

Brunswick City Planning Commission

April 4, 2019 – Caucus

7:00 p.m.

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

Vice Chairman Jeff Arona called the meeting to order at 7:07 p.m.

The first and only item on the agenda was the review of the discussion plan for the Vicky Drive extension single family cluster development, south of Patricia Drive. As the site is only 12 acres, the Commission discussed the 15-acre minimum required for single family cluster development. They also reviewed the proposed cul-de-sac length of 759 feet, which exceeds the maximum 600 feet permitted by Code.

Mr. Jones commented Sublot 4 is restricted by the riparian setback, which will affect the buildable area on the lot, and noted the sanitary sewer connection will encroach into the riparian zone. Mr. Arona stated he is not in favor of a sizeable portion of this lot being in the riparian setback.

The Commission discussed the common open space requirements, pursuant to Section 1284.07 of the Zoning Code.

Mr. Aungst commented Vicky Drive was designed to be extended. He noted if this property wasn't annexed into the city, there was a potential of apartments being constructed there. Mr. Saeger inquired what is proposed for the east portion of the property; Mr. Aungst responded it is still being discussed. He noted the lots proposed are comparable with those on Patricia Drive.

Mr. Arona adjourned the meeting at 7:28 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

April 4, 2019

7:30 p.m.

Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Nick Hanek, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director
Brian Ousley, Council-at-Large
Joel & Noemi Trent, 4516 Patricia Drive, Brunswick
Kimberly Fox, 4526 Patricia Drive, Brunswick
Al & Char Crandall, 4542 Patricia Drive, Brunswick
Kim Hunt, 4543 Patricia Drive, Brunswick
Ryan & Kim Harrington 5176 Sultan Drive, Brunswick
Travis Crane, 1310 Sharon Copley Road, Sharon Center
Edward Gierlach, 4550 Patricia Drive, Brunswick
Chris Chesla, 4515 Patricia Drive, Brunswick
Kristopher & Colleen Crowley, 4614 Persimmon Lane, Brunswick
Ed & Patti Zayas, 4506 Patricia Drive, Brunswick
Robert Johnston, 4422 Patricia Drive, Brunswick
Carol Becka, 4445 Patricia Drive, Brunswick
Jake Fox, 7734 Aldersyde Drive (no city given)
Scott Miller, 4490 Patricia Drive, Brunswick
James Snider, 4480 Patricia Drive, Brunswick
Albert Holop, 4807 Cottonwood Lane, Brunswick
Barb Slifko, 4489 Patricia Drive, Brunswick
Kurt Hultzman, 4824 Cottonwood Lane, Brunswick
Kevin Pace, 4760 Cottonwood Lane, Brunswick
Vito & Connie Cinquepalmi, 4832 Cottonwood Lane, Brunswick
Ed & Linda O'Neil, 4643 Persimmon Lane, Brunswick
Brian Potasiewicz, 4606 Persimmon Lane, Brunswick
Ron Clement, 808 Pearl Road, Brunswick Hills
Matt Middendorf, 4505 Patricia Drive, Brunswick

Item 1

Vice Chairman Jeff Arona called the meeting to order at 7:34 p.m.

MR. ROCHA MOTIONED TO EXCUSE CHAIRMAN JOE SHIRILLA FOR JUST CAUSE.

Mr. Saeger seconded the motion. The vote was 4 Ayes 0 Nays.

Ms. Plavecski called the roll: 4 present 1 Absent (Chairman Shirilla).

Item 2

There were no announcements or correspondence.

Item 3

MR. ROCHA MOTIONED TO APPROVE THE MINUTES OF MARCH 21, 2019.

Mr. Hasan seconded the motion. The vote was 2 Ayes 0 Nays 2 Abstain (Mr. Arona and Mr. Saeger).

Item 4(a)

Regarding the review of the discussion plan for the Vicky Drive extension single family cluster development, south of Patricia Drive, Kim and Ryan Harrington, owners; and Travis Crane, TGC Engineering, were present.

Mr. Crane provided background information on the project and stated the 15 proposed sublots will be in keeping with the lots on Patricia Drive.

Mr. Arona asked about access to the common open space; Mr. Crane responded they have exceeded the amount of required common open space and will provide access via easements on the side property lines between Sublots 10 and 11 at the end of the cul-de-sac for the west common open space, and between Sublots 2 and 3, or between Sublots 3 and 4 for access to the east common open space. Mr. Arona noted the Zoning Code requires that common open space shall be accessible to residents of the single family cluster development, and easements and access points shall be shown on the preliminary subdivision plan.

The Staff Review Comments were addressed as follows:

1. Pursuant to Section 1284.04(a)(10, the minimum area to qualify for single family cluster development shall not be less than 15 gross acres, excluding all street rights-of-way existing prior to approval of the single family cluster development. The Commission may, by the concurring vote of three members, allow areas of less than 15 acres if they determine that the single family cluster development can adequately meet the intent of Section 1284.01. Mr. Arona asked why the property can't be divided to have a 15-acre parcel for the single family cluster development; Mr. Crane replied there is a natural divide with the riparian zone and there is a 260-acre watershed. Ms.

Plavecski read Section 1284.01 which outlines the purpose of single family cluster development.

2. The length of the Vicky Drive cul-de-sac is 549 linear ft.; with the inclusion of the existing 210 ft. long stub street, the total length will be 759 linear feet. Section 1228.02(d) states streets designed to be permanently dead ended shall not be longer than 600 feet, unless a greater length is approved by the Planning Commission, and shall be provided, at the closed end, with a turnaround having an outside pavement diameter of at least 100 feet and a street property line diameter of at least 120 feet. Interior planting circles may be allowed, with the approval of the Planning Commission and the City Engineer. Mr. Crane explained due to the riparian zone and surrounding property that is in Brunswick Hills Township, they have to tie into Vicky Drive for the proposed subdivision. He said they are able to meet the conditions of 100' diameter turnaround and a street property line diameter of at least 120 feet.
3. There is a 50' wide riparian zone located on the east side of the subdivision that encroaches into the rear yard of Sublot 4 which will impact the buildable area for this lot. No construction can occur within the riparian zone except as needed to complete the sanitary sewer connection. Mr. Arona asked why does Sublot 4 have to be built upon; Mr. Crane answered it will be a challenged lot to build on, but it will be one of the nicest lots in the subdivision, as it will be above the creek level.

Mr. Arona questioned what type of housing stock is proposed for the subdivision; Mrs. Harrington responded the lots will be similar to those in The Timbers subdivision. She stated they will maintain the character of that neighborhood in the proposed development and the homes will be equal in size and style to that subdivision.

4. Mr. Crane stated they will submit a preliminary grading plan for stormwater management to verify feasibility for the installation of an adequately sized basin on the existing slope.
5. Ms. Plavecski noted a public hearing for the rezoning will be required, pursuant to Section 6.02(c) of the City Charter. City Council approval of the single family cluster development is required, in accordance with Section 1224.04(d)(4) of the Subdivision Regulations.

Mr. Hasan asked what is proposed for the thirteen acres to the east of the proposed subdivision; Mrs. Harrington replied they don't have a set plan yet.

Due to the large number of residents in the audience, Mr. Arona moved the public comment period up on the agenda and declared it open.

Mrs. Colleen Crowley, 4614 Persimmon Lane, commented existing trees have been removed close to Pearl Road and now their lot is eroding. She stated she is concerned about flooding on her property, but hopes this new subdivision will help with the problem.

Mr. Brian Potasiewicz, 4606 Persimmon Lane, said he is part of the Eagle Oaks Subdivision Homeowners Association and noted there are some water issues due to the erosion of the land. He inquired if the stormwater retention pond and storm sewer near Substation Road is adequate to handle the additional run-off.

Mr. Kevin Pace, 4760 Cottonwood Lane, explained they moved in to their house in the 1990's and said the erosion in the creek has been substantial. He said the neighbors are concerned if the creek can handle additional water and explained the water has no place to go. He said he had three feet of water in his basement and water against the foundation was coming from the street. He said the water on the west end of the development has to go someplace and this will exacerbate the problem.

Mr. Joe Trent, 4516 Patricia Drive, showed photos to the Commission of flooding between Patricia Drive and the back of the proposed subdivision, in particular behind Sublot 12, 13, 14 and 15. He commented he is concerned about the elevation of Vicky Drive as to whether it will be higher or lower than Patricia Drive.

Mr. Allen Crandall, 4542 Patricia Drive, noted he has lived in his home on Patricia Drive for 23 years. He stated members of The Timbers tried to buy the entire 25 acres, but it didn't work out. He said he lives on Sublot 30 of Patricia Drive and he was required to have flood insurance. Mr. Crandall said he is concerned the flooding will get worse, and noted he will always be looking at a detention basin now instead of trees. He suggested making the basin blend in like a sunken meadow.

Mrs. Char Crandall, 4542 Patricia Drive, commented this is a unique development and she is concerned it will be a cluster development. She noted trees have been removed and she doesn't want development behind Patricia Drive; she would like it kept natural. She said 15 houses are too many and suggested having a natural buffer zone. Mrs. Crandall stated she is very concerned about the storm sewers and their lot is at a lower grade than their neighbors.

Mrs. Noemi Trent, 4516 Patricia Drive, noted the homes should be similar to the existing houses on Patricia Drive and not a single family cluster development.

Mr. Edward Gierlach, 4550 Patricia Drive, said he was concerned about the removal of a substantial amount of trees, and that the deer are moving more towards the street.

Mr. Matt Middendorf, 4505 Patricia Drive, inquired how construction traffic will access the subdivision; he is concerned about safety of the children in the subdivision.

Mrs. Kimberly Fox, 4526 Patricia Drive, commented she didn't know this was going to be a single family cluster development. She noted the proposed subdivision will match the 100' lot width, but not the depth. She stated the rear yard setback will only be 35 feet, instead of 45 feet for conventional single family homes. She said they have a pool in their backyard and the 35 ft. setback is too close. She stated they were originally told there would be eight to ten homes for the proposed subdivision, and she was surprised to see there would be 15 lots.

Mrs. Fox distributed a drawing of eight homes for the subdivision including a buffer zone and trees to the developer. She said the minimum size of the homes should be 2,000 sq. ft. and was concerned about flooding in her backyard from the new subdivision.

There was no further public comment, so Mr. Arona declared the public comment period closed.

In order to provide clarification of what a single family cluster development consists of, Ms. Plavecski explained the lot size, lot width, and front, side, and rear yard setbacks of a conventional single family home in the R-L District in comparison to a single family cluster development.

Mr. Jones explained the city has stormwater management ordinances which state the property cannot be developed without improving the overall drainage situation. He commented water cannot be directed from the developer's parcel to adjacent properties. Mr. Jones said the proposed subdivision will allow properties going in on Vicky Drive to have their gutters and downspouts tied into the storm sewer, which will fix the existing drainage problems. Concerning the drainage issues for the residents on Persimmon Lane and Cottonwood Drive, he explained the city's stormwater management ordinances require stormwater to be collected, held on to, and released at a much slower rate; thus, lowering the peak flows in the creek.

Mr. Jones stated the city doesn't know if Vicky Drive will be higher or lower than Patricia Drive, as a grading plan has not been submitted yet. He noted there is a riparian setback ordinance which is in place to protect the flood plain and the developer cannot change the grade in those areas.

Mr. Arona asked about construction traffic; Mr. Jones said it would be impossible to not have construction traffic on Vicky Drive, as it is the only way in.

Mr. Hasan noted the minimum 35 ft. rear setback doesn't mean the back of the house will be at 35 feet; it depends on where the house is located on the property. Mr. Jones commented the rear setback will also depend on the front yard setback.

Mrs. Harrington explained due to the topography of the land, it is difficult to access it in any other way than Vicky Drive for the majority of the construction traffic. As the road goes in, she said more of the construction traffic will park on the Vicky Drive extension, and there shouldn't be a need for any construction traffic parking on Patricia Drive.

Mr. Arona asked if a different number of homes was proposed; Mrs. Harrington answered the original plan showed fourteen lots, but they didn't know if they could fit that amount based on code requirements. She said there was no plan shown to the residents that had eight or ten homes. Mrs. Harrington stated she asked their engineer to mirror the width of the lots on Patricia Drive. Mr. Arona inquired what the square footage of the homes will be; Mrs. Harrington responded 2,000 to 3,000 sq. ft., not including any finished basements.

Mrs. Harrington commented there will be a need for a homeowners association to manage the stormwater retention areas. She noted they can include in the HOA documents that the homes must be a minimum size of 2,000 sq. ft. and that a certain percentage of the facades will have brick or stone.

Mr. Arona asked if the Harringtons are open to having an adequate buffer between The Timbers subdivision and their development, to which Mrs. Harrington agreed.

Mr. Arona noted The Timbers didn't provide a buffer between their subdivision and future development. He said it's not the city's goal to build as many houses as fast as possible and the Vicky Drive extension will be developed according to the Zoning Code. He stated he is not opposed to smaller, high quality homes.

Mr. Rocha suggested that the applicant will work with the Eagle Oaks Subdivision Homeowners Association.

MR. SAEGER MOTIONED TO MOVE THE DISCUSSION PLAN FOR THE VICKY DRIVE EXTENSION SINGLE FAMILY CLUSTER DEVELOPMENT, SOUTH OF PATRICIA DRIVE, TO A PUBLIC HEARING FOR THE REZONING, PRELIMINARY SUBDIVISION PLAN, AND CONDITIONAL ZONING CERTIFICATE, SUBJECT TO THE FOLLOWING:

1. PURSUANT TO SECTION 1284.04(a)(1), THE MINIMUM AREA TO QUALIFY FOR SINGLE FAMILY CLUSTER DEVELOPMENT SHALL NOT BE LESS THAN 15 GROSS ACRES, EXCLUDING ALL STREET RIGHTS-OF-WAY EXISTING PRIOR TO APPROVAL OF THE SINGLE FAMILY CLUSTER DEVELOPMENT. AS PERMITTED BY THE ABOVE SECTION, THE COMMISSION HAS DETERMINED THAT A SINGLE FAMILY CLUSTER DEVELOPMENT AREA OF 12 GROSS ACRES HAS MET THE INTENT OF SECTION 1284.01 OF THE ZONING CODE.
2. THE LENGTH OF THE VICKY DRIVE CUL-DE-SAC IS 549 LINEAR FT.; WITH THE INCLUSION OF THE EXISTING 210 FT. LONG STUB STREET, THE TOTAL LENGTH WILL BE 759 LINEAR FEET. SECTION 1228.02(d) STATES STREETS DESIGNED TO BE PERMANENTLY DEAD ENDED SHALL NOT BE LONGER THAN 600 FEET, UNLESS A GREATER LENGTH IS APPROVED BY THE PLANNING COMMISSION, AND SHALL BE PROVIDED, AT THE CLOSED END, WITH A TURNAROUND HAVING AN OUTSIDE PAVEMENT DIAMETER OF AT LEAST 100 FEET AND A STREET PROPERTY LINE DIAMETER OF AT LEAST 120 FEET. INTERIOR PLANTING CIRCLES MAY BE ALLOWED, WITH THE APPROVAL OF THE PLANNING COMMISSION AND THE CITY ENGINEER. THE APPLICANT HAS STATED THEY WILL COMPLY WITH THE ABOVE REQUIRED DIMENSIONS OF THE TURNAROUND AND STREET PROPERTY LINE DIAMETER.
3. THE APPLICANT HAS ACKNOWLEDGED THE 50' WIDE RIPARIAN ZONE LOCATED ON THE EAST SIDE OF THE SUBDIVISION THAT ENCROACHES INTO THE REAR YARD OF SUBLOT 4 WILL IMPACT THE BUILDABLE AREA FOR THIS

LOT. NO CONSTRUCTION CAN OCCUR WITHIN THE RIPARIAN ZONE EXCEPT AS NEEDED TO COMPLETE THE SANITARY SEWER CONNECTION.

4. SUBMIT A PRELIMINARY GRADING PLAN FOR STORMWATER MANAGEMENT TO VERIFY FEASIBILITY FOR THE INSTALLATION OF AN ADEQUATELY SIZED BASIN ON THE EXISTING SLOPE.
5. A PUBLIC HEARING FOR THE REZONING WILL BE REQUIRED, PURSUANT TO SECTION 6.02(c) OF THE CITY CHARTER. CITY COUNCIL APPROVAL OF THE SINGLE FAMILY CLUSTER DEVELOPMENT IS REQUIRED, IN ACCORDANCE WITH SECTION 1224.04(d)(4) OF THE SUBDIVISION REGULATIONS.
6. THE APPLICANT SHALL WORK WITH THE EAGLE OAKS SUBDIVISION HOMEOWNERS ASSOCIATION ON THE PROPOSED DEVELOPMENT.

Mr. Hasan seconded the motion. The vote was 4 Ayes 0 Nays.

Item 5

There was no old business.

Item 6

There was no new business.

Item 7

The public comment period was moved up further on the agenda.

Item 8

Mr. Hanek gave the Council Representative's Report. He stated he appreciated the residents attending tonight's meeting to express their opinion on the Vicky Drive extension single family cluster development.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Saeger seconded the motion. The vote was 4 Ayes 0 Nays.

The meeting was adjourned at 9:16 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

April 4, 2019

Vicky Drive extension single family cluster development

(Discussion plan)

Location: extension of Vicky Drive, south of Patricia Drive
R-R District to be rezoned to R-L District

Proposed Use & Background:

An application has been submitted to construct 15 sublots on the western 12-acre portion of the 25-acre parcel at 834 Pearl Road (PP# 003-18A-04-193), which will extend Vicky Drive further south and west. The eastern 13 acres of the parcel facing Pearl Road is proposed for future development. This property was annexed into the city from Brunswick Hills Township on January 14, 2019 (Ordinance No. 1-19) and is currently in the R-R Rural Residential District as a holding zone until the property is requested to be rezoned, pursuant to Section 1248.08 of the Zoning Code.

The owner is proposing to rezone the western 12 acres of the property to the R-L Low Density Residential District to develop it as a single family cluster development. As defined in Section 1284.02(a), a single family cluster development is a subdivision where some or all of the lots are reduced below the R-L District minimum lot size, but where the overall gross density complies with the maximum R-L density of 2.2 units per gross acre. This type of development requires that the planning for the lots and the locations of the houses on the lots be performed at the same time. Single family cluster development is a conditionally permitted use in the R-L District, pursuant to Section 1252.04(j), subject to Section 1274.03 and Chapter 1284 of the Zoning Code.

The proposed development will have a density of 1.25 dwelling units per acre, in compliance with the maximum 2.2 dwelling units per acre permitted by Section 1284.04(a)(2). The minimum lot area of 13,853 sq. ft. for each subplot complies with the minimum 13,600 sq. ft. required by Section 1284.04(b)(1) for conventional single family dwellings. The minimum front yard width averages 40 feet and may vary between 35 feet and 45 feet, in compliance with Section 1284.04(b)(3); not more than three adjacent yards shall be the same. On the cul-de-sac lots, the minimum side yard width of 5 feet will be provided with a minimum of 15 feet between adjacent dwellings, pursuant to Section 1284.04(b)(4). On the lots which are not located on the cul-de-sac, and where the dwelling has the garage door(s) oriented perpendicular to the access street, the minimum side yard setback on the garage side will be 15 feet and the minimum side yard setback on the side of the dwelling opposite the garage will be 5 feet, in compliance with Section 1284.04(b)(7). The minimum rear yard depth of 35 feet will be met, in accordance with Section 1284.04(b)(5).

Common open space measuring 41% (5 acres) has been provided, which meets the minimum 30% (3.6 acres) required by Section 1284.04(a)(3). A minimum common open

space dimension of 50 feet will be provided, as required by Section 1284.07(b). Storm water management is located to the west of Sublot 10 and 11.

Staff Review Comments:

6. The minimum area to qualify for single family cluster development shall not be less than 15 gross acres, excluding all street rights-of-way existing prior to approval of the single family cluster development. The Commission may, by the concurring vote of three members, allow areas of less than 15 acres if they determine that the single family cluster development can adequately meet the intent of Section 1284.01.
7. The length of the Vicky Drive cul-de-sac is 549 linear ft.; with the inclusion of the existing 210 ft. long stub street, the total length will be 759 linear feet. Section 1228.02(d) states streets designed to be permanently dead ended shall not be longer than 600 feet, unless a greater length is approved by the Planning Commission, and shall be provided, at the closed end, with a turnaround having an outside pavement diameter of at least 100 feet and a street property line diameter of at least 120 feet. Interior planting circles may be allowed, with the approval of the Planning Commission and the City Engineer.
8. There is a 50' wide riparian zone located on the east side of the subdivision that encroaches into the rear yard of Sublot 4 which will impact the buildable area for this lot. No construction can occur within the riparian zone except as needed to complete the sanitary sewer connection.
9. Submit a preliminary grading plan for stormwater management to verify feasibility for the installation of an adequately sized basin on the existing slope.
10. A public hearing for the rezoning will be required, pursuant to Section 6.02(c) of the City Charter. City Council approval of the single family cluster development is required, in accordance with Section 1224.04(d)(4) of the Subdivision Regulations.

Staff Recommendations:

Staff withholds recommendation until the above items are addressed.

