

Bath Township Zoning Department

Appearance Review Commission

Bath Township, 3864 West Bath Road, Bath, Ohio, 44210, Phone: 330.666.4007

Case #
Meeting Date
Site Name
Site Address
Applicant
Type of Review

Site Plan Elevations Photographs Landscaping Illumination

Presentation Comments
10/3/11 Review: Applicant, Ms. Moore, gave a recap of the proposed project for the Circle K Gas Station. Applicant is still planning to add the Beer Kave, renovate the interior of building, dumpster will be moved and enclosed with fence and a gate, remove one propane gas dispenser, guardrails will be removed and some of it replaced, pay phone stand will be removed and the parking and walkway fixed and stripped. Applicant is planning on adding LED lighting around perimeter of building and repaint the yellow transom siding. Existing gable roof will be extended over side entrance and pillars added on each side. Repainting of existing split face block on exterior will also be done.

Mr. Konstand, township attorney, updated the Commission on the communications they have had with Circle K's Corporate Offices. His letter outlined the proposed interior remodel and the addition of the Beer Kave. One of the propane sales displays will be removed and the other moved to the southern wall. Wood sales will be removed and sold inside. The exterior soffit lights will to be covered by plastic and the canopy over the existing gas dispensers repaired. Driveway and parking area will be repaired and striped and new storm drain to be added. Concrete asphalt paving will be repaired/replaced to eliminate ponding and the asphalt paving will be sealcoated. The mansard roof will be painted to match existing paint on the split face masonry. Canopy over existing door to be added and matched to existing building and roof. Trash containers will be moved and fenced in and the old guard rail on the north side of property shall be removed. The former pay phone pole shall be removed and existing bollards and fencing shall be straightened and repainted if necessary. Advertising on top of gasoline dispensers shall be removed. Second letter said that the LED strip lighting location and specifications be reviewed by the Zoning Administrator. With regard to subsurface storm dtainage, all new work will be done to allow surface drainage to flow into existing storm drains. Trash container will be fenced and gated. Advertising on gasoline dispensers is part of the Circle K brand for fuel and will have to remain but they will remove the "pump toppers" advertising for monthly specials.

Mr. Konstand stated that if these conditions are met the township will support these changes at the upcoming Board of Zoning Appeals meeting.

Commission Comments

Martha Ferch, Deputy Zoning Inspector _____

Bath Township Zoning Department

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Above information is needed for review by the ARC for comments.

Decision

Partial approval, submit more information

Motion by

Boltz

Seconded by

Moats

Number of aye

4

Number of nay

0

Motion carried

Yes

Martha Ferch, Deputy Zoning Inspector



Wednesday, October 05, 2011

Page 6 of 6



BATH TOWNSHIP

Summit County, Ohio

May 13, 2011

Susan Moore, Project Architect
Arkinetics Inc.
3723 Pearl Road
Cleveland, Ohio 44109

Re: 2nd review: building addition and site plan, Circle K, 791 N. Cleveland-Massillon Road – B-1.

Dear Ms. Moore:

Following are the Appearance Review Commission comments on the possible renovation to the Circle K gas station located in Ghent:

1. At our initial meeting with you, we expressed the need to have Circle K be a “good neighbor” of Bath and follow our Design Guidelines for the exterior and site renovations/improvements. We were told they understood what we were looking for and had examples of renovated gas stations in other states that reflect our design sensitivity. We also discussed cost-effective ways to improve the building and site.
2. Their final proposal was very disappointing. Minimal site improvement, only a coat of new paint on the current exterior of the building and a gabled canopy of the existing doorway, which doesn’t compliment the current mansard roof.
3. This property is an anchor to the Ghent area and many areas of improvement need to be addressed:
 - a. Building exterior:
 - i. Add low maintenance clapboard-type siding over existing brick.
 - ii. Add low maintenance trim around windows, doors and corner boards.
 - iii. At least, install a new mansard roof to replace old shingles.
 - iv. Remove posters and stickers on windows.
 - v. Replace existing neon light strips with energy efficient light fixtures.
 - b. Site work:
 - i. Repave the entire parking lot to improve walk-ability of patrons and remove standing water.
 - ii. Replace damaged guardrails with low maintenance privacy fencing.
 - iii. Remove all unused bollards and posts on site.
 - iv. Re-landscape existing areas and around the pay phone area.
 - v. Review where their storm water run-off is going (To Yellow Creek?).

The Appearance Review Commission believes Circle K should come back with an overall improved renovation proposal. Please remember this property is within the riparian setbacks. Why would we approve this minimal renovation when it fails to meet our Design and Riparian Guidelines?

Please contact me to further discuss.

Regards,

A handwritten signature in cursive script that reads "Timothy Franklin".

Timothy Franklin, Chairman
Appearance Review Commission

Enclosures

Bath Township Zoning Department

Appearance Review Commission

Bath Township, 3864 West Bath Road, Bath, Ohio, 44210, Phone: 330.666.4007

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Meeting Date
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Site Plan Elevations Photographs Landscaping Illumination

**Presentation
Comments**

1/3/11 Review: Applicant presented proposed renovations and addition for the Circle K gas station. Station is owned by Circle K and they follow their corporate guidelines for renovations of their gas stations. They are requesting to put an addition on to the back of the building for the enlargement of the Beer Kave. An interior demolition plan was outlined along with a new interior layout of store. The Beer Kave will have its own entrance and access to the walk-in cooler. Checkout counter will be moved to the right side of building where existing entry doors were and new storefront entrance doors will be placed in front of the building. The store front and side will be reworked as required to move entrance doors. The exterior masonry wall will match existing materials and finishes and new windows on side will match existing store front windows. The Mansard roof will be covered with new vertical metal fascia with stiping and a 4'x4' sign above the new front entrance. Colors on building will be a medium dark taupe at the bottom, a red stripe below the windows and rest of building to be a lighter taupe color. A new concrete sidewalk will be placed in front of store. No changes to pumps, lighting or landscaping on site.

5/2/11 Review: Applicant presented slightly revised plans for the gas station. Existing side doors to remain and a gable addition to be added to entrance with square fiberglass columns and an unlit square Circle K sign on the gable. Existing mansard roof and front windows to remain, split face block on building to be painted a medium beige, new paving and stripping of paved areas and the guardrail will be fixed.

**Commission
Comments**

ARC recommends: 1/3/11- 1. Commission strongly recommends that any renovations of the gas station, which is located in the Historic District of the Township, should follow the township's Design Guidelines. Applicant offered to present samples of redesigned gas stations from the East Coast which may be more aesthetically appropriate for this renovation/addition. In 2007, ARC suggested the following for the Circle K gas station on Ira Road: a. Consider adding a shingled gable roof; b. consider adding a brick veneer or wood-type siding around existing building; c. consider removing the flourescent canopy lighting with energy efficient bulbs and decorative light fixtures; and d. enhance the existing landscaping. The company ignored the ARC suggestions and went ahead and added markings to the building and canopy without approval. In addition, the Ghent gas station remodel should address the poor paving conditions that currently exist and consider relocating the proposed new entrance from the front elevation back to the right side to minimize the chances of patrons being struck by incoming vehicles.

2. Since applicant asked for their drawings to be tabled and revised, applicant should not

Martha Ferch, Deputy Zoning Inspector _____

Appearance Review Commission

Bath Township, 3864 West Bath Road, Bath, Ohio, 44210, Phone: 330.666.4007

be allowed to ask the BZA for variance approvals since no final plans have been presented/ approved by Bath Township. Project tabled until applicant has time to forward samples of other remodeled gas stations and revised drawings to the ARC.

5/2/11 ARC recommends: Commission still feels strongly that the renovations presented have not addressed much of their concerns of the site and building. The gas station is by the entrance to the Historical Corridor of Bath and this should be considered for the site. Members will address their concerns to the Chairman and he will collectively list them in a letter to the Corporate Offices of Circle K.

Decision

Case TABLED.

Motion by

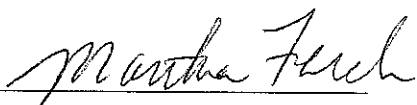
Seconded by

Number of aye

Number of nay

Motion carried

Yes

Martha Ferch, Deputy Zoning Inspector 

June 22, 2011

Mr. John Ballard
Circle K
Director of Operations
935 East Tallmadge Avenue
Akron, Ohio 44310

Mr. Mike Teter
Circle K
Director of Facilities
935 East Tallmadge Avenue
Akron, Ohio 44310

**Re: Bath Township Circle K
Location – Cleveland-Massillon Road**

Gentlemen:

I would like to once again thank you for meeting with Bill Snow, Bill Funk and myself at your Yellowcreek, Bath Township location on May 17, 2011.

This letter shall confirm our discussions at to what would be done at this location. It is my understanding that the Ira Road location will be remodeled, however, the scope and extent of the remodel will be contingent upon available septic disposal systems and capacity.

With regard to the location we met at, it was agreed that:

1. Provided that Circle K complies with the terms of the letter, Bath Township would agree in any future Board Zoning of Appeals hearings to support the interior remodel of the premises including the construction of the "beer cave." It is understood that the remodel will be substantial and will upgrade the interior of the premises to more recently remodeled and constructed units in Akron.
2. It was agreed that you would remove one (1) of two (2) propane sales displays and remove any signage from the exterior of the remaining display.
3. The ice dispensers would be moved to the southern wall of the building. The wood that is for sale as firewood would be either sold from within the premises or removed and not sold outside of the premises.

Mr. John Ballard
Mr. Mike Teter
June 22, 2011
Page 2

4. The exterior soffit lighting bulbs will be covered with some type of plastic cover. The canopy over the existing gas dispensers will be repaired and cleaned.
5. The driveway and parking and parking lot will be repaired where necessary and storm drainage shall be installed. Any new hard surface installation shall be appropriately graded to avoid puddling of water.
6. The mansard roof will be painted to match the existing paint on the brick masonry of the exterior.
7. The canopy over the southern door shall be replaced.
8. The trash containers shall be fenced in and the old guard rail on the north side of the property shall be removed.
9. The former payphone pole shall be removed and the existing bollards and fencing shall be straightened and repainted as necessary.
10. The small advertising canopy on top of each of the gasoline dispensers shall be removed.

Please confirm for me that this was your understanding. We appreciate the fact that you took the time to discuss this matter with us and we look forward to your continued successful operations in Bath Township.

At such time as you are prepared to discuss the Ira Road location, please contact me.

Very truly yours,

Robert G. Konstand
Attorney at Law

RGK/bl

cc: William Snow
William Funk

ROBERT G. KONSTAND
ATTORNEY AT LAW
2500 FIRST NATIONAL TOWER
AKRON, OHIO 44308-1447

ADMITTED TO PRACTICE
OHIO AND FLORIDA

(330) 253-2195

FAX (330) 996-8175

August 12, 2011

Mr. John Ballard
Director of Operations
935 East Tallmadge Avenue
Akron, Ohio 44310

Mr. Mike Teter
Director of Facilities
935 East Tallmadge Avenue
Akron, Ohio 44310

**Re: Bath Township Circle K
Location – Cleveland-Massillon Road**

Gentlemen:

I have discussed your requested changes with regard to the items listed in my letter of June 22, 2011 with the various representatives of Bath Township. With regard to issue number 4, Bath would agree to LED strip lighting provided that the specifications and location of the strip lighting be submitted for review by the Zoning Administrator.

With regard to item number 5, Bath understands that you will not be installing at this time any subsurface storm drainage in the driveways and parking lot. All new work will be done to allow surface drainage to flow into existing storm drains.

However, Bath must insist that the trash containers be fenced in and that the small advertising canopy on top of each of the gasoline dispensers be removed, or at a minimum, the advertising be removed from the canopy so it is a plain color. If you are agreeable to the above points, Bath is prepared to recommend to the Board of Zoning Appeals approval of your remodeling project at this location.

Please feel free to contact me if you have any questions.

Very truly yours,

**Robert G. Konstand
Attorney at Law**

RGK/bl

ROBERT KONSTAND

From: "Teter, Mike" <mteter@Circlek.com>
To: "ROBERT KONSTAND" <RGKonstand@msn.com>
Cc: "Bartolomeo, Bill" <bbartolomeo@Circlek.com>; "Ballard, John" <jballard@Circlek.com>
Sent: Monday, August 22, 2011 10:04 AM
Subject: CK#5613 Cleveland-Massillon Rd.

Hi Bob,

We received your letter dated 8-12-11.

We accept your proposed items except the advertising canopy on each dispenser. This is not advertising but rather it is our CK brand for fuel.

We have to have this on the dispenser for our brand of fuel. We can however remove the "pump toppers" which is advertising a special each month that sits on top of each dispenser.

Please consider this request and advise back.

Thanks

Mike Teter
Director of Facilities
Circle K Great Lakes Division
330-696-6287

9/10/2011

BOARD OF ZONING APPEALS

January 18, 2011

MEMBERS PRESENT: Chairman, Steven Bell, Linda Hastings, Michael Mack, Betty Eastman, Dave Landis, Zoning Administrator William Funk and Deputy Zoning Inspector Martha Ferch. Jim King was excused.

CASE NO. 11-01– Susan Moore, Arkinetics for Circle K Gas Station, 791 N. Cleveland-Massillon Road, requesting variance(s) approvals from Article IV, Section 406-4-B, C and D for reduction of the minimum front, side and rear setbacks and from Article IV, Section 411 for construction within the riparian setback for an addition. B-1.

Chairman swore public in and legal notice was read into record.

Applicant was a no show and Chairman tabled case to February 15, 2011.

BOARD OF ZONING APPEALS

February 15, 2011

MEMBERS PRESENT: Chairman, Steven Bell, Michael Mack, Dave Landis, Zoning Administrator William Funk and Deputy Zoning Inspector Martha Ferch. Linda Hastings, Betty Eastman and Jim King were excused.

Applicant requested to be tabled by e-mail to the March 15, 2011 hearing.

The hearing was closed with no further information or questions by applicant or citizens.

Martha Ferch

From: William Funk
Sent: Monday, January 31, 2011 8:55 AM
To: Tim Franklin
Cc: Martha Ferch
Subject: FW: Circle K #5592 Ghent

Tim,
Below is a email from Susan Moore requesting to table the Circle K addition/remodel. They did not show for the BZA in January and she requested that they be tabled until ARC approvals. Also, she stated that she had been making progress with Circle K, unfortunately their sticking point appears to be the roof, they claim the cost of adding the roof and relocating the equipment on the roof is too much. They seem to have approved the idea of repaving the parking, fixing the guardrail and straightening some of the leaning poles and also adding siding to the building.

Thanks
Bill

From: Susan Moore [mailto:susan@arkinetics.com]
Sent: Monday, January 31, 2011 8:47 AM
To: William Funk
Subject: Circle K #5592 Ghent

Please table us for both the ARC and BZA meetings next week. While I am making progress with Circle K, their corporate approval process can take awhile. I am working on having them approve the relocation of the doors and adding siding.

Susan Moore, RA
architect | project manager



3723 Pearl Road
Cleveland, OH 44109

216.749.7800 phone info@arkinetics.com
216.749.1300 fax www.arkinetics.com

If this message isn't yours or if it is yours and it doesn't work please call me.

Confidentiality Note: This message is intended for use only by the individual or entity to which it is addressed and may contain information that is privileged and exempt from disclosure under applicable law. The message and the contained data are confidential and may not be copied, duplicated or otherwise made available to any unauthorized person without written consent of Arkinetics. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify Susan Moore at (216) 749-7800 immediately by telephone. Thank you.

Electronic Material Note: As Arkinetics cannot control the procedures used in or retrieval and modification the data stored on this transmission, you are acknowledging by the use of the stored data that Arkinetics assumes no liability for the accuracy or completeness of the information therein. The end user of the information being communicated is responsible for verifying the accuracy of the data. This information is being supplied to you for informational purposes only, and is not intended to replace printed plans. Any use or reuse of the original or altered CAD files by client, agents of the client, consultants or agents of consultants or other parties without the review and written approval of Arkinetics shall be at the sole risk of the user. Furthermore user agrees to defend, indemnify, and hold harmless from all claims, injuries, damages, loses, expenses, and attorney's fees arising out on the use or reuse of these materials. By accepting this data, you are hereby agreeing to the aforementioned conditions.

Bath Township Zoning Department
Appearance Review Commission

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Presentation Comments

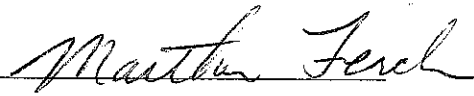
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Commission Comments

ARC recommends: 1/3/11- 1. Commission strongly recommends that any renovations of the gas station, which is located in the Historic District of the Township, should follow the township's Design Guidelines. Applicant offered to present samples of redesigned gas stations from the East Coast which may be more aesthetically appropriate for this renovation/addition. In 2007, ARC suggested the following for the Circle K gas station on Ira Road: a. Consider adding a shingled gable roof; b. consider adding a brick veneer or wood-type siding around existing building; c. consider removing the flourescent canopy lighting with energy efficient bulbs and decorative light fixtures; and d. enhance the existing landscaping. The company ignored the ARC suggestions and went ahead and added markings to the building and canopy without approval. In addition, the Ghent gas station remodel should address the poor paving conditions that currently exist and consider relocating the proposed new entrance from the front elevation back to the right side to minimize the chances of patrons being struck by incoming vehicles.

2. Since applicant asked for their drawings to be tabled and revised, applicant should not be allowed to ask the BZA for variance approvals since no final plans have been presented/ approved by Bath Township. Project tabled until applicant has time to forward samples of other remodeled gas stations and revised drawings to the ARC.

Decision

Martha Ferch, Deputy Zoning Inspector 

Thursday, January 06, 2011

BOARD OF ZONING APPEALS

January 18, 2011

MEMBERS PRESENT: Chairman, Steven Bell, Linda Hastings, Michael Mack, Betty Eastman, Dave Landis, Zoning Administrator William Funk and Deputy Zoning Inspector Martha Ferch. Jim King was excused.

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