

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
September 4, 2014 Page 1

Present: Michael Harwood, Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Others: Neil Brennan, Gerald Wise, and approximately 8 guests

Mr. Hotaling opened the Regular Meeting of the Planning Commission at 7:00 P.M.

APPROVAL OF THE REGULAR MEETING MINUTES OF AUGUST 7 2014

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of August 7, 2014 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF AUGUST 7, 2014

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of August 7, 2014 be approved.

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

SIGNS

LASTORIA'S BP – 8889 BRECKSVILLE RD. (CC Action)

Mr. Don Lastoria, owner of the BP gas station, was present to request replacement of two existing signs with a single ground sign as part of a total remodeling of the gas station property. The proposed sign included two deviations for 45.8 sq. ft. instead of the 30 sq. ft. maximum sign size, and a 6'7" height instead of the Code 5 ft. maximum. The Mayor asked if there would be a line of sight issue with the sign and Mr. Lastoria confirmed that would not be a problem. Mr. Sciria noted there would be no issue of setting a precedent at that location with the size deviations.

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission approve, and the Building Department issue a permit for, a 45.8 sq. ft. permanent, 2 sided, ground, information sign for Lastoria's B.P. at 8889 Brecksville Road, Brecksville, Ohio 44141, as described in the application dated August 21, 2014, and attached sketches, contingent on City Council's approval of the following deviations:

- A deviation of 15.8 sq. ft. from Section 1187.09(c) total permitted maximum area per sign face of 30 sq. ft. to permit a total maximum sign area of 45.8 sq. ft.
- A deviation of 1'7" from Section 1187.09(c) total permitted maximum height 5 ft. to permit a maximum sign height of 6'7".

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, 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 a wall sign for AMT, a ground sign for Cross Country Mortgage, final approval for Conifer Acres Phase 2, changes to the Valleybrook Preserve HOA Bylaws and the Woodlands of Snowville – Phase 1B.

REPORT OF MAYOR HRUBY – No Report

REPORT OF CITY ENGINEER - No Report

RANDALL ADDITION – 9092 WOODCREST

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission hold a Public Hearing at 7:00 P.M. on Thursday, September 25, 2014 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to hear the request of Patio Enclosures to add a three seasons room at 9092 Woodcrest Drive, Brecksville, Ohio 44141.

ROLL CALL: Ayes: 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.

LASTORIA'S BP – 8889 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 of the removal of a driveway, relocation of the public sidewalk, adding a roof to the existing dumpster, and a 288 sq. ft. addition to the existing BP Gas Station at 8889 Brecksville Road, Brecksville, Ohio, as described in the application dated August 20, 2014 and shown on the plans by Selee & Associates dated August 18, 2014, contingent upon Engineering approval and the Board of Zoning Appeals recommending and City Council approving the following:

1. A variance from Section 1155.32 of 20 ft. from the minimum required 20 ft. setback for a parking lot to allow a 0 ft. setback.
2. A variance from Section 1155.32 of 38 ft. from the minimum required 100 ft. setback from Brecksville Road to permit a minimum setback of 62 ft.
3. A variance from Section 1155.32 of 14.4 ft. from the minimum required 100 ft. setback from Chippewa Road to permit a minimum setback of 85.6 ft.

Also contingent upon Mr. Don Lastoria working with Planning Commission member Mr. Ron Payto on final architectural drawings.

ROLL CALL: Ayes: 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.

CROSS COUNTRY MORTGAGE PARKING EXPANSION – 6850 MILLER ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval for the installation of 85 additional parking spaces at Cross Country Mortgage Inc., 6850 Miller Road, Brecksville, Ohio, as described in the application dated September 4, 2014, and attached drawings by Donald G. Bohning & Associates dated September 4, 2014, contingent upon the approval of the City Engineer and the approval by City Council of the following deviations:

1. A deviation from the Section 1183.04 requirement of 10' x 20' parking stalls to permit 9' x 18' parking stalls.
2. A deviation from the Section 1183.15(b) 3 requirement that parking areas be designed so that there are no more than 20 cars in an unobstructed line of sight without an intervening landscaped island to permit 29 cars in an unobstructed line of sight without an intervening landscaped island.
3. A deviation from the Section 1183.15(b) 4 requirement that not less than 10% of the land area within the parking area be developed as landscaping planting areas to permit 0% of the land area within the parking area be developed as landscaping planting areas.
4. A deviation of 5' from the Section 1157.29(c) requirement that there be a 25' side yard to an off street parking facility to permit a 20' setback to the ingress/egress easement line.

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

The Regular Meeting closed at 9:50 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
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Present: Michael Harwood, Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Others: Neil Brennan, Gerald Wise, and approximately 8 guests

Mr. Hotaling opened the Work Session at 7:07 p.m.

WATERFORD GLEN – 10222 HIGHLAND DRIVE

Present: Mark G. Kopcienski, NVR Inc./Ryan Homes
Kevin J. Kwiatkowski, Ryan Homes
Howard Shergalis, Architect for RDL Architects
Bob Papotto

Mr. Kopcienski requested a consultation on a concept plan for a single street, 32 subplot, major subdivision on 54 acres located on the west side of Highland Drive between the Ohio Turnpike and the Four Seasons subdivision. The property is zoned R-40 single family with a square footage lot minimum of 40,000 sq. ft. and 125 ft. frontage. Mr. Kopcienski expected all lots to meet, and some exceed, that minimum. Ryan Homes plans to offer high end homes they have built in the Pittsburgh, Virginia and Maryland areas. He indicated three options of access were being considered: 1) An entrance/exit from only Highland Drive, 2) Access from Highland as well as Summer Wind, and 3) Entrance/exit from only Summer Wind. Mr. Kopcienski indicated the Highland Drive entrance might need further consideration to solve a line of sight issue involving the Turnpike bridge abutment and opaque bridge fencing.

Storm water management for the property would have the runoff draining, as it does now naturally, toward the Turnpike to be absorbed by their storm water retention. They have yet to do storm water calculations. The developer has had an initial discussion with Turnpike officials on storm water management and they plan to follow the Turnpike's permit process regarding draining onto Turnpike land. Mr. Kopcienski described a corner of the property containing wetlands that they did not plan to disturb. The developer has applied to the Army Corps for a wetlands permit and they expect that process to take another month or two. Mr. Harwood felt sublots 14-20 might have wetlands issues that could well affect the density and configuration of the subdivision. He noted the City had become particularly sensitive to flooding issues and did not want to have residents calling the City in the future about water problems. Mr. Harwood recommended they wait for the wetlands permit before doing any advanced planning.

Mr. Wise reviewed each of the enumerated issues below, contained in his August 25, 2014 letter to Neil Brennan:

1. Plan lacks engineering data. Future submissions should include full information as required by the Planning Commission, Code, and/or City Engineer.
2. Per the intersection sight distance exhibit, sight distance as required by ODOT has been achieved. The City would like to observe sight distance at the proposed intersection. Place a witness marker and the intersection location and mark on the pavement corresponding distances for 30, 35, and 40 mph. (Applicant indicated this has been done).
3. Entrance is off the subject parcel. Provide an agreement/letter from the landowners that they are in agreement with the entrance depicted on their property.
4. Verify that the pond sizing is appropriate. Sizing should consider that a petroleum pipeline running through the basin presumable limits the extent of grading.
5. Turnpike approval required for discharging storm water on their property.
6. Lots 15-20 have wetlands areas and may have standing water. Developer would be required to prove this wetland and/or standing water would not negatively impact the proposed homes.
7. Information required on existing pond dam. Does this facility meet any ODNR requirements that would classify it as a dam, and if so what impact does this have?
8. Road and lot geometry:
 - a. All lot area dimensions must be shown

- b. Dimensions of centerline must be shown
 - c. Entrance configuration crosses onto 604-20-019 which is not part of the subdivision. Based on property lines shown, it would appear this parcel owns to centerline. Also, the plan depicts easements crossing this subplot.
 - d. Code requires turn-outs on the right-of-way where it intersects Highland Drive.
 - e. The intersection with Summer Wind Drive is not acceptable. The intersection should be set at 90 degrees with a longer tangent.
 - f. Code requires all side lot lines to be radial (S/L 10, 11, 12, 21)
 - g. Per Code the right-of-way shall terminate prior to the western property line with a reserve strip deeded to the City.
 - h. Roadway termination point and cul-de-sac is not serviceable. As configured, the road extends past the temporary cul-de-sac which would create an issue with plowing and City maintenance. Reconfigure so the cul-de-sac is the termination point of the road.
9. Utilities:
- a. Preliminary Plan requires utilities to be depicted.
 - b. Rear yard storm sewer might be required to collect and direct storm water to the storm water management facility.
 - c. Information/verification that utilities are adequate to service the adjacent lands is required
10. General Comments:
- a. Per Code preliminary plan is to 50 scale at the smallest. City will consider 100 scale so it fits on one page.
 - b. Per Code list all variances on the plan.

Mr. Harwood asked if the land required to have the Highland Drive entrance had been purchased. Mr. Kwiatkowski indicated they were in final negotiations on the property and he expected to receive confirmation of that purchase any day. In the event the land cannot be purchased they would plan to have ingress/egress through Summer Wind in the Four Seasons subdivision. In general the Commission favored the ingress/egress only from Highland Drive. If no connection to Summer Wind was made, the Mayor suggested emergency pavers to connect Summer Wind to the new street, St. Lawrence Way, for emergency vehicles only.

Mr. Sciria asked if there was any prospect that they would extend the development into the adjacent, vacant Broadview Heights property. Mr. Kopcienski responded that they had no plans to do so at this time; however the street was configured to permit an expansion into that property. Mayor Hruby suggested a sound study be done to determine if a sound wall against the Turnpike would be desirable.

Mr. Brennan brought up the line of sight issue at the Highland Drive entrance to the development. The speed limit posted on Highland Drive is 25 mph, although traffic routinely exceeds that limit. He suggested more thought be given on how to make ingress/egress to and from the development safer from Highland Drive. Mr. Brennan suggested a three way stop as a possible solution. Mayor Hruby recommended the developer commission a traffic study, which would also document need if a three way stop was considered.

Mr. Brennan commented that documenting the wetlands/conservation areas just in the Home Owners Association documents would not be adequate to protect them. He felt the developer needed to consider further options to protect the wetlands/conservation areas. Mr. Kopcienski's understanding was that the Army Corps would be providing them with criteria on protection for their dealings with prospective buyers and for setting up the HOA.

Mr. Sciria pointed out that many subdivisions in the City had one way in and one way out. He asked that if they proceeded with the Highland Drive entrance/exit it be configured for the best and safest situation. Mr. Sciria commented that the Commission's review this evening was only of very conceptual plans. He advised that the

next consideration of the subdivision should include all the submittals required by Code, particularly the Army Corps wetlands report which could potentially dictate the density and layout of the subdivision.

Dr. Akhil Bindra, a Four Seasons resident on Snow Blossom Lane, was opposed to a Summer Wind connection to the new subdivision. He felt it would adversely affect the character of their neighborhood. Dr. Bindra asked what avenue Four Season residents would have to protest a connection. He was advised that at some point a public hearing would be held on the proposed subdivision. He had no objection to an emergency vehicle only connection as described by the Mayor.

Mr. Dan Gembus, a Summer Wind resident, assumed their builder, Petros Homes, would be developing similar caliber homes beyond the stub on Summer Wind sometime in the future. He was concerned about their property values if a connection was made to the proposed Ryan Homes development. Mr. Gembus also had concerns relating to increased traffic, and possible water issues relating to grading changes. He asked about water and sewer lines to the new development which Mr. Wise advised would be by the common City connections.

Dr. Rugkowski of 4878 Snow Blossom Lane did not object to the new development; however he was opposed to a connection between the two. He cited maintaining the character and individuality of their neighborhood, as well as safety and traffic concerns.

RANDALL ADDTION – 9092 WOODCREST

Mr. Robert Fernandez of Patio Enclosures was present on behalf of a request for a replacement deck with enclosed three seasons room in the Woodcrest condominiums. The Commission advised that a public hearing would need to be set and that he should bring to the public hearing a letter from the Woodcrest Condominium Association indicating they have no objection to the proposed deck. The Work Session recessed into the Regular Meeting to set a Public Hearing.

LASTORIA'S BP – 8889 BRECKSVILLE RD.

Mr. Don Lastoria was present on behalf of his request for preliminary and final approval for renovations to his BP gas station. His plans include a small addition to the station for food coolers, removal of the gas pumps not under the canopy, new pumps under the canopy, reconfiguration of the driveways along Brecksville Road, additional parking, new landscaping, relocation of a sidewalk and new signage. The addition would be in the same Western Reserve architecture as the existing building. Mr. Payto pointed out some rounded windows on the plan that didn't match the existing building windows. He would like the addition to blend seamlessly with the original building.

Mr. Lastoria was under a time crunch to get new tanks installed, asphalt poured, and to take advantage of BP Oil relief money which would not be available after the end of the year. Mr. Wise indicated he would need drawings submitted to the City for an engineering review. He offered to help Mr. Lastoria with determining the drainage requirements on the site. Mr. Sciria felt a conditioned approval could be given and the City would work with Mr. Lastoria to assure the renovations could be accomplished by the end of the year. The Work Session recessed into the Regular Meeting for a motion.

DISCUSSION - SOUTH SIDE OF RT. 82 REZONING

Present: Mike Wojno, CEO Wojno Development and Gables Senior Living
Mary Hotta, NRP Group
Bob Abramovich, Terra Group
Howard Shergalis, Architect for RDL Architects

Mayor Hruby outlined the ownership of 53 acres of property located on the south side of Rt. 82 behind the BP gas station at the 177 interchange. MetroHealth would soon be constructing a facility on their 20 acres. Signet Development owned ten acres to the west of the MetroHealth property, which they planned to develop with medically related businesses. Several parcels to the west of the Signet property were located in Broadview Heights and it is expected they would be retail development. There were seven R20 single family, residential parcels adjacent to the Broadview Heights property, but still located in Brecksville. Those seven property owners have joined together to offer their 23 acres for sale.

Mr. Mike Wojno of Wojno Development was present with a conceptual development plan for those 23 acres which he has under option. He introduced members of a development team that would assist in the planning and implementation of a construction plan for the 23 acres. Mr. Wojno added that he has had preliminary discussions with MetroHealth and Signet Development and expected to have a good working relationship with them toward a cohesive development of the entire 53 acre property with related use facilities that would function well together. It was expected that there would be an entrance/exit to the entire complex from Rt. 82 and marginal, interconnected roads connecting the various facilities within the entire 53 acre development to limit the traffic on Rt. 82.

Wojno Development has developed primarily in Summit and Portage counties where they specialize in senior living related facilities. Mr. Wojno mentioned the recently completed \$16 million dollar Gables of Hudson as an example of the assisted living facility they would like to build in Brecksville. He presented a conceptual plan that included a multi-story hotel on the front acreage, an assisted living facility behind the hotel and luxury apartments adjacent to the assisted living facility to the east. Both the apartments and the assisted living facility would back up to residential property.

Mr. Shergalis described each facet of the plan in a little more detail. The single story assisted living facility would have 54 standard units and a memory care section of 32 units. The extended stay, single story hotel would have 80 to 109 units accessed only through a front entrance and interior corridors. No restaurant was planned for the hotel. Luxury, three and four story apartment buildings would be located on the southeast part of the site where the topography was a little more challenging and there could be wetland issues. Primarily surface parking was planned for those units. The developer was currently engaged in obtaining a topo study and wetlands delineation on the site.

Mr. Shergalis was interested in feedback from the Commission on the best way to approach the rezoning issue. They hope to be ready to have the rezoning request on the May ballot, which would require a Planning Commission recommendation by December 4th. He acknowledged the density of the project and suggested maybe an overlay development might be the best option. The Mayor advised the Commission that the plans were very conceptual and they should be focusing primarily on whether the uses proposed were appropriate for the site.

Mr. Payto thought the apartments would be a challenge to overcome with voters unless they were able to successfully describe them as upscale and luxury. Ms. Hotta explained that NRP not only develops luxury apartments, but they manage them. Currently they manage over 10,000 units across the United States. Mr. Sciria thought the luxury apartment complex should include covered parking, a pool and indoor amenities such as an exercise area, party room, etc.

There was an acknowledgement that a hotel could be successful in that area and convenient for Metro, the assisted living facility and other businesses on the site. The Mayor noted for the hotel they would also need to define upscale and extended stay for voters. He suggested a hotel with unique amenities, including some conference room areas. Mr. Wojno said offering extended stay would create a niche that wasn't offered at Rockside. He didn't think the hotel could function as a conference center.

The Mayor said a significant buffer along the rear in the area of the Lake Park Estates would be a required plan element. Ms. Hotta pointed out the area adjacent to Lake Park was heavily wooded and they would not be planning to remove trees. Mr. Sciria questioned the overall density of the development, particularly the multi-story apartment buildings. He was concerned for Lake Park and Oakes Road residents who never expected multistory

buildings adjacent to their back yards. Mr. Payto commented that while development planning was a key component of the project, voter perception would be an important and challenging issue.

Mr. Abramovich spoke very briefly on the property in Broadview Heights which would be developed through Broadview Heights with retail uses. He expected several upscale, national restaurants, a bank and other retail uses. Mr. Hotaling asked about the planning process for the entire site. Mr. Sergalis said developers for the entire 53 acre property met initially to discuss possible uses for the property, how they would interrelate and where they should be located on the property in relation to the adjacent residential areas and the topography of the parcels. Mr. Harwood pointed out that there would probably be significant concerns from residents backing up to the project. He hoped their plan was flexible enough to work with residents' concerns.

Mr. Brennan suggested because of the size and density of the project the developer establish a set of design standards, defining such things as setbacks, building height, parking, etc. which would help the Commission in their review process and save time. He recommended they also include a prohibition of some uses such as a muffler shop, tattoo parlor, etc.

CROSS COUNTRY MORTGAGE PARKING EXPANSION – 6850 MILLER ROAD

Mayor Hruby spoke about Cross Country Mortgage located in part of the Chase property. Two other tenants in the building have left and Cross Country Mortgage would like to occupy the entire building and hire more employees. They have an immediate need for more parking space at the facility and have approached the City for an economic development incentive to help them expand their business and stay in the community. The City Engineer was asked to analyze the available area for parking and determine how parking could be maximized in the area available. The Mayor noted that the placement of Southpointe Parkway years ago negatively impacted the Chase property which would require the granting of some variances to improve their parking situation.

Mr. Wise was able to achieve the additional parking spaces in the back lot by a minor reconfiguration involving the removal of some truck docks. About 20 spaces would also be added to the east side of the building. Only a minimal amount of asphalt would be required, along with restriping and some exterior drainage work. Mr. Brennan described the four deviations being requested involving smaller parking stall size to match the parking spaces they already have, side yard setback, and no room for landscaping in the parking lot.

Mr. Sciria said the transformation of the building over time was good for the City and the use was consistent with the Master Plan. He commented that retention of a good business justified the deviations being requested. Commission members had no questions and the Work Session recessed into the Regular Meeting for a motion.

The Work Session closed at 9:50 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
September 4, 2014 Page 6

Minutes recorded by Nancy Dimitris