

Brunswick City Planning Commission

December 17, 2015

7:30 p.m.

Joe Shirilla, Chairman
John Rocha, Recording Secretary
Pete Fitzgerald, Member
Vince Carl, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Anthony J. Bales, City Manager
Grant Aungst, Community and Economic Development Director
Brian Ousley, Council-at-Large
Peter Kirk, Ohio Senior Living I, LLC, 625 Liberty Avenue, Suite
3110, Pittsburgh, PA
Jon Sines, Polaris Engineering & Surveying, 34600 Chardon
Road, Suite D, Willoughby Hills,
Nate Gehring, Drees Homes, 6860 West Snowville Road, Suite
105, Brecksville
Jim O'Connor, Drees Homes, same
Rhonda Singer, Stark Enterprises, 1350 West Third Street,
Cleveland
Rebecca Hedges, Stark Enterprises, same
Jim Nabors, 3424 Ruf Drive, Brunswick
Merle Erbs, 3458 Clover Drive, Brunswick

Item 1

Chairman Joe Shirilla called the meeting to order at 7:36 p.m.

Item 2

Regarding announcements or correspondence, Ms. Plavecski thanked Councilman Carl for his 12 years of service on City Council, in addition to his service on the Planning Commission.

Item 3

MR. FITZGERALD MOTIONED TO SUBMIT THE DECEMBER 3, 2015 MINUTES INTO RECORD.

Mr. Rocha seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(a)

Regarding the public hearing for the Ohio Senior Living I, LLC rezoning of the 0.77-acre outparcel from the S-R Senior Residence District to the C-G General Commercial District at 4241 Center Road, west of 4231 Center Road (Ar-Kay Florist), Mr. Peter Kirk, of Ohio Senior Living; and Mr. Jon Sines, of Polaris Engineering and Surveying, were present.

Mr. Sines explained they are seeking to rezone the 0.77-acre outparcel back to the original C-G General Commercial District to provide more viable use of the property in conjunction with the City's Comprehensive Plan.

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

There was no further comment from the Planning Commission.

MR. ROCHA MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL TO REZONE THE 0.77-ACRE PARCEL LOCATED AT 4241 CENTER ROAD FROM THE S-R SENIOR RESIDENCE DISTRICT TO THE C-G GENERAL COMMERCIAL DISTRICT.

Mr. Fitzgerald seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(b)

Concerning the revised text amendments for the Southwest Neighborhood (South Lake) of Brunswick Town Center SPD-2, Mr. Nate Gehring and Mr. Jim O'Connor, of Drees Homes were present.

Ms. Plavecski noted, as discussed in caucus, pertaining to Text Amendment No. 3, that the fence along the rear property line would be installed by the homeowner on a lot-by-lot basis.

Regarding the low-sight impact preservation fence, Mr. Gehring stated it is their intent for Drees Homes to install this fence along the rear property. He said they would like to change the description of the fence from a two-rail fence to a three-rail fence.

Mr. Incorvaia said language will need to be added to the text amendment stating that Drees Homes will install the fence in one piece along the rear property line. Mr. Jones inquired if the fence will be installed in one piece; will the individual sections behind the house be maintained by the homeowner, to which Mr. Gehring responded yes. Mr. Shirilla said that needs to be added to the text amendment. Mr. O'Connor said the Homeowners Association Document covers it. Mr. Incorvaia asked if there will be a corner post at the individual property line so the homeowner knows which section of the fence is his; Mr. Gehring stated that is his intent. Mr. Incorvaia suggested the revised language for the text amendments

should be submitted to him, along with a copy of the Homeowners Association Document, for his review.

The Staff Review Comments were addressed as follows:

1. The Homeowners Association Document will give them the authority to assess individual subplot owners to maintain the "Do Not Disturb" zone.
2. Also in Text Amendment No 3, third paragraph, the word "Engineer" will be removed so that the sentence reads "To preserve, protect and enhance the 'Do Not Disturb' zone with a plan created by a licensed arborist submitted to and approved by **the City**, maintenance of the buffer area, including selective pruning and/or removal of dead/diseased trees may be completed as outlined in approved plan." Mr. Gehring distributed a proposal by Knowles Municipal Forestry.
3. Furthermore, in Text Amendment No. 3, last paragraph, amend the sentence to read "In order to maintain the integrity of the treed visual buffer area, the owners of Sublots 14 through 20 and 31 through 33 **may** install a Low-Sight Impact Preservation Fence along their **side** property lines to protect and enclose three sides (limited to rear property line and two side property lines) of the buffer zone **and subject to application and granting of a permit by the City.**" Additional language should also be added that Dress Homes shall install the low-sight impact preservation fence along the rear property line with posts at the individual property lot lines. This fence shall be maintained by the South Lake Homeowners Association.
4. In Text Amendment No. 3, the definition of a "low-sight impact preservation fence" shall be revised to read an "extruded aluminum, square post, smooth top, **three**-rail fence that is sixty (60) inches tall and black in color."

MR. FITZGERALD MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE REVISED TEXT AMENDMENTS TO THE SOUTHWEST (SOUTH LAKE) NEIGHBORHOOD OF BRUNSWICK TOWN CENTER SPD-2 AS FOLLOWS:

1. REGARDING TEXT AMENDMENT NO. 3, SECOND PARAGRAPH, THE HOMEOWNERS ASSOCIATION DOCUMENT POWERS, SUBJECT TO LAW DEPARTMENT APPROVAL, WILL GIVE THEM THE AUTHORITY TO ASSESS INDIVIDUAL SUBLOT OWNERS TO MAINTAIN THE "DO NOT DISTURB" ZONE.
2. ALSO IN TEXT AMENDMENT NO 3, THIRD PARAGRAPH, THE WORD "ENGINEER" WILL BE REMOVED SO THAT THE SENTENCE READS "TO PRESERVE, PROTECT AND ENHANCE THE 'DO NOT DISTURB' ZONE WITH A PLAN CREATED BY A LICENSED ARBORIST SUBMITTED TO AND APPROVED BY **THE CITY**, MAINTENANCE OF THE BUFFER AREA, INCLUDING SELECTIVE PRUNING AND/OR REMOVAL OF DEAD/DISEASED TREES MAY BE COMPLETED AS OUTLINED IN APPROVED PLAN."

3. FURTHERMORE, IN TEXT AMENDMENT NO. 3, LAST PARAGRAPH, REMOVE THE WORDS "SHALL HAVE THE RIGHT TO" AND INSERT THE WORDS "MAY"; "AND SUBJECT TO APPLICATION AND GRANTING OF A PERMIT BY THE CITY" SO THAT THE SENTENCE READS "IN ORDER TO MAINTAIN THE INTEGRITY OF THE TREED VISUAL BUFFER AREA, THE OWNERS OF SUBLOTS 14 THROUGH 20 AND 31 THROUGH 33 **MAY** INSTALL A LOW-SIGHT IMPACT PRESERVATION FENCE ALONG THEIR **SIDE** PROPERTY LINES TO PROTECT AND ENCLOSE THREE SIDES (LIMITED TO REAR PROPERTY LINE AND TWO SIDE PROPERTY LINES) OF THE BUFFER ZONE **AND SUBJECT TO APPLICATION AND GRANTING OF A PERMIT BY THE CITY.**" **DRESS HOMES SHALL INSTALL THE LOW-SIGHT IMPACT PRESERVATION FENCE ALONG THE REAR PROPERTY LINE WITH POSTS AT THE INDIVIDUAL PROPERTY LOT LINES OF SUBLOTS 14 THROUGH 20 AND 31 THROUGH 34. THIS FENCE SHALL BE MAINTAINED BY THE SOUTH LAKE HOMEOWNERS ASSOCIATION.**
4. IN TEXT AMENDMENT NO. 3, THE DEFINITION OF A "LOW-SIGHT IMPACT PRESERVATION FENCE" SHALL BE REVISED TO READ AN "EXTRUDED ALUMINUM, SQUARE POST, SMOOTH TOP, **THREE**-RAIL FENCE THAT IS SIXTY (60) INCHES TALL AND BLACK IN COLOR."

Mr. Rocha seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(c)

Concerning the discussion site plan for the Stark Enterprises retail center, 3459 Center Road (former First Merit Bank), Ms. Rebecca Hedges and Ms. Rhonda Singer were present.

Ms. Hedges gave an overview of the project and stated Stark Enterprises wants customers coming through the front entrance, and not in the rear, for security reasons.

Regarding the front building setback, Mr. Shirilla commented the Planning Commission has granted modifications on existing sites, but this is new construction. He explained this site was previously proposed for a Giant Eagle Getgo Station, which also needed a front yard setback modification that was ultimately denied.

Mr. Shirilla suggested turning the building 90° and installing parking on the west and south sides of the building with entrances at each of those locations, thereby having frontage on both Old Eagle Drive and Center Road. He inquired if there will be outdoor seating for the coffee shop, to which Ms. Hedges responded yes, there will be benches and bike racks. She commented the tenants of the retail center want frontage on Center Road. She also said the tenant of the coffee shop doesn't want customers cutting in front of the drive-thru to enter into the business, which would be unsafe.

Mr. Rocha noted the Planning Commission didn't grant a front yard setback modification for Giant Eagle and commented all the Planning Commission members aren't present tonight so

he wouldn't feel comfortable moving the discussion plan to a detailed site plan. Mr. Fitzgerald stated the vast majority of traffic will be entering the site from Old Eagle Drive and cars would have to cut across the parking lot to get to the coffee shop drive-thru. Mr. Jones said he is more concerned with pedestrians having to cross in front of the drive-thru if there is parking and an entrance on the west side of the building. Mr. Rocha inquired if the Fire Department had any concerns; Mr. Jones responded the Assistant Fire Chief was satisfied with the layout.

Concerning granting a modification, Mr. Shirilla referenced Section 1260.07(e) of the Zoning Code. He said due to a large modification being requested, he would ask for more than one of the conditions to be implemented on this project, i.e. pedestrian amenities and twice the required amount of interior landscaping. Ms. Hedges commented Stark Enterprises has an in-house landscaper and said they could install benches, outdoor seating, and bike racks. She stated they could also install a decorative fence.

Mr. Shirilla inquired about the location of the outdoor seating; Ms. Hedges replied it would be situated at both end caps in front of the retail stores. Ms. Plavecski questioned if there is sufficient room for seating and the sidewalk, as the Zoning Code requires a minimum 4' wide sidewalk and the Ohio Building Code stipulates at least 36" between the tables. Mr. Jones noted the sidewalk has a 14.5' width.

Mr. Carl stated the coffee shop will not have the impact that the Getgo gas station would have had and commented this property was expensive to purchase. He commented he liked the location of the drive-thru, as it is less intrusive.

Ms. Hedges showed a façade rendering to the Commission.

As there were members of the public in the audience, Mr. Shirilla opened the public comment period.

Mr. Jim Nabors, 3424 Ruf Drive, Brunswick, stated this retail center will back-up traffic on Old Eagle Drive in the morning. He noted that Old Eagle Drive is in poor condition and this will make it worse. He commented fencing isn't allowed in Old Mill Village without permission of the Board. He said they don't like the sea of asphalt in front of the building and didn't see where the bike racks will be located. Mr. Nabors inquired if the city can override the Old Mill Village bylaws; Mr. Shirilla stated they will get a legal ruling on it. Mr. Nabors expressed his concern that traffic will back-up on Old Eagle for the drive-thru; Mr. Jones stated there is enough stacking room. Mr. Nabors said this retail center will have more minimum wage jobs, instead of higher-paying jobs.

Mr. Incorvaia stated Stark Enterprises will need Old Mill Village Homeowners Association approval of the fence prior to coming back to the Planning Commission. Mr. Jones asked if the parcel for the retail center is part of the Homeowners Association; Mr. Nabors responded it is.

Mr. Fitzgerald commented he would need to see what condition of Section 1260.07(e) would be applicable for this site. Mr. Rocha reiterated not all the Planning Commission members are present tonight.

Ms. Plavecski asked Ms. Hedges if they could submit a plan showing the pedestrian amenities and twice the amount of interior landscaping, pursuant to Section 1260.07(e). Ms. Hedges replied it will cost them time.

After further discussion, Ms. Hedges stated they would like the discussion site plan for the Stark Enterprises retail center to be tabled.

MR. FITZGERALD MOTIONED, AT THE APPLICANT'S REQUEST, TO TABLE THE DISCUSSION SITE PLAN FOR THE STARK ENTERPRISES RETAIL CENTER, 3459 CENTER ROAD, TO RETURN WITH A NEW PLAN WITHIN 30 DAYS. IF THE APPLICANT REQUESTS AN EXTENSION BEYOND THE 30-DAY REVIEW PERIOD SPECIFIED IN SECTION 1278.03(b), THAT IS ACCEPTABLE TO THE PLANNING COMMISSION.

Mr. Rocha seconded the motion. The vote was 3 Ayes 0 Nays.

Item 5

There was no old business.

Item 6

There was no new business.

Item 7

No one appeared at public comment period.

Item 8

Mr. Carl gave the Council Representative's Report. He thanked the Commission for their service to the community. The Commission thanked Mr. Carl for his service on the Planning Commission.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Fitzgerald seconded the motion. The vote was 3 Ayes 0 Nays.

The meeting was adjourned at 9:13 p.m.

Respectfully,

Pamela Plavecski