

Brunswick City Planning Commission

February 4, 2021

6:30 p.m. – Caucus

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
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 Development Director
Ryan Puzzitiello, Parkview Homes, 22700 Royalton Road,
Strongsville

Chairman Joe Shirilla called the meeting to order at 6:33 p.m.

The first item was the discussion regarding the public hearing for seventeen (17) text amendments to the Codified Ordinances of the City of Brunswick to regulate development within the city as suggested by the Advance Brunswick Comprehensive Plan Update.

Mr. Shirilla inquired about the removal of convalescent care facilities as a conditionally permitted use in the R-M Medium Density Residential District; C-N Neighborhood Commercial District; C-G General Commercial District; and GW-C Gateway Commercial District and asked if it is a permitted use in these districts. Mr. Incorvaia explained that convalescent care facilities are not a principally permitted use in the above districts, and with the adoption of the text amendments, it will no longer be a conditionally permitted use.

Mr. Arona asked about Ordinance No. 106-2020 and the existing car dealerships on Pearl Road. Ms. Plavecski explained that section of Pearl Road is zoned C-G General Commercial and only new car sales is permitted in that district. Mr. Aungst noted that a “use” variance is required to sell used cars in that district.

Mr. Shirilla inquired about Ordinance No. 110-2020 concerning amendments to Chapter 1286; Mr. Aungst explained that a minimum site area of 20 acres will be required for mixed use development and rental units will not be permitted.

The second item was the review of the home models for the Vicky Drive extension, western portion of 834 Pearl Road. Mr. Shirilla stated the proposed models look attractive. As this was a quick item on the agenda, the Commission agreed to move it up as the first item of discussion in the regular meeting.

Mr. Shirilla adjourned the meeting at 6:56 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

February 4, 2021

7:00 p.m.

Joe Shirilla, Chairman
Jeff Arona, Vice Chairman
John Rocha, Recording Secretary
Brad Saeger, Member
Nick Hanek, Council Representative
Matt Jones, Consulting City Engineer
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Ryan Puzzitiello, Parkview Homes, 22700 Royalton Road,
Strongsville

Item 1

Chairman Joe Shirilla called the meeting to order at 7:01 p.m.

MR. SAEGER MOTIONED TO EXCUSE MR. HASAN FOR JUST CAUSE.

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

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

Item 2

Regarding announcements or correspondence, Ms. Plavecski announced the home models for the Vicky Drive extension single family cluster development, western portion of 834 Pearl Road, scheduled under old business, will be moved to the top of the agenda, as it is a quick item to discuss.

Item 3

MR. ARONA MOTIONED TO APPROVE THE MINUTES OF JANUARY 21, 2021.

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

Item 5(a) – moved up on the agenda

Regarding the home models for the Vicky Drive extension single family cluster development, western portion of 834 Pearl, Brunswick, Mr. Ryan Puzzitiello, of Parkview Homes, was present. He explained their company allows homeowners to customize their houses, which will all incorporate brick or stone accents, or shake siding on the front façade. He noted the three other sides of the homes will have vinyl siding unless the homeowner wants stone or brick accents, but it will cost more money. He commented almost every lot will accommodate a three-car garage. Mr. Puzzitiello stated “The Mahogany II” will be used for the model home on Sublot 1.

Mr. Arona asked what the current trend in housing is; Mr. Puzzitiello responded single family homes are still very popular. Mr. Arona questioned if homeowners have been requesting solar panels on the roof or chargers for electric cars; Mr. Puzzitiello replied not really. Ms. Plavecski inquired when the model home will begin construction; he answered as soon as possible.

MR. ARONA MOTIONED TO APPROVE THE VICKY DRIVE EXTENSION SINGLE FAMILY CLUSTER DEVELOPMENT (OVERLOOK POINTE) HOME MODELS AS SUBMITTED, LOCATED ON THE WESTERN PORTION OF 834 PEARL ROAD, BRUNSWICK.

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

Item 4(a)

The Planning Commission discussed the seventeen (17) proposed text amendments to the Codified Ordinances of the City of Brunswick to regulate development within the city as suggested by the Advance Brunswick Comprehensive Plan Update. The Commission had questions or comments on the following ordinances:

Regarding Ordinance No. 105-2020, Mr. Shirilla asked what is considered a convalescent care facility; Ms. Plavecski read the definition, as provided in Section 1242.02(78) of the Zoning Code, to the Planning Commission. Mr. Shirilla questioned if assisted living would be considered a convalescent care facility; Mr. Incorvaia answered yes. Mr. Aungst explained there are currently four convalescent care facilities in the city with a fifth one approved (Sanctus, south of St. Ambrose Church). He stated if any additional facilities of this type are built, it would be difficult to support them with city safety forces, i.e. EMS, police, and fire.

Concerning Ordinance No. 110-2020, Mr. Arona inquired if this legislation continues the moratorium on multifamily construction; Mr. Aungst replied yes. He explained there are 3,000 individual apartments and 700 rental homes currently in the city. He said the proposed legislation will prohibit a large apartment complex. Mr. Shirilla questioned if 3,000 individual apartments is a high or low number for a suburb; Mr. Aungst answered it is high.

Regarding Ordinance No. 112-2020, Mr. Shirilla said he appreciates limiting the height of a building in the S-R Senior Residence District to 30 feet. He asked how this is measured; Ms. Plavecski replied it measured from peak to grade.

Pertaining to Ordinance No. 114-2020, concerning the Design Guidelines for the Joint Development Overlay Districts, Mr. Arona asked if only retail will be permitted; Mr. Aungst responded the city is encouraging a mixed use of retail and residential.

Concerning Ordinance No. 116-2020, Mr. Shirilla asked for further clarification regarding this legislation. Ms. Plavecski explained a swimming pool, either above-ground or in-ground, must be located a minimum of ten feet from the back of the house; ten feet from the side property line; and ten feet from the rear property line. She noted the proposed legislation will allow a deck or concrete walk to be located within the ten-foot setback from the house, which currently is not permitted.

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

MR. SAEGER MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE SEVENTEEN TEXT AMENDMENTS TO THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, INCLUDING THE REVISION TO ORDINANCE NOS. 102-2020, 103-2020, AND 104-2020 PERTAINING TO MEASUREMENT OF MINIMUM FLOOR AREA. THE REVISED WORDING SHALL READ AS FOLLOWS: "MINIMUM SQUARE FOOTAGE OF A SINGLE FAMILY DWELLING SHALL NOT INCLUDE ANY AREA BELOW THE FRONT GRADE." THE SENTENCE "MINIMUM SQUARE FOOTAGE OF A SINGLE FAMILY DWELLING SHALL BE DETERMINED BY LIVABLE SPACE FROM MAIN ENTRANCE OR STREET LEVEL ABOVE" SHALL BE DELETED IN ITS ENTIRETY.

Mr. Rocha 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.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Hanek gave the Council Representative's Report. He commented a substantial amount of work took place from the Community Development and Law Department to draft the

seventeen text amendments. He also commented he didn't receive any complaints from residents regarding the traffic by Chick-fil-A and thanked the Commission for their hard work.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

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

The meeting was adjourned at 8:09 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

February 4, 2021

Text amendments to the Zoning Code

(Public hearing)

Proposed Use & Background:

Text amendments have been proposed to the Codified Ordinances of the City of Brunswick to regulate development within the city as suggested by the Comprehensive Plan Update as follows:

1. Ordinance No. 96-2020 establishing Section 1270.10(b) by providing temporary relief from the temporary sign regulations for businesses in the City of Brunswick in an attempt to increase economic opportunities. The temporary relief granted will be effective from November 15th through December 31st annually in order to promote local business activity during the holiday shopping season. This legislation was introduced by the Planning & Zoning Committee of City Council.
2. Ordinance No. 102-2020 amending Section 1242.02(32)(e) pertaining to the definition of a single family dwelling to read: "Single Family Dwelling: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space. Minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above." This was discussed during the review of the Meadow View SPD-6 and Oak Ridge Preserve SPD-7 to clarify measurement of livable space for minimum square footage requirements.
3. Ordinance No. 103-2020 amending Section 1250.05(g) pertaining to measurement of minimum floor area of a single family dwelling in the R-R Rural Residential District to read: "Minimum Floor Area, which minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above."
4. Ordinance No. 104-2020 amending Section 1252.05(g) pertaining to measurement of minimum floor area of a single family dwelling in the R-L Low Density Residential District to read: "Minimum Floor Area, which minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above."
5. Ordinance No. 105-2020 eliminating Section 1254.03(j) in its entirety by removing convalescent care facilities as a conditionally permitted use in the R-M Medium Density Residential District. It has been determined there is a sufficient number of existing convalescent care facilities in the city.

6. Ordinance No. 106-2020 amending Section 1258.03(j) to read “New and/or used vehicle sales, subject to Section 1274.08(a), (d), (f), (g) and 1274.11. This use is limited to parcels with frontage on Center Road within the C-H Highway Interchange Commercial District.” This will allow new/used car dealerships only to be located on the Center Road commercial corridor in the C-H District.
7. Ordinance No. 107-2020 eliminating Section 1256.04(g) in its entirety by removing convalescent care facilities as a conditionally permitted use in the C-N Neighborhood Commercial District.
8. Ordinance No. 108-2020 eliminating Section 1260.04(h) in its entirety by removing convalescent care facilities as a conditionally permitted use in the C-G General Commercial District.
9. Ordinance No. 109-2020 eliminating Section 1261.04(g) in its entirety by removing convalescent care facilities as a conditionally permitted use in the GW-C-Gateway Commercial District.
10. Ordinance No. 110-2020 amending Chapter 1286 to require a minimum site area of twenty acres (current code allows a minimum lot area of two acres) and to remove rental units as a permitted type of multifamily dwelling. Additionally, the amount of common open space shall be equal to 35% (currently 30%) of the development area. Furthermore, in order to reserve key intersections for retail, office or other commercial uses, multifamily dwellings are prohibited in the C-G District within 500 of the intersection of West 130th Street and Laurel Road, in addition to the intersections listed in Section 1286.05(b). Also, non-multifamily uses shall occupy a minimum of 30% of total floor area of the mixed use development.
11. Ordinance No. 111-2020 establishing Sections 1274.08(a)(1) and (2) to require a 75 ft. setback (currently 100') from a residential property line for educational institutions and governmentally owned and/or operated buildings in a residential district. Additionally, construction trailers in residential districts shall be permitted to be located a minimum of 50 feet from a neighboring residential property line only during the construction period. A permit must be obtained from the Division of Building. This amendment will be beneficial for any future construction at educational institutions.
12. Ordinance No. 112-2020 amending Section 1288.05(c) by reducing the maximum height of a building in the S-R Senior Residence District to 30 feet. This would limit the number of floors to a maximum of three (depending on ceiling height), which would prohibit high-rise apartment buildings.
13. Ordinance No. 113-2020 establishing Section 1270.10(a)(5) which reads “For commercial or industrial development, project signs shall not be erected prior to issuance of a building permit and must be removed upon issuance of a certificate of

occupancy. Project signs for a residential subdivision shall be removed upon 80% occupancy of the development.” This will regulate the time period for project signs, resulting in a reduction of sign clutter.

14. Ordinance No. 114-2020 adopting the Design Guidelines for the Joint Development Overlay District and designating JDOD-1, JDOD-2, JDOD-3, and JDOD-4 Overlay Districts on the Zoning Map. This will provide development options for the existing shopping plazas in the city.
15. Ordinance No. 115-2020 establishing Chapter 1290 to create an Overlay District. This district was recommended by the Comprehensive Plan Update to aid in development within the city.
16. Ordinance No. 116-2020 amending Section 1472.03 pertaining to location of swimming pools to read “To insure that small children and others may be readily observed while approaching the same, no outdoor swimming pool shall be constructed, installed or erected in front of any building setback line or less than ten feet from the outer edge of the pool wall to the foundation of the primary living structure, or ten feet, including walkways or decks around an above-ground or in-ground pool, from any side or rear lot line. No such pool shall occupy more than ten percent of the total lot area. In all cases, an unobstructed view of the pool from the residence shall be maintained, and no structures, appurtenances or fixture, whether temporary or permanent, shall be placed within the line of vision to be so maintained.” This allows decks and walkways to be permitted within the 10’ setback from the outer edge of the swimming pool, which previously was not allowed, resulting in numerous variance requests to the Board of Zoning Appeals.
17. Ordinance Numbers 118-2020 through 121-2020, amending Section 1256.04(m); Section 1260.04(v); Section 1261.04(s); and Section A(18) of the Brunswick Town Center Special Planning District No. 2 Main Street General Requirements by imposing additional restrictions for the conditionally permitted use of vape and smoke shops in the C-N Neighborhood Commercial District, C-G General Commercial District, GW-C Gateway Commercial District, and Brunswick Town Center SPD-2 Main Street District, respectively. These ordinances will regulate the location of vape and smoke shops, implementing the same setback used for sexually oriented businesses, as follows:

“Vape and smoke shops, which shall not be permitted within one thousand (1,000) feet of:

1. A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
2. A public or private educational facility, including, without limitation, child care facilities, nursery schools, pre-schools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, junior colleges and

universities, trade schools, tutorial services and commercial learning centers. School includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.”

Staff Review Comments:

1. To provide further clarification, the Administration is recommending a revision to Ordinance Nos. 102-2020, 103-2020, and 104-2020 pertaining to measurement of minimum floor area. The revised wording shall read as follows: “Minimum square footage of a single family dwelling shall not include any area below the front grade.” The sentence “Minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above” shall be deleted in its entirety.
2. City Council held their first reading on Ordinance Numbers 102-2020 through 116-2020 on December 14, 2020 and their first reading on Ordinance Numbers 118-2020 through 121-2020 on December 21, 2020. Two readings were held on Ordinance No. 96-2020 on November 23 and December 14, 2020.

Staff Recommendations:

Staff recommends approval to City Council of the proposed text amendments, including the revision to Ordinance Numbers 102-2020, 103-2020, and 104-2020.

Vicky Drive extension single family development (Overlook Pointe)

(Home models)

Location: Vicky Drive extension – western portion of 834 Pearl Road
R-L District

Proposed Use & Background:

On October 3, 2019, the Planning Commission approved the detailed site plan for the Vicky Drive extension single family cluster development to construct 15 new homes. A condition of the approval was for all home models to be approved by the Planning Commission. The property has been sold to a new developer and new home model elevations have been submitted as follows:

The Montclair: Elevations “B” and “C” – 2,238 sq. ft.
The Preston 25: Elevations “I”, “J”, “K”, and “L” – 2,585 sq. ft.
The Lexington: Elevations “A”, “B”, and “D” – 2,641 sq. ft.
The Bexley: Elevations “A”, “B”, “C”, and “D” – 2,765 sq. ft.
The Mahogany II: Elevations “A”, “B”, “C”, and “D” – 3,091 sq. ft.

All of the above home elevations are enhanced with brick or stone accents.

Staff Recommendations:

Staff recommends approval of the home models.