



VILLAGE OF OAKWOOD  
ZONING BOARD MINUTES  
2023-9-13

ATTENDANCED

**PRESENT**

Dan Stanton  
Joseph Swaton

Joel Hladky  
Ross Cirincione Law

**ABSENT**

Marchelle Head Chair  
Daniel Marinucci, CBO

Meeting opened 7:05pm by Stanton  
Roll call taken

**ZBA23-06**

**OWNER: OAKWOOD HOSPITALITY, LLC  
REPRESENTITIVE:JAMES SABATINE  
23181 BROADWAY AVE. PP# 795-06-071  
OAKWOOD VILLAGE, OHIO 44146**

PRIOR TO PLAN SUBMISSION TO BUILD A NEW STARBUCKS, MR. SABATINE IS COMING BEFORE THE BOARD TO REQUEST APPROVAL FOR A 23 FOOT NORTH SIDE YARD SETBACK AND A 10.5 FOOT FRONT YARD SET BACK PARKING VARIANCE. SECTION 10.12 OF THE OAKWOOD VILLAGE CHARTER INDICATES THAT VILLAGE COUNCIL MAY PERMIT DRIV-THRU WINDOWS AT ANY RESTAURANT ESTABLISHMENT LOCATED IN A GENERAL BUSINESS DISTRICT ON BROADWAY AVENUE, SUBJECT TO COMPLIANCE WITH STANDARDS AND REQUIREMENTS TO BE ESTABLISHED BY ORDINANCE OF COUNCIL.

**Motion to excuse Ms. Head made by Stanton; Second: Swaton.**

Vote: Stanton: Yes; Swaton: Yes.

**APPROVED**

**Artman:** I would ask a question procedurally, you normally have three board members? Will we have a unanimous vote? **Cirincione:** Two votes is a quorum. Two out of three. **Cirincione Sworn in James Sabatine 1305 Boardman Canfield Rd. Boardman, Ohio 44512 Suite #8. Cirincione Swore in Chris Artman 13710 Cleveland Ave. NW. Uniontown, Ohio.**

**Artman:** We are requesting three items. First is a use variance for the drive-thru. Second is a variance against the north setback line, the requirement is 50' against residential property, we are asking for a variance to take that building setback down to 27' against the north property line. In addition, the other item is the parking setback, code requires all parking to be behind the front setback. Some parking spaces overflow into that front setback. Maximum being about 10.5' up against the building. **Stanton:** The North setback is up against the Senior Center, correct? **Artman:** Yes. The other thing is there is an access drive on the other side. **Stanton:** No houses over there, correct? **Artman:** No. **Cirincione:** The use variances provided for by Charter for light businesses located on Broadway Ave. At one time drive-thru's were prohibited Village wide. It was amended to provide for drive-thru's on Broadway. **Sabatine:** Women with children that are buckled in, Covid is another reason why people like to stay in their vehicles. This site fits very well for a Starbucks, it has a 14 car stack, there is plenty of room for overflow. It also helps with other drive-thru's in town. During peak hours this will help alleviate the traffic. This is the new Starbucks stack post Covid design, it gives them the cars and the stack they need prior Covid. If you go to areas like Twinsburg, they have a Starbucks with less of a stack. They don't have the overflow area like we do. If there was a problem with the communication system, Starbucks is

prepared as a company, if something goes down on their electronics, they block off their drive-thru. This is a corporate Starbucks, all of the Starbucks in this area are corporately owned. You are not dealing with a franchisee that is under capitalized. They really know the coffee business. We finished a Starbucks in Mentor, a hands-on city. The one in front of the former Toys R Us. We have not had a single complaint from the city. They don't have as many stacks in the one in Mentor as this one. **Stanton:** What is a stack? **Sabatine:** The number of cars in line. **Artman:** Typically, prior to Covid, they were required to have a nine car stack, on this one we have 14 cars to add additional stacking. It would take another 10 cars for it to effect Broadway. **Sabatine:** Before it would even back up on the road, how many more cars could you hold? **Artman:** At least 10. **Sabatine:** We could hold up to 24 cars. Starbucks sees this site as the idea design. It is a slightly irregular site, because it is a triangle. A lot of their business will be coming from Hampton Inn as well. People get their coffee before they get on the road. We are buying the property from Hampton Inn. We have developed a lot of these along with Chipotle, zoning variances, here to us seem minimal, we have asked a lot more from other cities. Some cities will actually pay you to do these. They will give you demolition funds, tax abatements, they will give you all kinds of stuff. We are not asking for anything like that. We did the Starbucks in Liberty township. Zero complaints from zoning or any government bodies since they have gone in there. We also developed the Chipotle next to Starbucks. They saw how well Starbucks is doing. They now have a new Springhill Suite's, Mariott hotel is going behind. Because, of those two businesses going in, it created a positive momentum, the zoning director told me Jim Rodway, that the developer of the hotel likes that. Good new national business tends to create situations where other businesses like to be. **Stanton:** Is the water fountain going to be in the way? **Sabatine:** No, not at all. **Stanton:** Is it going behind it? **Sabatine:** Chris can show you, that the plan here is a trophy type site for Starbucks, it lets them get their stack in. Not only did Brent (Chirs) design this, but Starbucks engineers who look at these plans for a living, we spoke to them and they love the site design. They will offer comments if they don't. Once it is done Starbucks operates the site corporately. **Swaton:** I don't have any problems with what you are asking for. You said three things? This is calling for two, the 23' and the 10.5? The 23' is the setback variance on the North side. The 10.5 is the parking variance. There is also the drive-thru window. I was not sure if that is a ZBA item or if that could be approved administratively through the planning commission. **Cirincione:** That is through Council ultimately, but I think they look for a recommendation from the ZBA. **Stanton:** I don't have a problem with any of these. This is laid out nicely. **Sabatine:** It is perfect for this Starbucks, it is a small building, you can still go inside, it has restrooms. Some of the ones are digital only, but we like developing these better, because people can go inside, use the restrooms, communities seem to like these better, there are tables, chairs. **Cirincione:** We should do these as separate motions.

**Motion to approve the 23' setback by Swaton. Second Stanton:**

Vote: Stanton yes; Swaton: Yes.

**Motion approved**

**Motion to approve 10.5 setback parking variance by Swaton. Seconded by Stanton:**

Vote: Stanton Yes; Swanton Yes.

**Motion approved**

**Cirincione:** If we can at least address the use variance. It is provided for the businesses on Broadway. I am recommending ZBA recommends to Council as it is drawn in their plan. They are going to have final say so. **Swaton:** For the drive-thru? **Cirincione:** Yes. **Swaton:** I am concerned that the agenda specifically states the use variance.

**Cirincione:** That is why I want to at least cover that. **Sabatine:** You should probably vote on whether to approve the drive-thru and then if they don't need that or not.

**Motion to suggest to council to approve the recommended drive-thru, it is a positive aspect made by Swaton. Second by Stanton.**

Vote: Swaton Yes; Stanton Yes.

**Motion approved**

**Sabatine:** This is nice for this area. People who have a small office, people like to have a Starbucks that they can work from, they can meet clients there. There are articles that you can google that actually having a Starbucks in your community brings the housing prices up. **Stanton:** What good is a coffee shop without a drive-thru? **Sabatine:** Anymore, not a whole lot, you have that option though. Sometimes it clears your head getting out of the office for a

half hour or 45 minutes, the communities love it. We also do Sheets work. Sheets is now starting to put drive-thru's in. Some people don't want to get out of the car. **Cirincione:** Have you been in touch with the building dept. as following up on the planning commission meeting. **Sabatine:** We were told by the police chief that he supports the project, they referenced that he does not. **Cirincione:** That is why I wanted that hearing on Monday to be continued so he can clear it up. I wanted to hear it from the horses mouth, Chief Garratt and also the village engineer. They are going to have to make their views known at the planning commission. **Sabatine:** The city payroll tax, Starbucks employees a lot of people, that goes to the city. All their payroll taxes go to the city.

Minutes for July 12, 2023

Motion to approve minutes will be made at next meeting. The minutes were misplaced. Will run another copy.

**Motion to adjourn made by Swaton: seconded by Stanton.**

Vote: Stanton Y Swaton Y.

Adjourned 7:27PM

Signed \_\_\_\_\_  
Marschelle Head, Chair

Signed \_\_\_\_\_  
Joel Hladky, Board Recording Clerk

Date approved: \_\_\_\_\_

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