

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 26, 2016 Page 1

Present: Eric Lahrmer, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Harwood, Robert Hotaling
Others: Carl Opatrny, Gerald Wise, and approximately 10 guests

In Mr. Hotaling's absence Mr. Sciria opened the Regular Meeting of the Planning Commission at 7:00 P.M. Mayor Hruby arrived at the meeting during the Le Chaperon Rouge sign discussion.

APPROVAL OF THE REGULAR MEETING MINUTES OF MAY 5, 2016

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission Regular Meeting Minutes of May 5, 2016 be approved.

ROLL CALL: Ayes: Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF MAY 5, 2016

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission Work Session Meeting Minutes of May 5, 2016 be approved.

ROLL CALL: Ayes: Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

SIGNS:

LE CHAPERON ROUGE – 4949 W. SNOWVILLE ROAD (CC Action)

Ms. Stella Mogo-Kennedy, owner of Le Chaperon Rouge, and Mr. Chris Serafino of Easy Signs, were present to request a ground sign for the day care facility. Three deviations were requested, 1) to permit a sign height 4.25" above the 6 ft. maximum, 2) to permit a location 9 ft. from the ROW instead of the Code 40 ft., and 3) to permit changeable copy on the sign. Mr. Serafino described the sign materials which included a brick base to match the building. The applicant wanted to move the sign location forward from the existing sign as a stand of trees limited the visibility of that sign.

Mr. Sciria commented that the request for changeable copy was not permitted by Code and something the Planning Commission could not support without the identification of a hardship. It was pointed out that for special events she could apply for a temporary sign such as a banner. Mr. Sciria pointed out that removing the changeable text line from the sign would permit the reduction of the sign height to within the Code requirement and eliminate that deviation request. Commission members had no problem due to the visibility issue with the request to move the sign closer to the ROW.

Ms. Mogo-Kennedy wondered if elimination of the changeable text line would permit the other copy lines to be in a bigger font. Mr. Payto thought the proposed font size left to right was at a maximum for the first two lines, however the font for the third line "6 Weeks to 12 Years" could be increased.

Ms. Mogo-Kennedy asked about having a wall sign and she was told that would have to be a separate application.

It was moved by Mr. Sciria, and seconded by Mr. Roman, that the Planning Commission approve, and the Building Department issue a permit for, a 31 sq. ft. per side, double sided, ground sign for Le Chaperon Rouge,

4949 W. Snowville Road, Brecksville, Ohio, as described in the application dated May 10, 2016 and attached plans conditioned on City Council's approval of the following deviation:

- A deviation from Section 1187.10(c) of 31 feet from the required 40 ft. location from the right-of-way to permit a sign 9 feet from the right-of-way.

The recommendation is further conditioned upon the applicant revising the sign drawing to a sign height of 6 ft. and elimination of changeable copy text.

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

CUSHMAN & WAKEFIELD – TEMP SIGN – 4122 ROYALTON ROAD (CC Action)

Mr. Paul Divincenzo of Cresco Real Estate was present to request a temporary, ground, real estate sign for 9 acres of property along Royalton Road. The 16 ft. square, 6 ft. high, 25 ft. from the ROW proposed sign would require deviations for both size and placement from the ROW. Mr. Divincenzo noted there was currently a real estate sign of that dimension and location on the neighboring property. Mr. Sciria acknowledged the Commission had granted a similar deviation request and there was a consensus that because of the location the requested sign size and location could be supported.

It was moved by Mr. Sciria, and seconded by Mr. Roman that the Planning Commission approve, and the Building Department issue a permit for, a 32 sq. ft. (16 sq. ft. per side) double sided, temporary, ground, real estate sign for Cushman & Wakefield, 4122 Royalton Road, Brecksville, Ohio, as described in the application dated May 6, 2016, and attached plans conditioned on City Council's approval of the following deviations:

- A deviation from Section 1187.13(b)(1)A of 11 sq. ft. per side from the permitted 5 sq. ft. to permit a 16 sq. ft. per side, double sided sign.
- A deviation from Section 1187.13(b)(1)A of 2 ft. from the permitted 4 ft. maximum height to permit a maximum height of 6 ft.
- A deviation from Section 1187.13(b)(1)A of 12 feet from the permitted 2 ft. location from the right-of-way to permit a sign 10 feet in the right-of-way.

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

REPORT OF MAYOR HRUBY

The Mayor had no report beyond reminding everyone of the Memorial Parade Monday with a 9:00 a.m. start time.

REPORT OF CITY ENGINEER

Mr. Wise reported on reopening of Riverview Road scheduled for Friday, May 27th, at noon. He added that they are still working on the stream project further on down, however the road would be passable.

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

AT & T ANTENNA ADDITION – 9069 BRECKSVILLE ROAD

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission recommend to City Council approval for the replacement of three 6 ft. antennas for AT & T on an existing tower at 9069 Brecksville Road, Brecksville, Ohio as described in the application dated April 26, 2016, and attached documents contingent upon approval of the City Engineer.

ROLL CALL: Ayes: 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.

ANSELMO – FRONT YARD SETBACK – 8377 RIVERVIEW ROAD

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission hold a Public Hearing on Thursday, June 9, 2016, at 7:05 P.M. in the Community Room of Brecksville City Hall 9069 Brecksville Road, to establish a front yard setback at 8377 Riverview Road.

ROLL CALL: Ayes: 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.

FOUR SEASONS PHASE 5 – 10222 HIGHLAND DRIVE

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission hold a Public Hearing on Thursday, June 9, 2016, at 7:10 P.M. in the Community Room of Brecksville City Hall 9069 Brecksville Road, to consider a 31 single family parcels on 59.35 acres as an extension of Summer Wind Drive on the west side of Highland Drive between the Ohio Turnpike and the Four Seasons Sub Division in the City of Brecksville to be known as Four Seasons Phase 5 as depicted on the following drawings by Atwell:

SP-01	Title Sheet	May 9, 2016
SP-02	Site Development Plan	May 9, 2016
SP-03	Utility and Grading Plan	May 9, 2016
SP-04	Existing Conditions Plan	May 9, 2016
SP-05	Detail Sheet	May 9, 2016
SP-06	Aerial Site Plan	May 9, 2016

Also considering the following variances:

- A variance from the Code 800 ft. maximum length of a cul-de-sac requirement to permit a cul-de-sac street of 2,405 ft.
- A variance from the Code sidewalk requirement on Highland Drive.

ROLL CALL: Ayes: 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.

REGULAR MEETING
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PROPOSED ZONING CHANGE – FORMER VA PROPERTY – 10000 BRECKSVILLE ROAD

It was moved by Mr. Sciria and seconded by Mr. Roman that the Planning Commission hold a Public Hearing on Thursday, June 9, 2016, at 7:15 P.M. in the Community Room of Brecksville City Hall 9069 Brecksville Road, for consideration the rezoning of Permanent Parcel Numbers: 603-21-006, 603-21-007, 603-21-013, 603-21-014, 603-21-015, 603-21-016, 603-21-017, 603-21-018, 603-21-019, 604-09-001, 604-09-002, 604-09-003, 604-09-004, 604-09-005, 604-09-006, 604-09-007, 604-09-008, 604-09-009, 604-09-010, 604-09-011, 604-09-012, 604-09-013, 604-09-015, 604-08-005, 604-08-006, 10000 Brecksville Road, Brecksville, Ohio 44141, to rezone to a Mixed Use Planned Development Overlay District to include:

1157.03	Office Laboratory
1157.04	Manufacturing Distribution
1155.03	Office Building
1155.04	Local Business
1155.07	Motor Service (as a conditional use)
1151.04	R-A Apartments (second floor & above as a conditional use)

ROLL CALL: Ayes: Eric Lahrmer, 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

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
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Present: Eric Lahrmer, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Harwood, Robert Hotaling
Others: Carl Opatrny, Gerald Wise, and approximately 10 guests

Mr. Sciria opened the Work Session at 7:25 p.m.

AT & T ANTENNA ADDITION – 9069 BRECKSVILLE ROAD

Mr. Matt Newsome was present representing AT & T's request to install three replacement antennas at the 90 ft. level on the communications tower at 9069 Brecksville Road. He said the installation represented an upgrade necessary to provide adequate service for the upcoming Republican Convention. It was noted that the structural review by GPD and the structural analysis by B&T were both positive. Commission members had no questions and the Work Session recessed into the Regular Meeting for a motion.

ANSELMO – FRONT YARD SETBACK – 8377 RIVERVIEW ROAD

Mr. Tony Kucia of Blossom Homes was present to request a front yard setback be established for a new home on Riverview Road. The existing home on the lot would be razed prior to the construction of the new home. The setback of the existing home was 169 ft. and the requested setback for the new home was 267 ft. Mr. Kucia pointed out that homes along Riverview were staggered at various setbacks and the Anselmo's property backed up against the national park land. Mr. Kucia said the new home plans were discussed with one neighbor who had no objections.

Mr. Wise noted that the Planning Commission tried to make sure that homes lined up at a consistent setback. He asked why the applicant would want to build their house in the backyard of the adjacent homes. Mr. Lahrmer said the Planning Commission would like a reason or hardship to support their request for a 267 ft. setback. Ms. Anselmo indicated they had voiced no objection to a deviation for their neighbor's house to be closer to theirs. She said that many of the homes along Riverview were at various, staggered setbacks. She also noted they had five acres of property on which to situate the home.

Mr. Roman said that while the Commission doesn't usually line up front yards with back yards it would help their case to have written letters indicating no objection from their neighbors on both sides for the public hearing. He also suggested a better visual depiction of the proposed setback and surrounding properties would help those in attendance visualize what they were proposing. The Work Session recessed into the Regular Meeting to set a Public Hearing.

FOUR SEASONS PHASE 5 – 10222 HIGHLAND DRIVE

Mr. Sam Petros was present requesting a public hearing be set for a proposed 31 house Phase 5 of the Four Seasons development extending off of Summer Wind Drive and ending in a cul-de-sac. This was the site Ryan Homes received preliminary approval for in September 2015 for a 36 lot subdivision and then abandoned their plans. Mr. Petros now had the land under contract with plans for a street almost identical to the Ryan plans, but ending in a cul-de-sac instead of exiting onto Highland Drive. He also planned 20% fewer homes than the Ryan plan.

Mr. Petros had spoken to the Four Seasons HOA and was willing to join their association or form their own using the same standards as the Four Seasons HOA.

Mr. Wise reviewed in detail his May 26, 2016 letter to Scott Packard which is attached and made part of these minutes. The Commission discussed at length the Code requirement that the developer provide access to, and extend improvements to, adjoining, unsubdivided property. Mr. Petros proposed providing a 60 ft. easement to Highland to satisfy the Code requirement to provide access/improvements. He offered to deed the easement over to the City. Mr. Payto questioned whether the easement to Highland was safe, given the traffic study done

when Ryan was developing their plans. Mr. Petros felt there was some flexibility along the front of the property to adjust the easement toward the Fadoul property. He was also willing to approach Mr. Fadoul as Ryan had about acquiring some of his property to make the access work. The Mayor felt the Commission might be going too far, and had only to provide a reasonable access solution. He didn't think the City had any obligation to be involved in helping Zaremba develop their land. Mr. Sciria felt that the 60 ft. easement was the best option, as it was preferable to accessing the Zaremba parcel via the cul-de-sac street being proposed by Mr. Petros, He suggested that the Commission review the previous traffic study completed for the Ryan proposal, just to confirm that the easement access on to Highland would be placed in the most appropriate location.

Mr. Petros indicated they planned an island cul-de-sac to match what was done in Four Seasons. He was requesting a variance from the maximum street length of 800 ft., as well as a variance from the sidewalk requirement along Highland Drive. The Work Session recessed into the Regular Meeting to set a motion for a Public Hearing

PROPOSED ZONING CHANGE – FORMER VA PROPERTY – 10000 BRECKSVILLE ROAD

Mayor Hruby thought the Commission should consider the concept of overlay, mixed use zoning of the former V.A. property so potential developers of the property would not be turned away because the land had not been rezoned. Commission members were given a very preliminary development sketch the City provided the V.A. to indicate intent to develop. That sheet contained a menu of zoning classifications for the Commission to discuss to produce a list of zoning classifications to recommend to City Council for their review. The task for the Commission was only to consider uses, as a city planner would probably be engaged to prepare a development proposal. Current zoning for the property was office/lab. The menu of possible uses included:

- O-B Office Building
- S-C Shopping Center
- L-B Local Business
- R-A Multiple Family
- Hotel (Zoning TBD)
- M-D Manufacturing – Distribution
- Commercial/Entertainment (Zoning TBD)

Mr. Lahrmer ascertained that even though a proposed use may be on the list of zoning uses permitted, it would still be subject to review by the Planning Commission to recommend to Council, or reject. The Mayor thought the Commission would probably discourage any use that would include big box retail, public use development such as a hospital, or destination development, like a shopping complex. Mr. Lahrmer knew of situations of mixed use zoning where there were predefined percentages for a better balance of uses. No one knew how to achieve percentages, or size and space limitations. Mr. Lahrmer also suggested that percentages or other restrictions might end up being too controlling and hamper development. Mr. Payto thought that development would be piecemeal and market driven vs. a developer to take over the entire property development.

Mayor Hruby said the City had received inquiries on such uses as: bank (corporate offices), health care provider, mortgage company, restaurants, hospital health care center, etc. Commission members were not decided on whether a hotel would be suitable for the site, but thought that Motor Services usage should be listed to not preclude that possibility. Mr. Roman commented he was not against a hotel and some restaurants to serve the businesses in the area. There was a general consensus, based on the probable negative reaction of the public, to eliminate Shopping Center, although it was pointed out that some shopping could be developed under Local Business. While there was not support for a Residential use, it was suggested that some conditional use residential above retail space could be permitted. There was no support for Commercial/Entertainment. Commission members developed the following list to recommend to City Council:

- O-B Office Building
- L-B Local Business
- Motor Services (conditional use)
- R-A Multiple Family (conditional use on second floor over retail development)

MINUTES OF THE WORK SESSION
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M-D Manufacturing - Distribution

Mr. Sciria noted a public hearing should be set. The Work Session recessed into the Regular Meeting to set a Public Hearing.

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

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

Office of the Brecksville City Engineer

May 26, 2016

City of Brecksville
Building Department
9069 Brecksville Road
Brecksville, Ohio 44141

Attn: Mr. Scott Packard & Members of Planning Commission

Re: Four Seasons Phase 5 – Petros Homes - Nau Farm
Highland Drive, Brecksville, Ohio 44141

Dear Scott:

On behalf of the City of Brecksville, we have been provided and reviewed the following information in regards to the proposed subdivisions:

- Preliminary Development Plan for Four Seasons Phase 5 prepared by Atwell LLC, dated 5/9/16

Based on our review we offer the following comments for the Planning Commissions consideration:

General

- 1) All supplemental information as required by Code for Preliminary Plan review needs to be submitted with this current application, regardless if it was submitted previously as part of the Ryan submittal. Such information minimally includes:
 - a) The Army Corp Jurisdictional Determination letter. Ultimately an Army Corp Permit is required and it will have to be in hand at the time of Final Approval.
 - b) The Geotechnical report for the site.
 - c) A copy of the engineering statement indicating the existing pond is exempt from the ODNR Dam Requirements.
- 2) The property as depicted is not based on a Boundary Survey. Until at such time the actual boundary survey is conducted, any variance based off the outer bounds of the property should be considered approximate.
- 3) The Maier Parcel is included in the proposed subdivision, so a lot split survey is required prior to final approval.
- 4) Per Section 1119.13 (b) of the code, as determined by the Planning Commission, the developer is required to extend necessary improvements to adjoining unsubdivided land. P.C. shall determine how this is applicable to the Zarembo Parcel.
- 5) The developer shall designate how the United States Postal Service will handle mail delivery and if necessary designate a central mail box location and how it will be accessed.



Office of the Brecksville City Engineer

- 6) Modify the building envelopes on sublots 2 & 31 to depict the setback to the Ohio Turnpike.
- 7) An island is depicted in the cul-de-sac which matches the Four Seasons Development but isn't per the City's current preferred design requirements. PC shall determine if the island is required.
- 8) Sublots 1 & 2 are only possible pending relocation of the Ashland Marathon pipe line and accompanying easement.
- 9) The PC should be aware that similar to the Four Seasons, sublots 15, 16, & 17 will have standing water within the rear yards due to the existence of the large wetland.
- 10) The PC should determine if they deem appropriate to grant a variance not to install sidewalk along Highland Drive.
- 11) While there is virtually no trees on the Nau property, the PC should evaluate the buffer areas along the Existing Four Seasons Development and the unsubdivided land to the north.
- 12) Due to the property being previously farmed and the ultimate plan includes minimal tree clearing, the PC should consider granting a variance to Section 915 of the code eliminating the need for a tree survey.

Utilities

- 13) Please have the Cleveland Water Department review this preliminary plan to determine if they are satisfied with the watermain linkage.
- 14) Due to existing issues, as part of the plans final improvement plans the outlet of the existing wetland/pond area shall be replaced so not subject to clogging and the outfall sewer shall be connected to the Four Seasons Subdivision. Easements from private property owners are required to complete this work.
- 15) Ohio Turnpike approval is required for the storm outfall onto their property.
- 16) Modify the location of the storm water management facility behind sublots 17/18 to run parallel to the contours. Based on the adjusted pond location consider moving the storm sewer between sublots 17/18. Provide and access corridor via a block or easement to service the storm water management facility.

If you should have any questions, please don't hesitate to call to discuss.

Sincerely,



Gerald M. Wise P.E.
Donald G. Bohning & Assoc.

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