

PUBLIC HEARING – ZONING CODE SECTION 1157.03 – LANGUAGE DEFINITION CLARIFICATIONS  
BRECKSVILLE PLANNING COMMISSION  
Community Room – Brecksville City Hall  
January 16, 2020 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria

Others: Eric Hall, Gerald Wise, and approximately 25 guests

Mr. Roman opened the public hearing at 7:00 p.m. by reading the following legal notice published in the January 2, 2020 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing on Thursday, January 16, 2020 at 7:00 p.m. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider proposed Language Definition Clarifications to the Zoning Code by Amending Section 1157.03(a)(1)B “Engineering” definition and Section 1157.03(B)(2) “Office Development” definition.

Messrs. David Matty, Law Director City of Brecksville, and Kevin DiGeronimo, Developer, were present on behalf of a request for two amendments to City Code Section 1157.03 to provide language clarification to help businesses interested in locating on the Valor Acres site determine if their operations would be compliant with City Code requirements.

Mr. Phillip Paulsen, 6834 Westview Drive, asked for a more detailed explanation of the proposed changes to Code and the reasoning behind their necessity. Mr. Matty responded that the first proposed amendment would provide a definition of the current Code term “engineering”.to add the language that “For purposes of this section, the term “engineering” includes the creation, design, development and research of goods and services through mechanical, chemical, civil, electrical and/or geotechnical engineering.” This expanded definition of engineering would help businesses interested in possibly locating on the Valor Acres site determine if their operations would fit with the zoning on that property. The second proposed amendment under Office Development would eliminate the current Code restriction for office development in a manufacturing setting of only one entrance/exit to State Rt. 21. Mr. Matty commented that with the Valor Acres site encompassing 103 acres this Code change should be considered for safety purposes. It would be also be essential in the proposed mixed use development of the site.

Mr. Jeffrey Zmich, 6644 Westview Drive, thought there was only one entrance to the VA from Rt. 21 and he wondered why more than one was necessary. Mr. Harwood commented that the VA had been the only occupant on the site, which was unlikely to be the case in the future. The proposed amendment would eliminate the restriction of only one entrance to Rt. 21. It would provide some flexibility for future mixed use development of the site with more requests for access from Rt. 21. Any proposal for access to the site from Rt. 21 would begin with a traffic study and at minimum include the consideration of the Planning Commission, the Board of Zoning Appeals and City Council.

There were no further comments from the Commission or the Public. Mr. Roman advised that the matter would come up again in the Work Session. The Public Hearing closed at 7:10 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

PUBLIC HEARING - OFFICE LAB MAIN USE WITH M-D CONDITIONAL USE  
BRECKSVILLE PLANNING COMMISSION  
Community Room – Brecksville City Hall  
January 16, 2020 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Others: Eric Hall, Gerald Wise, and approximately 25 guests

Mr. Roman opened the public hearing at 7:10 p.m. by reading the following legal notice published in the January 2, 2020 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing on Thursday, January 16, 2020 at 7:05 p.m. in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider the proposed main uses of office and research and development laboratories along with the conditional M-D District use of manufacturing facilities and operations as permitted under Section 1157.03 of the Brecksville Planning and Zoning Code at the Valor Acres Property, 10000 Brecksville Road, Brecksville, Ohio 44141.

Mr. Kevin DiGeronimo of DiGeronimo Companies, was present to request a conditional use permit so manufacturing/distribution uses could be added to the office/lab main uses on the Valor Acres site. The addition of manufacturing would help attract research and development companies that develop prototypes as part of their business operations.

Mrs. Tyko, 6628 Westview Drive, asked what type of manufacturing would be considered for the Valor Acres site. Mayor Hruby cited Applied Medical Technologies, a research and development company on Katherine Boulevard as an example of the type of business the City hoped to attract to the Valor Acres site. Dr. George Picha, owner of Applied Medical Technologies, is a surgeon and developer of medical devices who also builds prototypes at the company. The designation of manufacturing would not include mass product production, but be limited to an association with research and development of a product.

Mr. Phillip Paulsen, 6834 Westview Drive, was concerned about the possible use of chemicals in manufacturing and whether the City was involved in safety considerations. Mayor Hruby responded that through the Building Department and outside consultants the City had a small role in safety considerations. He added that most safety guidelines and restrictions were controlled through State of Ohio regulations.

Ms. Jackie Caputo, 6760 Rivercrest Drive, asked if there was any projection yet of the types of development that would come to the Valor Acres site. Mr. DiGeronimo indicated that the goal was for a mixed use development that would include some restaurants, retail and possibly residential. Mayor Hruby assured residents that no big box stores would be permitted. He envisioned some small service businesses that would provide services to employees in the area and residents on the south side of the City. The Mayor mentioned a small grocery to pick up bread and milk, or a restaurant for lunch as examples of businesses that could do well at that location.

Mr. Nick Malinski, 7030 Westview Drive, asked for a definition of low volume manufacturing. Mr. DiGeronimo suggested the volume of truck traffic to the site could be a measure of volume of manufacturing. Mr. Mark Butler, 6900 Westview Drive, suggested the word "distribution" implied high volume and should be removed from the manufacturing code designation. Mayor Hruby responded that the word "distribution" in association with manufacturing has always been part of City Code. He maintained that the City in all cases carefully considered the implications of distribution in any applications by manufacturing businesses. Mr. Matty pointed out the Code Section 1157.03(b)(2) that provides:

Manufacturing facilities and operations associated with research and development laboratories when necessary or incidental in connection therewith, but not for conducting thereon manufacturing operations of any other kind.

This Code section tied manufacturing to research and development, which precluded truck product traffic associated with high volume manufacturing which was prohibited by Code. Ms. Caputo suggested restrictions could be imposed on distribution relating to certain days and times of day. Mr. DiGeronimo thought those types of

PUBLIC HEARING - OFFICE LAB MAIN USE WITH M-D CONDITIONAL USE  
BRECKSVILLE PLANNING COMMISSION  
Community Room – Brecksville City Hall  
January 16, 2020 Page 2

considerations would be given consideration in the future when there were actual application proposals for development.

Mr. Butler asked about Code regulations on building heights as he had seen a conceptual proposal for the VA site that included a many storied hotel/convention center. Mayor Hruby said the Code restriction was for four stories and any building beyond the Code limitation would require a special variance request. Mr. DiGeronimo thought the conceptual plan included a hotel of 4-5 stories, but that was only a conceptual drawing and not an application request.

There were no further comments from the Commission or the Public. Mr. Roman advised that the matter would come up again in the Work Session. The Public Hearing closed at 7:32 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

SPECIAL MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room – Brecksville City Hall  
January 16, 2020 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria

Others: Eric Hall, Gerald Wise, and approximately 25 guests

Mr. Roman opened the Special Meeting Work Session of the Planning Commission at 7:32 p.m.

LANGUAGE DEFINITION CLARIFICATIONS TO SECTION 1157.03

Mr. Roman confirmed with Mr. Matty, Law Director, the purpose of the requested additional language amendment to Code Section 1157.03(a)(1) to add the definition of “engineering” to provide a level of comfort to businesses seeking to locate on the Valor Acres site that their operations would fit within City Code requirements before they incurred the expense of putting together a development proposal.

Mr. Harwood read the proposed amendment to Code Section 1157.03(b)(2) which would remove the restriction of a single entrance to State Route 21 to encourage mixed use development on the site.

Mr. Sciria felt the language and intent of the proposed amendments were both appropriate and consistent with the City’s vision on the development of the Valor Acres site. There were no further comments and a motion for approval was made.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of language definition clarifications to Section 1157.03 of City Code by amending:

1157.03(a)(1)

B. Professional, engineering. **For purposes of this section, the term “engineering” includes the creation, design, development and research of goods and services through mechanical, chemical, civil, electrical and/or geotechnical engineering.**

1157.03(b)

(2) Manufacturing facilities and operations associated with research and development laboratories when necessary or incidental in connection therewith, but not for conducting thereon manufacturing operations of any other kind. However, such associated manufacturing uses shall not be permitted in office developments that have direct access onto SR 21 or that have access onto SR 21 from an interior street serving the office development. **For the purposes of this section, “office development” shall mean two or more buildings under common ownership used solely for professional, financial or administrative offices, but shall not include mixed-use or multi-use developments which contain a mixture of all or some of the following uses: office, retail, residential, research and development and manufacturing facilities.**

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Kirk Roman, Dominic Sciria

Nays: None

MOTION CARRIED

OFFICE LAB MAIN USE WITH M-D CONDITIONAL USE – 10000 BRECKSVILLE ROAD

Mr. Lahrmer asked what specifically was being requested of the Commission for a conditional use. The Mayor responded that there were several companies interested in the VA site who wanted assurance that their operations would be considered as a conditional use to locate on the site. Approval of this request was intended to assure them they would have an opportunity to make application as a conditional use to the Planning Commission with the same application requirements as any other applicant

SPECIAL MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room – Brecksville City Hall  
January 16, 2020 Page 2

Mr. Matty indicated that the broadening of the Code language to include other mixed use development in no way affected the City's normal and stringent review process through the Planning Commission, the BZA and City Council.

Planning Commission members were assured that the request before the Commission was not tied into any specific conditional use request and in no way impacted the normal processes and procedures for development applications. Messrs. Matty and DiGeronimo understood that their message to potential applicants to locate on the Valor Acres site would be that they would be considered individually on a case by case basis.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission recommend to City Council that Manufacturing-Distribution conditional uses associated with Office-Lab main uses be approved on the Valor Acres site as permitted under Section 1157.03(b)(2).

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

The Regular Meeting closed at 7:52 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris