

PUBLIC HEARING TO LOCATE MONOPOLE AT BLOSSOM  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria  
Absent: Kirk Roman  
Others: Neil Brennan, Gerald Wise, and approximately 20 guests

Mr. Hotaling opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the January 25, 2015 issue of the *Plain Dealer*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 P.M. on February 5, 2015 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio regarding a proposed 235 ft. tower and associated equipment shelter for Motorola Solutions and the City of Cleveland to be located on city-owned property west of the existing service garage at Blossom Hill and south of the City of Cleveland Blossom Water Tower.

Mr. Ron Mirka of Motorola Solutions was present on behalf of a request to move a City of Cleveland radio tower from its current location on Valley Parkway off the Metroparks to a new location on the Brecksville Blossom property in the vicinity of the City of Brecksville communications tower and service garage. This proposal originated in 2011 when the City of Cleveland approached Brecksville about doing upgrades to their tower on Valley Parkway on land Brecksville would like to redevelop in the future. Brecksville offered Cleveland a location for a new, upgraded tower at the Blossom site close to the City of Cleveland water tower. The City of Cleveland has encumbered funding for project, completed the engineering and processed all the paperwork necessary for moving to the new location.

Mr. Allen Kinney, 3825 Oakes Road, recalled a request for another communications tower at the Blossom location years ago. At that time he submitted documents relative to concerns on radiation and lowered property values. At that time the decision was made to locate the tower in Broadview Heights at their landfill location. Mr. Kinney did not want to see another tower across the street from his house. Mayor Hruby explained that the City felt it was a better option to move the Cleveland tower's location from the natural forested park/residential area to the Blossom site where there was already a communications tower and water tower. He noted that at the public hearing for Brecksville's communications tower on the Blossom site years ago there was little adverse controversy.

Mr. Kinney asked about the pole's height. The proposed tower would be about 235 ft. compared to Brecksville's 190 ft. tower. Mr. Sciria pointed out that the massiveness of the water tower would be the most visual focal point in that area. Mr. Mirka commented that the tower would consist of a single pole in a grey tone. The monopole would be located over 1,000 ft. from any residential structure. Mr. Mirka said operation of the tower would comply with strict FCC regulations. He agreed to pursue information on radiation dispersion from their engineering documentation and report back to the Mayor.

Mr. Hotaling explained that the issue would be discussed again at the Work Session. With no further discussion, the Public Hearing closed at 7:15 P.M.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN  
DOMINIC SCIRIA, VICE CHAIRMAN  
KIRK ROMAN, SECRETARY  
Minutes recorded by Nancy Dimitris

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria  
Absent: Kirk Roman  
Others: Neil Brennan, Gerald Wise, and approximately 20 guests

Mr. Hotaling opened the Regular Meeting of the Planning Commission at 7:15 P.M.

APPROVAL OF THE ORGANIZATIONAL MEETING MINUTES OF JANUARY 22, 2015

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Organizational Meeting Minutes of January 22, 2015 be approved.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Dominic Sciria  
Abstain: Eric Lahrmer  
Nays: None  
MOTION CARRIED

APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 22, 2015

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of January 22, 2015 be approved.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Dominic Sciria  
Abstain: Eric Lahrmer  
Nays: None  
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF JANUARY 22, 2015

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of January 22, 2015 be approved.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Dominic Sciria  
Abstain: Eric Lahrmer  
Nays: None  
MOTION CARRIED

APPROVAL OF THE 2014 ANNUAL REPORT

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission 2014 Annual Report be approved.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

SIGNS

ALLSTATE – WALL & GROUND SIGNS – 8223 BRECKSVILLE ROAD

Mr. David Detar of Sign Erectors, Inc. was present on behalf of Allstate's request for both a wall and ground sign. He mentioned a meeting he had with a representative from Allstate and the landlord, who provided his written

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 2

approval for the proposed signage. Mr. Detar acknowledged that there was a directory sign at the entry to the complex, although the address for Allstate was incorrect.

Mr. Hotaling mentioned that he had driven through the complex and had no problem finding Allstate's location. It was pointed out that City Code provided for only one tenant directory sign for the complex. Permitting separate signage for one tenant would establish a precedent the Commission was unwilling to set. It was suggested that Allstate approach the landlord about making changes to the directory sign at the entrance to the complex.

REPORT OF COUNCIL REPRESENTATIVE - No Report

REPORT OF MAYOR HRUBY

Mayor Hruby reported on upcoming events, most notably his State of The City address on Wednesday, February 18<sup>th</sup> in the Gathering Room of the Human Services Building. The Mayor mentioned he was scheduled to meet with representatives of MetroHealth, several Council members, and the City's economic developer on MetroHealth's initial development plans. He thought they would be on the Planning Commission's agenda for their first meeting in March. MetroHealth was ready to do site clearing for their project.

REPORT OF CITY ENGINEER

Mr. Wise reported that the Woodlands of Snowville submitted is Phase I-B for approval and recording.

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

MOTOROLA/CITY OF CLEVELAND/MONOPOLE TOWER – 4454 OAKES ROAD

It was moved by Mr. Hotaling, and seconded by Mr. Harwood that the Brecksville Planning Commission recommend to City Council approval of plans for a 235' Monopole Communications Tower, a 12'x24' concrete equipment shelter, outdoor backup generator and fuel source within a fenced compound, located at 4454 Oakes Road, Brecksville, Ohio 44141, for Motorola Solutions and the City of Cleveland as described in the application dated December 4, 2014, supplemental information provided December 30, 2014 and attached drawings by C&S Companies:

G-001	Title Sheet	8/7/2013
G-002	General Notes and Legend	8/7/2013
G-003	General Notes	8/7/2013
G-004	General Notes	8/7/2013
C-101	Overall Site Plan	8/7/2013
C-102	Equipment Layout Plan	8/7/2013
C-201	Tower Elevation	8/7/2013
C-202	Equipment Shelter Details	8/7/2013
C-501	Ice Bridge and Cable Support Details	8/7/2013
C-502	Site Details	8/7/2013
C-503	Fence Details	8/7/2013
C-504	Equipment Shelter Foundation Details	8/7/2013
C-505	Sign Specifications and Sign Details	8/7/2013
T-501	Antenna Layout Plan and Details	8/7/2013
T-502	Dish Layout Plan and Details	8/7/2013
E-101	Power Plan	8/7/2013

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 3

E-102	Grounding Plan and Notes	8/7/2013
E-501	Grounding Schematic and Notes	8/7/2013
E-502	Panel Schedule and Notes	8/7/2013
E-503	Grounding Details	8/7/2013
E-503	Grounding Details	8/7/2013
E-505	Antenna and Cable Schedule	8/7/2013

Contingent upon:

1. A determination per Section 1153.02(b) by the Planning Commission that the tower is a similar use and permitted in a Community Facilities district.
2. The approval by the City Engineer or designee of the construction drawings and a submitted structural analysis report.
3. Approval by the Building Commissioner.
4. Approval by the Brecksville Service Director.
5. Approval by the Law Director of a lease from the City of Brecksville and the City of Cleveland.
6. Completion of an EME Study and review by the City Engineer.
7. A determination by the Planning Commission that a landscape plan is not required.
8. A statement that the tower will not cause interference to any existing tower and review by the City of Brecksville's consultant Vasu Communications.
9. The recommendation by the Board of Zoning Appeals and City Council approval of the following:
  - A variance of 35.1' from the requirement of Section 717.04 which permits monopole towers to be up to, but not including 200' in height, to permit a 235' monopole tower.
  - A variance of 1,273' from the requirement of Section 717.05(e) that there be a separation of at least ¼ mile between new wireless communication towers to permit a separation of 47'.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

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

MOTOROLA/CITY OF CLEVELAND/MONOPOLE TOWER SIMILAR USE – 4454 OAKES ROAD

It was moved by Mr. Hotaling, and seconded by Mr. Harwood that the Brecksville Planning Commission recommends to City Council that the Motorola/City of Cleveland Monopole Tower at Blossom is a similar use in a Community Facilities District.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 4

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

MOTOROLA/CITY OF CLEVELAND/MONOPOLE TOWER LANDSCAPE PLAN – 4454 OAKES ROAD

It was moved by Mr. Hotaling, and seconded by Mr. Harwood that the Brecksville Planning Commission recommends to City Council that the Motorola/City of Cleveland Monopole Tower at Blossom does not require the landscaping plan and landscaping required in Code Section 717.05(f).

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

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

CLEVELAND KNOCKOUTS – SIMILAR USE – 7007 MILL ROAD

It was moved by Mr. Hotaling, and seconded by Mr. Harwood that the Brecksville Planning Commission recommend to City Council that Cleveland Knockouts is a Similar Use as defined in Section 1155.04(b) according to a standard set forth in Section 1191.11 and shall be permitted.

ROLL CALL: Ayes: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

The Regular Meeting closed at 10:20 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria  
Absent: Kirk Roman  
Others: Neil Brennan, Gerald Wise, and approximately 20 guests

Mr. Hotaling opened the Work Session at 7:30 P.M.

MOTOROLA/CITY OF CLEVELAND/MONOPOLE TOWER – 4454 OAKES ROAD

Mr. Ron Mirka of Motorola Solutions was present on behalf of a request to move a City of Cleveland radio tower from its current location on Valley Parkway off the Metroparks to a new location on the Brecksville Blossom property. A public hearing was held earlier in the evening on this proposal and Commission members had no further questions on the proposal.

Mr. Wise asked that a motion for approval of the monopole be contingent upon submission of structural drawings and final engineering exhibits relative to site grading, underground utilities and their location, construction staging and access roads. Because of the proposed location on the City's Blossom complex the motion should also be contingent upon final plan review by the City Engineer and Service Director. Mr. Brennan asked that there be two additional motions considered relative to: 1) Location of the monopole being a similar use in a Community Facilities District and, 2) No landscaping plan would be necessary at the new monopole location. The Work Session recessed into the Regular Meeting.

CLEVELAND KNOCKOUTS – SIMILAR USE – 7007 MILL ROAD

Messrs. Sean Phillips and Michael Delguyd were present on behalf of their request to have a similar use designation for their personal training facility to be located on Mill Road in space formerly occupied by a dry cleaner. Cleveland Knockouts would offer small group classes in boxing and cross training. The classes would involve a circuit training format with no actual hitting contact. They expected to operate 6-7 hours per day only during the class times of 6:30-8:30 a.m., 10:30 a.m.-12:30 p.m., and 5:30-7:30 p.m. There would be no late evening classes. Class size could be up to 15 people with two or three staff members present.

Addressing a question on noise level Mr. Phillips said they would be playing music, however the building was concrete block construction with rubber flooring which would serve to absorb the sound. The only other tenant currently in the strip of store fronts was a restaurant. Mr. Payto noted that parking had always been a challenge in that location. Mr. Phillips indicated their clients would be given a key fob for the back door, and asked to use that entrance where there were 54 parking spaces. He also felt that the times of their classes would not conflict with the restaurant's parking requirement. There was a general consensus that Cleveland Knockouts would be a good fit at the proposed location and could be classified as providing a personal service. The Work Session recessed into the Regular Meeting.

WATERFORD GLEN – 10222 HIGHLAND DRIVE

Present: Mark G. Kopcienski, Ryan Homes Land Manager  
Kevin J. Kwiatkowski, Ryan Homes Market Manager Land  
Robert Papotto, Atwell, LLC

Mr. Kopcienski was prepared to review the proposed Waterford Glen subdivision, a single cul-de-sac street with 36 sublots to be accessed off Highland Drive. The concept plan for the development was first discussed with the Planning Commission in September. In response to Commission concerns at that time Mr. Kopcienski noted the following:

- A notification was received from the Army Corps of Engineers that the wetlands delineation map of the property was accurate.

- A connection to Summer Wind Drive was removed and the only entrance to the proposed development shown at Highland Drive.
- The results of a traffic study were submitted. A three way stop at the entrance to the development at Highland Drive was recommended.

Mr. Wise submitted to the Planning Commission a four page, detailed summary from his review of the subdivision documents submitted. A copy of his February 2<sup>nd</sup> letter is attached and made part of these minutes. Mr. Wise reviewed in each point in his letter, many of which were engineering issues.

#### Highland Entrance

The Mayor asked if the developer was able to purchase land from the Summer Wind property owner. Mr. Kopcienski said those negotiations were unsuccessful. Had they acquired an additional 85 ft. he thought it would reduce the requirement of a three way stop at Highland to a single stop sign at the development entrance, although the entrance would still be a dangerous intersection. There was a suggestion that the Turnpike be contacted to see if they had suggestions on anything that could be done to improve the line-of-sight at the entrance/exit on Highland.

Mr. Payto expressed concern that a three way stop would create a false sense of security for the driver exiting the new development that the traffic on Highland would actually stop. He wondered if just a single stop sign at the development entrance would be safer. Mr. Kwiatkowski said there would be a considerable breaking in time for the new stop signs during the time the street was developed and the start of home construction.

The Mayor said it appeared the options were to accept the three way stop at the Highland entrance or connect to the Four Seasons development at Summer Wind, which represented the safest solution. There was a suggestion that the Planning Commission have another, independent traffic study done. Mr. Sciria expressed concern that at some point in the future the Waterford Glen subdivision would be tied into a Broadview Heights street creating a cut through and increased traffic headed for I-77.

#### Landlocked Parcels

Ms. Sue Maier was present regarding her five acre parcel that was landlocked by a Turnpike easement (See January 27, 2015 letter attached). She was approached by a couple who would like to purchase and build a home on the property if a buildable lot could be established. Ms. Maier hoped access to the parcel could be provided along the new subdivision street. Mr. Kwiatkowski indicated Ryan Homes had offered unsuccessfully to purchase her parcel. He added that they would be reluctant to lose a buildable lot in the proposed development to provide access to her property. Mayor Hruby commented that the city could not force the developer to provide access. Mr. Harwood pointed out the Planning Commission's consideration was not limited to just the developer's proposed subdivision, but had to include how the proposed subdivision would affect adjacent properties.

On the issue of providing improvements/utilities to landlocked parcels the Mayor quoted from Code Section 1119.02 a(2) – Improvements Required – which essentially required a developer to extend improvements and utilities to the boundaries of his development to serve undeveloped streets. The Planning Commission could also require the extension of improvements/utilities even though no road was planned and the improvement would serve a buildable lot. The Mayor offered to ask for the Law Director's opinion on the issue.

#### Variances

Mr. Sciria commented that on projects where variances are requested the Commission typically asked for descriptions of hardship that would support the granting of each variance. He added that the issue of profit would not be a valid consideration. Mr. Payto noted that the Commission commonly also requires developers to provide a rough drawing of their proposed project to Code without variances, even if it involved the loss of a lot(s). Sublots 23 and 27 were identified as lots that might have size issues.

Storm Water/Utilities

Mr. Harwood thought bunching up three storm water retention ponds at the entrance to the development did not look good. Mr. Kwiatkowski described the constraints of the site and expense considerations that lead to the location of the three ponds which he maintained was the best option available to them.

Mr. Sciria noted the Planning Commission would want to see a document from the Turnpike Commission granting permission for the development's storm water to drain into their culvert.

The Commission summarized the discussion to give the developer direction in preparation for the next meeting to consider the project:

- Planning Commission will authorize another traffic study
- Developer will document hardship for each of the variances requested
- Developer will draft a rough alternate site plan with no variances
- Developer will secure a confirmation document from the Turnpike permitting storm water runoff to their culvert
- Mayor will discuss access issue to landlocked parcels with the Law Director

HIDDEN HILLS – 9878 HILLSDALE

Messrs. Dan Neff and Charles Onyak of Neff and Associates were present to review a preliminary plan of the proposed Hidden Hills development at the southwest quadrant of Hillsdale & Parkview. The subdivision would be divided into two phases with 25 lots in the first phase, and 21 lots in the second phase. The property would be developed as an R-30 PDA.

Mr. Neff commented that the plan before the Commission was essentially the same as the preliminary plan the Commission reviewed in June 2013. All lots meet Code minimum square footage requirements. They have been in discussions with the EPA regarding storm water management. The plans before the Commission were more detailed than the ones the Commission last reviewed. Mr. Neff hoped to see construction begin in late summer or early fall.

Mr. Wise reviewed in detail his general comments and engineering issues contained in his February 5, 2015 letter to the Planning Commission which is attached and made part of the minutes. He commented that the current plans now have geotech reports, and wetlands and catch basins are shown. He mentioned an inconsistency in documents relative to the location of the two abandoned wells on the property and asked for confirmation of their location as well as closure reports. Mr. Wise asked about conservation areas. Mr. Neff said conservation areas would be recorded on the deeds, posted, and monitored by the development's homeowners association. Mr. Harwood mentioned that on a number of lots the building envelope was very close to infringing on the conservation easement. After reviewing the geotech reports Mr. Wise mentioned a number of lots that might be affected by erosion issues in the future. Mr. Harwood pointed out that there was probably enough land that the lots and roadway could be realigned to take care of some of the issues related to building envelopes infringing on the conservation easement and avoiding areas of possible slope erosion. Mr. Wise recommended a buffer between the development and the Lubrizol property. Mr. Neff observed that a realignment of the road and lots to provide a buffer from the Lubrizol property, distance from the conservation easement and the best placement of lots relative to areas of possible erosion might require requests for setback variances.

Mr. Wise talked about the need for a gravity sewer along Springhill Drive. He brought up the issue of the developer providing sewer connections to the property owners across the street. Mr. Neff thought those connections could run \$7,000-\$10,000 per connection. He would discuss it with the developer, but thought they would be looking for some financial help from the City on that issue.



MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
February 5, 2015 Page 4

Mr. Wise advised that as planning progressed and documents establishing a homeowners association were developed they would have to include responsibility for any retention basins and provide proof of capital for maintenance of those basins.

ZONING CODE AMENDMENT

Mr. Brennan drafted a proposed amendment to the City Zoning Code that would address the issue of leasing the historic Breck House to a tailor who operates with outside sales reps and where the actual work would be done out of state. The amendment would be limited to historic buildings (over 100 years old) within the town center. The conditional use permit would be non-transferable and would become null and void if the business ceases operation at the location for a six month period.

The Planning Commission would seek counsel on the proposed amendment from the Law Director before recommending it to City Council's Legislative Committee for their review.

The Work Session closed at 10:20 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

