

PUBLIC HEARING TO CONSIDER SLUSARCZYK REAL ESTATE SIGN – 4200 ROYALTON RD
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
August 22, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Public Hearing at 7:05 P.M. by reading the following legal notice published in the August 11, 2013 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 p.m. on Thursday, August 22, 2013 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider 1) A deviation from Section 1187.13(b)(1)A of 15 sq. ft. from the permitted 5 sq. ft. to permit a 20 sq. ft. single faced sign; and 2) A deviation from Section 1187.13(b)(1)A of 1 ft. from the permitted 4 ft. maximum height to permit a maximum height of 5 ft. for a sign at 4200 Royalton Road, PP #603-03-016.

Ms. Nancy Slusarczyk and some of her neighbors were seeking two deviations to put up a site sign to offer their collective 23 acres, along Royalton Road across from the new Giant Eagle, available for development. They felt the real estate sign within Code requirements was too small to be seen in that congested, heavily travelled area.

Mr. Roman reiterated the two deviations being sought:

- 1) A deviation from Section 1187.13(b)(1)A of 15 sq. ft. from the permitted 5 sq. ft. to permit a 20 sq. ft. single faced sign
- 2) A deviation from Section 1187.13(b)(1)A of 1 ft. from the permitted 4 ft. maximum height to permit a maximum height of 5 ft. for a sign at 4200 Royalton Road, PP #603-03-016.

Members of the Planning Commission and the public present had no questions and the public hearing was closed at 7:11 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER HIPPSLEY FRONT YARD SETBACK – 11401 SNOWVILLE ROAD
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
August 22, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Public Hearing at 7:11 P.M. by reading the following legal notice published in the August 11, 2013 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing at 7:05 p.m. on Thursday, August 22, 2013, in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, to establish a front yard for a proposed lot in a minor subdivision of Permanent Parcel Number 605-18-003 on the north side of Snowville Road.

Mr. Hadden Hipsley was present on behalf of his request for a lot split and establishment of a front yard setback on the newly created lot on which his son would be constructing a home. He proposed the front yard setback be established at 115 feet to match the adjacent home to the west. Mr. Hipsley noted that Code requirement was a 20 ft. sideyard setback from the property line. Since the home to the west was only six foot from the property line he offered to establish a sideyard setback on the new lot of at least 34 foot to meet the Code requirement of 40 feet between the homes.

Mayor Hruby asked why a variance was being requested from the 200 ft. frontage required by Code for a lot with 173 ft. frontage. Mr. Hipsley responded that subdividing the lot according to Code would require him to tear out and relocate his driveway and a utility pole. The driveway hugs the contour of a pond on his lot and has utility easements on both sides. He pointed out there were many homes along Snowville that vary from Code requirements. Mr. Hipsley was asked why an irregular lot was being created because the new lot line didn't completely bisect his property. He responded that the land to the rear of the new lot was all wetlands and Mr. Hipsley didn't want to disturb them.

Ms. Ann Williams, Mr. Hipsley's neighbor to the west, objected to a home being built so close to hers that would impact her view of his field and pond to the east. She alluded to assurances from the former owner of her property that the adjoining property to the east was configured in such a way that it could not be subdivided so the natural landscape would be preserved. Ms. Williams distributed a mockup she prepared showing the position of Mr. Hipsley's current home, the proposed new lot lines, and the position of a home on the new lot as it would relate to her home. She also had a depiction of how a new home would impact the view from her back porch. Ms. Williams asked the Commission to uphold the Code requirements.

Mr. Hipsley indicated the only thing accurate on Ms. Williams' mockup was the new lot lines. The placement of her home and the proposed new home were not accurate. He was proposing the same setback as her home for the new home so the depiction of a new home in her backyard was incorrect. He maintained that the views of her property would not be disturbed and her view of his property might only marginally be impacted.

Mr. Roman advised that this issue would come up again in the Work Session later in the evening. There were no further questions and the public hearing was closed at 7:24 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER HARROD FRONT YARD SETBACK – 9120 BRECKSVILLE ROAD
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
August 22, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Public Hearing at 7:24 P.M. by reading the following legal notice published in the August 11, 2013 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing at 7:10 p.m. on Thursday, August 22, 2013 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a front yard setback for Permanent Parcel #601-34-027, 9120 Brecksville Road.

Mr. Michael Harrod was present to request a front yard setback of 86 ft. on his property at 9120 Brecksville Road. A house fire in April destroyed his home located across Brecksville Road from the library. The setback requested would put the new home in the same location as the burned home being razed. Mr. Harrod indicated the neighboring home setbacks were at 79 ft. and 98 ft.

Members of the Planning Commission and the public present had no questions and the public hearing was closed at 7:26 p.m.

The Public Hearing closed at 7:26 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER SOUTH EDGERTON ROAD RESUBDIVISION
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
August 22, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Public Hearing at 7:26 P.M. by reading the following legal notice published in the August 11, 2013 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing on Thursday, August 22, 2013 at 7:15 p.m. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider Re-subdivision No. 3 of Fogg-Brecksville Development Industrial Park, PP # 604-16-007, 008, 004, 010, 009, 005, 013, and 012.

Mr. Mike Merle of Fogg-Development Company was present on behalf of a request for preliminary approval of Phase 1 of Re-subdivision No. 3 of Fogg-Brecksville Development Industrial Park. The property involved 40 acres along I-77 between West Snowville and Miller Roads. This land was first subdivided in the late 1970's into several industrial lots and re-subdivided at a later date to construct the Rambus property on the corner. Mr. Merle indicated a third re-subdivision was being requested to permit the construction of Phase 1 of a cul-de-sac road and an easement to facilitate Phase II extending the cul-de-sac road out to Miller Road at a later time.

Mr. Roman advised that this issue would come up again in the Work Session later in the evening. There were no questions and the public hearing was closed at 7:30 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
August 22, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:30 P.M.

APPROVAL OF THE REGULAR MEETING MINUTES OF AUGUST 8, 2013

Mr. Sciria noted that he made an adjustment to the regular meeting minutes on the Slusarczyk real estate sign request after the minutes were published. He asked that the minutes be amended accordingly. It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of August 8, 2013 be approved as amended by Mr. Sciria.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF AUGUST 8, 2013

Mr. Sciria indicated he made a revision to the work session meeting minutes on the Fogg South Edgerton Re-Subdivision write-up after the minutes were published. It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of August 8, 2013 be approved as amended by Mr. Sciria.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

SIGNS:

SLUSARCZYK – REAL ESTATE – 4200 ROYALTON RD. (CC Action)

Ms. Nancy Slusarczyk and some of her neighbors were present seeking a site sign to offer their collective 23 acres, along Royalton Road across from the new Giant Eagle, available for development. Ms. Slusarczyk noted that with the increased traffic in that area and the upcoming further commercial development, she had safety concerns accessing her property and did not feel the land was suitable for residential development any longer. She was requesting two deviations for a larger, site sign, so the sign would be visible in that highly trafficked area.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve, and the Building Department issue a permit for a 20.0 sq. ft., single sided, temporary, ground, real estate sign for Nancy Slusarczyk and neighbors, 4200 Royalton Road, Brecksville, Ohio, as described in the application dated July 16, 2013 and attached sketches, contingent upon City Council approval of the following deviations:

1. A deviation from section 1187.13(b)(1)A of 15 sq. ft. from the permitted 5 sq. ft. to permit a 20 sq. ft. single faced sign.
2. A deviation from Section 1187.13(b)(1)A of 1 ft. from the permitted 4 ft. maximum height to permit a maximum height of 5 ft.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

CHRIST THE REDEEMER LUTHERAN CHURCH – 9201 BRECKSVILLE ROAD

Mr. Brett Smith of Direct Image Signs, Inc. was present to request a replacement sign in the same location as the existing sign. The sign would be PVC in a burgundy color with a sliding panel to accommodate changing information. The sign request was in compliance with City Code requirements.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve, and the Building Commissioner issue a permit for a 28.8 sq. ft., two sided, externally illuminated, permanent, ground identification sign and bulletin board for Christ the Redeemer Lutheran Church at 9201 Brecksville Road, Brecksville, Ohio as described in the application dated July 31, 2013, and shown in the attached drawings by Direct Image Signs, Inc.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

CLINICAL TECHNOLOGY (FORCHIONE PROPERTIES) – 7005 SOUTH EDGERTON DRIVE

Mr. Matt Plecnik of Dimit Architects was present to request a ground sign in hardwood atop a brick base. Mr. Sciria noted that the address located at the bottom of the sign one foot from grade might be obscured by snow in the winter. Mr. Plecnik was advised that the sign request could be approved with the option to relocate the address to an upper portion of the sign.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve, and the Building Commissioner issue a permit for a 25.17 sq. ft. permanent, illuminated, ground identification sign for Clinical Technology, 7005 South Edgerton Road, Brecksville, Ohio, as described in the application dated 8-5-2013 and shown in the attached drawings by Dimit Architects. The applicant may choose to relocate the 7005 numbers on the sign to place them possibly in a higher position in the sign for the reasons stated by Mr. Sciria should the applicant so choose.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

750 ml TEMPORARY SIGN – 8903 BRECKSVILLE RD. (CC Action)

Mr. Jim Walters of Walters Building Co., LLC was present for a temporary sign to advertise his new wine tasting business, 750 ml, to be located in the Red Brick Store. He has a similar successful operation in Akron. Mr. Walters expected to open in October and he was asking for a deviation from the Code limitation of 15 days to permit a temporary "coming soon" sign to be in place for 30 days. The temporary sign would be placed on the front of the building. Mr. Walters noted he would occupy the first and second floor with Burns Financial located in the shed portion of the building.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of a temporary, identification sign. The sign is 75 sq. ft. (15' x 5'). The sign is on the west side of the building for 750 ml at 8903 Brecksville Road, Brecksville, Ohio, as described in the application dated August 6, 2013, and attached sketches dated August 2013, subject to City Council approving the following deviation from Code:

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- A deviation of 15 days from the permitted 15 days of 1187.13(b)(5)A to permit a temporary sign for 30 consecutive days.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

750 ml WALL PROJECTING SIGN – 8903 BRECKSVILLE RD. (CC Action)

Mr. Jim Walters of Walters Building Co., LLC was present for a projection sign on the north side of the Red Brick Store (Rt. 82 side) replacing the existing Burns Financial Sign. Two deviations were being requested: 1) A deviation of 2 ft. from the permitted 3 feet of 1187.09(6) to permit a sign to extend 5 ft. from the face of a building, and 2) A deviation of 16 sq. ft. from the permitted 9 sq. ft. of 1187.09(6) to permit a 25 sq. ft. sign.

Mr. Walters said the sign would be placed in the same location as the existing Burns Financial sign; however they created a custom bracket consisting of a wine bottle pouring into a glass to hold up a sign essentially the same size as the Burns Financial Sign. There was discussion on whether the custom bracket should be figured into the sign size deviation request. The decision was made to reduce the size deviation request to exclude the custom bracket.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of a permanent, projection sign. The sign is located on the north side of the building at 8903 Brecksville Road, Brecksville, Ohio as described in the application dated August 16, 2013, and attached sketches dated August 2013, subject to City Council approval of the following deviations from the Code:

- a) A deviation of 2 ft. from the permitted 3 feet of 1187.09(6) to permit a sign to extend 5 ft. from the face of a building.
- b) A deviation of 6 sq. ft. from the permitted 9 sq. ft. of 1187.09(6) to permit a 15 sq. ft. sign.

Sign approval does not include the wine bottle above the sign because the wine bottle was being used as a bracket.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

750 ml AWNING – 8903 BRECKSVILLE RD.

Mr. Jim Walters of Walters Building Co., LLC was present requesting an awning for the front of his 750 ml location in the Red Brick Store. He planned an awning the same dimensions as the Burns Financial awning using the existing brackets. The awning would be in tan with black lettering.

Mr. Payto commented that the rendering of the awning covered up the stone with the eagle on the store front which he felt was historically important and should be visible. Mr. Walters was agreeable to mounting the awning under the eagle.

Mr. Sciria questioned the large deviation from the Code letter size maximum of 8" to permit 30" letters. Mr. Payto suggested the awning might look better in black to match their other sign and business cards. Mr. Badalamenti pointed out the awning rendering didn't match the pitch of the Burns Financial awning and didn't include the flap where Burns had used their lettering. Mr. Walters was advised that if he wanted to use the Burns Financial Awning by re-skining it, he needed to come in with an accurate depiction of that awning. Mr. Payto questioned

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whether the lettering on the surface of the awning could be seen with the lesser slope of the Burns Financial Awning. He didn't feel there was enough room on the flap for 750 ml and Wine Boutique and Bar. He advised that if they considered a new awning it shouldn't be as steeply pitched as the rendering, which resembled a sign mounted against the wall instead of an awning. Mr. Payto asked for renderings in the color they presented and also in black to match their business cards. The awning request was tabled for further consideration by the applicant.

750 ml – RED BRICK STORE ALTERATIONS – 8903 BRECKSVILLE RD.

Mr. Jim Walters of Walters Building Co., LLC was present seeking approval for exterior modifications to the Red Brick Store building involving painting trim from white to "Deep Onyx". Mr. Payto questioned why the shutters and the Red Brick Store sign were removed. Mr. Walters commented he had come to realize the Red Brick Store sign had value as a landmark identification and he planned to keep that sign. He indicated the shutters were not in good shape and he didn't plan to use them.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve, as required by Section 1193.02(a)(2)A, permission to modify the exterior of an existing building by changing the color of the trim on the building from white to "Deep Onyx" at the Red Brick Store at 8903 Brecksville Road, Brecksville, Ohio, as shown on plans by Louis + Partners Design, dated August, 2013.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that he advised City Council of the modifications to the August 8, 2013 Planning Commission Minutes made by Mr. Sciria.

REPORT OF THE MAYOR - No Report

REPORT OF CITY ENGINEER - No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

HIPPSLEY LOT SPLIT – 11401 SNOWVILLE ROAD

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of a minor subdivision of an existing lot (PP # 605-18-003) to create two lots as shown on the Lot Split Plat prepared by GBS Design, Inc. dated August 8, 2013 conditioned upon approval of the City Engineer, and the Board of Zoning Appeals recommending, and City Council approving, the following variances:

- 1) A variance from Section 1151.22 of 26.5 ft. from the required 200 ft. to permit a 173.50 ft. wide lot on a collector street.
- 2) A variance from Section 1117.09 requiring lots to be generally rectangular in shape to permit a non-rectangular lot.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

HARROD FRONT SETBACK – 9120 BRECKSVILLE ROAD

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council a front yard setback of 86' at 9120 Brecksville Road, Brecksville, Ohio, Permanent Parcel # 601-34-027, as described in the application dated 7-18-2013, and shown on the Preliminary Site Plan by J.A.R. Engineering and Surveying dated 7-18-2013.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

SOUTH EDGERTON ROAD RESUBDIVISION

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve and recommend to City Council **PRELIMINARY** approval of the Fogg-Brecksville Development Company Industrial Park Re-subdivision No. 3 between Miller Road and W. Snowville Road, Brecksville, Ohio as indicated in the application filed April 22, 2013 and in revised plat drawings by Riverstone dated August 14, 2013.

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8-14-2013
8-14-2013

Contingent on the separate access and utility easement to the City of Brecksville for Phase 2 of South Edgerton Road being approved by the City Law Director and the approval of the plat and easement by the City Engineer, and subject to Engineer Wise's concerns as stated in his letter to Mr. Brennan dated August 22, 2013, said concerns being as follows:

- 1) A standalone easement document establishing the Ingress, Egress and Utility Easement being granted to the City of Brecksville is created and approved by the City of Brecksville.
- 2) Any approvals granted for this subdivision should be contingent on having updated traffic studies submitted at the time of building construction if determined necessary by the City of Brecksville.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Ron Payto, Kirk Roman, Dominic Sciria
Nays: Mayor Hruby
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

APPLIED MEDICAL TECHNOLOGY – 8006 KATHERINE BLVD.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council **PRELIMINARY** and **FINAL** site plan approval of Applied Medical Technology at 8006 Katherine Blvd., Brecksville, Ohio 44141, as described in the application dated August 5, 2013, and shown in the attached plans by Weber engineering and Geis Construction dated 8/5/2013:

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C-100	Title Sheet	8/5/2013
C-101	Demolition and Tree Survey	8/5/2013
C-102	General Plan	8/5/2013
C-102A	Partial Site Plan	8/5/2013
C-102B	Partial Site Plan	8/5/2013
C-103A	Partial Utility Plan	8/5/2013
C-103-B	Partial Utility Plan	8/5/2013
C-104-A	Partial Grading Plan	8/5/2013
C-104-B	Partial Grading Plan	8/5/2013
C-105	Site Plan	8/5/2013
C-105A	Site Details	8/5/2013
C-105B	Site Details	8/5/2013
C-105C	Site Details	8/5/2013
C-105D	Site Details	8/5/2013
C-106A	SWP3	8/5/2013
C-106B	Grading Plan	8/5/2013
C-107A	Pre Dev Drainage & Soils Map	8/5/2013
C-107B	Post Dev Drainage Map	8/5/2013
C-107C	Storm Drainage Map	8/5/2013
C-108	SWP3 Details	8/5/2013
C-109	SWP3 Details	8/5/2013
C-110	SWP3 Details	8/5/2013
C-111	Sanitary Lift Station	8/5/2013
	Resubdivision Plat No. 3	
A.1	Overall Park Map	5/24/2013
A.1.1	Site Plan	6/19/2013
A.1.2	Site Plan	8/5/2013
A.1.3	Landscape Plan	8/5/2013
A.2	Floor Plan	5/24/2013
A.3	Elevations	5/24/2013
1 of 1	Lighting Plan	8/5/2013
	Flickinger Wetland Services Group	Wetlands Investigation
	North Coast Engineering, Ltd.	Subsurface Investigation
		7/12/2013
		9/29/2005

And contingent upon the following:

1. Recording of the Re-subdivision Plat No. 3.
2. Resolution of residential block and its assessments for the improvement of Katherine Blvd. as recommended in the City Law Director's memo of August 12, 2013.
3. Approval of the City Arborist of the Tree Clearing Plan and the Landscape Plan
4. Approval of the City Engineer.
5. Also contingent on Council approving deviations under Section 1157.30 for the following:
 - a) A deviation from Section 1157.29(e) to eliminate the requirement that the area adjacent to a residential lot line be screened with a substantially solid fence.
 - b) A deviation from the Section 1183.04(c) requirement that parking spaces be 10'X20' to allow parking spaces that at 9'X18'.
 - c) A deviation of 18 parking spaces from the required 299 spaces required in Section 1183.05(b) to allow 281 parking spaces.

- d) A deviation or variance from the Section 1183.15(b) of one car space from the maximum permitted 20 cars in an unobstructed line of sight without an intervening landscaped island to permit 21 cars
- e) A deviation from the Section 1183.17(d) of 2' from the permitted maximum driveway width for a two lane driveway of 24' to allow a two lane driveway 26' wide.

Approval is also conditioned upon the applicant addressing the following items to the satisfaction of the City Engineer and the Building Department:

- 1) Planning Commission should determine if the existing tree line provides sufficient screening of the loading docks as required by Section 1157.29(h).
- 2) The ownership and maintenance of the detention basin should be called out.
- 3) The dimensions of the landscape islands in the parking lot should be called out on the plans.
- 4) The labels for the parking and building setbacks are reversed.
- 5) The parking setback line on the west side adjacent to the residential parcel should be shown as 75'.
- 6) The building setback line on the west side adjacent to the residential parcel should be shown as 150'.
- 7) The distance from the driveway from Katherine Blvd. should be calculated to establish if a variance from the 75' setback from a residential lot line is required.
- 8) Sheets A.1.1 and A.1.2 should be coordinated to match the civil drawings.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

OROSZ LOT CONSOLIDATION – 8418 WHITEWOOD ROAD

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council the approval of a lot consolidation of PP #601-16-011 and 601-16-016 to create Lot A, 1.4207 acres, at 8418 Whitewood Road, Brecksville, Ohio as described in the plat by L.V. Surveying, Inc. dated May 10, 2013, contingent upon approval of the City Engineer and verification by the City Engineer that the properties have been deeded to Mr. and Mrs. Orosz before consolidation.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria,
Nays: None
MOTION CARRIED

The Regular Meeting closed at 9:30 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris

WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room – Brecksville City Hall
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Present: Phillip Badalamenti, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Neil Brennan, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Work Session at 8:20 p.m.

HIPPSLEY LOT SPLIT – 11401 SNOWVILLE ROAD

Mr. Hadden Hipsley was present on behalf of his request to create a subplot from his existing property on which his son would construct a home. He supported his request for deviations in lot shape and shortened frontage by citing avoiding disruption of his driveway that runs along a pond, the utility easements adjacent and parallel to the driveway, movement of a utility pole and not disturbing wetlands to the rear of his property. He proposed a 115 ft. front setback on the new lot to match his neighbor to the west and a 34 ft. sideyard setback, rather than the 20 ft. Code requirement, to further protect that neighbor's interests.

Mr. Wise had no problem with the survey of the property. He asked, and Mr. Hipsley confirmed, that due to the utility easements his driveway could not be relocated further to the east. The Mayor acknowledged the applicant's hardship of not being able to move his current driveway. The Commission agreed with Mr. Hipsley's comment made during the public hearing that there were homes along Snowville at 20 ft. sideyard setbacks with 40 ft. between homes and a few with less. In Mayor Hruby's extensive knowledge of City history the he knew of no agreement to prevent the subdivision of the property. He felt that logically the prospective new home owner would want to create as much distance as possible from the neighboring home. Mr. Harwood was certain the building envelope for the new home would be located further to the east than Ms. Williams' depiction.

Ms. Williams questioned the accuracy of the survey, which Mr. Badalamenti assured her was correct. She requested information on the size and dimensions of the proposed home which were not available and not necessary for consideration of the applicant's request. Mr. David Williams indicated his four acre lot was the smallest one in the neighborhood, with most others in the 5-9 acre range. He felt a one acre lot was too small for the area. He would like the Commission to require the Code frontage of 200 foot.

Several compromises were suggested. The lot could be approved at 200 ft. with an easement granted for the driveway. Mr. Payto proposed a formula for determining the sideyard setback that involved subtracting the proposed house width by the 173 ft. frontage and then dividing that result by two to arrive at a sideyard setback. Mr. Harwood reiterated Mr. Hipsley's suggestion to have the house set back in line with the Williams' house at 115 ft. with a sideyard setback of 34 ft. to provide the 40 ft. required by Code.

Ms. Williams felt her property would be devalued by the new home with a diminishing view of the pastoral setting. The comment was made that the new home sideyard could be set at the Code 20 ft. requirement and that the Hipsley's were making an effort on her behalf also to locate the home further to the east. Mr. Sciria commented that with the passage of time as the community evolved from a rural to a suburban City many pastoral settings have changed. He pointed out that a property owner has the right to develop his land.

The Mayor indicated that the Planning Commission's role was to evaluate the issue from a planning standpoint and leave the actual determination on the variances requested to the Board of Zoning Appeals. The Work Session recessed into the Regular Meeting for a motion.

HARROD FRONT SETBACK – 9120 BRECKSVILLE ROAD

Mr. Michael Harrod was present to request a front yard setback of 86 ft. on his property at 9120 Brecksville Road to build a new home in the same location as his home that was destroyed in a fire. He distributed a drawing showing the location of his proposed new home and the location of his adjacent neighbors' homes at 79 ft. and 98 ft. front setbacks. This issue was discussed at an earlier public hearing and Commission members had no questions. The Work Session recessed into the Regular Meeting for a motion.

SOUTH EDGERTON ROAD RESUBDIVISION

Mr. Mike Merle of Fogg-Development Company was present on behalf of a request for preliminary approval of Phase 1 of Re-subdivision No. 3 of Fogg-Brecksville Development Industrial Park. He acknowledged work needed to be done on the improvement plan and Fogg would be back for approval of that and again for approval of the final plat.

Mr. Wise had no issue with recommending preliminary approval subject to the following:

- 1) A standalone easement document establishing the Ingress, Egress and Utility Easement being granted to the City of Brecksville is created and approved by the City of Brecksville.
- 2) Any approvals granted for this subdivision should be contingent on having updated traffic studies submitted at the time of building construction if determined necessary by the City of Brecksville.

Mr. Sciria asked how Fogg's development plans would affect the Giere horse farm. Mr. Merle responded that there was a legal, written agreement between Fogg and the Giere's giving them permission to use Fogg land for grazing until the point Fogg needed to develop the land. Mr. Merle also noted that Fogg would allow the Giere's to continue grazing on the property even after the street is constructed and that they could continue to do so until a building is constructed on that portion of land. He added that he thought the notification period was either 30 or 60 days. Mr. Merle said further that, while they may not build first in the area where the horses graze, it might be necessary to do earthwork in that area; if they have to move fill from the western portion of the site to the eastern part of the site for a building. However, Mr. Merle repeated that prior to a building being constructed, the Giere's horses would be able to continue grazing on the property as they do now. Mr. Sciria speculated that some special screening and other provisions might be required in the future between the horse farm and the developed area, and the Commission would be evaluating that closely as development proceeded.

Mr. Badalamenti asked about the naming of the road as he didn't think the name should have Edgerton in it until it connected to Miller Road. Mr. Merle responded that would not come up until the final plat was approved. The Work Session recessed into the Regular Meeting for a motion.

APPLIED MEDICAL TECHNOLOGY – 8006 KATHERINE BLVD.

Mr. Trevor Extine of Geis Companies was present to request preliminary and final site plan approval for Applied Medical Technology, Inc. He indicated that Geis was working with Messrs. Brennan and Wise to address outstanding issues and felt they were minor enough for the Commission to consider a conditioned approval of the project.

Mr. Wise had the following comments:

- 1) An attached August 19, 2013 letter from Flickinger Wetlands Services Group and the previously supplied report addressed issues as they related to the wetlands, streams, and tree clearing comments raised in Mr. Wise's original letter.
- 2) Plan review comments, as prepared by the Brecksville Engineer's office, have been supplied to the design engineer for his review and attention.
- 3) Plan review comments from the County have been supplied but still need to be addressed.
- 4) The existing Katherine Blvd. storm water management facility is being modified as part of this project. Additional storm calculations and a maintenance agreement are still required.
- 5) The Design Engineer needs to provide documentation that an Ohio EPA PTI permit is, or is not, needed for the sanitary sewer installation.
- 6) The City Arborist review and approval is required for the landscaping.

- 7) The City of Brecksville Fire Department review and approval is required.

Mayor Hruby noted that the City was willing to agree to the subdivision of the property and approval of the project subject to:

- 1) A non-conforming lot was being formed against Code requirements based on the agreement of Geis to pay the assessment on the additional property created on the west side of that property.
- 2) The additional lot created would be donated to the City or another non-profit entity with the understanding that the lot was forever unbuildable.

Mr. Extine confirmed that Geis Companies agreed to both conditions as stipulated by the Mayor. The Work Session recessed into the Regular Meeting for a motion.

OROSZ LOT CONSOLIDATION – 8418 WHITEWOOD ROAD

Mr. James Orosz and his wife, Christine, were present to request a lot consolidation of their lot with the one next door that has no frontage. They would like to build a home on the 1.4 acre property. Mr. Wise said one property was in Mr. Orosz's name and the other in both their names, and as such could not be consolidated. Mr. Orosz informed the Commission that the lots were now under both their names. The Commission had no questions and the Work Session recessed into the Regular Meeting for a motion.

The Work Session closed at 9:30 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris