



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Nicholas Hanek Ward 2	Patricia Hanek At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Fijabi Julien-Gallam Council Clerk	Michael Abella Jr. Ward 1	Joseph Salzgeber Ward 3	Joseph Delsanter At-Large	Anthony Capretta Ward 4
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Administration Representatives

JANUARY 30, 2019
8:00 PM
IN COUNCIL CHAMBERS

SPECIAL COUNCIL MEETING

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Petitions from the Public on Legislation
4. Reading of Legislation and Action on Legislation:

b. 2nd Reading(s)

ORD. NO. 12-19 - An ordinance rezoning PPN 001-02A-25-046 from the R-R Rural Residential District to the C-G General Commercial District. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 16-19 - An emergency resolution authorizing the City Manager to submit a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 project. - **2nd Reading** (Park, Recreation & Community Committee, *Administration/John Piepsny*)

5. Adjournment

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 01/30/2019

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 12-19** - An ordinance rezoning PPN 001-02A-25-046 from the R-R Rural Residential District to the C-G General Commercial District. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Pursuant to Charter Section 6.02(c) of the Codified Ordinances of the City of Brunswick, the Planning Commission held a public hearing on January 17, 2019 for the rezoning from the R-R Rural Residential District to the C-G General Commercial District of the 0.8432-acre parcel that was annexed into the City of Brunswick on January 14, 2019, Resolution 2-19, for the Ambrose Crossing complex, 966 and 976 Pearl Road.

PURPOSE AND EXPLANATION: Pursuant to Section 1248.08 of the Codified Ordinances of the City of Brunswick, if an application to zone property under City Charter Section 6.02(c) is not pending, City Council shall, by legislative action, place property annexed into the City in the R-R Rural Residential District to act as a holding zone until the developer seeks to rezone the property.

IMPLEMENTATION SCHEDULE: First reading at City Council's January 28, 2019 meeting.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

Recommend adoption of the ordinance.

**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

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 12-19

BY: Mr. Delsanter, Mr. Hanek and Mr. Salzgeber

AN ORDINANCE REZONING PPN 001-02A-25-046 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE C-G GENERAL COMMERCIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the property known as PPN 001-02A-25-046 from the R-R Rural Residential District to the C-G General Commercial District, on January 17, 2019, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On January 17, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the property known as PPN 001-02A-25-046 from the R-R Rural Residential District to the C-G General Commercial District.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That upon application of the property owner, the property known as PPN 001-02A-25-046 is hereby rezoned from the R-R Rural Residential District to the C-G General Commercial District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 01/30/2019

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

DISCUSSION: **RES. NO. 16-19** - An emergency resolution authorizing the City Manager to submit a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 project. - **2nd Reading** (Park, Recreation & Community Committee, Administration/John Piepsny)

BACKGROUND: The ODNR Grant is available from the Clean Ohio Funds. The max award is \$500K with a 25% match. The City of Brunswick would be looking for a total project cost of \$545,000 with the local match of \$136,250 to create the phase one of the Plum Creek Greenway trails. This was previously discussed at Parks and Recreation Committee on January 14, 2019. The deadline for the application is February 1st, 2019.

PURPOSE AND EXPLANATION: The reason for the emergency resolution is that the application is due on February 1st, 2019.

IMPLEMENTATION SCHEDULE: If adopted, immediately the City would apply for the grant in-order to meet the deadline.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: \$136,250.00 would be the local match for the grant. The total project cost is currently estimated at \$545,000. The project is also multi-jurisdictional and, if awarded, the grant amount is expected to be \$408,750. If Council approves the local commitment, it will also require a corresponding an appropriation Ordinance to be adopted by Council. This is expected to be discussed at the next regular Finance Committee scheduled on Feb 4th and subsequent Council meeting on February 11th. The local cost share is expected to be appropriated in the City's Capital Improvement Fund #300. The details on the grant and which jurisdiction will ultimately be in charge are still in the process of being completed. If the City officially becomes the grantee and a grant is awarded, we would also anticipate needing further Ordinances for the establishment of a new fund and additional appropriations.

RECOMMENDED ACTION: The administration is desirous of City Council to adopt this emergency resolution to meet the February 1st, 2019 deadline for the ODNR grant.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 16-19

BY: Mr. Abella, Mrs. Hanek and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO SUBMIT A CLEAN OHIO FUNDS GRANT APPLICATION TO THE
OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PLUM
CREEK GREENWAY PHASE 1 PROJECT.

WHEREAS: The Ohio Department of Natural Resources offers a Clean Ohio Trails Funds Grant, which requires a 25% local match; and

WHEREAS: The total preliminary cost estimate of the Plum Creek Greenway Phase 1 Project is \$545,000.00, which would require a local match in the amount of \$136,250.00.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The City Manager is hereby authorized to submit a Clean Ohio Funds Grant Application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 Project.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that the Clean Ohio Funds Grant Application must be submitted to the Ohio Department of Natural Resources by February 1, 2019. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES_____ NAYS_____

ADOPTED: _____ AYES_____ NAYS_____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC