

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
March 7, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Robert Hotaling, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria  
Others: Neil Brennan, Gerald Wise, and approximately 17 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:00 P.M. Mr. Hotaling arrived during the Work Session discussion of the Maleski front yard setback.

APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 21, 2013

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of February 21, 2013 be approved.

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 FEBRUARY 21 2013

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of February 21, 2013 be approved.

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

SIGNS

LEOPOLD FURNITURE – 8147 BRECKSVILLE ROAD (CC Action)

Mr. Brett Smith of Direct Image Signs, Inc. was present to request an awning sign with a stylized "L" on it representing the Leopold Furniture Store. He displayed marketing material, business cards and stationery used by the company featuring the oversized "L". The point was made that according to Code the business name only was permitted on an awning. The Law Director has advised that company logos should be permitted on signage regardless of Code restrictions. Mr. Smith couldn't confirm that the "L" was a copyrighted logo. The general consensus was that the awning design was tasteful and the stylized "L" was effectively in use as the company logo. Commission members agreed the deviation for size was warranted as the proposed awning was proportionally in line with the size of the building.

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 17.9 sq. ft., permanent awning sign for Leopold's Furniture at 8147 Brecksville Road Brecksville, Ohio as described in the application dated February 11, 2013, and shown in the attached drawings by Direct Image Sign Inc. contingent on City Council's approval of the following deviations:

- A deviation from the Section 1187.09(c) requirement that the "business name only" be on the awning sign to allow the business logo.
- A deviation of 12.9 sq. ft. from Section 1187.09(c) the maximum allowable awning sign face size of 5 sq. ft. to allow an awning sign 17.9 sq. ft. (The size deviation was recommended so that the letter would be proportional with the size of the awning).

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 at their last meeting City Council approved signs for Millside Center and Old Station Cycle. Also approved was the lot consolidation for the three City parcels on Brecksville Road.

REPORT OF MAYOR HRUBY – No Report

REPORT OF CITY ENGINEER - No Report

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

MALESKI FRONT YARD SETBACK – 9005 SNOWVILLE RD.

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission recommend the establishment of a front setback of 375 feet at 9005 Snowville Road, Brecksville, Ohio, Permanent Parcel Number 605-15-007, as described in the application dated November 19, 2012 and shown on the aerial dated February 26, 2013.

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Robert Hotaling, 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.

CURTISS WRIGHT EXPANSION – 10195 BRECKSVILLE RD.

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission recommend to City Council FINAL approval of the Manufacturing Building Addition, the Office Addition, and the Parking Lots for Curtiss Wright located at 10195 Brecksville Rd., Brecksville, Ohio 44141, PP #605-14-008 and -011, as indicated on the following attached plans filed by the Geis Companies on February 19, 2013:

|       |                             |           |
|-------|-----------------------------|-----------|
| C100  | Title Sheet                 | 2/18/2013 |
| C101  | Demolition Plan             | 2/18/2013 |
| C102  | Site Plan                   | 2/18/2013 |
| C103  | Utility Plan                | 2/18/2013 |
| C104  | Grading Plan                | 2/18/2013 |
| C105  | Site Plan                   | 2/18/2013 |
| C106  | SWP3 Plan                   | 2/18/2013 |
| C107  | SWP3 Details                | 2/18/2013 |
| C108  | SWP3 Details                | 2/18/2013 |
| C109  | SWP3 Details                | 2/18/2013 |
| C110  | SWP3 Details                | 2/18/2013 |
| L100  | Landscaping Plan            |           |
| A-100 | Overall Plan                | 2/18/2013 |
| A-110 | Plant Addition Floor Plan   | 2/18/2013 |
| A-111 | Office Addition Floor Plans | 2/18/2013 |
| A-300 | Exterior Elevations         | 2/18/2013 |

|       |                               |           |
|-------|-------------------------------|-----------|
| A-410 | Sections                      | 2/18/2013 |
| A-500 | Office Roof Plans             | 2/18/2013 |
| E-100 | Electric Site Plans           | 2/13/2013 |
|       | Rendering                     | 2/18/2013 |
|       | Storm Water Management Report | 2/17/2013 |

The final approval shall be contingent upon the following:

- The approval by the City Engineer in general, including satisfaction of the items referred to in City Engineer Wise's letter to Neil Brennan of the City of Brecksville's Building Department dated March 7, 2013.
- Approval by Engineer Wise of the site utilities, storm water management report and the lot consolidation plat.
- Recording of the consolidation plat.
- Board of Zoning Appeals recommendation to City Council for approval of the following variances:
  1. A variance from Section 1157.29(c)(1) of 8' from the required 50' to permit the minimum distance between any building and the side lot line to be 42' rather than the required 50' minimum.
  2. A variance from Section 1157.29(c)(2) of 20' on the south and 18' on the north from the required 25' side yard from the property line to off street parking, service or loading facility to permit a 5' side yard on the south and a 7' side yard on the north rather than the required 25'.
  3. A variance to permit a drive aisle to be less than 24'; that is to permit a drive aisle which is scaled at 22'.

Final approval shall also be contingent on compliance with Section 1157.29(E)(3) requirement that "The area adjacent to a residential lot line shall be landscaped and screened with a substantially solid fence and landscaping at least 5' high at the time of planting as deemed suitable by the Planning Commission for the area being screened, and/or of approval by the City Arborist."

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Robert Hotaling, 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.

CROWN CASTLE/T MOBILE – 6896 W. SNOWVILLE ROAD – WAIVING OF PUBLIC HEARING

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission recommend waive the requirement for a public hearing to hear the request of Crown Castle GT Company LLC to upgrade cellular antennas on the cell tower located at 6896 W. Snowville Road as permitted under Section 717.03(c).

ROLL CALL: Ayes: Phillip Badalamenti, Michael Harwood, Robert Hotaling, 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.

CROWN CASTLE/T MOBILE – 6896 W. SNOWVILLE ROAD

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission recommend to City Council approval of plans for the replacement of 6 existing antennas and installation of 6 new antennas at the 153 ft. level of the tower at 6896 Snowville Road, Brecksville, Ohio 44141, for T Mobile as described in the application dated February 19, 2013, and on the attached drawings:

|              |                            |            |
|--------------|----------------------------|------------|
| T-1/0        | Title Sheet                | 01/02/2013 |
| A-1/0        | Site Plan & Elevation      | 01/02/2013 |
| A-2/0        | Enlarged Plan & Details    | 01/02/2013 |
| RF-1/0       | Antenna Layout             | 01/02/2013 |
| RF-2/0       | Antenna Details            | 01/02/2013 |
| E-1/0        | Grounding Details          | 01/02/2013 |
| SP-1/0       | General Notes              | 01/02/2013 |
| SP-2/0       | General Notes              | 01/02/2013 |
| Crown Castle | Structural Analysis Report | 02/14/2013 |

Contingent upon the approval by the City Engineer or his designee of the submitted structural analysis report.

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

The Regular Meeting closed at 9:05 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
March 7, 2013 Page 1

Present: Phillip Badalamenti, Michael Harwood, Robert Hotaling, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria  
Others: Neil Brennan, Gerald Wise, and approximately 4 guests

Mr. Roman opened the Work Session at 7:15 p.m.

MALESKI FRONT YARD SETBACK – 9005 SNOWVILLE RD.

Mr. Paul Maleski and his wife Mary were present to request a front yard setback of 375 ft. Mr. Maleski's original setback request was for 444.1 ft. At the February 21<sup>st</sup> Planning Commission meeting, to accommodate the neighbor's concerns, he agreed to consider a compromise setback of 300 ft. Since that time he discovered a setback of 300 ft. would put his house over the neighbor's buried septic tanks located on Mr. Maleski's property. The placement of the septic system dated from a time when the two properties were owned and developed by one individual. The homes along Snowville were in the process of a mandatory conversion to City sanitary sewers; however Mr. Maleski was informed there was no paperwork for the hookup yet of the Pristas property. In any case Mr. Maleski did not want to locate his house over the septic tanks or leech bed and incur the additional construction expense that would entail. His builder could make no assurances he wouldn't have a problem building over a septic system. The 375 ft. setback would put his home about 25 ft. beyond the buried septic system which was currently still in use. Mr. Maleski also didn't want the construction of his home delayed by disruption considerations related to the septic system. Mr. and Mrs. Pristas, 8545 Snowville Road, remarked that their hookup to the City sanitary sewer system was schedule for the next week.

Mr. Pristas commented that the surrounding homes appeared to be set back about 90 ft. and he didn't understand why the Commission was considering a greater setback. He thought that the house should be located per the setback required by code. Mr. Sciria explained that most of the neighboring homes along that portion of Snowville don't meet the current setback required by code either, and that there are various setbacks on Snowville Road. He noted that the adjacent homes were built before the current code setback provisions which is 125 ft. for R30 off a collector street. Mayor Hruby explained that, in this type of situation, code requires that the Commission establish the setback for a new home. He asked Mr. Sciria to read the relevant section of the code. Mr. Sciria read the current code section dealing with establishing setbacks as follows:

"1151.23(a)(3) – Whenever 50% or more of the frontage within 300 ft. of the lot is occupied by buildings having a front yard less than or more than the requirement as set forth in Subsection (a)(1) and a minimum front yard has not been established on the subdivision plat by the Planning Commission as in (a)(2) then the required front yard for the lot shall be established by the Planning Commission."

Mr. Maleski was firm on his request for a 375 ft. setback. He noted the issue had been negotiated over enough meetings and he had made a concession from his initial request of 444 ft. He respectfully asked for a decision from the Commission. Mr. Pristas was willing to compromise at 300 ft., but would not agree to a 375 ft. setback. Mr. Roman advised that this setback issue had been reviewed by the Commission in at least three meetings. Every attempt was made to reach a compromise and it was now time to move forward with a motion. The Work Session recessed into the Regular Meeting for a motion.

CURTISS WRIGHT EXPANSION – 10195 BRECKSVILLE RD.

Mr. Greg Seifert, Architect for the Geis Companies was present to request final approval of a building addition for Curtiss Wright. He was aware of City Engineer Gerald Wise's March 7, 2013 letter to the Building Department outlining outstanding engineering issues involve drive aisles, storm water management and the need for a photometric plan. Mr. Seifert asked if the Commission could consider final approval contingent upon approval by the City Engineer.

Mr. Wise reviewed the eight points in his list of additional requirements. He pointed out that if they chose to have a retention pond in the front, it would require another appearance before the Planning Commission. Also, any change in layout would require further review by the Commission. Mr. Wise had no problem with the Commission considering final approval contingent upon final engineering approval. Mr. Badalamenti questioned if the submitted renderings matched the existing building materials. He didn't see references in the drawings to bronze

window treatments in the addition to match the materials in the existing building. Mr. Seifert assured him that the addition would feature the same dark bronze anodized aluminum materials on the windows and bronze tinted glass as the existing entrance canopy and windows. The Commission determined to make the motion subject also to review and approval by the City Arborist. The Work Session recessed into the Regular Meeting for a motion.

#### HIPPSLEY MINOR SUBDIVISION – CONSULTATION, 11401 SNOWVILLE ROAD

Mr. Hadden Hipsley appeared for a consultation on a lot split. He was proposing splitting off a one acre lot on the front corner of his seven acre property. The newly created lot would be 165' wide and 310' deep. Mr. Hipsley suggested the setback could be an average between the homes to the west and east of the lot.

Mr. Wise advised a full survey would be required of the property. He explained that a "Y" branch into the sanitary sewer would be necessary along with a tap in fee. Mr. Payto noted that a variance from the required lot width of 200 ft. would be required to permit a 165 ft. lot. This variance was being requested because of an existing driveway that would cut into a 200 ft. lot width. Mr. Hipsley mentioned the many Echo Hills lots along Snowville that were 100' x 200'. Mr. Payto asked if a deviation for a sideyard setback would be needed due to the closeness of an adjacent house. Mr. Wise thought it made sense to wait until a survey of the property was done with a request to reference the location of the house next door far as setback from the street and side yard. He explained that a y branch and connection to the sanitary sewer would be necessary along with a tap in fee.

#### CROWN CASTLE/T MOBILE – 6896 W. SNOWVILLE ROAD

Mr. Greg Thompson was present on behalf of Crown Castle's request for a T Mobile equipment upgrade at 6896 Snowville Road. The proposal was to remove the existing six antennas replacing them with new ones, adding some additional radio equipment at the top of the tower and another cabinet on the existing pad at ground level. A report was submitted to the Building Department confirming that the tower would support the equipment proposed. Mr. Roman noted that a motion to waive the requirement of a public hearing would be required before a motion for approval could be made. The Work Session recessed into the Regular Meeting for both motions.

#### WALGREENS PARKING EXPANSION – 8966 BRECKSVILLE ROAD

Present: Larry Brozek, Northeast Regional Development Manager, Walgreens  
Dean S. Hoover, Attorney for Hoover & Gialluca LLC  
Brian M. Szuch, MS Consultants, Inc.

Mr. Hoover indicated Walgreens would like to increase their limited parking. To that end they have purchased the residential lot and house to the rear of the store on Arlington. They would like to raze the house, remove the collapsing retaining wall and grade the adjacent property to provide one additional bay of parking – a single row with cars parking on either side. As part of the project they would provide a 35 ft. buffer between the parking lot and the property line of the next house on Arlington.

Mr. Wise asked if a retaining wall was planned between the parking lot and the 35 ft. buffer to the Arlington home west of the home being razed. Mr. Szuch responded that no retaining wall was planned. Mr. Wise indicated that without a contour map he could not be sure the grading on the site would work, especially in the southwest corner of the site. He advised that the new parking area would require additional storm water management. Mr. Wise mentioned that TrueNorth used underground tanks tied into the sanitary sewers. Mr. Hoover mentioned a project in Hudson using heavy duty asphalt on drive aisles with permeable pavers in the parking stalls with no resulting runoff. Mr. Wise added that ADA parking compliance would need to be verified, a map of survey and consolidation plat was required, as well as a demolition plan for the existing Arlington house.

Mr. Sciria pointed out that the Arlington Road property would have to go before the voters to be rezoned from residential to local business to develop the additional parking. He spoke about the sensitivity of the Old Town residential district and the intent of the Code in creating and protecting existing residential districts in conformance with the City Master Plan. Mr. Sciria also quoted from the Design Review Guidelines in City Code which

mentioned any development or redevelopment in the city being done in a manner compatible and harmonious with the surrounding area to preserve the unique character of Brecksville. It also mentions minimizing changes to natural grade, and the removal of trees and landscaping.

Mr. Sciria wondered about the homeowner in the second house down on Arlington who would now find himself next to Walgreens when the adjacent house was razed and the parking lot extended toward his house. He asked if adequate screening could be provided from the parking area. Mr. Brozek indicated that neighbor was contacted about Walgreens' offer to donate 35 ft. of screened property from the expanded parking lot. He commented that the homeowner was not openly negative about the proposed parking expansion.

Mr. Sciria thought that locating of trash receptacles was also a sensitive issue. He said that perhaps the most important issue was one of possibly providing excessive parking. The current parking count was 37 spaces. Code requirement for the property was 49 spaces. Walgreens' expanded proposed parking included 61 spaces. City Code provided for adequate, but not excessive parking. In further discussion the general consensus among Commission members, most of whom were customers of Walgreens, was that they had no problem finding parking at the store. They also saw no lack of convenience in the lower level parking spaces.

Mr. Hoover believed the store was below the parking requirement. He quoted the Code Section 1183.02(b) supporting the development of adequate parking for a facility. He believed Walgreens would be improving the property by removing a retaining wall in disrepair and relieving a congested parking lot. Mr. Brozek noted that a majority of the store's customers were elderly and expanding the upper lot which was level with the store would be safer and more convenient for them. He thought the lower lot off Brecksville Road was probably underutilized because of the grade difference and the necessity to climb steps to reach the store. Mr. Brozek suggested a traffic study be done to document parking patterns. He indicated Walgreens felt the congested parking was affecting the store's financial performance. Mr. Brozek confirmed that Walgreens did not plan on physically expanding the building, increasing the employee count or putting in a drive through window. Mr. Hotaling thought people probably spent little more than ten minutes in the store so the turnover rate would be greater than the half hour they estimated.

Mr. Harwood said it appeared Walgreens was trying to put all their parking on the Arlington Road level. Mr. Hoover said they believed that the higher tier parking which was level with the store was important for their business. He said the lower level parking might be maintained for employee parking or converting it to landscaping was an option if the Commission felt there was excessive parking. Mr. Hotaling pointed out that the door to the store was more convenient for the lower level parking than the upper tier parking where patrons would have to walk further. Mr. Szuch said the difference was all about the elderly not having to use stairs to get to the store.

Messrs. Payto and Badalamenti asked about the possibility of eliminating a line of proposed parking along the new bay, reducing the parking count to 49 or 51 spaces and having it line up with the Shell Station parking lot. That would provide more screening from the residential neighborhood. The point was made that removing the house on Arlington would affect the view out to Brecksville Road. Commission members remembered the struggle with Old Town residents just to locate an AT&T cabinet at the edge of their neighborhood. Mr. Badalamenti felt the plan presented was not the best it could be and the most sensitive to the residential neighborhood.

The general sentiment among Commission members was their need to be convinced additional parking was necessary. There was nothing in the proposed plan that encouraged the Commission to recommend rezoning. Mr. Brozek said they would regroup and try to determine how their desire to increase sales to make the store more viable could best be meshed with the Commission's objective of protecting the residential neighborhood.

The Work Session closed at 9:05 p.m.  
THE BRECKSVILLE PLANNING COMMISSION  
KIRK ROMAN, CHAIRMAN  
DOMINIC SCIRIA, VICE CHAIRMAN  
PHILLIP BADALAMENTI, SECRETARY

Minutes recorded by Nancy Dimitris