

Brunswick City Planning Commission

May 2, 2019

7:00 p.m. – Caucus

Joe Shirilla Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Andrea Rodriguez, Council Representative
Matt Jones, Consulting City Engineer
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 7:07 p.m.

The first item was the review of the comparable use determination for Precious Hotel & Doggy Daycare, 55 Pearl Road, Unit B (Gateway Plaza). The Commission discussed their concerns with dog waste disposal, noise from barking dogs, and odor. Mr. Shirilla asked if there is sufficient physical space to operate the facility and exercise 21 dogs.

The second item was the review of the revised discussion plan for Chick-fil-A restaurant, 3446 Center Road (former Getgo site). The Commission discussed the revised site plan submitted on April 29th that includes a free-standing canopy over the drive-thru. Mr. Jones explained changes have been made from the original traffic study, which will require the turn lane on Brunswick Lake Parkway to be extended further south to the Chick-fil-A entrance, along with changes to the signal operation.

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

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

May 2, 2019

7:30 p.m.

Joe Shirilla Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Brad Saeger, Member
Andrea Rodriguez, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Dev. Director
Jennifer Santelli, 5200 Buffington Road, Atlanta, GA
Robert Saggese, Brixmor, 22054 Farmington Drive,
Farmington, MI
Marc Newman, Brixmor, same address as above
Jim Nutley, Brixmor, same address as above
Mark Snider, Gateway LLC, 8401 Chagrin Road, Chagrin
Falls
George Zarkovacki, 4169 Knight Lane, Brunswick
Kenny Alfonso Matos, 4169 Knight Lane, Brunswick
Greg Schunck, The Mannick & Smith Group, 20600 Chagrin
Boulevard, Suite 500, Shaker Heights

Item 1

Chairman Joe Shirilla called the meeting to order at 7:45 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 APRIL 18, 2019.

Mr.Saeger seconded the motion. The vote was 4 Ayes 0 Nays 1 Abstain (Mr. Shirilla).

Item 4(a)

Regarding the comparable use determination for Precious Hotel & Doggy Daycare, 55 Pearl Road, Unit B (Gateway Plaza), Mr. Mark Snider, of The Winbury Group; and Mr. Kenny Alfonso Matos and Mr. George Zarkovacki, tenants, were present.

Mr. Snider explained they had the same concerns as outlined in the Staff Report and addressed the Staff Review Comments as follows:

1. Is there sufficient outdoor space for exercising the dogs, due to parking at the rear of the plaza? Mr. Snider said there is a green space measuring 335' x 18' (at the smallest width) and 60' at the greatest width, where the dogs can be exercised. He noted the strip is a minimum 50' from any residential property line. Mr. Shirilla asked if there will be any impact to the Holiday Hills Condominiums; Mr. Zarkovacki replied no. He further stated all the dogs will be on a leash when they are exercised.
2. Mr. Zarkovacki stated there will be no outdoor kennels.
3. Noise from barking dogs is prohibited, in accordance with Section 618.07(a) of the Codified Ordinances of the City of Brunswick, which states no person shall harbor or keep any dog within the City which, by loud and frequent or habitual barking, howling or yelping, causes serious annoyance or disturbance to persons residing or being in the neighborhood or which destroys or damages any lawn, tree, shrub, plant, building or other property of any other person. Mr. Snider stated they added soundproofing to the interior walls of the tenant space and took decibel reading levels to ensure noise from the dogs would not be an issue.
4. How will dog waste be disposed of; Section 660.04 states no person shall erect, continue, use or maintain a dwelling, building, structure or place for a residence or for the exercise of a trade, employment or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort or property of individuals or of the public. No person shall cause or allow offal, filth or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public. Mr. Zarkovacki explained they will clean the dog waste up themselves, which will be done immediately, but they may have a dog waste removal service in the future. Mr. Snider commented they will have a special dumpster for the dog waste and their lease with the applicant states the dumpster will be emptied as often as The Winbury Group requests it. Mr. Hasan asked where will the special dumpster be located; Mr. Snider answered it will be approximately 5' from their back door.
5. Mr. Zarkovacki stated a maximum of 21 dogs can occupy the facility, but they will probably average around 10 dogs. Mr. Shirilla inquired how this maximum

number was calculated; Mr. Zarkovacki answered it is based on the run size of the indoor dog kennels.

6. No outdoor dog runs or kennels are permitted within the 50' rear yard setback required by Section 1261.05(c), as the rear property line of Gateway Plaza is adjacent to Holiday Hills Condominiums. Mr. Zarkovacki reiterated there will be no outdoor dog runs or kennels.

Mr. Incorvaia commented the green space area can be used to walk the dogs, but if the dogs defecate, it must be cleaned up immediately. He stated this green space is not an area for the dogs specifically to defecate and noted the dog exercise area should be indicated on the site plan.

Mr. Hasan said he is concerned about noise from the dogs traveling to the residents in Holiday Hills Condominiums; Mr. Snider replied this shouldn't be a problem. Mr. Shirilla noted if there is a noise problem from the dogs, it will be addressed by Gateway Plaza (landlord) and the Building Department.

Mr. Incorvaia read aloud Section 1242.02(26) of the Zoning Code regarding the definition of a comparable in character use. The Commission agreed the dog daycare and overnight boarding facility would be comparable in character to a veterinary hospital and clinic, which is a principally permitted use in the GW-C District, pursuant to Section 1261.02(e).

MR. HASAN MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL, PURSUANT TO SECTION 1280.01(b), THAT A COMPARABLE IN CHARACTER DETERMINATION HAS BEEN MADE, AS DEFINED IN SECTION 1242.02(26) OF THE ZONING CODE, OF A DOG DAYCARE AND OVERNIGHT BOARDING FACILITY TO A VETERINARY HOSPITAL AND CLINIC, WHICH IS A PRINCIPALLY PERMITTED USE IN THE GW-C DISTRICT, IN ACCORDANCE WITH SECTION 1261.02(e). APPROVAL IS SUBJECT TO THE FOLLOWING:

1. A PET WASTE CONTAINER SHALL BE LOCATED 50' FROM THE REAR YARD SETBACK, PURSUANT TO SECTION 1260.05(c).
2. THE AREA WHERE THE DOGS WILL BE WALKED SHALL BE INDICATED ON THE SITE PLAN.

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

Item 4(b)

Concerning the revised discussion plan for Chick-fil-A restaurant, 3446 Center Road, Mr. Greg Schunck, of The Mannick & Smith Group; Mr. Marc Newman and Mr. Jim Nutley, of Brixmor; and Ms. Jennifer Santelli, of Chick-fil-A, were present.

Mr. Newman explained the revisions to the site plan that were made as suggested from the December 6, 2018 meeting. Mr. Arona asked what the elevation differential is between Center Road and the Chick-fil-A drive-thru; Mr. Jones replied probably a maximum of 3 feet. At Mr. Hasan's request, Mr. Newman described the traffic pattern for the drive-thru.

Regarding the building elevations, Mr. Arona questioned if all the windows are functional or are spandrel glass; Ms. Santelli replied all the windows in the front of the building are functional, but the ones by the kitchen are spandrel glass. Mr. Shirilla asked if the HVAC rooftop units will be screened; Ms. Santelli answered yes.

Regarding the free-standing drive-thru canopy, Ms. Santelli explained this is to protect the four to sixteen employees from the weather that are standing outside with their computer tablets taking drive-thru orders. She commented this helps with drive-thru traffic and six orders can be processed at one time. She stated this canopy was always meant to be part of the plan since 2016.

Mr. Shirilla noted this canopy is of no benefit to the customer and is only a benefit for the employees. Ms. Santelli stated it's a benefit to the employee, but also to the customer so they don't get rain in their cars when they open their window at the drive-thru. Mr. Nutley stated the canopy is needed so customers can roll down their windows without getting snow and rain in their cars. Mr. Arona asked if any canopies have been constructed with solar panels; Ms. Santelli answered no, but they could look into that.

Mr. Hasan commented the canopy takes away from the character of the building and it blocks half of the front façade. Ms. Santelli stated they can wrap the canopy columns in brick and can consider constructing a mansard roof so it is not flat. Mr. Arona noted Ms. Santelli made a good case for the canopy being functional, but the canopy blocks part of the building and it is highly visible from Center Road and Brunswick Lake Parkway.

Mr. Shirilla stated the canopy is not critical to the operation of the drive-thru and it is a convenience item for the employees. He noted Chick-fil-A is located in a Special Planning District (SPD-2) and the Planning Commission would be setting a precedent by allowing a free-standing canopy for an establishment that is not a gas station. He explained the canopy at the former Getgo station was critical so customers pumping gas would be covered from the elements. Mr. Shirilla reiterated this seems to be a convenience to employees and not critical for the operation of Chick-fil-A. Ms. Rodriguez commented the canopy is good for the employees, as it protects them from the sun. She asked if the menu boards would be visible before the customers get to the employees carrying tablets; Ms. Santelli replied the tablets have the menu on them to assist customers.

Ms. Santelli explained they don't always have employees outside with their tablets; it is only during peak times. She said the hours of operation are from 6:00 a.m. to 10:00 p.m., Monday through Saturday (closed on Sunday); the lunch peak time is 11:00 a.m. to 2:00 p.m., and the dinner peak time is 4:00 p.m. to 7:00 p.m.

Mr. Shiriall stated he cannot move forward with the free-standing canopy, due to the reasons stated above. Ms. Santelli said they can move forward on the restaurant without the free-standing canopy as long as they can come back at a later date to discuss this item. Mr. Incorvaia commented the SPD-2 Design Guidelines for outparcel buildings address a drive-thru window, but not people with computer tablets taking orders. He noted a canopy can be used to break up a façade, but not as a separate structure. He said this might be considered an accessory structure.

Mr. Aungst commented the city would welcome Chick-fil-A to Brunswick, but not with the free-standing canopy. He stated they would like the building to align with the adjoining structures and the Chick-fil-A in Findley is situated in a mall-type setting. He noted the Brunswick Chick-fil-A site is severely under-parked by almost 50%.

Mr. Arona and Mr. Hasan noted the site is under-parked; Mr. Schunck commented they have submitted a parking plan for Brunswick Town Center and they are over-parked by 150 spaces, but will lose 77 spaces for Chick-fil-A, resulting in an overage of 73 spaces. Mr. Arona asked if there will be any outdoor seating, to which Ms. Santelli responded there will be three or four tables (4 seats each) accommodating 12 to 16 people.

Mr. Jones explained they are still working through the details of the traffic study and he stated that Mr. Schunck agreed they will add whatever improvements the approved study calls for on the detailed site plan. He noted these improvements will probably include reconfiguration of the eastern curb line on Brunswick Lake Parkway so there will be a southbound left turn lane into the site one or two cars long. He stated the lane use will be reconfigured at Brunswick Lake Parkway so there will be dedicated left, straight and right arrows on Brunswick Lake Parkway, and the traffic signal will be modified to add left turn arrows on three of the four legs. Mr. Jones said these revisions will be an improvement on the existing traffic pattern in that area.

The Staff Review Comments were addressed as follows:

1. In accordance with Section 1278.09(d), Mr. Newman stated they will provide a pedestrian walkway to Brunswick Lake Parkway from the southern portion of the site, west of the proposed raised crosswalk. Mr. Jones stated a crosswalk warning sign should be installed and indicated on the detailed site plan.
2. Mr. Newman stated there is an island by the pedestrian walk to Center Road and they will add bike racks near the bench area.
3. Mr. Newman said they will include with the detailed site plan a photometrics plan indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, pursuant to Section 1276.14(a).
4. Mr. Newman said they will provide interior landscaping measuring 580 sq. ft. on the detailed site plan, in accordance with Section III(C) of the Brunswick Town

Center Design Guidelines and Section 1282.08(b)(1). A minimum of two trees from Plant List "A" and 16 shrubs from Plant List "D" or "E" shall be installed.

5. There is an opening in the landscape screening along Center Road, which should be filled in to form a solid landscape buffer to block illumination from the restaurant menu boards. Mr. Newman said there is a light pole there, but they will add landscaping close to it to fill the area in.
6. The indoor playground will be installed on the west interior of the building.
7. Section 1270.05 – Table B permits only one wall sign per each street frontage; therefore, one wall sign on the north elevation facing Center Road and one wall sign on the west elevation facing Brunswick Lake Parkway are allowed. The sign package submitted indicates additional wall signs that will require a variance from the Board of Zoning Appeals.

MR. ARONA MOTIONED TO MOVE THE REVISED DISCUSSION PLAN TO A DETAILED SITE PLAN FOR THE CHICK-FIL-A RESTAURANT, 3446 CENTER ROAD, WITHOUT A FREE-STANDING ORDER CANOPY, SUBJECT TO THE FOLLOWING:

1. IN ACCORDANCE WITH SECTION 1278.09(d), A PEDESTRIAN WALKWAY TO BRUNSWICK LAKE PARKWAY WILL BE PROVIDED FROM THE SOUTHERN PORTION OF THE SITE, WEST OF THE PROPOSED RAISED CROSSWALK. A CROSSWALK WARNING SIGN SHALL BE INSTALLED AND INDICATED ON THE DETAILED SITE PLAN.
2. BIKE RACKS WILL BE ADDED TO THE ISLAND BY THE PEDESTRIAN WALK TO CENTER ROAD NEAR THE BENCH AREA.
3. THE DETAILED SITE PLAN SHALL INCLUDE A PHOTOMETRICS PLAN INDICATING A MINIMUM 0.6 FOOTCANDLE LIGHTING LEVEL FOR PARKING AND PEDESTRIAN AREAS, PURSUANT TO SECTION 1276.14(a).
4. INTERIOR LANDSCAPING MEASURING 580 SQ. FT. SHALL BE PROVIDED ON THE DETAILED SITE PLAN, IN ACCORDANCE WITH SECTION III(C) OF THE BRUNSWICK TOWN CENTER DESIGN GUIDELINES AND SECTION 1282.08(b)(1). A MINIMUM OF TWO TREES FROM PLANT LIST "A" AND 16 SHRUBS FROM PLANT LIST "D" OR "E" SHALL BE INSTALLED.
5. THERE IS AN OPENING IN THE LANDSCAPE SCREENING ALONG CENTER ROAD WHERE A LIGHT POLE IS LOCATED; THE APPLICANT HAS AGREED TO ADD LANDSCAPING CLOSER TO THE POLE IN ORDER TO FORM A SOLID LANDSCAPE BUFFER TO BLOCK ILLUMINATION FROM THE RESTAURANT MENU BOARDS.

6. THE INDOOR PLAYGROUND WILL BE LOCATED ON THE WEST INTERIOR OF THE BUILDING.
7. SECTION 1270.05 – TABLE B PERMITS ONLY ONE WALL SIGN PER EACH STREET FRONTAGE; THEREFORE, ONE WALL SIGN ON THE NORTH ELEVATION FACING CENTER ROAD AND ONE WALL SIGN ON THE WEST ELEVATION FACING BRUNSWICK LAKE PARKWAY ARE ALLOWED. THE SIGN PACKAGE SUBMITTED INDICATES ADDITIONAL WALL SIGNS THAT WILL REQUIRE A VARIANCE FROM THE BOARD OF ZONING APPEALS.
8. THE APPLICANT WILL VALIDATE DATA IN THE TRAFFIC STUDY AND WILL IMPROVE THE INTERSECTION OF CENTER ROAD AND BRUNSWICK LAKE PARKWAY AS DETERMINED BY THE STUDY. IN THE TRAFFIC STUDY BEING PERFORMED, DATA SHOULD BE USED THAT CLOSELY RESEMBLES TRAFFIC FOR AN AVERAGE CHICK-FIL-A RESTAURANT, INSTEAD OF LAND USE CODE 394, WHICH IS A STANDARD AVERAGE FOR FAST FOOD RESTAURANTS.

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

Item 5

There was no old business.

Item 6

In new business, Ms. Plavecski commented the Planning Commission minutes will be reduced in content, along with the Board of Zoning Appeals minutes, due to a staffing shortage and the lengthy amount of time spent to transcribe the minutes. She stated the Law Department has determined that an audio copy available to the public is all that is required, but she will still transcribe the minutes, only with less details.

Item 7

No one appeared at the public comment period.

Item 8

Mrs. Rodriguez stated there was no Council Representative's Report at this time.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

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

The meeting was adjourned at 9:55 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

May 2, 2019

Precious Hotel & Doggy Daycare

(Comparable use determination)

Location: 55 Pearl Road, Unit B, Gateway Plaza
GW-C District

Proposed Use & Background:

An application has been submitted to open a dog daycare and overnight boarding facility in the Gateway Plaza. Hours of operation will be from 6:00 a.m. to 9:00 p.m., seven days per week. The tenant is seeking a comparable use determination of the above services to a veterinary hospital and clinic, which is a principally permitted use in the GW-C District, pursuant to Section 1261.02(e) of the Zoning Code. As authorized by Section 1280.01(b), the Planning Commission, with the approval of City Council, shall have the power to permit any use comparable in character to any of the specified uses listed under the principally permitted uses, permitted accessory uses, or conditionally permitted uses of any district.

Staff Review Comments:

7. Is there sufficient outdoor space for exercising the dogs, due to parking at the rear of the plaza?
8. Will there be any outdoor kennels; if so, this must be approved by the Planning Commission, pursuant to Section 1280.12 of the Zoning Code.
9. Noise from barking dogs is prohibited, in accordance with Section 618.07(a) of the Codified Ordinances of the City of Brunswick, which states no person shall harbor or keep any dog within the City which, by loud and frequent or habitual barking, howling or yelping, causes serious annoyance or disturbance to persons residing or being in the neighborhood or which destroys or damages any lawn, tree, shrub, plant, building or other property of any other person.
10. How will dog waste be disposed of; Section 660.04 states no person shall erect, continue, use or maintain a dwelling, building, structure or place for a residence or for the exercise of a trade, employment or business, or for the keeping or feeding of an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort or property of individuals or of the public. No person shall cause or allow offal, filth or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public.
11. How many dogs are anticipated to occupy the facility?

12. No outdoor dog runs or kennels are permitted within the 50' rear yard setback required by Section 1261.05(c), as the rear property line of Gateway Plaza is adjacent to Holiday Hills Condominiums.

Staff Recommendations:

Staff withholds recommendation until the above items are addressed.

Chick-fil-A

(Revised discussion plan)

Location: 3446 Center Road (former Getgo site)
Main Street District – Brunswick Town Center SPD-2

Proposed Use & Background:

At the applicant's request, the Planning Commission tabled the discussion plan at their meeting on December 6, 2018 to construct a 4,993 sq. ft. restaurant on the site of the demolished Getgo gas station.

In order to provide screening of the drive-thru and headlights from Center Road, twenty-eight Korean boxwood shrubs with a 3' minimum height at the time of planting, pursuant to Section 1282.04(b)(3), that will have a 4' height and 4' width at maturity, will be installed along the north side of the drive-thru. Additionally, twelve rhododendron shrubs with a minimum 3' height, as required by the above section, that will have a 6' height and 6' width at maturity, will be planted around the northwest corner of the site near the intersection of Center Road and Brunswick Lake Parkway. The site plan indicates 6,256 sq. ft. of front yard landscaping has been provided, which meets the minimum 643 sq. ft. required by Section 1282.06(e).

As a traffic calming feature, an island has been added on the east side of the parking lot and a "No Drive-thru Entry" sign will be added by the island to facilitate the correct traffic pattern for the drive-thru.

Revised building elevations have been submitted whereby the north elevation facing Center Road, which incorporates the drive-thru, has now been enhanced with additional windows and overhead canopies, along with more lighting sconces. A new overhead canopy has been installed along the entire length of the south elevation for added visual interest. On the west elevation facing Brunswick Lake Parkway, two additional windows are shown, and the windows on the east elevation have been reconfigured to provide further enhancement.

Staff Review Comments from the December 6th meeting have been addressed as follows:

1. Table 1276-1(d)(4) requires a minimum of 56 parking spaces (1 space per 2 seats, 112 total seats); however, 29 spaces are provided, resulting in 27 spaces that are still needed. As the subject property is part of a unified site, a parking plan for the entire site has been submitted to verify there will be adequate parking. The plan indicates there are approximately 773 parking spaces (not including The Home Depot site), which includes the loss of 77 spaces for the Chick-fil-A restaurant.
2. The dumpster and enclosure have been relocated to the southwest corner of the site from the originally proposed southeast corner, as this location will be more convenient to employees and less visible from Center Road. Furthermore, Giant Eagle requested the dumpster to be at this location. Nine juniper evergreen shrubs with a minimum 3' height at the time of planting, in accordance with Section 1282.04(b)(3), that will have a 15' height and 8' width at maturity, will be planted around the dumpster enclosure to provide additional screening from Center Road and Brunswick Lake Parkway.
3. In accordance with Section 1278.09(d), a pedestrian walkway to Center Road, as well as for internal foot traffic to the plaza, has been provided. A proposed eco sidewalk is shown on the south side of the site and a raised crosswalk is indicated leading to Giant Eagle, which will also provide a traffic-calming measure. Additionally, a bench is proposed as a pedestrian amenity near the intersection of Center Road and Brunswick Lake Parkway, and a portion of the sidewalk on Brunswick Lake Parkway has been relocated.
4. The applicant agreed at the December 6th meeting to relocate the 42" storm sewer.
5. A traffic study was submitted on February 21, 2019, which was reviewed by the City Engineer, and a revised traffic study to address his comments is currently being performed.

Staff Review Comments:

8. In accordance with Section 1278.09(d), provide a pedestrian walkway to Brunswick Lake Parkway from the southern portion of the site, west of the proposed raised crosswalk.
9. Provide the location of bike racks, as requested at the December 6th meeting.
10. The detailed site plan shall include a photometrics plan indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, pursuant to Section 1276.14(a).
11. Interior landscaping measuring 580 sq. ft. shall be provided on the detailed site plan, in accordance with Section III(C) of the Brunswick Town Center Design

Guidelines and Section 1282.08(b)(1). A minimum of two trees from Plant List “A” and 16 shrubs from Plant List “D” or “E” shall be installed.

12. There is an opening in the landscape screening along Center Road, which should be filled in to form a solid landscape buffer to block illumination from the restaurant menu boards.
13. Provide the location of the indoor playground, as this may have a bearing on the exterior building façade.
14. Section 1270.05 – Table B permits only one wall sign per each street frontage; therefore, one wall sign on the north elevation facing Center Road and one wall sign on the west elevation facing Brunswick Lake Parkway are allowed. The sign package submitted indicates additional wall signs that will require a variance from the Board of Zoning Appeals.

Staff Recommendations:

Staff recommends moving the revised discussion plan to a detailed site plan, provided the above items are addressed.

