



Zoning Commission Meeting Minutes

1454 Rome Corners Road, Galena, OH 43021

July 11th, 2024, 7:00 p.m.

Call to order: Jon Kerr, called the meeting to order at 7:01 p.m.

Determination of a Quorum/Roll Call: Members present were Jon Kerr, Austin Slattery, Philip Pifer, and Matt Allen. Also present were Zoning Inspector David Weade and Meeting Secretary Alison Newton.

Motion to approve the minutes: A motion was made to approve the meeting minutes from June 6, 2024, with corrections by Austin Slattery, seconded by Jon Kerr. The motion was approved with corrections 4-0 vote.

Announcements: Our meeting this evening will conclude at 9:30 pm. Any unfinished business will be continued to August 1st, 2024, at 7 pm at 1454 Rome Corners Road, Galena Ohio 43021.

Statement of policy: As is the adopted policy of the Berkshire Township Zoning Commission, all applicants will be granted an opportunity to make their formal presentation. Following the applicant's presentation preliminary questions or points of clarification from the commission will be allowed. The audience will then be granted an opportunity to comment. Each individual will be granted three minutes. We ask that you be brief and to the point. The Chairperson may limit repetitive comments and close public comments after a reasonable time. The commission will ask questions and take action if needed.

New business:

Application # 24-136 Vocon Partners LLC Mercedes Dealership. PMUD request.

Steve Cockler, here on behalf of the applicant, provided a history of their business, location mapping, ownership of the property, and provided an introduction of their team including the architect (Paul Sierko), the civil engineer, (Mike Reeves), and their landscape architect (Todd Farris). He told the commission that they hope to start construction this fall, and open next year in their new, state of the art, dealership. This dealership will have about 60 employees, have sales of \$5-10 million dollars a month, and a robust service department.

David Weade provided clarity on the existing zoning being agricultural, and the Zoning Commission will make the final decision on if the re-zoning to PMUD is granted.

Paul, architect of the project, mentioned this is the first type of Mercedes building in the United States and began to describe the building. He used pictures to indicate where the show room, service area and other features will be located while providing detail on landscaping. His presentation included depictions of a highway sign, a 'Welcome to Berkshire Township sign', and other Mercedes signage. He acknowledged that they have asked for a divergence, which would include a 65ft sign so individuals could see the sign from interstate 71. He then presented the layout of the site; they are developing only a small portion of the land on the corner of 36/37 and

Wilson Rd that will feature a turn lane. There is also a retention pond and dedicated open space that he showed on the map. Further, he showed images of the elevation of the building, and the front of the building, and described construction materials that will be metal, glass and stucco. Paul then showed the floor plan with the showroom, the front of house spaces, and the shop with detail center. Then, he presented the roof plan, and highlighted that the sightline will not show any of the air conditioning units housed on the roof.

Austin asked a question about the side of the building and what that would look like, and asked if they could make the part of the water table a slightly darker color, Paul explained the existing decision was made by Mercedes and their German team. Steve mentioned that is something they could investigate while also indicating that the landscaping along that area would cover some of the building façade.

Todd Farris, landscape architect, mentioned that the building and landscape design is directed by the German Mercedes corporate team. He referenced the photo in the presentation and described the landscaping, noting the white concrete bollards that prevent vehicle theft, and that there will be landscaping placed to screen those. Additionally, he mentioned that the trees on the map are in groups and are meant to complement the architecture. He showed the employee parking lot and referenced the landscaping on the islands with trees. He referenced evergreen shrubs that would cover the base of the building which was a reference to Austin's question about the water table section of building.

Mike, civil engineer, presented the commission with the letter from DelCo water that was not originally in their application packet. He provided some context of the road improvements that would be done. They would extend the merge lane on Route 37 east to their east property line. A right in right out private drive from Route 37 would be installed east of their proposed building. David asked Mike to add more clarity to this part of the presentation and Mike provided context with images.

Jon asked about the traffic pattern, and asked if there was a panel in their book that depicts the turn lane. Mike referenced page C3. He showed the new pavement that will pick up the existing second lane and the right drop. He mentioned the engineering permit that will be completed per ODOT regulations.

Jon asked about the pylon sign, he said there were details missing in the application. He thought the application was well put together but regardless, thought the sign was likely not needed when clientele would be coming to the dealership purposefully, not spontaneously after they see a large sign off the highway.

Steve addressed the question and said it was under the allowable package regarding square footage. Regarding the height, he mentioned the Mercedes customers that would be coming would be a little older in age and would like to be able to use the sign to help people to navigate to the area. This group might be navigating by verbal instruction rather than GPS. Also, he believed that this is positive branding for the area, the existing signs (Burger King, Cracker Barrel) would be next to Mercedes, which would result in positive branding of the whole interchange. Paul explained they are under their allowable square footage and that the sign just has a slight glow to it, and he provided a picture. David asked if the square footage information on the sign package they presented could be added to the application.

Matt also expressed concerns about the PMUD and commercial development while granting a divergence for the first commercial building in recent years. Steve said that this sign was critical to their business and offered a compromise at 50ft high from a visibility standpoint. Jon asked David if regional planning has addressed signage from the freeway. David said they could grant a divergence for the sign for marketing and referenced the Camping World sign. Austin asked about a picture that depicted a star on the building with an extended vertical wall, and if that could be an option. Steve doesn't think this would work because they could not get approval from their German corporate team. Paul said that this building is a newer design, so they would not like that tall wall, and reiterated that the German Mercedes team dictates the features of the building.

Philip asked Steve if this sign would even be visible from 71N, Steve thought the line of sight would be fine, especially with the Burger King sign. Steve provided more explanation about the importance of the signage.

David explained to the commission that this is a unique intersection in between two truck stops, and the sign might be justified.

Jon mentioned another concern about the divergence, the red track lighting around the AMG signage. Paul said this is just a glowing recessed light in the metal panel that is flush. Jon asked the width of the red light, and Paul said 2 inches.

Jon referenced page 6 of the development plan and a lack of clear responses to the questions. He illustrated his point on page 8, with a lack of text. Though there are references to diagrams and pictures, he expressed concern about the lack of text in response to the questions in the application. He also mentioned concern about the wetlands that would be covered by concrete. Steve responded to these concerns and said they could provide text. In response to the wetlands concern, he asked Mike to explain. Mike explained that they will go through the EPA to remove those from the site which requires mitigation, and the developer will do this as required by the EPA.

Matt asked about 75% of the space being open, of the 24.4 acres. Paul adds that they have 75% open space, and that there is space dedicated to being open for future development and they will comply with the township regulations.

Matt asked about the lighting, Paul said the lighting would be dimmed after business hours and showed pictures that illustrated his point. Steve mentioned that they need lighting from a security standpoint as well. Jon further asked about a region of the building that has much higher illumination, Paul explains this area is for employees and security standpoint. Steve further explains that this area is adjacent to an empty lot, from a security standpoint that is a high-risk area and could be dimmed in the future when the area gets developed.

Austin asked about the two photometric maps. The first meets the township requirements and the second meets Mercedes requirements. Austin asked about the lighting levels and when they would be turned down, the applicants explained that the lighting levels will go back down at 11p.m. Austin asked about enforcement of these lighting plans, and Steve mentions the township and zoning inspector would be responsible for this and that they would be a good corporate partner and follow what they say they will follow.

Jon asked if there were any comments from the public, Tony Lonigro made a comment about the request for the deviation for the sign (65ft) being excessive. He thought the commission should consider a lower height sign.

Jon asked about page 9#18, and the colors to be used in the building and if they could provide physical samples. Paul said that they could do that. Jon asked about the parking and loading plan and the employee parking area specifically. Paul said there would be 110 parking spaces for an estimated 60 employees with the option for growth in the future. He offered to provide the calculation and clarify text in the application.

Jon asked Todd if there was a landscaping calculation to show if it meets code, Todd said there should be one in there, but if it is not, they will add it. Jon asked about page 16 and waste removal from car services, he said he was looking for more specific information on that. Steve said there are many federal regulations on the waste removal process, and they can add more clarifying information in the application.

At about 8:55p.m. David mentioned that there is some homework that needs done on this application and that the continuation to another meeting would be acceptable. They would have time to complete their necessary changes and resubmit the modifications to the township by July 22nd, 2024.

Jon made a motion for a continuation of this application to the next meeting of the commission which would be

Application # 24-124 Berkshire Township Zoning Resolution changes to Article 17

Public Participation:

Jon made a motion for a continuation of this application to the next meeting of the commission which would be held on August 1st, 2024. Phillip seconded. Motion passed 4-0.

Adjournment: Motion to adjourn made by Andy Kerr at 9:16 p.m. Seconded by Phillip. Motion passed 4-0.

Zoning Inspector

Meeting Secretary

Date

Zoning Commission Members