

Brunswick City Planning Commission

October 18, 2018

7:00 p.m. - Caucus

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Nick Hanek, Council Representative
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director

Chairman Joe Shirilla called the meeting to order at 7:12 p.m.

The first item was the discussion of the public hearing for the EBPC, LLC (Goudreau Management) annexation rezoning from the R-R District to the C-G District, 3864 Center Road. The Commission had no questions on this item.

The second item was the review of the public hearing for the BP Gas Station/7-Eleven Inc. electronic digital display fuel pricing sign conditional zoning certificate, 15 Pearl Road. Ms. Plavecski commented the applicant will need to verify the revised existing ground sign will be located a minimum of 50 feet from the Pearl Road and Boston Road rights-of-way intersection, pursuant to Section 1270.04(b) of the Zoning Code.

The third item was the discussion of the public hearing for the Kings of Vapor conditional zoning certificate, 3301 Center Road, Unit 10 (K-Mart Plaza). The Commission stated that all items of the conditional zoning certificate must be adhered to.

The fourth item was the review of the public hearing for the KFC Restaurant detailed site plan, including dumpster enclosure variance request, 3280 Center Road (Sonic Restaurant). Ms. Plavecski noted the applicant received a variance at the Board of Zoning Appeals meeting on October 16, 2018 to allow a wall sign on the east elevation, in addition to the sign on the north elevation, where Code permits only one wall sign per each dedicated street right-of-way.

Regarding new business of the report performed by the independent consultant for the Sanctus, LLC project, north of Keller-Hanna Drive, south of St. Ambrose Church, and east of the Keller water towers, the Commission noted several items that need to be addressed.

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

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

October 18, 2018

7:30 p.m.

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Nick Hanek, Council Representative
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director
George Goudreau, Goudreau Management, 9701 Brookpark
Road, Cleveland, OH
Adam Macke, Mitra QSR, LLC, 18900 Dallas Parkway, Suite 125,
Dallas, TX
Jim Bond, National Illumination & Sign, 6525 Angola Road,
Holland, OH
Vickie Smith, 1210 Killian Road, Akron, OH
Doug Harsany, 5415 St. Andrews Drive, Westerville, OH
Chad Bowling, 3400 Par Foure Blvd., Uniontown, OH
John Sesil, 706 Lafayette Drive, Akron, OH

Item 1

Chairman Joe Shirilla called the meeting to order at 7:44 p.m.

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

Item 2

There were no announcements or correspondence.

Item 3

MR. ROCHA MOTIONED TO APPROVE THE MINUTES OF OCTOBER 4, 2018.

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

Item 4(a)

Regarding the public hearing for the EBPC, LLC (Goudreau Management) annexation rezoning from the R-R District to the C-G District, 3864 Center Road, Mr. George Goudreau was present.

Mr. Goudreau explained he annexed the East Brunswick Professional Center into the City of Brunswick on March 12, 2018 from Brunswick Hills Township. He stated the property is currently in the R-R Rural Residential District holding zone for property annexed into the city, and he would like the land rezoned to the C-G General Commercial District.

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

MR. ARONA MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE REZONING FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE C-G GENERAL COMMERCIAL DISTRICT FOR THE EAST BRUNSWICK PROFESSIONAL CENTER, 3864 CENTER ROAD.

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

Item 4(b)

Concerning the public hearing for the BP Gas Station/7-Eleven Inc. electronic digital display fuel pricing ground sign conditional zoning certificate, 15 Pearl Road, Mr. Jim Bond, of National Illumination & Sign, was present.

Mr. Bond explained they are converting the existing ground sign to an electronic digital display fuel pricing sign. Mr. Hasan inquired if there will only be one digital sign; Mr. Bond responded yes.

Mr. Shirilla noted the revised existing ground sign must be located a minimum of 50 feet from the Pearl Road and Boston Road rights-of-way intersection, pursuant to Section 1270.04(b). Mr. Bond stated he is not sure if it complies with that. Mr. Incorvaia commented the Planning Commission can approve the sign contingent upon it meeting the location requirement.

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

MR. SAEGER MOTIONED TO APPROVE THE BP/7-ELEVEN ELECTRONIC DIGITAL DISPLAY FUEL PRICING GROUND SIGN CONDITIONAL ZONING CERTIFICATE, 15 PEARL ROAD, CONTINGENT UPON THE PROPOSED SIGN COMPLYING WITH SECTIONS 1270.17 AND 1270.05 – TABLE “B” OF THE ZONING CODE, AND VERIFICATION THAT THE REVISED EXISTING GROUND SIGN WILL BE LOCATED A MINIMUM OF 50 FEET FROM THE PEARL ROAD AND BOSTON ROAD RIGHTS-OF-WAY INTERSECTION, PURSUANT TO Section 1270.04(b).

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

Item 4(c)

Regarding the public hearing for the Kings of Vapor conditional zoning certificate, Mr. Chad Bowling was present. Mr. Bowling explained this will be a retail shop going in next to Boost Mobile in the K-Mart Plaza.

Mr. Shirilla confirmed that no one under 18 years of age can purchase these items; Mr. Bowling stated that is correct. He explained they have eleven other locations and their staff is trained to request proper identification. Mr. Arona asked if there is any intention to display products in the window; Mr. Bowling replied no. Mr. Arona asked if there is any code on the percentage of window covering; Mr. Incorvaia answered no. Ms. Plavecski commented when the sign code ordinance was revised, it was discussed that only 20% coverage of windows would be allowed, which is consistent with other cities. She stated safety forces have requested to have visibility into the buildings.

Mr. Shirilla declared the public hearing open.

Mr. Grant Aungst, Community & Economic Development Director, said regarding window coverage, that safety forces would like visibility into building windows at all times.

MR. HASAN MOTIONED TO APPROVE THE KINGS OF VAPOR CONDITIONAL ZONING CERTIFICATE, 3301 CENTER ROAD, UNIT 10 (K-MART PLAZA), SUBJECT TO COMPLIANCE WITH ALL REQUIREMENTS OF THE CONDITIONAL ZONING CERTIFICATE.

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

Item 4(d)

Concerning the public hearing for the KFC Restaurant detailed site plan, including the dumpster enclosure variance request, 3280 Center Road (Sonic Restaurant), Mr. Adam Macke, from Mitra QSR, was present.

Mr. Macke explained they are seeking a variance for the existing dumpster enclosure. He said it is in good condition and they will paint it and plant some new landscaping around it. He said the existing dumpster location is ideal for traffic circulation.

Mr. Shirilla noted the Commission asked for lighting sconces to be added to the north elevation; Mr. Macke commented the original banner sign was larger and the sconces were too low. He stated now that the sign size was reduced, they can add two sconces on the north elevation.

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 KFC RESTAURANT DETAILED SITE PLAN AND DUMPSTER ENCLOSURE VARIANCE REQUEST, 3280 CENTER ROAD (SONIC RESTAURANT), SUBJECT TO THE FOLLOWING:

1. THE EXISTING BRICK DUMPSTER ENCLOSURE EXTENDS 9.2' INTO THE 50' REAR YARD SETBACK REQUIRED BY SECTION 1260.05(c) AT THE SOUTHWEST CORNER OF THE SITE, RESULTING IN THE DUMPSTER BEING LOCATED 40.8'

FROM THE SOUTH PROPERTY LINE. IN THE COURSE OF EXERCISING ITS SITE PLAN REVIEW POWERS UNDER CHAPTER 1278, THE PLANNING COMMISSION, PURSUANT TO SECTION 1244.04(b)(1), MAY IN SPECIFIC CASES, WITH THE CONSENT OF CITY COUNCIL, AND UPON PROPER WRITTEN APPLICATION, VARY OR PERMIT EXCEPTIONS TO ANY OF THE PROVISIONS OF CHAPTER 1260 (GENERAL COMMERCIAL DISTRICT) AND HAS FOUND THAT BOTH (1) SUCH VARIANCE OR EXCEPTION WILL NOT VIOLATE THE SPIRIT OR INTENT OF THE CHAPTER, AND (2) THAT A MORE HARMONIOUS AND COMPATIBLE DEVELOPMENT WILL RESULT.

2. THE LANDSCAPE PLAN (SHEET L-101) SHALL BE REVISED TO INDICATE A 6' HEIGHT FOR THE "TECHNY" ARBORVITAE AT THE TIME OF PLANTING, PURSUANT TO SECTION 1282.04(b)(2).
3. TWO SCONCES WILL BE ADDED; 1 EACH ON BOTH SIDES OF THE MAIN ENTRANCE ON THE NORTH ELEVATION.
4. THE APPLICANT RECEIVED A VARIANCE FROM THE BOARD OF ZONING APPEALS AT THEIR OCTOBER 16, 2018 MEETING TO ALLOW ONE 14.6 SQ. FT. "KFC" WALL SIGN ON THE EAST ELEVATION, IN ADDITION TO ONE 30.94 SQ. FT. WALL SIGN ON THE NORTH ELEVATION FACING CENTER ROAD, WHERE CODE PERMITS ONLY ONE WALL SIGN PER EACH DEDICATED STREET RIGHT-OF-WAY.

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

Item 5

There was no old business.

Item 6

Concerning new business of the review of the report performed by the independent consultant for the Sanctus, LLC project, north of Keller-Hanna Drive, south of St. Ambrose Church, and east of the Keller water towers, Mr. Doug Harsany, of Harsany & Associates, was present.

Mr. Shirilla noted the Commission will review the nine questions presented to Withers Design Group at their September 20, 2018 meeting that are addressed by Mr. Harsany as follows:

1. Mr. Shirilla said the purpose of a Special Planning District has been addressed.
2. Regarding any positive or negative impact to the surrounding community, Mr. Shirilla inquired if Mr. Harsany feels the City of Brunswick is at a boiling over point for memory care and senior living facilities. He also noted if the project fails, what becomes of the building; Mr. Harsany responded the building could probably be used for other medical

uses. He said he doesn't know if the city has reached the saturation point yet. Mr. Shirilla commented he would like to see more information on this.

Concerning potential negative effects, Mr. Shirilla asked if the Commission needs to be more specific regarding earth tone colors on the façade and building elevations, to which Mr. Harsany responded yes, it would be helpful. Mr. Arona noted the Commission needs another suggestion as an alternative to manage the scale and mass of the building; should the roof be flat or pitched? Mr. Harsany commented that due to the grade differential of the topography on the site, this will determine how high the building will look in relation to other buildings in the vicinity, along with the height of the existing trees.

Mr. Shirilla said the elevation submitted shows reverse gables and pitched roofs, and commented a flat roof would look institutional. He noted he would like to see the roof line emphasized in the Design Guidelines, whereby it states the assisted living and memory care facilities will be a two-story building with a maximum height of 50' to the top of the highest gable.

Concerning the outdoor lighting, Mr. Harsany commented more luminaires should be used with less lumens that are directed to only being used where needed. Mr. Saeger suggested keeping the lighting at a more pedestrian scale, instead a vehicular scale. Mr. Hasan explained that one lumen equals one footcandle. Ms. Plavecski asked if the proposed SPD lighting can deviate from the footcandle requirements in Section 1276 of the Zoning Code; Mr. Incorvaia responded since it is a SPD, the recommendation of the Planning Commission could deviate from that section.

3. The Commission had no comment regarding that the applicant and consultant should be prepared to address concerns of the residents, i.e. stormwater run-off, traffic, noise, and lighting, as these items are addressed further in the report.
4. Regarding proposed changes to the SPD-5 Design Guidelines, Mr. Harsany commented his report is supposed to be independent, but the Planning Commission can suggest changes to the Design Guidelines. Regarding building accessibility, he said having two steps to go up to enter the assisted living and memory care facility is an issue and there should be at least one accessible entrance. Mr. Saeger noted the Ohio Building Code requires that 50% of the entrances are handicap accessible. He stated the individual independent living units should have the front entrance door at grade level. Mr. Arona said he would like the independent units to use universal design guidelines, i.e. doors wide enough for wheelchairs, roll-in showers, etc. Mr. Harsany said it is not clear if it is the developer's intention to do that.

Concerning the size and placement of the trees, Mr. Harsany questioned how big will the trees be, and is it reasonable to have trees lined along the entrance drive. He commented sometimes it is better to plant smaller trees and work with the natural vegetation. Mr. Shirilla said the developer may be trying to create the look of a boulevard; Mr. Harsany commented he is not opposed to that, as long as the trees are

not too large. Mr. Hasan suggested having a “do not disturb zone”; Mr. Aungst responded from a property maintenance standpoint, it is not effective to have it monitored by city personnel. He said it should be structured so that as much natural vegetation can remain as possible. Mr. Hasan clarified that he meant there should be areas on the site that are not built upon and remain natural.

Concerning the parking requirements for the development, Mr. Harsany commented a typographical error was made which switched the memory care and assisted living requirements with that of the independent living units.

5. Regarding the 50’ maximum building height for the memory care and assisted living facilities, Mr. Harsany said the actual height of the building needs to be determined, along with impact on adjacent neighbors.
6. Concerning the size of the rooms for the memory care and assisted living units, Mr. Harsany commented they are reasonably sized, but when small units are involved, it is important to note the interior design of the rooms should accommodate the needs of the residents, i.e. sufficient storage closets, adequate eating area, etc.
7. Regarding the estimation of additional traffic that will be generated from the proposed SPD, Mr. Harsany commented traffic is not the biggest problem since there is an existing boulevard that cars will enter on. He said St. Ambrose Church has significantly more traffic than what will be generated by this development. Mr. Shirilla asked if Mr. Harsany recommends a traffic study; he responded no, not at this time. Mr. Aungst noted the City Engineer is recommending a traffic study, given the high level of activity in that area. Mr. Shirilla noted Table 1 of the report states there is only 42 trips generated at peak time, is a traffic study necessary? Mr. Aungst responded further development and the recommendation of the Comprehensive Plan update needs to be considered. Mr. Shirilla stated he is looking at what is happening now, not what’s happening in the future. Mr. Incorvaia explained the driveway for the Sanctus project also leads to St. Ambrose Church and the water towers, and there is a significant amount of acreage across Pearl Road to be considered. Mr. Harsany said if all of these items need to be addressed, then he can understand why the City Engineer wishes to have a traffic study. Mr. Rocha noted there is a tree cutting business which is expanding that is located across from the site. Mr. Shirilla said the Planning Commission will leave it up to the City Engineer to decide if a traffic study is necessary.
8. Concerning the lighting, the Commission discussed this earlier. Mr. Shirilla said the Design Guidelines should be specific so there are areas that should be lit, along with areas that aren’t required to be lit.
9. Regarding stormwater management, Mr. Harsany said the City’s stormwater regulations are good and the Design Guidelines should state that city requirements should be followed pursuant to Section 1230.01(a) and Chapter 1236 of the Codified Ordinances. Mr. Hasan said the detention should be designed to accommodate a

500-year storm. Mr. Incorvaia stated the Commission would have to show this development is different from other areas in the city to require additional stormwater regulations. Mr. Aungst said the current code states water cannot run off the property without being controlled. Mr. Saeger noted the 100-year storm is documented for a specific amount of water. He said there is no such thing as a 500-year storm requirement. Mr. Hasan said he does not want to see flooding on the site due to the type of residents involved. Mr. Aungst suggested Matt Jones and Mr. Harsany should discuss stormwater management.

Mr. Harsany asked what the next step in the process is; Mr. Incorvaia explained the Planning Commission has the authority to request experts at the developer's expense. He said if the applicant has a problem, he should contact the city.

Mr. Hasan stated he wants to be able to compare this proposed development with existing multi-family requirements.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Hanek stated there is no Council Representative's Report at this time.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

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

The meeting was adjourned at 9:53 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

October 18, 2018

EBPC, LLC (Goudreau Management) annexation rezoning

(Public hearing - rezoning)

Location: 3864 Center Road
R-R District

Proposed Use & Background:

A Map/Text Amendment application has been submitted to rezone the existing 5.5515-acre property (new Permanent Parcel #003-18D-03-089) that was recently annexed into the City of Brunswick on March 12, 2018 (Ordinance No. 19-18) from Brunswick Hills Township (former Permanent Parcel #001-02D-02-006). This is the existing East Brunswick Professional Center, which pursuant to Section 1248.08 of the Zoning Code, is currently in the R-R Rural Residential holding district for recently annexed property until the rezoning to the C-G General Commercial District is approved. The Planning Commission moved the discussion plan to a public hearing at their meeting on September 6, 2018.

As the property on the west and east sides of the subject parcel are zoned C-G, the rezoning request would be consistent with the adjacent properties. The property to the south of the parcel is zoned R-L Low Density Residential District.

Staff Review Comments:

1. As required by Section 6.02(c)(1), City Council approval and a public hearing are required to rezone the property.

Staff Recommendations:

Staff recommends approval of the rezoning to City Council.

BP Gas Station/7-Eleven, Inc. electronic sign

(Public hearing – conditional zoning certificate)

Location: 15 Pearl Road
GW-C District

Proposed Use & Background:

An application has been submitted by National Illumination & Sign, of behalf of BP Gas Station/7-Eleven, Inc., to perform a sign face change-out on the existing 32 sq. ft. ground sign. The proposed sign will consist of a 4' high sign face and 2' high base, for a total height of 6', in compliance with the maximum 5' high sign face and 2' high base permitted by Section 1270.05 – Table "B" of the Zoning Code. The proposed sign will include a 2.33 sq. ft. electronic fuel pricing digital display sign, in compliance with the maximum 50% changeable copy permitted by Section 1270.17(b).

Electronic moving message/digital display signs are a conditionally permitted use in the GW-C District, pursuant to Section 1261.04(p) of the Zoning Code.

Staff Review Comments:

1. The proposed sign shall comply with Sections 1270.17 and 1270.05 – Table “B” of the Zoning Code.
2. Verify the revised existing ground sign will be located a minimum of 50 feet from the Pearl Road and Boston Road rights-of-way intersection, pursuant to Section 1270.04(b).

Staff Recommendations:

Staff recommends approval of the conditional zoning certificate, provided the above items are addressed.

Kings of Vapor

(Public hearing – conditional zoning certificate)

Location: 3301 Center Road, Unit 10 (K-Mart Plaza)
C-G District

Proposed Use & Background:

A conditional zoning certificate application has been submitted by Kings of Vapor to occupy a tenant space in the K-Mart Plaza for the retail sale of electronic cigarettes and associated accessories. Hours of operation are Monday through Sunday from 9:00 a.m. to 9:00 p.m., with three to five employees. Deliveries will be once or twice per week, depending on sales, and will consist only of small packages.

Vape and smoke shops are a conditionally permitted use in the C-G General Commercial District, pursuant to Section 1260.04(v) of the Zoning Code.

Staff Review Comments:

1. All requirements of the conditional zoning certificate shall be adhered to.

Staff Recommendations:

Staff recommends approval of the conditional zoning certificate.

KFC Restaurant

(Public hearing – detailed site plan and variance request)

Location: 3280 Center Road (Sonic Restaurant)
C-G District

Proposed Use & Background:

The Planning Commission moved the discussion plan to a detailed site plan at their meeting on September 6, 2018 to construct an 832.94 sq. ft. addition on to the existing 1,689 sq. ft. Sonic Restaurant building, for a total of 2,521.94 sq. ft., which will now be a KFC Restaurant with sit-down seating.

As this is an existing site, at the Planning Commission's September 6, 2018 meeting, the applicant sought relief from the minimum 5' wide parking perimeter screening strip required by Section 1282.08(a) on the west and east property lines. The 14 spaces on the west property line have a landscape strip width of 2.17' and the 4 spaces on the east property line have a landscape strip width of 3.23'. At the above meeting, as permitted by Section 1282.10(a), the Planning Commission granted a modification to allow a lesser width, due to additional green space being added near the southwest property line, in addition to more landscaping being added at the northeast corner of the site by the pavement.

Pursuant to Section 1282.05, 10% of the total 46,261 sq. ft. lot area is required to be landscaped; 10,585 sq. ft. has been provided, which meets the minimum 4,626 sq. ft. needed. Interior landscaping of 1,886 sq. ft. is indicated on Sheet L-101, in compliance with the minimum 600 sq. ft. required by Section 1282.08(b). In accordance with Section 1282.08(b)(2), 4 trees (3 existing and 1 new) and 21 shrubs are shown, which meets the minimum 2 trees and 16 shrubs required.

Sheet C-111 indicates two van-accessible handicap parking spaces, which meets the minimum one space required by Table 1106.1 and 1106.5 of the 2017 Ohio Building Code.

A photometrics plan has been submitted (Sheet C-142), indicating an average illumination level of 2.36 footcandles and a minimum 0.6 footcandle lighting level for the parking and pedestrian areas, in compliance with Section 1276.14(c) and (a), respectively.

Staff Review Comments:

5. The existing brick dumpster enclosure extends 9.2' into the 50' rear yard setback required by Section 1260.05(c) at the southwest corner of the site, resulting in the dumpster being located 40.8' from the south property line. In the course of exercising its site plan review powers under Chapter 1278, the Planning Commission, pursuant to Section 1244.04(b)(1), may in specific cases, with the consent of City Council, and upon proper written application, vary or permit exceptions to any of the provisions of Chapter 1260 (General Commercial District) if the Commission expressly finds that both (1) such variance or exception will not violate the spirit or intent of the Chapter, and (2) that a more harmonious and compatible development will result.
6. The landscape plan (Sheet L-101) indicates a 5' height for the "Techny" arborvitae; Section 1282.04(b)(2) requires a minimum 6' height at the time of planting.

7. The applicant has applied for a variance with the Board of Zoning Appeals at their October 16, 2018 meeting to allow a 86.67 sq. ft. "Colonel Sanders" banner to be erected on the north elevation facing Center Road; Section 1270.05 – Table B permits a maximum of 54 sq. ft. Additionally, the applicant is seeking a variance to erect a second wall sign measuring 16.6 square feet on the east elevation; Code permits only one wall sign per each street right-of-way.

Staff Recommendations:

Staff recommends approval of the detailed site plan, pending the Planning Commission's ruling on the dumpster enclosure variance, subject to City Council approval; and provided the above items are addressed.