

Brunswick City Planning Commission

September 3, 2020 - Caucus

6:00 p.m. – Video teleconference

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
Abbas Hasan, Member
Brad Saeger, Member
Joe Delsanter, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Development Director
Kim Harrington, Brownstone Building & Redevelopment, 3660
Suite #117, Brunswick
Marilyn Murray, 3140 Holly Drive, Brunswick
Travis Crane, TGC Engineering, 1310 Sharon Copley Rd, PO Box
37, Sharon Center
Matt Gile, 23 Bell Road, Chagrin Falls
Dino Lustrì, Greenland Engineering, 4133 Erie St., Willoughby
Brandon Rouhier, Greenland Engineering, same
Ed Shearson, Then Design Architecture, 4135 Erie Street,
Willoughby
Sam Grida, Brunswick City Schools, 3643 Center Rd., Brunswick

Chairman Joe Shirilla called the meeting to order at 6:04 p.m.

The first item was the review of the public hearing for Life Massage Therapy, LLC conditional zoning certificate, 3487 Center Road (German-American Business Center). The Planning Commission had no comments on this item.

The second item was the discussion of the public hearing for the conditional zoning certificate and revised site plan for the Rainforest Car Wash vacuums, 3365 Center Road. Mr. Arona commented the Planning Commission had previously suggested moving the vacuums to the new location.

The third item was the review of the discussion plan for Phase 3 of the Brunswick Middle School, 1483 Pearl Road. Ms. Plavecski noted that variances to the 100' setback required for an activity area are necessary for several items. Mr. Arona questioned why the practice field needs to be located in the 100 setback; Mr. Hasan responded he doesn't have a problem with it being located there. Mr. Arona commented there needs to be pedestrian access from Princeton Drive to the new middle school.

The fourth item was the discussion of the public hearing for the Oak Ridge Preserve SPD-7 rezoning, conceptual plan, development guidelines, and home model elevations, on the eastern portion of 834 Pearl Road. Mr. Jones explained there are four wetland removal areas that will require a variance. Mr. Arona noted this property was originally proposed for a commercial use; now the applicant is requesting a SPD zoning. He asked if this was the highest and best use of this property. Mr. Aungst replied the front of the property is challenged with stormwater management and riparian setback issues. He said a commercial use is not viable for this property, to which Mr. Hasan concurred. Councilman Delsanter stated the Vicky Drive residents will be more comfortable with a residential subdivision near them.

Mr. Hasan asked due to the wetland impacts, if Army Corps of Engineers approval is necessary; Mr. Jones answered yes. He commented there is no negative impact on the stream corridor. Mr. Arona suggested that a site overlay should be drafted with grading contour lines to show how this development will fit in.

Mr. Shirilla adjourned the meeting at 6:35 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

September 3, 2020

6:30 p.m. – Video teleconference

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
Abbas Hasan, Member
Brad Saeger, Member
Joe Delsanter, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
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Box 37, Sharon Center
Matt Gile, 23 Bell Road, Chagrin Falls
Dino Lustri, Greenland Engineering, 4133 Erie St., Willoughby
Brandon Rouhier, Greenland Engineering, same
Ed Shearson, Then Design Architecture, 4135 Erie Street,
Willoughby
Sam Grida, Brunswick City Schools, 3643 Center Rd., Brunswick

Item 1

Chairman Joe Shirilla called the meeting to order at 6:42 p.m.

MR. SAEGER MOTIONED TO EXCUSE JOHN ROCHA FOR JUST CAUSE.

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

Ms. Plavecski called the roll: 4 present 1 absent (Mr. Rocha).

Item 2

Regarding announcements or correspondence, Mr. Shirilla suggested the Planning Commission meeting starting time should be changed to 6:30 p.m. to accommodate the members' work schedules, to which all the members agreed.

Item 3

MR. SAEGER MOTIONED TO APPROVE THE MINUTES OF JULY 16, 2020.

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

Item 5

As old business of the approval of an independent consultant for Meadow View SPD-6, 1849 South Carpenter Road, was a quick item, Ms. Plavecski suggested addressing this item next, to which the Planning Commission agreed.

MR. HASAN MOTIONED TO APPROVE HARSANY & ASSOCIATES AS THE INDEPENDENT CONSULTANT FOR MEADOW VIEW SPD-6, 1849 SOUTH CARPENTER ROAD.

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

Mr. Arona commented that Mr. Harsany was the independent consultant for the Sanctus project south of St. Ambrose Church.

Item 4(a)

Regarding the public hearing for Life Massage Therapy, LLC conditional zoning certificate, 3487 Center Road (German-American Business Center), Ms. Marilyn Murray was present.

Ms. Murray provided background information on the project. She explained she attended the Cleveland Institute of Medical Massage to receive her certification. She commented she will be performing a substantial amount of therapeutic massage and she hopes to help women her age and older improve their quality of life. Mr. Arona stated he appreciates Ms. Murray's business plan and making her services affordable to the public.

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

MR. SAEGER MOTIONED TO APPROVE THE CONDITIONAL ZONING CERTIFICATE FOR LIFE MASSAGE THERAPY, 3487 CENTER ROAD (GERMAN-AMERICAN BUSINESS CENTER).

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

Item 4(b)

Concerning the public hearing for the Rainforest Car Wash vacuums conditional zoning certificate and revised site plan, 3365 Center Road and 1391 North Carpenter Road, Mr. Matt Gile was present.

Mr. Gile explained a new roof will be installed on the existing self-serve car wash to allow for taller vehicles. He commented they will be eliminating two self-service bays, with one bay remaining.

He addressed the Staff Review Comments as follows:

1. They will use permeable pavers to provide a minimum 20' wide emergency vehicle access between the southern vacuum spaces and the one-way exit to North Carpenter Road; the site plan indicates an 18' width. Additionally, permeable pavers will also be used to achieve a 20' width where a 14.77' width is shown between the east side of the traffic aisle, east of the 516 sq. ft. landscape bed, and west of the three parking spaces on the west side of the Rainforest car wash. The installation of a curb has not been determined yet.
2. They will verify the handicap space on the west side of the car wash facing Center Road is van-accessible, in accordance with Section 1106.5 of the 2017 Ohio Building Code. After the discussion of several options, the Planning Commission agreed the van-accessible space will be subject to ADA requirements and Administration approval.
3. They will provide a photometrics plan indicating there is a minimum 0.6 footcandle level for parking and pedestrian areas, pursuant to Section 1276.14(a). The Commission agreed the above plan will be subject to engineering approval. Mr. Shirilla noted the lighting level for the existing electronic moving message sign is too bright; the message is bleeding into the sign background, making it difficult to read. Mr. Gile said the illumination level will be reduced.
4. In accordance with Section 1276.12(a), Mr. Gile stated the dumpster will be screened from view by an enclosure constructed of materials comparable to the building.
5. Mr. Gile stated the snow will be pushed to the southwest corner of the site. Mr. Jones commented the 20' wide emergency vehicle access areas on the site, including the areas adjacent to them, cannot be blocked with snow.

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

MR. ARONA MOTIONED TO APPROVE THE RAINFOREST CAR WASH REVISED DETAILED SITE PLAN AND CONDITIONAL ZONING CERTIFICATE, 3365 CENTER ROAD AND 1391 NORTH CARPENTER ROAD, SUBJECT TO THE FOLLOWING:

1. PROVIDE A MINIMUM 20' WIDE EMERGENCY VEHICLE ACCESS BETWEEN THE SOUTHERN VACUUM SPACES AND THE ONE-WAY EXIT TO NORTH CARPENTER ROAD; THE SITE PLAN INDICATES AN 18' WIDTH. ADDITIONALLY, A 20' WIDTH SHALL BE PROVIDED WHERE A 14.77' WIDTH IS SHOWN BETWEEN THE EAST SIDE OF THE TRAFFIC AISLE, EAST OF THE 516 SQ. FT. LANDSCAPE BED, AND WEST OF THE THREE PARKING SPACES ON THE WEST SIDE OF THE RAINFOREST CAR WASH. THE APPLICANT WILL INCORPORATE THE USE OF PERMEABLE PAVERS TO PROVIDE THE ADDITIONAL WIDTH, SUBJECT TO ENGINEERING APPROVAL.
2. IN ACCORDANCE WITH SECTION 1106.5 OF THE 2017 OHIO BUILDING CODE, ONE VAN-ACCESSIBLE HANDICAP SPACE SHALL BE PROVIDED. THE LOCATION SHALL BE APPROVED BY THE CITY ADMINISTRATION AND CITY ENGINEER.
3. PROVIDE A PHOTOMETRICS PLAN INDICATING THERE IS A MINIMUM 0.6 FOOTCANDLE LEVEL FOR PARKING AND PEDESTRIAN AREAS, PURSUANT TO SECTION 1276.14(a), SUBJECT TO CITY ADMINISTRATION AND ENGINEERING APPROVAL. ADDITIONALLY, THE PLANNING COMMISSION HAS REQUESTED THE LIGHTING ON THE ELECTRONIC MOVING MESSAGE/DIGITAL DISPLAY GROUND SIGN TO BE REDUCED, SO AS NOT TO DISTRACT DRIVERS. SECTION 1270.17(a)(4) PERMITS A MAXIMUM OF ONE FOOTCANDLE, AS MEASURED FROM ADJACENT RIGHTS-OF-WAY.
4. IN ACCORDANCE WITH SECTION 1276.12(a), THE DUMPSTER SHALL BE SCREENED FROM VIEW BY AN ENCLOSURE CONSTRUCTED OF MATERIALS COMPARABLE TO THE BUILDING, SUBJECT TO CITY ADMINISTRATION AND ENGINEERING APPROVAL.
5. SNOW REMOVAL SHALL BE MANAGED IN ORDER TO MAINTAIN THE 20' WIDE EMERGENCY VEHICLE ACCESS REQUIRED BY THE FIRE DEPARTMENT, SUBJECT TO ENGINEERING APPROVAL.

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

Item 4(c)

Concerning the discussion plan for Brunswick Middle School, Phase 3, 1483 Pearl Road, Mr. Ed Shearson, of Then Design Architecture; Mr. Sam Grida, Operations Manager of Brunswick City Schools; and Mr. Dino Lustri and Mr. Brandon Rouhier, of Greenland Engineering, were present.

Mr. Shearson provided background information on the project. He explained Brunswick City Schools has purchased all the homes on Princeton Drive that are adjacent to the east side of the practice field. Mr. Shirilla inquired as to why the practice fields need to encroach into the

100' setback for an activity area. Mr. Grida commented the practice field will be used by the middle school athletes, but the field is not large enough for a true soccer field.

Mr. Shirilla questioned if there will be any screening along Princeton Drive on the east side of the site; Mr. Grida responded there will be soil mounding and arborvitae. Mr. Shearson stated a landscape buffer will be installed similar to the one proposed along the south property line near Oxford Drive. He said there will be groups of pine trees spaced 25' apart and noted there will be a chain link fence for security purposes along the east property line near Princeton Drive. Mr. Shirilla stated he is in favor of landscape consistency along the east property line. Mr. Lustri explained using mounding would be counter-intuitive and would create a drainage issue that would be expensive to fix. He suggested creating a uniform drainage collection system using some plantings, but not a solid landscape buffer. He noted utilizing mounding would make it more difficult to install a sidewalk for pedestrian access from Princeton Drive. Mr. Jones commented pedestrian access for the adjacent residential neighborhood near Princeton Drive needs to be provided so children can walk to school safely using the shortest distance.

After discussing several options, Mr. Lustri suggested allowing the engineer and architect to come up with alternatives for pedestrian access, screening, and drainage. Mr. Shearson explained they will be removing the driveway aprons and individual swales on Princeton Drive for the homes Brunswick City Schools purchased. He commented they will construct one continuous swale along the east property line. He noted if they install a sidewalk along the east property line, there is no sidewalk to the north and south of the middle school to connect to, which could be dangerous. Mr. Shearson suggested adding a sidewalk when the east side of the site is open to the public. Mr. Lustri commented the infrastructure on Princeton Drive is not prepared to receive the public. Mr. Aungst noted there are fire hydrants on Princeton Drive, which means no parking on that side of the street, and open ditches. He stated safety forces may want some of the east property line visually open so they can see into the site. He said the city would discourage any parking on Princeton Drive.

Mr. Shirilla suggested adding some pine trees to provide consistency with the landscaping on Oxford Drive. He said mounding isn't required, but the children need to have pedestrian access from Princeton Drive. He stated he would like to see demographics as to how many children would be affected.

Mr. Delsanter commented the back entrance of the middle school will only serve a small section of children. He said adding a vinyl fence wouldn't be attractive and it would reduce property values. He said he is not in favor of a walk-in entrance on Princeton Drive. Mr. Grida stated they can provide demographics for the number of children that will be walking to school in the Princeton Drive area. He explained it is their goal to have all the children go through the front entrance.

Mr. Hasan commented the fence on the east side of the site is necessary for security, but visual mitigation is necessary. Mr. Shirilla stated the fence protects people on Oxford Drive and Princeton Drive, but reiterated mounding isn't necessary. Mr. Shearson suggested moving the fence on the east property line further west and adding clumps of evergreen

trees. Mr. Incorvaia noted the Planning Commission has the ability to make modifications on the landscaping requirements (Section 1282.10). He further stated that parking could be limited on the side streets by the middle school by allowing parking only during specific hours.

Mr. Arona commented pedestrian access from Princeton Drive may cause more problems than benefits. He inquired if there is safe pedestrian access off of Manhattan Avenue and Oxford Drive if nothing is being provided from Princeton Drive. Mr. Grida responded there is no safe access from Oxford Drive, as this is where the bus garage is located, and there is only emergency access for the police and fire departments.

Mr. Shirilla reiterated Brunswick City Schools should provide demographics as to how many kids will be walking to school. Mr. Jones commented a one mile walking distance is determined from Pearl Road to see if children will be bussed; it could be measured differently if pedestrian access is allowed by Princeton Drive.

MR. HASAN MOTIONED TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN AND PUBLIC HEARING FOR BRUNSWICK MIDDLE SCHOOL, 1483 PEARL ROAD, CONTINGENT UPON VARIANCE RULINGS BY THE BOARD OF ZONING APPEALS ON STAFF REVIEW COMMENT 1 PERTAINING TO ENCROACHMENT INTO THE 100' SETBACK FOR AN ACTIVITY AREA. STAFF REVIEW COMMENT 3 PERTAINING TO PEDESTRIAN ACCESS TO PRINCETON DRIVE, PURSUANT TO SECTION 1278.09(d) WILL BE ADDRESSED ON THE DETAILED SITE PLAN.

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

Item 4(d)

Regarding the public hearing for the Oak Ridge Preserve SPD-7 rezoning, conceptual plan, development guidelines, and home model elevations, eastern portion of 834 Pearl Road, Mrs. Kim Harrington, developer; and Mr. Travis Crane, TGC Engineering, were present.

Concerning Staff Review Comment 1, Mrs. Harrington stated Conditions 2 and 3 would be applicable to determine if a Special Planning District zoning designation is warranted. Mr. Shirilla stated he feels a SPD designation is necessary, as this is the best use of the property. Mr. Arona commented he would like to walk the property before he determines if a SPD is necessary. Mr. Incorvaia explained if a quorum of Planning Commission members would like to walk the property, a special Planning Commission meeting will be required, or it could be added as an agenda item at the next meeting the applicant is scheduled for before the Commission. Mrs. Harrington said she doesn't want to hold the process up waiting for a site visit. Mr. Arona commented a site visit is needed to determine if a SPD zoning designation is necessary, and he would like to see an overlay of the existing topography. Mrs. Harrington explained she and her husband have owned the property for two years and the property was annexed into the city from Brunswick Hills Township. She stated a moratorium is currently in place on multifamily development, so they proposed detached units.

Mr. Shirilla stated by looking at the subdivision plan, Staff Review Comments 1 and 2 can be addressed. Mr. Crane showed an aerial map containing contour lines of the proposed SPD-7 and explained the grade elevations. Following Mr. Crane's presentation, the Planning Commission agreed Staff Review Comments 1, 2, and 3 could be addressed tonight.

The first three Staff Review Comments were addressed as follows:

1. Pursuant to Section 1268.05(c), in order for City Council to create a SPD, it must first make written findings that the proposed SPD will meet the objectives of Section 1268.01, and that one or more of the following conditions exist within the proposed SPD:
 1. A concentration of existing or proposed retail, service or industrial establishments serving as a business activity center for the community.
 2. Land that is occupied by substantial natural characteristics worthy of preservation or which are historic aids to the identification of residential communities.
 3. Lands which call for ingenuity and imagination by site designers and developers in keeping with overall land use and open space objectives of the Comprehensive Plan, while departing from the strict application of use, setback, height, lot size and related requirements of the Zoning Code.

The Commission has determined that conditions 2 and 3 are applicable.

2. Per the City Engineer, there are four wetland removal areas that will require variances as follows:
 - a) area west of Sublot 28;
 - b) stormwater management area and parking spaces north of Sublot 28;
 - c) street crossing between Sublots 5 and 29; and
 - d) rear of Sublot 5, which appears to slightly touch Sublot 4.

Pursuant to Section 1222.07 of the Subdivision Regulations, the Planning Commission may grant variances to these Subdivision Regulations where unusual or exceptional factors or conditions require such modification, provided that the Commission:

- a) Finds that unusual topographical or exceptional physical conditions exist;
- b) Finds that strict compliance with these Regulations would create an extraordinary hardship as a result of exceptional conditions;
- c) Permits any modification of these Regulations only to the extent necessary to remove the extraordinary hardship;
- d) Finds that any modification granted will not be detrimental to the public interest nor in conflict with the intent and purpose of these Regulations;
- e) Requires such other conditions to be met by the proposed plan or plat as the Commission finds necessary to accomplish the purposes of these Regulations when modified; and
- f) Records such modification on the plat to be submitted to Council.

Mr. Incorvaia explained that each of the above conditions must be met to grant a variance to Section 1222.07 of the Subdivision Regulations. He noted, pursuant to Charter Section 6.02(c), that a public hearing notice listing the variances must be published 30 days prior to the Planning Commission meeting and notices mailed to the property owners within a 500' radius of the subject property 20 days prior to the meeting. The Commission agreed that all of the factors in Section 1222.07 have been met.

3. In accordance with Section 1278.09(d), a 4' wide sidewalk is shown on the south side of Street "A", but a sidewalk will not be installed on the north side of Street "A". Section 1230.01(b)(3) – Appendix H of the Subdivision Regulations indicates sidewalks on both sides of the street. A variance to the Subdivision Regulations will be required, pursuant to Section 1222.07, as stated above in Comment 2. Mr. Crane explained there is no sidewalk on the north side of Street "A" in order to best utilize the property and to locate the houses on the north side of the street closer to the road, thereby creating more open space in the subdivision. Mr. Shirilla inquired if having the sidewalk on only the south side of the street could be part of the development guidelines, to which Mr. Incorvaia answered yes.

Mr. Arona asked, since there will only be a sidewalk on the south side of Street "A", if it could be 5' wide. Ms. Plavecski commented 5' wide sidewalks are usually used for schools, churches, and places that have a large amount of pedestrian traffic. Mr. Crane stated they would prefer to have a 4' wide sidewalk. Mr. Jones commented a 4' wide sidewalk should be adequate for a residential subdivision. He noted the private streets in Laurel Glens SPD-1 and Waite Farms only have sidewalks on one side of the street.

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

Per Staff Review Comment No. 7, as permitted by Section 1278.03(h), during the course of reviewing a site plan, the Planning Commission or Council may find the assistance of a qualified consultant is necessary to fully determine the effects of the proposal. The Planning Commission approved Harsany & Associates as the independent consultant.

MR. HASAN MOTIONED TO FORWARD TO CITY COUNCIL FOR THEIR REVIEW THE OAK RIDGE PRESERVE SPD-7 REZONING, CONCEPTUAL PLAN, DEVELOPMENT GUIDELINES, AND HOME ELEVATIONS. THE PLANNING COMMISSION FINDS THAT SECTIONS 1268.01 AND 1268.05(c)(2) AND (3) WOULD APPLY.

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

MR. HASAN MOTIONED TO APPROVE HARSANY & ASSOCIATES AS THE INDEPENDENT CONSULTANT FOR THE OAK RIDGE PRESERVE SPD-7.

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

Item 5

(Addressed at the beginning of the meeting)

Item 6

There was no new business. Mr. Hasan stated he is unable to attend the September 17, 2020 Planning Commission meeting. Mr. Arona said he will be out of town for the October 1, 2020 meeting, but may be able to attend via WebEx.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Delsanter stated there was no Council Representative's Report at this time.

MR. SAEGER MOTIONED TO ADJOURN THE MEETING.

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

The meeting was adjourned at 10:59 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

September 3, 2020

Life Massage Therapy

(Public hearing – conditional zoning certificate)

Location: 3487 Center Road (German-American Business Center)
C-G District

Proposed Use & Background:

A conditional zoning certificate application has been submitted to operate a massage establishment, pursuant to Section 1260.04(t) of the Zoning Code, which is a conditionally permitted use in the C-G District, as defined in and subject to the requirements of Chapter 864 of the Codified Ordinances.

Hours of operation will be from 4:00 p.m. to 9:00 p.m. on weekday evenings; and from 10:00 a.m. to 4:00 p.m. on Saturday. Services provided will include therapeutic and relaxation massages, along with aromatherapy.

Staff Review Comments:

1. The applicant shall comply with all requirements of the conditional zoning certificate.

Staff Recommendations:

Staff recommends approval of the conditional zoning certificate.

Rainforest Car Wash vacuums

(Public hearing – conditional zoning certificate and revised site plan)

Location: 3365 Center Road & 1351 North Carpenter Road
C-G District

Proposed Use & Background:

The Planning Commission approved the conditional zoning certificate and revised detailed site plan at their meeting on May 21, 2020. However, one of the approval contingencies was that the three vacuum stations near Center Road should be removed, as they are highly visible from the street, but near the west property line, one additional vacuum may be added at the southern end of the aisle containing the seven proposed vacuums, which shall not extend past the front of the building, subject to engineering approval. The applicant stated they are unable to comply with the above condition and have submitted a revised site plan relocating the ten vacuums and adding two additional vacuums, for a total of twelve vacuums, on the east side of the self-serve car wash building at 1351 North Carpenter Road.

New interior landscaping measuring 1,008 sq. ft. will be added, but 2,264 sq. ft. of existing interior landscaping will be removed east of the self-serve car wash facility, resulting in a net

loss of 1,256 sq. ft. However, the proposed interior landscaping meets the minimum 280 sq. ft. required by Section 1282.08(b).

Pursuant to Table 1276-1(d)(7) of the Zoning Code and Table 1106.1 of the 2017 Ohio Building Code, eighteen parking spaces have been provided as follows: one handicap space, twelve spaces for the vacuums, and five additional spaces.

The 10' x 10' dumpster is now located south of the southern row of vacuums; the existing light pole will be relocated.

Staff Review Comments:

1. Provide a minimum 20' wide emergency vehicle access between the southern vacuum spaces and the one-way exit to North Carpenter Road; the site plan indicates an 18' width. Additionally, a 14.77' width is shown between the east side of the traffic aisle, east of the 516 sq. ft. landscape bed, and west of the three parking spaces on the west side of the Rainforest car wash; a minimum of 20' is required. Will a curb be installed in this area? The applicant discussed potentially using permeable pavers to provide the additional width, but this is not indicated on the site plan.
2. Verify the handicap space on the west side of the car wash facing Center Road is van-accessible, in accordance with Section 1106.5 of the 2017 Ohio Building Code.
3. Provide a photometrics plan indicating there is a minimum 0.6 footcandle level for parking and pedestrian areas, pursuant to Section 1276.14(a).
4. In accordance with Section 1276.12(a), verify the dumpster will be screened from view by an enclosure constructed of materials comparable to the building.
5. Where will the snow be plowed to during the winter?

Staff Recommendations:

Staff recommends approval of the conditional zoning certificate and revised site plan, provided the above items are addressed.

Brunswick Middle School – Phase 3
(Discussion plan)

Location: 1483 Pearl Road
R-L & C-G Districts

Proposed Use & Background:

A discussion plan has been submitted for Phase 3 that will include a new 801-seat stadium on the east side of the new middle school. A synthetic turf field with lines for football, soccer, and lacrosse will be constructed, which will be surrounded by a track that will be enclosed by

a 6' high chain link fence. An entry plaza will be installed on the east side of the new school that will lead to the proposed stadium.

Two practice fields are indicated on Sheet A1; one measuring 170' x 270' (45,900 sq. ft.) at the northeast corner of the property, and one measuring 130' x 176' (22,880 sq. ft.) near the middle of the east property line that will include shotput and discus areas. Each practice field will be enclosed by a 6' high fence. The current 2" water line located on the home (west) side of the track will be extended to the east side of the track.

In compliance with Table 1276-1(b)(2), 420 existing parking spaces are located on the site, which meets the minimum 201 spaces required (1 per 4 seats – 801 new seats).

As educational institutions are a conditionally permitted use in the R-L District, pursuant to Section 1252.04(a), a public hearing will be required when the detailed site plan is submitted.

Regarding a photometrics plan, Section 1276.14(h) states the standards in Section 1276.14 do not apply to outdoor recreation activities.

Staff Review Comments:

1. Several encroachments into the 100' setback for an activity area from a residential property line, pursuant to Section 1274.08(a), are shown on the site plan as follows:
 - a. The north portion of the track is located 49.50' from the north property line.
 - b. The scoreboard is located 49.64' from the north property line.
 - c. The 170' x 270' practice field is located 36.55' from the north property line and 30.49' from the east property line.
 - d. The 130' x 176' practice field is located 34.59' from the east property line. Additionally, within the above practice field, the discus field is located 48.71' from the east property line.

The applicant will be seeking variances for the above from the Board of Zoning Appeals on September 15, 2020.

2. The 69.29 sq. ft. sign face area for the electronic moving message sign exceeds the maximum 25 sq. ft. permitted by Section 1270.05 – Table A, and also is not a permitted or conditionally permitted use in the R-L Low Density Residential District, pursuant to Section 1270.17. Furthermore, the 8' high sign face area exceeds the maximum 5' height permitted by the above table. The electronic ground sign is located 30' from the Pearl Road right-of-way and complies with the minimum 10' front yard setback and minimum 15' side yard setback required by Section 1270.05 – Table A. The applicant will also be seeking variances for the above sign from the BZA on September 15, 2020.

As the proposed 200 sq. ft. electronic scoreboard is not intended to be read from a dedicated right-of-way (faces inward toward the track) and does not contain any commercial content, the Law Department has confirmed it is not considered a sign, pursuant to the sign definition stated in Section 1270.15(a).

3. In accordance with Section 1278.09(d), pedestrian connectivity to Princeton Drive shall be provided.

Staff Recommendations:

Staff recommends moving the discussion plan to a detailed site plan and public hearing on the conditional zoning certificate, contingent upon the variance rulings by the Board of Zoning Appeals.

Oak Ridge Preserve SPD-7

(Public hearing – rezoning, conceptual plan, development guidelines, and home model elevations)

Location: eastern 12.9258 acres of 834 Pearl Road
SPD-7

Proposed Use & Background:

At their meeting on July 2, 2020, the Planning Commission moved the discussion plan to a public hearing for the rezoning, conceptual plan, development guidelines, and home elevations for Special Planning District No. 7. This will consist of 34 single family homes on the eastern 12.9258 acres of the 25-acre parcel located at 834 Pearl Road (Permanent Parcel No. 003-18A-04-193) that was annexed into the city from Brunswick Hills Township on January 14, 2019 (Ordinance No. 1-19). This property is currently in the R-R Rural Residential District, which acts as a holding zone for property newly annexed into the city, pursuant to Section 1248.08 of the Zoning Code, until the property is requested to be rezoned (proposed SPD-7).

Per the July 2nd Staff Review Comments, the width of the private drive extending from the west end of the cul-de-sac bulb leading to Sublots 14 through 18, along with east of Sublots 32 through 34, has been increased to 20', as required by the Fire Department for emergency vehicle access. Also, the sidewalk is now continuous by the five parking spaces south of Sublot 5.

Home model elevations of "The Devonshire" – Elevations "A", "B", "C", "D", "E", "F", and "G" measuring a minimum 1,590 sq. ft.; "The Hamilton" – Elevations "A", "B", "C", "D", "E", "F", and "G" measuring a minimum 1,735 sq. ft.; and "The Heritage" (only one elevation) measuring a minimum 1,650 sq. ft. have been submitted.

As required by Section 1268.04(b), Development Guidelines are included as part of SPD-7, highlighting the following:

1. Section D(3)(d): "Open porches and decks either at grade or raised must also fit inside of the building envelope as outline on the plan." This was also requested for Meadow View SPD-6, as the Board of Zoning Appeals has received numerous variance cases concerning the size of decks and patios in The Reserve at Autumn Creek SPD-3 and the South Lake Subdivision in Brunswick Town Center SPD-2.

2. Section D(4)(b): "Accessory buildings or pools: Not permitted."
3. Section D(5) "Minimum floor area: 1,150 sq. ft.
"Minimum Living Area – Single Floor Ranch Building Type – 1,200 sq. ft.
"Minimum Living Area – Multiple Floor Building (Two-Story) – 1,450 sq. ft
4. Section E(1)(d): "Private driveway maintenance shall be the responsibility of those homeowners living on the private driveways, per requirements and fees set out in the community HOA and signed off on by homeowners at closing. Homeowners will be solely responsible for snow removal and any maintenance of the private drive in perpetuity. HOA will also collect fees from all homeowners in the cluster development to maintain any ponds or other common areas with SPD-7."

Staff Review Comments:

1. Pursuant to Section 1268.05(c), in order for City Council to create a SPD, it must first make written findings that the proposed SPD will meet the objectives of Section 1268.01, and that one or more of the following conditions exist within the proposed SPD:
 1. A concentration of existing or proposed retail, service or industrial establishments serving as a business activity center for the community.
 2. Land that is occupied by substantial natural characteristics worthy of preservation or which are historic aids to the identification of residential communities.
 3. Lands which call for ingenuity and imagination by site designers and developers in keeping with overall land use and open space objectives of the Comprehensive Plan, while departing from the strict application of use, setback, height, lot size and related requirements of the Zoning Code.

At the July 2, 2020 meeting, the Planning Commission discussed that conditions 2 and 3 are potentially applicable.

2. Per the City Engineer, there are four wetland removal areas that will require variances as follows:
 - a) area west of Sublot 28;
 - b) stormwater management area and parking spaces north of Sublot 28;
 - c) street crossing between Sublots 5 and 29; and
 - d) rear of Sublot 5, which appears to slightly touch Sublot 4.

Pursuant to Section 1222.07 of the Subdivision Regulations, the Planning Commission may grant variances to these Subdivision Regulations where unusual or exceptional factors or conditions require such modification, provided that the Commission:

- a) Finds that unusual topographical or exceptional physical conditions exist;
- b) Finds that strict compliance with these Regulations would create an extraordinary hardship as a result of exceptional conditions;
- c) Permits any modification of these Regulations only to the extent necessary to

- remove the extraordinary hardship;
 - d) Finds that any modification granted will not be detrimental to the public interest nor in conflict with the intent and purpose of these Regulations;
 - e) Requires such other conditions to be met by the proposed plan or plat as the Commission finds necessary to accomplish the purposes of these Regulations when modified; and
 - f) Records such modification on the plat to be submitted to Council.
- 3. In accordance with Section 1278.09(d), a 4' wide sidewalk is shown on the south side of Street "A", but a sidewalk will not be installed on the north side of Street "A". Section 1230.01(b)(3) – Appendix H of the Subdivision Regulations indicates sidewalks on both sides of the street. A variance to the Subdivision Regulations will be required, pursuant to Section 1222.07, as stated above in Comment 2.
- 4. In keeping with the standards for single family cluster lots, in accordance with Section 1284.06(j), verify that the garage door for the home models submitted shall be a maximum of 2' forward (towards the primary access street) of either the front wall of the main living area, if there is no covered porch; or the front porch line, provided the porch is both covered with a roof and has a concrete frost depth foundation. In no instance shall the garage door be more than 6' in front of the main living area.
- 5. Section D(5)(c) of the Development Guidelines states that lower level finished space area for buildings constructed with daylight windows of 36" height or greater or walk-out doors shall be considered living area for square footage calculation of total living area. This section shall be removed.
- 6. Section E(4) of the Development Guidelines states that each dwelling unit shall have two parking spaces, including a minimum of one space per unit in a garage which is physically attached to and directly accessible from the dwelling unit. Table 1276-1(a) requires single family dwelling units to provide four parking spaces per dwelling unit, including two spaces in a garage. The Development Guidelines shall correspond to the home model elevations submitted, which indicates two-car garages.
- 7. As permitted by Section 1278.03(h), during the course of reviewing a site plan, the Planning Commission or Council may find the assistance of a qualified consultant is necessary to fully determine the effects of the proposal. The applicant shall pick the consultant, subject to Planning Commission approval, and shall bear the costs of the consultant.
- 8. Fire hydrants for the subdivision shall be placed 300' apart, as required by the Fire Department.
- 9. No parking shall be permitted on the shared drives by Sublots 14 through 17 and Sublots 32, 33, and 34 to allow for emergency vehicle access.
- 10. Pursuant to Section 1268.04, City Council approval of SPD-7 is required.

Staff Recommendations:

Staff withholds recommendation until the above items are addressed.

