

PUBLIC HEARING SOLAR SYSTEM – 8028 PERSHING DR.
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 25, 2017 Page 1

Present: Michael Harwood, Robert Hotaling, Mayor Hruby, Eric Lahmer, Ron Payto, Kirk Roman,
Dominic Sciria
Others: Scott Packard, Gerald Wise, and approximately 12 guests

Mr. Hotaling opened the Public Hearing at 7:02 P.M. by reading the following legal notice published in the May 11, 2017 issue of the *Sun Star Courier*:

The Brecksville Planning Commission will hold a Public Hearing on May 25, 2017 at 7:00 P.M. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider the request for a residential Solar Photovoltaic System which requires deviations regarding the size of the system to be installed at 8028 Pershing Drive., Brecksville, Ohio 44141, as required by Section 1186.06(b)(1).

Messrs. Eben McNair, home owner, and Jon Pierson of Third Sun Solar were present to request approval for the installation of a solar system on the south side of Mr. McNair's garage roof. Mr. McNair indicated that none of his neighbors would be able to see the solar panels.

Ms. Teresa Basista, 8151 Davenport Drive, asked if the panels would be flat and she was assured they would be flat. Mr. Dennis Zanath, 8051 Long Forest Drive, asked about the number of panels and was told there would be 22 panels. Mr. Zanath also asked for and received an explanation on how the panels would be bolted to the roof. He inquired about uplift calculations and Mr. Pierson responded that those calculations were determined and documented by a structural engineer. Mr. Harwood added that before a permit was issued all the structural documentation had to be reviewed and approved by the Building Department.

There were no further questions from anyone in the audience relating to the proposal. The Public Hearing closed at 7:12 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
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Present: Michael Harwood, Robert Hotaling, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,
Dominic Sciria
Others: Scott Packard, Gerald Wise, and approximately 16 guests

Mr. Hotaling's opened the Regular Meeting of the Planning Commission at 7:16 P.M.

APPROVAL OF THE MAY 4, 2017 PUBLIC HEARING MINUTES ON A FRONT YARD SETBACK FOR 9515
CHIPPEWA ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission May 4, 2017 Public Hearing Minutes on a Front Yard Setback for 9515 Chippewa Road be approved...

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

APPROVAL OF THE MAY 4, 2017 PUBLIC HEARING MINUTES ON THE PROHIBITION OF MEDICAL
MARIJUANA ACTIVITIES IN ALL USE DISTRICTS

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission May 4, 2017 Public Hearing Minutes on the Prohibition of Medical Marijuana Activities in All Use Districts be approved.

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

APPROVAL OF THE REGULAR MEETING MINUTES OF MAY 4, 2017

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of May 4, 2017 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF MAY 4, 2017

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of May 4, 2017 be approved.

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

SIGNS

VERTICAL RUNNER

Mr. Vince Rucci of Boulder Real Estate Company was present to request approval for a wall sign for Vertical Runner which was already in place on the side of the building. He explained they discovered that a reconfiguration of their space would allow them extra space to lease to five tenants so they needed an additional wall sign to direct Vertical Runner customers to their side entrance. Mr. Packard noted that with a second entrance another wall sign was permitted; however it would need to be much smaller and mounted over the second entrance door.

Mr. Payto disliked the huge arrow on the oversized sign. He suggested a smaller sign on a bracket mounted perpendicular to the wall to direct customers to the side entrance. Mr. Sciria advised that by the use of an oversized arrow they had created a directional sign that the Commission would not normally consider. Mayor Hruby commented that the four deviations requested would not normally be considered by the Commission and would set an undesirable precedent.

Mr. Rucci responded that the sign was pre-built for another location, but not used there. He was amenable to having a small bracketed sign, to be mounted perpendicular to the building designed. Mr. Packard agreed to call Mr. Rucci with the sign specifications necessary to meet Code requirements. Mr. Rucci asked if the current wall sign could remain in place until the new sign was ready. Commission member were agreeable to that request. The sign request was tabled.

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that at their May 16th meeting City Council approved the Front Yard Setback for 9515 Chippewa Road, the proposed zoning code change to Prohibit Medical Marijuana Activities in All Use Districts, and the AT&T Generator.

REPORT OF MAYOR HRUBY

Mayor Hruby reminded everyone about the Memorial Day parade with its 10:30 a.m. start. He noted that after the parade at the cemetery ceremony a 92 year old WWII veteran, and former long-time Brecksville resident, would be awarded his Brecksville High School diploma he missed receiving when he was drafted into service while still in school.

The Mayor advised that he was working with the Chamber of Commerce on the vacancies in the downtown area and they hoped to see new tenants soon. He also noted that the dumpster downtown was there for Mr. Duda to remove materials from his flooded basement.

Mayor Hruby mentioned the rezoning request on this meeting's agenda for the former CEI Substation lot recently purchased by the City. The intent would be to have the zoning for that lot match the zoning on the police department lot. The Mayor added that the architect for the new police department/dispatch center would be giving an overview of that project later in the meeting.

REPORT OF CITY ENGINEER - No Report

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

MCNAIR SOLAR PANEL INSTALLATION – 8028 PERSHING DRIVE

It was moved by Mr. Hotaling, and seconded by Mr. Harwood, that the Planning Commission recommend to City Council **FINAL** approval of a solar panel system at 8028 Pershing Drive, Brecksville, Ohio 44141, as described in the application dated April 3, 2017 and shown in the attached plans contingent on the submittal of the Utility Company interconnection approval and also contingent on City Council's approval of the following deviation:

- A deviation from the Section 1186.03(c)(1) requirement that a roof-top configuration shall not exceed twenty-five percent (25%) of a given roof area where the system is installed to allow 75% of roof area #1.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahmer, 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.

PETROS DEVELOPMENT RE-ZONING – 8998 BRECKSVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission will hold a Public Hearing on June 8, 2017 at 7:00 P.M. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider the request for the rezoning of PP #601-34-015, 601-34-082 and 601-34-016, 8998 Brecksville Road, Brecksville Ohio 44141, split zoned properties from L-B Local Business and R-8 Single Family to all L-B Local Business District.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahmer, 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.

PETROS HOMES LOT SPLIT & CONSOLIDATION – 7811 SNOWVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of the lot split and consolidation for 7811 Snowville Road as depicted on the lot split and consolidation plan by Howard R. Selee & Associates dated May 8, 2017, conditioned upon the completion of the septic conversion to sanitary sewers prior to the transfer of the property, unless the house and basement have been demolished by Petros Homes prior to the sale.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahmer, 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.

CITY OF BRECKSVILLE RE-ZONING (FORMER CEI SUBSTATION) – 9012 BRECKSVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission will hold a Public Hearing on June 8, 2017 at 7:05 P.M. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider the request for the rezoning of PP #601-34-017, 9012 Brecksville Road, Brecksville, Ohio 44141 from R-8 Single Family District to C-F Community Facilities District.

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BRECKSVILLE PLANNING COMMISSION
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ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, 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.

CITY OF BRECKSVILLE NEW POLICE DEPARTMENT AND DISPATCH CENTER – 9020 BRECKSVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council PRELIMINARY and FINAL plan approval for the proposed new 23,612 sq. ft. Police Department and Dispatch Center located at 9020 Brecksville Road, Brecksville, Ohio 44141, as described in the application dated May 8, 2017, and preliminary plans by Perspectus Architecture and Donald G. Bohning & Associates all dated April 2017.

TS-1	Title Sheet
L1-01	Landscape Plan
L1-02	Landscape Details
A0-01	Architectural Site Plan
A4-01	Exterior Elevations
A4-02	Exterior Elevations
A5-01	Building Sections
ES-01	Electrical Site Plan
TS-01	Technology Site Plan
C1	Map of Survey/Demolition Plan
C2	Grading Plan
C3	Site Utility
C5	Site Layout
C7	SWPPP Phase 2

Contingent on approval of the following variances:

- A variance from Section 1183.03, parking spaces minimum 10 ft. width required, to allow 9 ft.
- A variance from Section 1183.17(d) maximum driveway width 24 ft., to allow 25 ft. (south) & 30 ft. (north).
- A variance from Section 1185.03(a) fence maximum height 4 ft. and located behind building line to allow 6 ft. height and in the front yard.

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

The Regular Meeting closed at 9:00 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN
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REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
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Minutes recorded by Nancy Dimitris

Present: Michael Harwood, Robert Hotaling, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,
Dominic Sciria
Others: Scott Packard, Gerald Wise, and approximately 12 guests

Mr. Hotaling opened the Work Session at 7:27 P.M.

MCNAIR SOLAR PANEL INSTALLATION – 8028 PERSHING DRIVE

Messrs. Eben McNair, home owner, and Jon Pierson of Third Sun Solar were present to request approval for the installation of a solar system on the south side of Mr. McNair's garage roof. This request was discussed earlier in the evening at a public hearing. In response to a question on the visibility of the panels should Mr. McNair remove trees on his property, he indicated that even with no trees, the panels would not be visible, as his garage was nearly two stories high.

With regard to the deviation request for maximum roof coverage the Mayor explained that when that Code section was written long ago 25% maximum roof coverage seemed adequate; however in recent times requests have been for more roof coverage. Mr. Payto added that even if the Code section were rewritten on roof coverage, he felt requests would have to be reviewed on a case-by-case basis depending on a home's location, orientation and buffering trees. Commission members had no problem with the roof coverage deviation request. The Work Session recessed into the Regular Meeting for a motion.

STORAGE ZONE NEW BUILDING – 10133 BRECKSVILLE ROAD

Messrs. Kevin Oliver, Architect, and Allen Charnas, Storage Zone, were present to request preliminary approval for an approximately 12,000 sq. ft., one story, climate controlled, metal roof, steel storage building to be located behind an existing two story building.

In addressing the requested variances, Mr. Charnas indicated the 19 parking spaces shown would more than adequately serve the storage building which would normally have about three cars in the lot at any given time. The Mayor asked if the storage building would correct the situation of the many illegally parked vehicles on the site, including trucks, boats and RV vehicles. Mr. Charnas said he was unaware of the illegality of that parking, but felt the new building would solve that issue.

Mr. Oliver indicated the requested sideyard setback variances were necessitated by the narrow, 100 ft. frontage lot. He suggested that removing some of the paved parking in front of the existing building and replacing it with landscaping might satisfy the 20% of lot Code landscaping requirement, thus eliminating that variance request. Mr. Oliver described the loading dock as an 8' x 8' overhead door ramped just a foot above grade and not the typical 3' high, semi-trailer truck loading dock situation.

In a May 25, 2017 letter to Mr. Packard at the Building Department, Mr. Wise had the following comments on the proposed project:

1. Plan submittal missing depictions of: a) Utilities, b) Conceptual grading, c) Drainage from the site, and d) Variances on the plan.
2. Storm water management shall be rough sized and conceptually depicted on the preliminary plan. Per NEORS requirements preexisting conditions are to be considered wooded. Depending on final disturbance limits, water quality may be required.
3. Since across the parking area, depict the ADA accessible way.
4. Complete replacement of entrance drive required.
5. Advise if any Army Corp permitting is required.

The Mayor asked if the buildings to the north were Code compliant as far as setbacks of the buildings from the property line. Mr. Packard said he would research that question and advise the Mayor. Mayor Hruby also felt they should be able to eliminate the variance requests for the landscaping and the loading dock facing residential before preliminary plan approval was considered. The Commission asked if the applicant could address the concerns enumerated in Mr. Wise's letter along with the landscaping and loading dock issues and return with a revised preliminary plan.

Mr. Oliver commented that before they incurred the additional expense related to moving forward with storm water and structural engineering issues they hoped to get a sense from the Commission on whether the building configuration, size and location, were acceptable.

Mr. Sciria was somewhat concerned about creating an alley effect by stacking the new building behind the existing building. It was noted that the existing building was wider than the proposed building so the new building would tuck behind it and not be visible. In general the Commission was agreeable to the setback requests, however the Mayor did want to see setback information from Mr. Packard on the other buildings on the site.;

Mr. Harwood asked that they address the issues enumerated in Mr. Wise's letter along with eliminating the variance requests for landscaping and the loading dock facing residential. He also mentioned that they needed to address the existing illegalities on the site related to vehicle parking.

PETROS DEVELOPMENT RE-ZONING – 8998 BRECKSVILLE ROAD

Mr. Neil Brennan was present on behalf of Petros Development. Petros Development has contracted to purchase the former McDonald's three parcels on Brecksville Road and would like to consolidate and rezone the land to offer for sale. The rear portion of two parcels, and all of the third parcel, are zoned R8-A. In March of 1977 the Planning Commission granted a conditional use permit for parking on residential land for McDonalds, which would expire when McDonald's sold the land. According to Code changes approved by voters in 1995, Section 1151.11: "...Driveways to, and off street parking areas for, any use not permitted in the district shall be prohibited." In effect the rear parking portion of the former McDonald's would no longer be accessible through the front zoned local business district rendering it unusable. Petros Development would like to rezone the R8-A portions of the property to Local Business, thus legalizing what has been in effect for 40 years for McDonald's through the conditional use permit.

No project was identified for the property; however inquiries were made by a financial institution and a medical related user. The Mayor commented that the Commission usually recommended rezoning only when a specific development plan was being considered. He said that once the land was rezoned any type of project could be presented to the Commission. Mr. Brennan mentioned that the property carried a 20 year deed restriction on any type of restaurant or business that sold food of any kind. The Mayor wondered if McDonald's would be willing to remove that restriction and Mr. Brennan thought it unlikely.

The Mayor commented that he had not heard of any good use for the land yet. He mentioned the hope for more retail use to help keep the downtown area prosperous. Mr. Brennan remarked that retail has changed in recent years with many small users forced out of business. He maintained that the rezoning request would just be clearing up a legal issue and permitting the development of the property. Otherwise the City would effectively be condemning the lot which would languish unused with the building deteriorating. Mr. Brennan said the property would be nearly impossible to market without the rezoning. Most potential clients would not want to wait as much as a year for the property to be rezoned and building approval granted.

The Mayor asked if Petros Development would be willing to consider certain restrictions and setbacks to protect the neighborhood. He supposed that a new user would keep the existing building, but felt a building envelope should be established in case of a redevelopment on the site. It was suggested a rear development line be established where the building could move no further back from that line. The proposal was made that a public hearing be set for June 8th and a special meeting of the Planning Commission be tentatively set for Thursday, June 1, 2017 to review a drawing Mr. Brennan would present proposing parking buffers and a rear maximum building line. Any proposed new building on the site would be situated as far forward toward Brecksville Road on

the site per Code, roughly in line with Walgreens. The Work Session recessed into the Regular Meeting to set a Public Hearing.

PETROS HOMES LOT SPLIT & CONSOLIDATION – 7811 SNOWVILLE RD.

Mr. Neil Brennan was present on behalf of Petros Homes. He indicated that when the City approved the plat for the Snowville Road property it included an out-lot "A" (next to the bus garage) with an existing house. Petros would like to split out that lot "A" with the house and sell it. With any deal on lot "A" it would be specified that if the house was torn down no connection to the sanitary sewers would be necessary until a new home was built on that property. In the case of just remodeling the house the sanitary sewer connection would need to be made. Mr. Brennan noted that the out-lot "A" was never included in the HOA for the development. The Work Session recessed into the Regular Meeting for a motion.

CITY OF BRECKSVILLE RE-ZONING (FORMER CEI SUBSTATION – 9012 BRECKSVILLE ROAD

The Planning Commission considered the requirement to set a public hearing relating to re-zoning the former CEI Substation property, currently zoned R-8 Single Family, to C-F Community Facilities District in preparation for the new police station/dispatch center to be built on the site. The Work Session recessed into the Regular Meeting to set a Public Hearing.

CITY OF BRECKSVILLE NEW POLICE DEPARTMENT AND DISPATCH CENTER – 9020 BRECKSVILLE ROAD

Mr. Phillip Robbie from Perspectus Architecture was present to request preliminary and final approval for the proposed police department and dispatch center. Two colorboards were presented covering the interior finishes to the building, as well as the exterior materials. The exterior masonry would be the red brick common to many buildings in Brecksville as well as all the municipal buildings. Shingles would be a dark slate tone. Materials and colors for the interior would be durable, require little maintenance and be in refreshing, timeless tones.

Mr. Harwood outlined the long planning process for the new police department/dispatch center. He described various features and functions of the building and how it was designed to accommodate the topography of the site. The building was currently out for bid with bid results due Friday, June 2nd.

The Mayor described the state-of-the-art regional dispatch center that would include the cities of Brecksville, Broadview Heights, Seven Hills and Independence. Each city would share in the expense of the center with a buy in cost for the facility and an annual maintenance cost based on the number of emergency calls. Brecksville and Independence have already purchased some of the equipment. All employees at the dispatch center would be hired by Brecksville. The Mayor expected the police department to work efficiently and cooperatively with the surrounding communities, much like the fire departments respond collectively to calls.

The Mayor was very pleased with the development process on a very complicated project. The Work Session recessed into the Regular Meeting for a motion.

The Work Session closed at 9:00 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

