

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
January 24, 2019 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria  
Others: Scott Packard, Gerald Wise, and approximately 7 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:00 p.m.

APPROVAL OF THE ORGANIZATIONAL MEETING MINUTES OF JANUARY 3, 2019

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Organizational Meeting Minutes of January 3, 2019 be approved.

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

APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 3, 2019

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of January 3, 2019 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF JANUARY 3, 2019

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of January 3, 2019 be approved.

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

APPROVAL OF THE 2018 ANNUAL REPORT

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission 2018 Annual Report be approved.

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

SIGNS:

GLOBAL LUXURY & SCHMIDT REALTY SIGNS – 8915 BRECKSVILLE ROAD (CC Approval)

Mr. Joe Gazzo, of Schmidt Realty, was present on behalf of a request for two new awning signs for Global Luxury and Schmidt Realty to the left and right of the Coldwell Banker sign above the front door of the building at 8915 Brecksville Road. The three deviation requests for total signage size, number of awning signs and maximum awning sign size were discussed. Mr. Gazzo was concerned that reducing the 8" lettering on the 12" awning sign band would compromise its legibility. It was noted there were two awnings on that building previously, but without sign lettering. Mr. Gazzo believed the proposed awning signs appeared to be compliant with other awning signage in the downtown area. Commission members discussed the new replacement awnings briefly and there was a consensus among members to approve the signage with the deviations requested.

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission approve, and the Building Department issue a permit for:

1. A 6.4 sq. ft. permanent awning sign for Global Luxury
2. A 6.4 sq. ft. permanent awning sign for Schmidt Realty

Located at 8915 Brecksville Road, Brecksville, Ohio as described in the application dated January 4, 2019, and attached plans by Crossworld Awning Company, contingent on City Council's approval of the following deviations:

- A deviation from Section 1187.09(b)(1) of maximum total signage of 40 sq. ft. to allow 47.8 sq. ft.
- A deviation from the Section 1187.09(c) of a maximum of 1 awning sign to allow 2.
- A deviation from the Section 1187.09(c) of a maximum 5 sq. ft. awning sign to allow 6.4 sq. ft. each for both awning signs

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Eric Lahrmer, 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 the Verlzon Antenna Change out.

REPORT OF MAYOR HRUBY

The Mayor reported that earlier in the week two public meetings were held to discuss both the future for the Central School and the new elementary building planned for the Blossom Hill site. Planning Commission members will receive copies of both meeting minutes and Mayor Hruby expected the Commission members would be involved in future meetings regarding these school issues.

Mayor Hruby indicated the Central School property would be vacated in August this year. He thought the next step would be the consideration of uses for that property and what zoning changes would be necessary to accommodate a change in use for the site.

The Mayor mentioned that a new brewery/pub would be coming to the downtown area. That business was in the process of acquiring a liquor license. He expected the Planning Commission would soon be considering that project for approval.

Mayor Hruby anticipated an event to be scheduled around the end of February to commemorate the beginning of the removal of the VA buildings and smoke stack. He expected most of the activity would be on the first 25% of the property, which would be the first to be developed. An announcement of some of the businesses interested in locating on the VA site could also be part of that event. Planning Commission members will receive an invitation. The Mayor mentioned that it was the work put into rezoning that property to make it ready for development that has paid off in the amount of developer interest in the parcel.

REPORT OF CITY ENGINEER

Mr. Wise reported the pre-construction meeting was held on the Village – Phase II. Work should begin in early February with the goal to have pavement done in late June or early July.

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

AWNING REPLACEMENT/FACADE UPDATE – 8913-8915 BRECKSVILLE ROAD

It was moved by Mr. Roman, and seconded by Mr. Harwood, that the Planning Commission recommend to City Council approval for an awning replacement and façade update project to the front of the buildings located at 8913-8915 Brecksville Road, Brecksville, Ohio, as described in the application dated January 4, 2019 and attached sketch and color charts contingent on City Council's approval of the following deviation:

- A deviation from Section 1187.06(a)(5) to permit two awnings and associated signs, extending 36" in the right-of-way.

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

The Regular Meeting closed at 8:45 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN  
DOMINIC SCIRIA, VICE CHAIRMAN  
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
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Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Others: Scott Packard, Gerald Wise, and approximately 7 guests

Mr. Roman opened the Work Session at 7:11 p.m.

TODT LOT SPLIT CONSULTATION – 10193 BARR ROAD

Mr. James Todt was present for a consultation on a lot split of his Barr Road property. The existing home sits on a parcel 200 ft. wide by 700 ft. deep. The proposal would be to split the lot into two parcels, each 100 ft. wide. Code requirement in that R30 area is 175 ft. lot width. As previously requested by the Commission, Mr. Todt had an updated GIS map indicating estimated buildable area, contours and a proposed 50' x 70' structure. The proposed setbacks would be 100 ft. front and 20 ft./40 ft. sideyard setbacks. Mr. Todt would proceed with acquiring a soil report and engineering drawings if the Commission thought the split would be possible.

Mr. Wise commented that the applicant had complied with the Commission's request from their December 6<sup>th</sup> meeting. He thought the proposed lots looked uniform with those in that area. Mr. Packard advised that when Mr. Todt returned to the Commission for the lot split he would need to have survey work done for the lot split prior to the meeting.

AWNING REPLACEMENT/FAÇADE UPDATE – 8913-8915 BRECKSVILLE ROAD

Mr. Joe Gazzo, of Schmidt Realty, was present on behalf of a request for two new awnings and a façade update for the buildings at 8913-15 Brecksville Road. The existing old awning protruded 42" into the right-of-way. The new awning would protrude only 36" into the right of way. The black awnings, which are currently at 6'4" would be extended up to 8' in height. The façade changes would be minor, with a shift to a more earth tone pallet. There was a consensus to move forward with a motion and the Work Session recessed into the Regular Meeting.

SOLAR PANEL REVIEW

Mr. Harwood outlined the history to date of the Commission's progress toward updating the City's ordinance for Small Wind Energy Systems and Solar Energy Systems. He commented that the Commission decided at their January 3<sup>rd</sup> meeting, to consider the latest draft of the language pertaining to solar panels at this meeting, when hopefully, all members would be present. If the Commission decided to recommend the proposed changes to the ordinance to City Council, packets would be assembled for Council's Legislative Committee consisting of the proposed draft changes, and background data to include studies of other communities by Scott Packard and all Planning Commission minutes on the issue.

Mr. Harwood mentioned an excerpt from previous meeting minutes where Mr. Petsche envisioned for the future, a solar energy applicant going right from the application to acquiring a permit without review required by the Planning Commission. Mr. Harwood fielded a call from a resident concerned that the City might be eliminating the public hearing process where residents could have a voice. He assured the resident that applications to the City with deviation/variance requests would still require public hearings and citizen input.

Ms. Jennifer McMillin, 6115 Pioneer Point, expressed the citizen group's intention to encourage/enable renewable energy projects in the community. Her group felt the City's existing ordinance on solar energy installations restrictive to the point where it discouraged residents from applying and caused others to abandon their applications due to restrictions and costs. The group was appreciative of the Commission's suggested removal of the surety bond and the 25% roof coverage restriction, but felt the Commission had not addressed the issue of requests not being approved for roof areas where energy production would be most cost effective because those roofs faced the street. Ms. McMillin's group would still like to see some consideration to financial feasibility in the ordinance, especially in those situations where permissible roof coverage cannot be accomplished for an effective system without using the front facing roof.

Ms. McMillin referenced Section 1186.03(c)(1) relative to the location of panels following the existing roof pitch, which did not address flat roofs. A long discussion ensued on whether to include flat roofs and restrictions on roof pitch for flat roofs in the ordinance. Mr. Packard remarked that flat roofs were really a rarity. It was decided to not change the proposed language and have the Planning Commission consider flat roofs on a case-by-case deviation basis as covered in Section 1186.06.

Ms. Ellen Kramer, 7775 Sunstone Drive, made the generalization that Commission members don't like solar panels and would not approve street facing solar energy proposals. Mr. Harwood disputed those assertions noting all the criteria the Commission considers for those applications with deviations such as, neighborhood, setbacks, topography, tree coverage, etc. Ms. Kramer asked for an example of a front facing solar application that had been approved. Mr. Packard mentioned a recent front facing roof proposal where the Commission approved a request to set a public hearing, however the applicant decided to withdraw. Ms. Kramer maintained that the Commission's focus on aesthetics was preventing people from using renewable energy by making the application process too difficult.

Mr. Jack Petsche, 667 Morningside Drive, had some comments to make that were just his personal opinions and not on behalf of the citizen's interest group. He believed that the revised ordinance should give some financial consideration to the cost of solar energy systems to help applicants achieve the most economical roof coverage for maximum energy output.

Mr. Petsche believed no street (front) facing panels would be approved by the Commission if they followed Section 1186(b)(2)A, which require a deviation from Code to be considered only under "unique or peculiar conditions", or under "conditions that are not common to other properties". He didn't feel there was anything unique or peculiar about a south facing roof, which he felt might account for about 25% of the City's residences. Mr. Sciria commented that the Code language in that section was common to other areas in the Code and considered standard phrasing. Commission members supported the deviation/public hearing process, which could bring in neighbors both for and against any particular application and both sides received equal consideration. Mr. Harwood mentioned non-compliant applications where the Commission has asked the applicant to consider other roof surfaces and been able to bring the application into Code compliances. There have also been applicants not willing to change their non-compliant application based on financial considerations.

Mr. Petsche was interested in presenting a hypothetical situation where a street facing roof was the only possibility for solar panels. Commission members didn't believe in a hypothetical example because of the numerous variables that are considered in every request. Mr. Lahrmer provided, as an example of open minded consideration, the two requests with deviations considered favorably this evening for a sign and a lot split. He thought most residents of the City chose to live here, in part, because they agreed in principle with the ordinances that govern the City. He maintained that the deviation process existed to fine tune the ordinances and give citizens an opportunity to express their opinions, acknowledging that not everyone would walk away from a public hearing happy.

Under Code Section 1186.09(a) the property owner, with a solar energy system selling his house, has to dismantle it if the purchaser of the property does not want the solar system. Mr. Petsche did not understand why that was included in a City ordinance when it should probably logically be part of a real estate purchase agreement as a fixture on the property. Mr. Lahrmer speculated that because solar energy systems were a more unusual fixture than a swimming pool, it was included in the ordinance as a protection for the buyer. Mr. Packard noted that Code section was included with the original language of the ordinance when it only addressed small wind energy systems. Mr. Harwood suggested the issue be reviewed with the Law Director to see if it belonged in the Code.

## CENTRAL SCHOOL

Mayor Hruby asked Planning Commission members to walk the Old Towne area, particularly around the Central School area, and also from Route 82 to consider what uses could be made of that property. The Mayor had received many calls from residents hoping that the historic building could be saved. The older section of the

school, built in 1915, remained very sound. The newer addition to the building, built in the 1930's, was in serious condition with water damage, buckling floors, missing bricks in the smoke stack, and other age related issues.

The Mayor thought Commission members should also consider the development around the property. He speculated there might be properties adjacent to the school property that were on the brink of selling that could be incorporated in the development of the site. Redevelopment could result in a more pedestrian friendly area with walkways conducive to Olde Towne residents walking to the downtown area. One of the first steps would be to have the Buildings and Grounds Committee commission a survey of the Central School building to properly assess its condition and any environmental issues before any further consideration could be given to saving all, or any portion, of the building. The school system could be asked for some of the information they gathered that was used to support their decision to close the school.

Mr. Payto asked if the house next to the Bourne house, owned by the Board of Education, was part of the deal for the Central School property. The Mayor responded that the school uses the house for storage, but the City hoped to acquire it at some point if the school decided to sell. The Central School property is about four acres with no easements, sewers or major water lines through it. The grade in the area was fairly flat. The Mayor would like to see the City approach the redevelopment of that land as they did the VA property, which he anticipated would result in a lot of interest in that property.

The Work Session closed at 8:45 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN  
DOMINIC SCIRIA, VICE CHAIRMAN  
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris