

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

JANUARY 28, 2019

6:30 PM

**or immediately following the Planning & Zoning Committee
In Caucus Room**

1. Discussion Items
 - (a) FirstEnergy Introduction from Laura Tubo, Brunswick Area Manager from FirstEnergy Service Company
2. Motion Items
 - (a) Motion to allow the City Manager to enter into an agreement with SESAC (Society of European Stage Authors and Composers), to allow us to air music in City Facilities.
 - (b) A motion to approve a 20' variance on the north side of the recreation center for the proposed Ambrose Crossing complex, 966 and 976 Pearl Road, as it encroaches into the minimum 50' side yard setback required by Section 1260.05(b) when adjacent to a residential use.
3. General Discussion
4. Executive Session
 - (a) Motion to go into an Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee.
5. Adjournment

THE CITY OF BRUNSWICK

PROPOSED MOTION



DATE: 01/28/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

MOTION: Motion to allow the City Manager to enter into an agreement with SESAC (Society of European Stage Authors and Composers), to allow us to air music in City Facilities.

BACKGROUND: This motion would allow the City Manager to enter into an agreement with SESAC for the calendar year 2019 to allow licensed music to be aired at City Facilities. This is an annual motion.

PURPOSE AND EXPLANATION:

IMPLEMENTATION SCHEDULE:

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The license fee for 2019 would be \$875 for our population.

RECOMMENDED ACTION: It is the recommendation of the administration to pass this motion so that we can continue to air licensed music under SESAC.

ADDITIONAL INFORMATION:

THE CITY OF BRUNSWICK
PROPOSED MOTION



DATE: 01/28/2019

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

MOTION: A motion to approve a 20' variance on the north side of the recreation center for the proposed Ambrose Crossing complex, 966 and 976 Pearl Road, as it encroaches into the minimum 50' side yard setback required by Section 1260.05(b) when adjacent to a residential use.

BACKGROUND: As required by Section 1244.04(b)(1) and Charter Section 6.02(c) of the Codified Ordinances of the City of Brunswick, a public hearing was held by the Planning Commission on January 17, 2019 to recommend approval to City Council to allow a 20' variance on the north side of the recreation center for the Ambrose Crossing complex, 966 and 976 Pearl Road, which encroaches into the minimum 50' side yard setback required by Section 1260.05(b) when adjacent to a residential use (existing residential house in Brunswick Hills Township).

**PURPOSE AND
EXPLANATION:**

In the course of exercising its site plan review powers, as permitted by Section 1244.04(b)(1), subject to City Council approval on January 28, 2019, the Planning Commission may, in specific cases, vary or permit exceptions to any of the provisions of Chapter 1260 (General Commercial District) if the Commission 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. The Planning Commission has recommended approval to City Council of the variance, as a written letter has been obtained from the affected property owner stating he is in favor of the variance.

IMPLEMENTATION

SCHEDULE: Immediately.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:** Recommend approval of the 20' variance.

**ADDITIONAL
INFORMATION:**

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
JOSEPH SALZGEBER

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

January 18, 2019

Kim and Ryan Harrington
3660 Center Rd Suite #117
Brunswick, OH 44212

RE: Ambrose Crossing
966 & 976 Pearl Road, Brunswick

Dear Mr. and Mrs. Harrington:

The Brunswick City Planning Commission, at their meeting on January 17, 2019, voted to **approve** the conditional zoning certificate and detailed site plan for Ambrose Crossing, 966 and 976 Pearl Road; and **recommended approval** to City Council of the rezoning from the R-R District to the C-G District for the 0.8432-acre parcel that was annexed into the City of Brunswick on January 14, 2019. The Commission also **recommended approval** to City Council of the variance request, as described in Item 1 below, subject to the following:

1. A 20' variance will be required on the north side of the recreation center, as the structure encroaches into the minimum 50' side yard setback required by Section 1260.05(b) when adjacent to a residential use (existing residential house in Brunswick Hills Township). In the course of exercising its site plan review powers, as permitted by Section 1244.04(b)(1), subject to City Council approval on January 28, 2019, the Planning Commission may, in specific cases, vary or permit exceptions to any of the provisions of Chapter 1260 (General Commercial District) if the Commission 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. The Commission has recommended approval to City Council of the variance, as a written letter has been obtained from the affected property owner stating he is in favor of the variance.
2. A lot consolidation will be required to join the parcels together for the complex.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002
<http://www.brunswick.oh.us>

3. The applicant stated they will provide 10 trees from Plant List A and 76 shrubs from Plant Lists D or E, which meets the minimum 7 trees and 56 shrubs required by Section 1282.08(b)(2) for interior landscaping, that shall be indicated on the final site plan.
4. The caliper of the "Lollipop Crabapple" shall be corrected to 2½", as required by Section 1282.04(b)(1), and shown on Sheet A1.0. Additionally, the height of the burning bush shall be revised to indicate a minimum height of 36", pursuant to Section 1282.04(b)(3).
5. The results of the vehicle and pedestrian study have been provided to the City Engineer.
6. Item 12 has been added to the conditional zoning certificate as follows: "If there is a change impacting pedestrian use, including but not limited to, before or after school care, the applicant shall perform a pedestrian study to determine the need for a signalized crosswalk across Pearl Road." **Please sign the enclosed revised conditional zoning certificate and return to the Division of Planning.**
7. Provide clarification regarding the location of the Fire Department connection, indicator valve, sprinkler system, and fire alarm system, subject to Fire Department approval of the fire suppression system.
8. Special consideration shall be taken on the height of the trees from Plant List A in the 10' wide landscape strip along the Pearl Road and Homestead Drive rights-of-way to ensure they do not interfere with the overhead power lines.
9. The applicant shall collaborate with the City of Brunswick and any new surrounding development regarding traffic and pedestrian studies.
10. Final site plan approval is subject to engineering approval.
11. Following engineering approval, necessary permits and inspections must be obtained from the Division of Building.
12. The rezoning will require three readings before City Council and thirty days following the third reading before the legislation is adopted. The first reading is scheduled for Council's meeting on January 28, 2019. Additionally, the 20' variance on the north side of the recreation center is also subject to City Council approval and will be scheduled for that same date at Council's Committee-of-the-Whole meeting. **Please contact Fiji Gallam, Clerk of Council, at (330) 558-6845 for meeting times.**

Please provide one set of complete engineering drawings and calculations to the City Engineer for review. The drawings and calculations submitted must include any plan revisions stipulated by the Planning Commission in their approval motion and listed above. The drawings and calculations submitted must each be signed and stamped by a registered Professional Engineer and be based upon a current topographic existing conditions survey of the site. The existing conditions survey shall be included in the project plan set and must be signed and stamped by the registered Professional Surveyor who performed the work.

Also, please ensure your design engineer reviews Chapter 1234 Erosion and Sediment Control; Chapter 1236 Storm Water Management; and Chapter 1238 Riparian Zones of the Brunswick Codified Ordinances, and includes any appropriate measures into the engineered plans and calculations. Should you or your design engineer have any questions regarding site plan requirements, please contact the Engineering Department at (330) 558-6880.

Section 1234.11 (effective February 11, 2008), requires the Storm Water Pollution Prevention Plan and Abbreviated Storm Water Pollution Prevention Plan review, filing, and inspection fee to be included as part of a complete submittal and is required to be submitted to the City of Brunswick before the review process begins. **Please remit payment in the amount of \$2,500.00 for the above process when engineering detailed site plans are submitted.**

Effective February 7, 2007, the project applicant shall be responsible for all costs associated with the engineering review of a proposed project. The applicant shall post a review fee deposit, pursuant to Section 1278.03(g) of the Brunswick Codified Ordinances. **The City Engineer has established a review deposit of \$7,000.00 for this project.** A check in that amount, made payable to the City of Brunswick, must be included with the submission of the engineered drawings and calculations. **The engineering review of the project will not begin until these funds have been placed on deposit with the City of Brunswick.**

It is important to note the deposit amount presented above is only an estimate. As engineering costs are incurred, a corresponding amount will be deducted from the deposit balance. Any funds that remain after the project has been constructed and accepted shall be returned to the entity or person that posted the funds initially. Should the deposit fall below 30% of the initial amount, the applicant may be required to deposit additional funds as determined by the City Engineer.

Upon completion of the review, the City Engineer will request **four final sets** of plans for signature purposes. After the plans are signed by the Planning Commission and City Engineer, one signed set will be returned to your attention.

The Zoning Code requires a **financial guarantee** "to insure that all site features, including, but not limited to, parking, drainage, sidewalks, screening, exterior lighting and landscaping, conform to the approved site plan." The guarantee amount must be based on an itemized estimate from a designer or contractor and must be approved by the City Engineer.

The guarantee must be **in the form of cash, letter of credit, or performance bond**, unless another form is approved by the Law Director. The enclosed samples may be utilized for this purpose. Please contact the City Engineer for more information regarding the financial guarantee.

The record site plans, engineering approval, project cost estimate, and financial guarantee must all be in place before building permits can be issued.

The Commission's **site approval is valid for one year** from the date the Planning Commission voted to approve the project.

If you have any questions, please contact me at (330) 558-6865.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

c: City Council
Carl DeForest, City Manager
Grant Aungst, Community & Economic Dev. Director
Ken Fisher, Law Director
Matt Jones, Consulting City Engineer
Cliff Calaway, C.B.O.
Andy Gray, Mann Parsons Gray