

PUBLIC HEARING TO CONSIDER SIGN HEIGHT DEVIATION – WOODLANDS OF BRECKSVILLE  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
October 24, 2013 Page 1

Present: Phillip Badalamenti, Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria  
Others: Neil Brennan, Gerald Wise, and approximately 10 guests

Mr. Roman opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the October 13, 2013 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 P.M. on Thursday October 24, 2013 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio 44141 to consider a deviation of 2 foot from the permitted height of 5 foot to permit a 7 foot high sign for the Woodlands of Brecksville located at the intersection of Snowville Road and Woodlands Drive..

Mr. Tom Ream was present representing the Woodlands of Brecksville. The request was for a temporary construction sign for the new subdivision. A deviation of 2 ft. from the Code sign height maximum of 5 ft. to permit a 7 ft. sign height was requested so the sign could contain more information and be set 2 ft. off the ground.

Mr. Donald Mull, 10203 Snowville Road, saw no compelling need or hardship demonstrated to warrant the requested sign deviation. He cited the fence deviation given to Lubrizol as one that was supported by their dealing with government contracts. Mr. Mull pointed out that granting the sign height deviation would set a precedent for other, similar deviation requests. He submitted a petition of objection to the sign deviation request signed by 25 Snowville residents which is herein included with these minutes.

Ms. Carole Leiblinger-Hedderson, 10111 Snowville Road, indicated the developer's property over the last five years has been unkempt with debris from an I77 project, trash and garbage. Neighbors' complaints were just answered with excuses. She felt a sign within Code with a telephone number and website would be sufficient. Mr. Ream apologized for the state of the property over the last five years. He explained that the bank funding the project withdrew their support and the ensuing court case over the last three years left them with no funds to maintain or move forward with the project. The City did have some dirt at the entrance to the site related to the Snowville Road sewer project and that dirt has since been removed. Any dirt currently on the site would be used for the project development. Mr. Ream indicated the proposed sign was a temporary marketing sign and that they planned to have a permanent monument sign and an attractively landscaped Snowville Road entrance to the new subdivision. Ms. Leiblinger-Hedderson asked about the status of mounds of debris from the I77 project at the rear of the property. Mr. Wise indicated the dirt piles were strictly from excavation on the site. The gray shale pile has been spread out on the site and the top soil pile was currently in the process of being removed.

Ms. Gayle Cartledge, 9110 Snowville Road, asked about the timing and location of the proposed sign on the property. Mr. Ream responded that the sign would be located at the development entrance on Snowville at the Code specified setback of 5 ft. off the right-of-way. He thought the sign could be up within the next 30 days and might be in place for 3-6 months and then moved further into the development as the total subdivision of 118 homes would be done in phases. Mayor Hruby advised that per Code temporary signs were granted for one year with the possibility of renewal after that period. Mr. Ream had prepared for submission a shorter, wider sign that conformed to Code and said he would have no problem submitting a sign compliant with Code requirements.

Mr. Roman explained that the issue would be discussed again at the Work Session. With no further discussion, the Public Hearing closed at 7:20 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  
October 24, 2013 Page 1

Present: Phillip Badalamenti, Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria  
Others: Neil Brennan, Gerald Wise, and approximately 10 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:20 P.M.

APPROVAL OF THE PUBLIC HEARING MINUTES FOR A FRONT YARD SETBACK FOR THE OROSZ PROPERTY – 8418 WHITEWOOD

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Public Hearing Minutes of October 3, 2013 to establish a front yard setback for the Orosz Property – 8418 Whitewood be approved.

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

APPROVAL OF THE REGULAR MEETING MINUTES OF OCTOBER 3, 2013

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of October 3, 2013 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF OCTOBER 3, 2013

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of October 3, 2013 be approved.

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

SIGNS

WOODLANDS TEMPORARY SALES – SNOWVILLE ROAD (CC Approval)

Mr. Tom Ream, representing Woodlands of Brecksville, was present to request a temporary subdivision sales sign. At the public hearing earlier in the evening Snowville residents present objected to the deviations requested for a sign 2 ft. higher than the Code maximum. In deference to the neighbors' position, Mr. Ream intended to revise his sign application to bring the sign within Code requirements. Since he preferred the vertical look of the proposed sign Commission members suggested the wording "Call Now To Reserve Your Opportunity To Live And Enjoy Life In Brecksville, Ohio" be omitted. The sign could then be reduced to one foot off the ground with four foot of sign to comply with the Code five foot height maximum. In response to his question, Mr. Ream was advised that the post caps could extend beyond the five foot maximum sign height as a decorative element. Mr. Payto pointed out that maintaining the same sign width and reducing the height by one foot would change the total square footage from 20 sq. ft. to 16 sq. ft.

It was moved by Mr. Sciria seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of a 16 sq. ft., two color, temporary ground project identification sign for the Woodlands of Brecksville

Subdivision at Woodlands Drive and Snowville Road, Brecksville, Ohio, as described in the application dated September 16, 2013 and attached sketches contingent upon the sign design being revised so that text will be eliminated to bring the sign into compliance with Code height of no greater than five foot, and the sign be lowered so that it is only one foot above finished grade to comply with Code for a five foot maximum height.

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

#### BRECKSVILLE CENTER FOR THE ARTS – 8997 HIGHLAND DRIVE

Mr. John Klassan, Director for the Brecksville Center for the Arts, was present to request the replacement of an existing ground sign that was in disrepair. The Center would like to replace the sign in the same location with a sign similar to the City's signs welcoming drivers to the City. Mr. Brennan mentioned that the four deviations required and the necessity of a public hearing were due to a public building located in a residentially zoned area.

Mr. Payto commented that "Brecksville Center for the Arts" did not have to be in changeable lettering. He would also like to see more detail on the changeable lettering for the public hearing. Mr. Badalamenti suggested the applicant consult a professional sign company to prepare a drawing for the public hearing so the Commission and the public would have a better representation of the sign, its materials and dimensions.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Brecksville Planning Commission will hold a Public Hearing at 7:00 p.m. on Thursday, December 5, 2013, in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, to consider:

1. A deviation to permit changeable copy on a sign in a residential district.
2. A deviation of 10 sq. ft. from the permitted 20 sq. ft. to permit a 30 sq. ft. sign in a residential district.
3. A 1 foot deviation from the permitted height of 5 feet to permit a 6 foot high sign in a residential district.
4. A deviation of 2 ft. from the permitted 10 ft. to permit a sign 8 ft. from the ROW for the Brecksville Center for the Arts located at 8997 Highland Drive, Brecksville, Ohio.

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

#### 750 mi – 8903 BRECKSVILLE ROAD

Mr. Jim Walters of 750 mi was present to request an awning for his new business. Pursuant to the Commission's request at his initial consultation he had two options, one in tan and the other in black, for the Commission's review. Mr. Walters' preference was the tan awning which would be consistent with his other location. He has come to recognize the historical importance of the eagle and Red Brick Store sign exterior elements and planned to keep them. Mr. Payto was disappointed that the window trim for the wine bar was black and Burns Financial white. He felt they should have been a consistent color.

Deviations were requested for larger lettering, and wording on the awning other than the business name. Mr. Sciria commented that these deviations were ones that the Commission has granted before (most recently for Marc's) and were warranted given the short, non-descriptive name for the business.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Brecksville Planning Commission approve and recommend to City Council a permanent awning sign. The awning is located on the west side of the building at 8903 Brecksville Road, Brecksville, Ohio as described in the application dated September 16, 2013, and attached sketches dated September 16, 2013 by Louis + Partners Design. The applicant has chosen to proceed with Option A as contained in his submission. (Options B and C are no longer applicable or being moved upon.) The motion is contingent upon City Council approval of the following deviations:

- A deviation of 15 sq. ft. from the permitted 5 sq. ft. of 1187.09(c) to permit a 20 sq. ft. awning sign.
- A deviation from Section 1187.09(c) to permit wording other than the business name on an awning as is reflected in the awning shown on Option A.

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

#### REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that City Council at their last meeting approved a sign for Brecksville Chiropractic and Rehabilitation, a front yard setback for the Orosz Property, painting for the Brecksville Car Wash and preliminary and final approval for St. Basil's Canopy Addition.

#### REPORT OF MAYOR HRUBY

Mayor Hruby reported that Metro Health would be building a facility on the 20 acre parcel at Rt. 82 and 177. The driveway leading into the site was in Broadview Heights with the majority of the property in Brecksville. Both cities have agreed upon an 80/20 (80% Brecksville – 20% Broadview Heights) sharing of income tax generated by the facility. The Mayor said the facility could range from 40,000 to 100,000 sq. ft., bring approximately 160 new jobs to Brecksville and generate about \$15,000,000 in income taxes per year, which at 2% would translate into about \$300,000 for the community share. The facility would be a 24 hour ambulatory care center offering extensive laboratory and testing services. It would likely be the new first responding site for Brecksville ambulances. Broadview Heights would be reconfiguring the interchange at Rt. 82 and 177 going east, including re-signaling which would be done in 2014. The Metro Health facility could begin construction in late 2014 or in 2015 with a projected opening in late 2015 or early 2016. Mayor Hruby indicated the Brecksville Bulletin planned an article on the proposed Metro Health facility.

The Mayor reported that there was also development interest in the adjacent ten acre parcel. He suggested Commission members take a look at the extensive addition to Applied Medical Technologies on Katharine Boulevard. AMT's 100,000 sq. ft. building and the proposed similarly sized Metro Health facility represented significant economic growth in the community. The Mayor also alluded to another upcoming development possibility for Katherine Boulevard that would soon be coming before the Commission.

#### REPORT OF CITY ENGINEER – No Report

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

#### HIPPSLEY FRONT YARD SETBACK – 11401 CHIPPEWA ROAD

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission, pursuant to Section 1151.23(3), establish a front yard setback of 115' from the right-of-way for the new lot in a minor subdivision of Permanent Parcel #605-18-003, located on the north side of Snowville Road, as shown on the Lot Split Plat prepared by GBS Design, Inc., dated August 8, 2013, conditioned upon the approval of the City Engineer.

REGULAR MEETING  
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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 8:35 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

Present: Phillip Badalamenti, Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria  
Others: Neil Brennan, Gerald Wise, and approximately 10 guests

Mr. Roman opened the Work Session at 7:55 P.M.

#### HIPPSLEY FRONT YARD SETBACK – 11401 CHIPPEWA ROAD

Ms. Mary Ann Hipsley was present to request a 115 ft. front yard setback to match that of their neighbors for the construction of a new home. They plan to increase the required western sideyard setback from the required 20 ft. to 30 ft. in deference to their neighbors who are only 10 ft. from their property line. Ms. Hipsley indicated their plans have been shared with the neighbors who have no objections and she shared an e-mail communication with Mr. Williams indicating he had no objection to their plans. The Work Session recessed into the Regular Meeting for a motion.

#### COUNTY LINE SALOON – 13007 CHIPPEWA ROAD

Messrs. Justin Kapela and Edwardo Villagomez were present for a consultation on addition plans for County Line Saloon. Mr. Kapela commented that some reworking of the addition plans have increased the size of the kitchen and reduced the customer area which has resulted in a reduced parking requirement from 28 to 26 spaces.

Mr. Wise had the following issues:

- ADA parking is not in compliance. Two ADA stalls were required and accessibility could not be in the drive aisle.
- The northernmost edge of the parking lot was not curbed like the rest of the lot. Curb it or provide justification.
- Landscape mound "if needed" on north side of lot – either remove it or specify height, drainage and landscaping.
- Sanitary sewer connection a requirement
- Solitary tree in parking lot blocks a parking stall.

Mr. Kapela noted that there were wheel stops at the northernmost edge of the parking lot instead of curbing.

The island with a tree in the parking lot provided protection for a gas meter. There was a general consensus that since the parking area had to be torn up for underground retention the gas meter should be moved close to the building and the tree removed.

Mr. Badalamenti sketched a solution on the drawing moving the ramp and handicapped parking to the rear in an area where accessibility could be provided along with a sidewalk to a ramp, if a ramp was needed depending on the grade.

Mr. Brennan noted that the open air patio shown behind the stage on the plans could not be used for food and beverage service. City Code specified that food and drink service must be within the building. Their canopied area could provide food service. He cited the Burntwood Tavern's covered deck as an example where food service could be provided because the area was under roof. The Law Director said any change to the Code requirement would have to be presented to the electorate. Mr. Kapela indicated the patio was primarily intended as a smoking area and an overflow area for people who were served within the building. It was pointed out that there were establishments in the City serving food and beverage on outdoor, uncovered patios. Mr. Brennan suggested an amendment to the Code permitting such sales could be considered for submission to the voters.

The Commission suggested consideration could be given to covering the patio if the intention was to serve food and beverages. Mr. Kapela said the patio would be fenced in, have no tables or chairs, and be intended primarily as an overflow smoking area. The applicant will proceed with planning with consideration to the Commission's

input. The next submission for County Line Saloon could be for preliminary approval, or preliminary and final approval. Mr. Wise would provide them with his final approval comments should they decide to proceed with final approval.

#### CINTAS BUILDING EXPANSION

Messrs. Michael Novacher, engineer for Ray Fogg Building Methods, Inc. and Frank Floyd, a Cintas engineer, were present for a consultation on the feasibility of a 22,895 sq. ft. addition to the Cintas Warehouse building on Noble Park Drive. Mr. Floyd noted that Cintas was a document storage business and as such required a lot of space, but few employees. They were currently out of space and must either construct a new building or add on to an existing building. They would prefer to reduce landbanked parking at their Noble Park site and expand that building.

Cintas stores documents long term for many types of businesses including medical records, attorneys, local governments, etc. Mayor Hruby indicated Brecksville stores records with Cintas as much for security reasons as for storage space. To a question on digitalized records, Mr. Floyd acknowledged more of that was being done, but hard copies were still required retention in a lot of cases.

Mr. Badalamenti noted they had 700 landbanked spaces and were requesting to eliminate about 10% of those spaces for the addition which would still leave them with 640 landbanked spaces. He commented that the Commission always considered what would happen if a building were sold to another business. In this case the remaining landbanked spaces should adequately cover any other business occupying the space. Mr. Wise ascertained that no further retention would be required as they would only be removing asphalt for the new addition.

The applicant was advised to proceed toward preliminary plan approval, or preliminary and final plan approval in consultation with the Building Department and City Engineer.

The Work Session closed at 8:35 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

**Hon. Mayor Hruby**

**Members of the Brecksville Planning Commission, Members of Council**

**I object to the granting of the deviation / variance for the sign**

**The Woodlands of Brecksville as requested.**

**There is no Compelling need / reason or Undue Hardship presented  
which would justify granting the requested deviation.**

**Lubersol was granted a deviation for their fence for a Compelling  
Need, because of their Government contracts.**

**The requested variance / deviation is mere free advertising for the  
Woods of Snowville and would create a precedent for other requests  
for deviations without a Compelling need / reason or Undue  
Hardship, and for their sign on Dewey Rd.**

**The request should be denied.**

  
Donald P. Mull

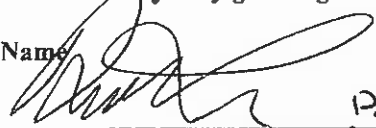
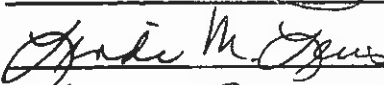

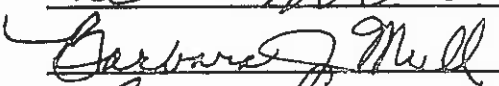
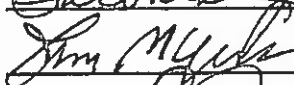
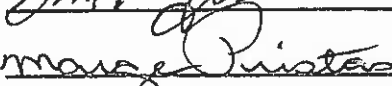
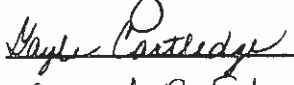
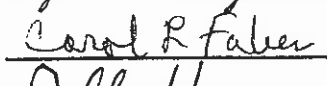
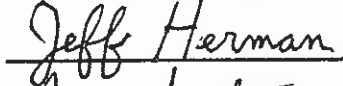
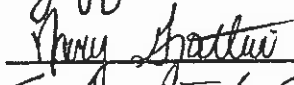
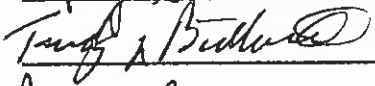
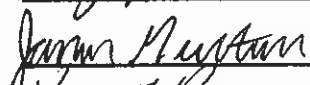
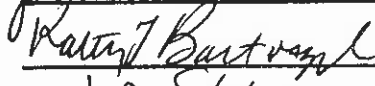
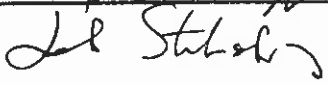


October 24, 2013

Hon. Mayor Hruby  
Members of the Brecksville Planning Commission, Members of Council

We the undersigned residents, Owners of property on Snowville Road to hereby object to the granting of the variance / deviation requested for the sign Woodlands of Brecksville as requested.

There is no Compelling need / reason or undue hardship presented which would justify granting the requested deviation.

Name	Address
	PAUL G. LEWIS 9711 SNOWVILLE RD.
	9711 Snowville Rd.
	10203 Snowville
	10203 Snowville Rd
	7811 Snowville Rd
	8545 Snowville Rd
	9110 Snowville Rd.
	9703 Snowville Rd.
	9509 Snowville Rd.
	10325 Snowville Rd.
	10509 Snowville Rd.
	10325 Snowville Rd
	10309 Snowville Rd
	9815 Snowville Rd.

October 24, 2013

Hon. Mayor Hruby  
Members of the Brecksville Planning Commission, Members of Council

We the undersigned residents, Owners of property on Snowville Road to hereby object to the granting of the variance / deviation requested for the sign Woodlands of Brecksville as requested.

There is no Compelling need / reason or undue hardship presented which would justify granting the requested deviation.

Name	Address
<i>Thomas J. Jero</i>	<i>10409 Snowville Rd.</i>
<i>Patricia A. New</i>	<i>10409 Snowville Rd.</i>
<i>Mark Bowers</i>	<i>11619 SNOWVILLE ROAD</i>
<i>GEORGE RUTKOWSKI</i>	<i>11300 SNOWVILLE</i>
<i>J. Wilbur</i>	<i>11259 Snowville Rd.</i>
<i>David Williams</i>	<i>11259 Snowville Rd.</i>
<i>Cathryn J. Baum</i>	<i>10228 Snowville Road</i>
<i>Carole Teblinger - Ted deen</i>	<i>10111 Snowville Rd</i>
<i>Barbara Teblinger</i>	<i>10111 Snowville Rd.</i>
<i>Lisa</i>	<i>10253 Snowville Rd.</i>
<i>W. Hardy</i>	<i>10253 Snowville Rd.</i>