

Brunswick City Planning Commission

January 18, 2018 - Caucus

7:00 p.m.

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Joe Delsanter, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director
Randy Sacks, Harsax Management, 9565 Midwest Avenue, Suite
A, Garfield Heights
David Cooper, Harsax Management, same
Ronald Kluchin, 23215 Commerce Park, Beachwood
Brian Lisik, Brunswick Sun Times (no address given)

Chairman Joe Shirilla called the meeting to order at 7:11 p.m.

The first item was the discussion on the public hearing for text amendments regarding vape and smoke shops; and tattoo and body-piercing parlors as conditionally permitted uses. Mr. Arona inquired why these types of businesses are allowed at Brunswick Town Center; Mr. Aungst replied the Law Director recommended it. He also commented there is a potential for high-end tattoo parlors at this location. Mr. Arona asked if the Commission needs to make a finding to deny a conditionally permitted use; Mr. Incorvaia responded a conditionally permitted use is not a use by right and a reason needs to be stated for denial. He read Section 1274.07 regarding standards for conditionally permitted uses.

The second item was the review of the public hearing for text amendments prohibiting streamers as a temporary sign. Mr. Aungst explained these signs are distracting and are a safety issue.

The third and final item was the review of the discussion plan for Quail Creek Apartments, Pearl Road and Magnolia Drive, extending south to Beverly Hills Drive. Ms. Plavecski stated the Board of Zoning Appeals, at their meeting on January 16, 2018, voted to grant a variance to allow more than 6 attached units in a single building; to allow Parcel "C" to be developed, which is less than the 2-acre minimum; and to allow less than the minimum 30% common open space.

Councilman Delsanter explained that legislation concerning a moratorium on apartments will be scheduled for the next available City Council meeting. Mr. Lisik commented the Comprehensive Plan update may not suggest apartments on Pearl Road, but perhaps a mixed use of housing and retail. Mr. Aungst commented there is a market for high-end apartments. Mr. Hasan asked what the occupancy rate is for apartment complexes in the city; Mr. Aungst answered nice apartments are filled.

Mr. Shirilla adjourned the meeting at 7:35 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

January 18, 2018

7:30 p.m.

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Joe Delsanter, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
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Randy Sacks, Harsax Management, 9565 Midwest Avenue, Suite
A, Garfield Heights
David Cooper, Harsax Management, same
Ronald Kluchin, 23215 Commerce Park, Beachwood

Item 1

Chairman Joe Shirilla called the meeting to order at 7:42 p.m.

Ms. Plavecski called the roll: 5 Present 0 Absent.

Item 2

Regarding announcements and correspondence, the election of 2018 Planning Commission Officers was held.

MR. ROCHA MOTIONED TO RETAIN JOE SHIRILLA AS CHAIRMAN.

Mr. Saeger seconded the motion.

There were no other nominations. The vote was 5 Ayes 0 Nays.

MR. SHIRILLA MOTIONED TO RETAIN JEFF ARONA AS VICE CHAIRMAN.

Mr. Hasan seconded the motion.

There were no other nominations. The vote was 5 Ayes 0 Nays.

MR. SHIRILLA MOTIONED TO RETAIN JOHN ROCHA AS RECORDING SECRETARY.

Mr. Arona seconded the motion.

There were no other nominations. The vote was 5 Ayes 0 Nays.

Item 3

MR. SAEGER MOTIONED TO APPROVE THE MINUTES OF DECEMBER 21, 2017.

Mr. Arona seconded the motion. The vote was 5 Ayes 0 Nays.

Item 4(a)

A public hearing was held for text amendments regarding vape and smoke shops; and tattoo and body-piercing parlors as conditionally permitted uses.

Mr. Shirilla commented the proposed legislation will ensure these uses will fit harmoniously in the neighborhood.

Mr. Shirilla declared the public hearing open; no one appeared, so he declared it closed.

MR. HASAN MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE TEXT AMENDMENTS REGARDING VAPE AND SMOKE SHOPS; AND TATTOO AND BODY-PIERCING PARLORS AS CONDITIONALLY PERMITTED USES (ORDINANCE NOS. 131-17, 132-17, 133-17, 136-17, 137-17, 138-17, 139-17, and 140-17).

Mr. Saeger seconded the motion. The vote was 5 Ayes 0 Nays.

Item 4(b)

A public hearing was held for text amendments prohibiting streamers as a temporary sign. Ms. Plavecski explained the Administration feels these signs are an outmoded and distracting form of temporary sign and would like them prohibited.

The Commission had no questions regarding this application.

Mr. Shirilla declared the public hearing open; no one appeared, so he declared it closed.

MR. SAEGER MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE TEXT AMENDMENTS TO PROHIBIT STREAMERS AS A TEMPORARY SIGN (ORDINANCE NOS. 134-17 AND 135-17).

Mr. Rocha seconded the motion. The vote was 5 Ayes 0 Nays.

Item 4(c)

Concerning the discussion plan for Quail Creek Apartments, Pearl Road and Magnolia Drive, extending south to Beverly Hills Drive, Mr. Randy Sacks and Mr. Dave Cooper, of Harsax Management; and Mr. Ron Kluchin, architect, were present.

Mr. Sacks explained this is the same unit type that was constructed for the Villas of Fox Hollow and The Shire Apartments, and stated there is a large demand for this type of product. He said they do add to the tax base and they pay several hundred thousand dollars a year in property taxes for The Villas of Fox Hollow. Mr. Sacks stated their family has operated apartments in Brunswick since 1967 and owned the land of the proposed project since 1970. He noted they don't construct retail businesses and they are proud of the product they build. Mr. Sacks commented the apartment complex will have two dog parks, pool, and community center.

Mr. Shirilla inquired what the starting rent is; Mr. Sacks responded \$1,325 per month for a downstairs unit; \$1,400 for an upstairs unit; and \$1,850 for a 3-bedroom unit. Mr. Arona asked what other apartment complexes Mr. Sacks operates in Brunswick; Mr. Sacks replied The Village on South Carpenter (former Pinewood Apartments). He commented they have put \$1.5 million into that complex in the last ten years.

Mr. Arona questioned what the demographics are for these apartments; Mr. Sacks answered people in their mid-to-late 50's that want to downsize and young professionals that commute downtown.

The Staff Review Comments were addressed as follows:

1. Section 1286.02(e)(1) permits a maximum of 6 attached units in a single building; 11 buildings have 8 units. Additionally, a variance is being requested to allow multi-family development on Parcel "C" on the south side of Beverly Hills Drive measuring 0.9187 acre; Section 1286.02(a) requires a minimum of two (2) acres. The applicant was granted a variance for the above from the Board of Zoning Appeals at their meeting on January 16, 2018.
2. Section 1286.04(b) requires a minimum 30% (187,447 sq. ft.) common open space; 26.66% (166,319 sq. ft.) has been provided. A variance was also granted at the above BZA meeting.
3. The site plan indicates a maximum front yard setback of 75'; pursuant to Section 1260.05(a)(2)(A), this is allowed only for the buildings on the east side of Pearl Road. Section 1260.05(a)(2)(C) permits a maximum front yard setback of 60' for roads that are not major arterial streets, including Magnolia Drive and Beverly Hills Drive. Mr. Kluchin stated they comply with required setbacks.

Mr. Shirilla asked the applicant to explain where parking for the units will be; Mr. Kluchin replied each walk-up unit will have two spaces per dwelling unit, including one

space in the attached garage and one in the driveway, and each garden unit will have two spaces in the attached garage and two spaces in the driveway.

4. Pursuant to Section 1286.04(d), each multi-family dwelling unit shall be provided with private open space at the ratio of 100 sq. ft. per unit. Private open space shall not occupy any portion of the common open space or recreation space required in Section 1286.04(b) and (c). Private open space shall be specifically designed and constructed to be used and enjoyed by the residents of an individual dwelling unit and shall be located adjacent to and reasonably accessible from the dwelling unit. Such space shall be screened or otherwise designed to provide privacy for the intended users. Mr. Kluchin explained each first floor unit has a screened patio and each second floor unit has a balcony.
5. The detailed site plan shall include a 15' wide side and/or rear screening yard when adjacent to a residential district or use, except another multi-family use, in accordance with Section 1282.06(c). Mr. Kluchin noted they will provide landscaping between Hickory Hills Apartments and Quail Creek Apartments.
6. Pursuant to Section 1286.03(b), required front yards in the development shall be landscaped and shall not be used for parking or any other purpose, except driveways to reach designated parking areas. Landscaping shall comply with the requirements of Chapter 1282. In accordance with Section 1286.03(e)(7), open space areas shall be planted with trees, shrubs, hedges, ground covers and grasses, unless existing vegetation is to be retained. Landscaping shall be integrated with other functional and ornamental site characteristics to reinforce the character of the area. Mr. Arona stated he was concerned that the bump-outs used for a turn-around could be used for a parking space; Mr. Sacks said he could put a "No Parking" sign there, but he doesn't want to limit the residents' turn-around space.
7. All multi-family buildings and sites shall be developed to comply with the design standards in Section 1286.03(e), including garages which shall be designed and located so they are not the dominant visual element of the building or streetscape. Pursuant to Section 1286.03(e)(2), all attached garages shall comply with: (A) The garage door shall be set back a minimum of 2' further from the primary access street, whether public or private, than the front wall of the main living area; or (B) The garage door shall be oriented perpendicular, or mainly perpendicular, to the access street. All attached garages shall be fully integrated into the building mass. Mr. Jones noted in the current configuration, all of the garages are located perpendicular to the street. Mr. Arona suggested adding some extra window dressings since the buildings face Pearl Road.
8. Sidewalks shall form a network of pedestrian paths with a logical continuity. Walks shall be designed around large trees and outcroppings without being overly rigid in their placement, as required by Section 1286.03(e)(7), to which the applicant agreed.

9. Driveway widths at the right-of-way and curb shall be provided; Table 1276-4 requires a minimum width of 20' at the right-of-way, and 30' at the curb. The applicant agreed to this requirement.
10. Pursuant to Section 1286.03(e)(3), multi-family buildings shall use offsets, projections, recesses, and other comparable design elements to avoid long, uninterrupted wall or roof planes. Blank walls are prohibited, except where necessary to maintain privacy. Mr. Arona stated there should be sensitivity to the way the buildings are presented to Pearl Road. Mr. Sacks showed color renderings of the buildings to the Commission. Mr. Arona suggested disguising the patio slider door as a French door; Mr. Sacks commented that is a good idea.
11. At the request of the Fire Department, provide an emergency vehicle access flow pattern on the site plan; Mr. Kluchin said this will be shown on the detailed site plan.
12. In accordance with Section 1278.09(d), crosswalks shall be provided across Pearl Road to the apartment buildings on Magnolia Drive and Beverly Hills Drive. Additionally, a sidewalk shall be added on the south side of Beverly Hills Drive and on the outparcel at the corner of Pearl Road and Beverly Hills Drive, to which the applicant agreed.
13. They have provided color renderings tonight of the apartment complex.
14. The detailed site plan shall include a photometrics plan to ensure there is a minimum 0.6 footcandle level for parking and pedestrian areas, as required by Section 1276.14(a). As Danbury of Brunswick has a similar façade to Quail Creek Apartments, Mr. Shirilla suggested the applicant should look at the lighting fixtures there to see if this style would be a good choice for their apartments.

Mr. Arona inquired about the ratio of apartments to single family homes. Mr. Aungst explained there are twenty apartment complexes in the city with rent ranging from \$400 to \$2,000 per month. He noted there are senior apartments, apartments for seniors with low-to-moderate incomes, and luxury apartments in the city. He commented that Harsax is doing well in Brunswick and retail centers on Pearl Road are a challenge. He said Brunswick has done well with building the residential portion first and then constructing retail near it.

Regarding a moratorium on apartment complexes, Mr. Delsanter commented they need to do an inventory of the existing apartments in the city and the moratorium will give City Council and the Administration a chance to do this.

Mr. Incorvaia commented the Board of Zoning Appeals discussed at their meeting on January 16, 2018 that increased traffic and music from the Mapleside outdoor concerts may be a concern for residents of Quail Creek Apartments.

Mr. Shirilla asked if there will be a co-mingled use of the pool and the dog park between Quail Creek Apartments and Hickory Hills Apartments; Mr. Sacks responded no, there will be a

fence between the two properties. Mr. Shirilla inquired if a fence is required for screening, to which Mr. Incorvaia responded he will check on this. Mr. Sacks explained the fence around the pool will have electronic locks that require a card to open it.

Mr. Aungst commented the Board of Zoning Appeals requested that a traffic study will be performed for the site area as there will be an increase in traffic. Mr. Jones said he would like to see a trip generation study to ensure the existing infrastructure is adequate to handle the increase in traffic. He further noted that reconstruction of Magnolia Drive and Beverly Hills Drive is scheduled to begin around August to September from Pearl Road to Judita Drive. Mr. Jones said a construction entrance for the apartment project will be on Pearl Road. He asked that a request for a trip generation study should be added to the motion.

Mr. Shirilla requested the applicant to bring different façade variations to the meeting when the Commission addresses the detailed site plan. Mr. Arona said he would like the up and down townhome look accentuated facing Pearl Road.

MR. ARONA MOTIONED TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN AND PUBLIC HEARING FOR QUAIL CREEK APARTMENTS, PEARL ROAD AND MAGNOLIA DRIVE, EXTENDING SOUTH TO BEVERLY HILLS DRIVE, SUBJECT TO THE FOLLOWING: THE BOARD OF ZONING APPEALS GRANTED A VARIANCE TO ITEMS 1 AND 2 OF THE STAFF REVIEW COMMENTS AND THE APPLICANT WILL COMPLY WITH STAFF REVIEW COMMENTS 3 THROUGH 14. ADDITIONALLY, THE APPLICANT IS BEING REQUESTED TO PROVIDE A TRIP GENERATION STUDY.

Mr. Rocha seconded the motion. The vote was 5 Ayes 0 Nays.

Item 5

There was no old business.

Item 6

There was no new business.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Delsanter gave the Council Representative's Report. He said he would like the Planning & Zoning Committee of City Council to meet with the Chairman of the Planning Commission and Board of Zoning Appeals to receive some suggestions and input of what they would like Council to address.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Hasan seconded the motion. The vote was 5 Ayes 0 Nays.

The meeting was adjourned at 9:07 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

January 18, 2018

Vape and Smoke Shops; and Tattoo and Body Piercing Parlors text amendments

(Public hearing – Ordinance Nos. 131-17, 132-17, 133-17, 136-17, 137-17, 138-17, 139-17, and 140-17)

Proposed Use & Background:

A text amendment has been proposed to establish Section 1242.02(94) of the Zoning Code to create a definition of “vape” and smoke shops as follows: “Vape and Smoke Shop: A retail establishment that derives more than fifty percent (50%) of its gross revenue from the sale of electronic cigarettes or similar devices, cigars, cigarettes, pipes, or other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental.”

Text amendments are also proposed to allow vape and smoke shops; and tattoo and body piercing parlors as a conditionally permitted use in the following districts: C-N Neighborhood Commercial District by establishing Section 1256.04(m) and (n), respectively; C-G General Commercial District by creating Section 1260.04(u) and (v); GW-C Gateway Commercial District by establishing Section 1261.04(s) and (t); and the Main Street District of Brunswick Town Center SPD-2 by creating Section A(18) and (19).

Additional text amendments are proposed to allow tattoo and body piercing parlors as a conditionally permitted use in the C-O Office Commercial District by establishing Section 1262.04(h); and to permit vape and smoke shops as a conditionally permitted use in the Northwest Neighborhood of Brunswick Town Center SPD-2 by creating Section A(9). Furthermore, Section A(3) of the General Requirements for the Southeast Neighborhood of Brunswick Town Center SPD-2 shall be amended to read “Conditional Uses. Home occupations, hotels, vape and smoke shops, and tattoo and body piercing parlors as conditional uses, subject to Section 1274.09.”

City Council held their first reading for the proposed legislation on December 18, 2017.

Staff Recommendations:

Staff recommends approval to City Council of the above ordinances.

Streamers as a prohibited temporary sign text amendment

(Public hearing – Ordinance Nos. 134-17 & 135-17)

A text amendment is proposed to Section 1270.10 of the City of Brunswick Codified Ordinances by removing streamers as a permitted temporary sign. Section 1270.10(a)(2)(A)

shall now read as follows: “Notwithstanding the signs prohibited by Section 1270.11, the following types of signs are permitted as temporary signs: A. Pennants or banners.”

Additionally, a text amendment is proposed to Section 1270.11 to create subsection (n) “Streamers” as a prohibited sign.

City Council held their first reading for the proposed legislation on December 18, 2017.

Staff Recommendations:

Staff recommends approval to City Council of the proposed legislation.

Quail Creek Apartments

(Discussion plan)

Location: Pearl Road & Magnolia Drive, extending south to Beverly Hills Drive
C-G District

Proposed Use & Background:

An application has been submitted to construct 107 units on three parcels totaling 14.344 acres. The density is 8 units per acre, in compliance with Section 1286.02(a). Parcel “A” will consist of 10 buildings (2-story walk-ups) with 8 units each, for a total of 80 units; Parcel “B” will have 4 buildings (2-story ranch units), for a total of 19 units; and Parcel “C” will consist of one building (2-story walk-ups) with 8 units. The size of the two-bedroom units will be 1,261 sq. ft., 1,327 sq. ft., and 1,686 sq. ft., in compliance with the minimum 950 sq. ft. required by Section 1286.02(b)(2) of the Zoning Code.

Multi-family dwellings are a conditionally permitted use, subject to Chapter 1286, including the excluded areas in Section 1286.05.

Front yard setbacks for the proposed buildings along the east side of Pearl Road, north side of Magnolia Drive, and south side of Beverly Hills Drive are indicated at 30’, as required by Section 1260.05(a)(1). Side and rear yard setbacks abutting a residential district or use (Judita Drive and Hickory Hills Apartments) are listed at 50’, pursuant to Section 1260.05(b) and (c), respectively.

Buildings will be spaced 60’ apart, in compliance with the 30’ minimum required by Section 1286.03(d), and all garage doors will be located a minimum of 20’ from a sidewalk or a private drive or street.

Pursuant to Table 1276-1(a)(2), parking for multi-family dwelling units shall consist of a minimum of two spaces per dwelling unit, including one space in a garage. The site plan indicates each walk-up unit will meet this requirement and each garden unit will have two enclosed spaces and two open spaces.

Recreation space measuring 15.3% (96,025 sq. ft.) of the development area will be provided, which meets the minimum 5.8% (36,240 sq. ft.) required by Section 1286.04(c). Additionally, the site plan indicates all recreation space shall have a least dimension of 50', and at least one recreation area shall be a block with minimum dimensions of 100' x 100', with the balance being in large blocks to support its intended recreation use.

Staff Review Comments:

15. Section 1286.02(e)(1) permits a maximum of 6 attached units in a single building; 11 buildings have 8 units. Additionally, a variance is being requested to allow multi-family development on Parcel "C" on the south side of Beverly Hills Drive measuring 0.9187 acre; Section 1286.02(a) requires a minimum of two (2) acres. The applicant is seeking a variance for the above from the Board of Zoning Appeals at their meeting on January 16, 2018.
16. Section 1286.04(b) requires a minimum 30% (187,447 sq. ft.) common open space; 26.66% (166,319 sq. ft.) has been provided. A variance is also being requested at the above BZA meeting.
17. The site plan indicates a maximum front yard setback of 75'; pursuant to Section 1260.05(a)(2)(A), this is allowed only for the buildings on the east side of Pearl Road. Section 1260.05(a)(2)(C) permits a maximum front yard setback of 60' for roads that are not major arterial streets, including Magnolia Drive and Beverly Hills Drive.
18. Pursuant to Section 1286.04(d), each multi-family dwelling unit shall be provided with private open space at the ratio of 100 sq. ft. per unit. Private open space shall not occupy any portion of the common open space or recreation space required in Section 1286.04(b) and (c). Private open space shall be specifically designed and constructed to be used and enjoyed by the residents of an individual dwelling unit and shall be located adjacent to and reasonably accessible from the dwelling unit. Such space shall be screened or otherwise designed to provide privacy for the intended users.
19. The detailed site plan shall include a 15' wide side and/or rear screening yard when adjacent to a residential district or use, except another multi-family use, in accordance with Section 1282.06(c).
20. Pursuant to Section 1286.03(b), required front yards in the development shall be landscaped and shall not be used for parking or any other purpose, except driveways to reach designated parking areas. Landscaping shall comply with the requirements of Chapter 1282. In accordance with Section 1286.03(e)(7), open space areas shall be planted with trees, shrubs, hedges, ground covers and grasses, unless existing vegetation is to be retained. Landscaping shall be integrated with other functional and ornamental site characteristics to reinforce the character of the area.
21. All multi-family buildings and sites shall be developed to comply with the design standards in Section 1286.03(e), including garages which shall be designed and located so they are not the dominant visual element of the building or streetscape. Pursuant to Section 1286.03(e)(2), all attached garages shall comply with: (A) The garage door shall be set back a minimum of 2' further from the primary access street, whether public or private, than the front wall of the main living area; or (B) The garage door shall be oriented perpendicular, or mainly perpendicular, to the access street. All attached garages shall be fully integrated into the building mass.

22. Sidewalks shall form a network of pedestrian paths with a logical continuity. Walks shall be designed around large trees and outcroppings without being overly rigid in their placement, as required by Section 1286.03(e)(7).
23. Driveway widths at the right-of-way and curb shall be provided; Table 1276-4 requires a minimum width of 20' at the right-of-way, and 30' at the curb.
24. Pursuant to Section 1286.03(e)(3), multi-family buildings shall use offsets, projections, recesses, and other comparable design elements to avoid long, uninterrupted wall or roof planes. Blank walls are prohibited, except where necessary to maintain privacy.
25. At the request of the Fire Department, provide an emergency vehicle access flow pattern on the site plan.
26. In accordance with Section 1278.09(d), crosswalks shall be provided across Pearl Road to the apartment buildings on Magnolia Drive and Beverly Hills Drive. Additionally, a sidewalk shall be added on the south side of Beverly Hills Drive and on the outparcel at the corner of Pearl Road and Beverly Hills Drive.
27. Provide a color rendering of the apartment complex.
28. The detailed site plan shall include a photometrics plan to ensure there is a minimum 0.6 footcandle level for parking and pedestrian areas, as required by Section 1276.14(a).

Staff Recommendations:

Staff recommends moving the discussion plan to a detailed site plan and public hearing, pending the ruling of the BZA on the number of attached units, percentage of common open space, and minimum lot area, and provided the above items are addressed.