted that a zoning text change is currently being sought. He mentioned that at the point when development will be occurring, the plan is to work with the Township for the submittal of site plans with renderings and landscape plans. However, the zoning needs to be in place before the architects begin working on a proposal.

Mr. Richner ask Mr. Kagler if the Commission will have the ability to deal with the visual impact later.

Twinsburg Township Zoning Commission – Regular Meeting

Tuesday, August 11,

2020

Mr. Kagler replied that when the IMU District was initially drafted, the fashion center use was considered as the most intense use, so the Zoning Commission and the Board of Trustees decided to add review procedures and architectural requirements. He stated that although the applicant may propose a text amendment, he recommended that if it were to be approved, to add a similar type of review procedure for that use, as it had done for the fashion center use. Mr. Kagler summarized that the Commission could have a role in the process, provided that the proposed text amendment by the owner were to be amended to include such a review procedure.

Mr. Harris commented that at the time the IMU District was drafted, the Commission and Board included a very specific list of permitted uses. He questioned what has changed for the Township to make what is currently proposed necessary.

Mr. Biales responded that when the IMU District was established, a great recession followed, and the fashion shopping center use was affected by other factors, including online shopping. He also stated that the economy and needs of the market changed. Mr. Biales noted that several attempts have been made throughout the years for development, but none have been successful.

Dr. Guyuron reiterated the comments made by Mr. Biales regarding the attempts to develop the property. He is hopeful that he and the Township can work together to make this a successful endeavor for all.

Mr. Harris asked if Dr. Guyuron's team would be the developer of the property, or if it would be sold for someone else to develop.

Dr. Guyuron replied that he would not be the developer of the property. He said that he has a buyer that would develop the property and noted that this was the developer's area of expertise.

Mr. Woods expressed concerns for adjacent residents regarding the time frame proposed for auxiliary and related uses.

Mr. Biales responded that due to the requirements of a distribution use, 24-hour operations are a core requirement for such a use. He mentioned that based on his experience from other projects, the impact is not as expected. Mr. Biales cited that the provisions made for traffic, the building location, and the type of use reduces the impact on the community.

Dr. Guyuron noted that there is a significant buffer area which reduces the community impact. He mentioned that steps have been taken to minimize the effect on the adjacent community.

Hearing no additional questions from the Commission, Mr. Kagler asked if the applicant had any closing comments.

Dr. Guyuron reiterated the enormity of the financial impact suffered due to the property not being successfully developed. He said that for the first time there is an opportunity for development, and he hopes for cooperation from the Township. Dr. Guyuron thanked the Commission for entertaining this proposed text amendment.

Mr. Harris and Mr. Kagler thanked Dr. Guyuron and his team for their participation during the meeting.

Twinsburg Township Zoning Commission – Regular Meeting

Tuesday, August 11,

2020

Mr. Richner noted that it has been a difficult situation for a long time, and although he is not ready to approve, he believes it is something the Township should consider.

Mr. Waite agreed with the applicant regarding a mall not being a feasible option. He also commented that the new warehousing facility in Glenwillow, which buffers against a residential street, is relatively quiet.

Audience Participation.

Announcements.

ZC Regular Meeting – Tuesday, October 6, 2020 at 7:00 PM

Adjournment. *Hearing no further business Mr. Waite moved and Mr. Woods seconded to adjourn the meeting at 7:56 PM. Upon voice count of all eyes the motion passed unanimously.*



Keith Harris, Chair



Robert S. Kagler, Township Mgr.

Approved on: October 6, 2020