

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
April 23, 2015 Page 1

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

Mr. Hotaling opened the Regular Meeting of the Planning Commission at 7:04 P.M.

APPROVAL OF THE PUBLIC HEARING MINUTES OF APRIL 9, 2015 TO SET A FRONT YARD SETBACK -
PP #601-18-009 WHITEWOOD RD. -

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission Public Hearing Minutes of April 9, 2015 to establish a Front Yard Setback on – PP #601-18-009 Whitewood Road be approved.

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

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 9, 2015

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission Regular Meeting Minutes of April 9, 2015 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 9, 2015

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission Work Session Meeting Minutes of April 9, 2015 be approved.

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

REPORT OF COUNCIL REPRESENTATIVE

In Mr. Harwood's absence Mayor Hruby reported that at their last meeting City Council approved the Novak Front Yard Setback, T Mobile Replacement Antennas, AT&T Temporary Cooling Trailers, and final approval for the MetroHealth Site Plan and Elevations.

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.

MARC'S OUTDOOR PLANTS – 8945 BRECKSVILLE ROAD

It was moved by Mr. Sciria and seconded by Mr. Hotaling that the Planning Commission recommend to City Council a finding of Similar Use to the permitted "outdoor sale of oil and gasoline" to permit the outdoor sale of plants on a temporary basis from May 6, 2015 through June 15, 2015 in the parking area south of, and

immediately adjacent to, the American Legion Hall as indicated in the attached photograph, and contingent upon the property owners' approval.

ROLL CALL: Ayes: 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.

GATEWAY ASSOCIATES LOT SPLIT – 6850 & 6900 SOUTHPOINTE PARKWAY

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission recommend to City Council approval of a lot split of PP # 604-17-006 to create Parcel A (3.0408 acres, 6900 Southpointe Parkway), and Parcel B (2.2651 acres, 6850 Southpointe Parkway) as described on the application dated March 23, 2015, and the plat by Bauer Surveys Company, dated March 23, 2015, and contingent upon approval of the City Engineer, City Law Director which is inclusive of the interpretation of the potential requirement of easements and addressing of the storm water pods, as well as approval of the Board of Zoning Appeals recommending to City Council the following six variances on the application review dated March 23, 2015:

1. A variance for Parcel A of 0.9592 acres from the Section 1157.29(b)(1) requirement that a MD lot on an interior street be 4 acres to permit a 3.0408 acre lot.
2. A variance for Parcel B of 1.7349 acres from the Section 1157.29(b)(1) requirement that a MD lot on an interior street be 4 acres to permit a 2.2651 acre lot.
3. A variance for Parcel B of 65.00 ft. from the Section 1157.09(b)(2) requirement that the minimum width of an MD lot on an interior street be 300 ft. to permit a lot with a width of 235.00 ft.
4. A variance for Parcel B of 25.0 ft. from the Section 1157.29(c)(1) requirement that the minimum distance between any building and the side lot line be not less than 50 ft. to permit 25.0 ft. between a building and a side lot line.
5. A variance for Parcel B of 21 ft. from the Section 1157.29(c)(2) requirement that no parking facility be permitted within the minimum 25 ft. side yard to permit a parking facility within 4.0 ft. of a side lot line
6. A variance for Parcel A of 5.0 ft. from the Section 1157.29(c)(2) requirement that no parking facility be permitted within the minimum 25 ft. side yard to permit a parking facility within 20 ft. of a side lot line.

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

The Regular Meeting closed at 8:55 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
KIRK ROMAN, SECRETARY

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MINUTES OF THE WORK SESSION
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Present: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Eric Lahrmer, Michael Harwood
Others: Neil Brennan, Gerald Wise, and approximately 4 guests

Mr. Hotaling opened the Work Session at 7:12 p.m.

MARC'S OUTDOOR PLANTS – 8945 BRECKSVILLE ROAD

Mr. Jim Kelly was present to request approval for Marc's to sell plants outdoors for a short period from roughly the first week in May until mid-June. They proposed to set up a selling area in six parking spaces of the former Brecksville Music Shoppe. Mr. Sciria asked about the logistics of how sales would transpire. Mr. Kelly expected customers would park in the lot in front of Marc's, walk a shopping cart to the plant sales area to purchase plants, and then walk the loaded cart back to their cars in Marc's front parking lot. He proposed some temporary fencing for safety at that site. Commission members were concerned about safety with the increase of pedestrians walking in an area with heavy vehicular traffic. It was also felt that people would try to pick up plants with their cars rather than walk to the area, increasing the congestion and possibility of accidents.

Mayor Hruby mentioned as a possible location a lightly used parking area adjacent to the American Legion Hall that served the American Legion along with several businesses along Brecksville Road. He said those property owners, however, would have to be contacted for their consent. Mr. Kelly indicated he would need City Council approval at their next meeting, or Marc's would miss the opportunity for plant sales. The decision was made to make a motion for the temporary plant sales from May 6th through June 15th at the location adjacent to the American Legion Hall contingent upon the approval of the property owners using that parking lot. Messrs. Hotaling and Roman suggested Mr. Kelly confirm that Marc's insurance covered that temporary sales area separate from the physical location of the store. The Work Session recessed into the Regular Meeting for a motion.

HILLBROOK COURT – 8747 BRECKSVILLE ROAD

Messrs. Sam Cannata, Attorney, and Gus Gallucci were present for a consultation on a proposed development of approximately seven acres south of Hillbrook Estates. Mr. Cannata indicated that since the Commission's initial review of the proposed development on March 26th he eliminated six homes. The plan at twelve homes was now essentially the layout approved for J & M Salupo in 2006, but not constructed. It was confirmed that Hillbrook Oval was still a private drive, so the new roadway would need to be a private drive. There would be a Home Owners Association to make sure the private road was maintained. The proposal did not include much common area. Mr. Cannata planned to use one builder and have a continuity of design that would be complementary to Hillbrook. He expected the homes to be in the \$300,000-400,000 range. Mr. Gallucci felt the location and price range would make an attractive and economically successful project.

There was some discussion on whether the property should be developed as a PDA. Mr. Sciria quoted from City Code the guidelines for PDA development which began with a 30 acre minimum. He said that while the proposed development seemingly complied with a stipulation of a PDA to maximize the utilization of the land, it failed the intent of a PDA to grant flexibility in the arrangement of buildings to preserve the topography and natural resources. The objective of a PDA should not be the over development of a parcel for economic gain. Mr. Sciria thought PDA's were often used not only for greater density, but to also accommodate excessive deviation requests which would not be considered in standard R20 development.

In response to a question by the Mayor, Mr. Cannata had not considered a development of less than twelve homes. Mayor Hruby questioned because of the topography whether S/L's 1 and 12 could be developed as shown. He suggested ten homes would be a better fit on that parcel. Mr. Payto thought eliminating two lots would permit the road to shifted to the west somewhat. The comment was made that not enough engineering work had been done on the proposal to confirm whether all the lots were buildable. Mr. Sciria pointed out that determinations of hardship relative to the deviation requests might minimize the setbacks permitted to the point where the number of lots would be reduced in any case. Mr. Brennan suggested that if PDA development was to

be considered the Commission should provide the applicant with some guidelines on the extent of deviations that would be considered that would, in effect, dictate the density of development.

The possibility of have two homes facing Hillbrook was mentioned. Those lots would be less expensive and less desirable as they might not have the feeling of inclusion in the new subdivision. Mr. Wise speculated that if driveways off Hillbrook Oval were permitted it might be more economically feasible to line the maximum number of homes along the Hillbrook Oval frontage of the parcel and not develop an expensive street.

After further discussion it was the consensus of Commission members that before considering a PDA a starting point for evaluating development of the parcel should be the proposed subdivision laid out as an R20 development within the Code requirements for that zoning. Mr. Sciria suggested several layout options could be submitted.

GATEWAY ASSOCIATES LOT SPLIT – 6850 & 6900 SOUTHPOINTE PARKWAY

Mr. William West, a General Partner of Gateway Associates, was present to request a lot split for a parcel on Southpointe Parkway that has two buildings on it. To address a concern of the City Mr. West submitted a letter detailing the maintenance responsibility for the two retention basins. Mr. Wise was expecting formal easement documents that would be part of the property documentation. Mr. West didn't believe an easement was the appropriate terminology for the documentation required. As a partner at Gateway he was willing to sign an agreement with the City that had the recommendation of the City Law Director on responsibility for maintenance of the retention basins. Mr. Wise spoke briefly about the need to address storm water pods. It was agreed that a contingency notation to that effect could be made part of a motion for approval of the lot split. The Work Session recessed into the Regular Meeting for a motion.

The Work Session closed at 8:55 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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