

Brunswick City Planning Commission

April 21, 2022 - Caucus

6:30 p.m.

Joe Shirilla, Chairman
Brad Saeger, Vice Chairman
John Rocha, Recording Secretary
Jeff Arona, Member
Abbas Hasan, Member
Kristy Piper, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Development Director
Thom Sutcliffe, Drees Homes, 6860 W. Snowville Road,
Suite 105, Brecksville
Nicholas Kyriazis, Ergotech Development Group, 2185
Southpointe Trail, Brunswick Hills (home address)
Necol Washington, Ergotech, no address given
John Will, Ergotech, no address given
Chris Schmidt, Davey Resource Group, 1310 Sharon Copley Rd,
Sharon Center
Tom Ludwig, Davey Resource Group, same
Doug Harsany, Harsany & Associates, 3870 Lindsey Road,
Lexington
Jason Mould, EMD Studio, 34899 Lorain Road, North Ridgeville

Vice Chairman Brad Saeger called the meeting to order at 6:37 p.m.

The first item was the review of the discussion plan for Baby Land Academy daycare center, 1656 Pearl Road. Ms. Plavecski explained that a modification will be necessary, as the front yard building setback exceeds 75 feet.

Chairman Joe Shirilla arrived at 6:41 p.m.

The second item was the review of the revised discussion plan for the Market 42 SPD-8 rezoning, conceptual plan, and development guidelines, 2099 and 2105 Pearl Road. Mr. Saeger stated he is concerned about the high density for the residential portion of the project. Mr. Arona commented he visited the site and stated there is a significant drop-off at the end of Glenmont Drive. He inquired if the residential portion of the property could be developed as a single-family cluster subdivision. Ms. Plavecski responded that code requires a minimum of 15 acres; the site contains only 8.1934 acres.

Mr. Saeger adjourned the meeting at 6:47 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

April 21, 2022

6:56 p.m.

Joe Shirilla, Chairman
Brad Saeger, Vice Chairman
John Rocha, Recording Secretary
Jeff Arona, Member
Abbas Hasan, Member
Kristy Piper, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Grant Aungst, Community & Economic Development Director
Thom Sutcliffe, Drees Homes, 6860 W. Snowville Road,
Suite 105, Brecksville
Nicholas Kyriazis, Ergotech Development Group, 2185
Southpointe Trail, Brunswick Hills (home address)
Necol Washington, Ergotech (no address given)
John Will, Ergotech (no address given)
Travis Crane, Davey Resource Group, 1310 Sharon Copley Rd,
Sharon Center
Chris Schmidt, Davey Resource Group, same
Tom Ludwig, Davey Resource Group, same
Doug Harsany, Harsany & Associates, 3870 Lindsey Road,
Lexington
Jason Mould, EMD Studio, 34899 Lorain Road, North Ridgeville
Cindy Wargo, 4195 Arlington Drive, Brunswick
Don Cepek, 2035 Glenmont Drive, Brunswick
Renee Sklenka, 2027 Glenmont Drive, Brunswick

Item 1

Chairman Joe Shirilla called the meeting to order at 6:56 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 7, 2022.

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

Item 4(a)

Regarding the discussion plan for Baby Land Academy daycare center, 1656 Pearl Road, Mr. Jason Mould, of EMD Studio, was present.

Mr. Jones noted the applicant needs to justify having three curb cuts on Pearl Road. He commented the northern-most drive is very close to the property line, which may make turning into the site difficult. He stated he would prefer one or two driveways, instead of three. He commented there will be probably be staggered drop-off and pick-up times for the children.

The Staff Review Comments were addressed as follows:

1. The existing building is located 96.04' from the Pearl Road right-of-way; Section 1260.05(a)(2)(A) requires a maximum front yard setback of 75', and Section 1260.07(a) requires that 2/3's of the building's street façade shall fall within the front yard zone established above. Additionally, the front yard parking zone width of 72' exceeds the maximum 45' width permitted by Section 1260.07(b).

In accordance with Section 1260.07(c), the Planning Commission may approve a greater front yard width or front yard parking zone width greater than the maximum in the following instances:

- (1) The applicant demonstrates to the satisfaction of the Planning Commission that a greater yard is necessary for maneuvering or display for uses such as, without limitation, auto dealers, auto service stations, and garden centers.
- (2) The master plan for the site shows that the negative effect of buildings with more than the maximum front yard will be offset by other buildings included in the master plan that will line the right-of-way in compliance with the maximum yard.
- (3) The applicant demonstrates to the satisfaction of the Planning Commission that more front yard parking than a single loaded bay is necessary because of the unique characteristics of the business or the site.

As required by Section 1260.07(d), before approving a front yard or front yard parking zone greater than the maximum, the Planning Commission shall find:

- (1) That the objectives of the Pearl and Center Road Corridor Plan adopted by Ordinance 86-04 will be met, including the vision, goals and preferred characteristics in Chapter 3; and

- (2) That the negative effects of greater building yards, including, without limitation, the impairment of pedestrian activity and streetscapes visually defined by a “sea of asphalt” will be outweighed by required landscaping and other required site amenities as provided below in Section 1260.07(e).

Pursuant to Section 1260.07(e), where the Planning Commission approves a front yard or front yard parking width exceeding the maximum, the Commission shall, as part of its findings, require one or more of the following improvements to lessen the negative effect of larger front yards:

- (1) Pedestrian amenities to create a physical and design linkage with the street, including, without limitation, plazas, benches, bike racks and landscaped or covered walkways.
- (2) Structural elements such as walls or decorative metal fencing used to satisfy the purpose and intent of the maximum yard requirement. Such walls or fencing shall be a minimum height of 4 feet, constructed of materials similar to or harmonious with the street facades of near-by buildings, and shall have openings no wider than necessary for vehicles or pedestrians to pass through.
- (3) Landscaping within adjacent parking areas equal to twice the minimum requirements in Section 1282.08(b). A minimum of 1,320 sq. ft. is required; 2,700 sq. ft. has been provided.

As the existing 96.04’ front yard setback and 72’ wide front yard parking zone width is needed for traffic maneuverability for the drop-off and pick-up of children, the Planning Commission agreed that a modification would be acceptable, pursuant to Section 1260.07(c), and that the requirements of Section 1260.07(d) have been met, in addition to Section 1260.07(e), whereby 2,700 sq. ft. of interior landscaping has been provided.

2. The Pearl Road driveway widths at the curb for the center and southern drive of 34.17’ and 40.36’, respectively, meet the 30’ minimum and 45’ maximum width required by Table 1276-4; however, the northern-most drive measures 29.34’. Additionally, the width for the above driveways at the Pearl Road right-of-way shall be provided; a minimum of 20’ is required.
3. Provide the proposed traffic pattern for drop-off and pick-up of children to justify the need for three driveways on Pearl Road. Mr. Mould explained the southern-most curb cut is for employees and there is a continuous curb cut which needs to be separate for food delivery trucks so they don’t have to back into the site. He said they need two curb cuts; one for drop-off and one for pick-up of children. Mr. Mould also commented the employees park behind the building and the Fire Department requires that both parking lots should be connected.
4. Pedestrian access shall be provided from the building to Pearl Road, as required by Section 1278.09(d), to which Mr. Mould agreed.

5. A photometrics plan shall be submitted with the detailed site plan, pursuant to Section 1276.14(a) and (c) respectively, indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, and an average illumination level not to exceed 2.4 footcandles. Mr. Mould stated they will provide it.
6. A Minor Subdivision application and fee to consolidate the four parcels shall be submitted to the Division of Planning, subject to engineering approval.

Regarding the building's front façade, Mr. Arona commented stone veneer should be added up to the horizontal break on the front window using the same material that is on the columns, and suggested a 36" height from grade extending across the entire front façade, to which Mr. Mould agreed.

Mr. Shirilla inquired if there could be a canopy over the front door; Mr. Mould replied they have extended the front porch canopy for drop-off of children.

Regarding Fire Department ground level access for the lower level, Mr. Arona questioned how will the access drive be used during business hours. Mr. Mould responded no one is driving through on a regular basis and the gate is closed at all times when the children are outside.

Mr. Mould explained the applicant purchased the existing building and the house next door, but they haven't determined what the house will be used for yet. Mr. Shirilla requested that the client should attend the detailed site plan meeting to provide the use of the house.

MR. ARONA MOTIONED TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN FOR BABY LAND ACADEMY DAYCARE CENTER, 1656 PEARL ROAD, SUBJECT TO THE FOLLOWING:

1. THE EXISTING BUILDING IS LOCATED 96.04' FROM THE PEARL ROAD RIGHT-OF-WAY; SECTION 1260.05(a)(2)(A) REQUIRES A MAXIMUM FRONT YARD SETBACK OF 75', AND SECTION 1260.07(a) REQUIRES THAT 2/3'S OF THE BUILDING'S STREET FAÇADE SHALL FALL WITHIN THE FRONT YARD ZONE ESTABLISHED ABOVE. ADDITIONALLY, THE FRONT YARD PARKING ZONE WIDTH OF 72' EXCEEDS THE MAXIMUM 45' WIDTH PERMITTED BY SECTION 1260.07(b). AS THE ADDITIONAL FRONT YARD SETBACK AND FRONT YARD PARKING ZONE WIDTH ARE NEEDED FOR THE SAFE AND EFFECTIVE CIRCULATION FOR TRAFFIC WITHIN THE FRONT YARD, THE PLANNING COMMISSION HAS GRANTED A MODIFICATION, AS PERMITTED BY SECTION 1260.07(c), TO ALLOW THE ABOVE EXISTING FRONT YARD SETBACK AND FRONT YARD PARKING ZONE WIDTH TO REMAIN, AND THAT THE REQUIREMENTS OF SECTION 1260.07(d) AND (e) HAVE BEEN MET, WHEREBY 2,700 SQ. FT. OF INTERIOR LANDSCAPING HAS BEEN PROVIDED, WHERE A MINIMUM OF 1,320 SQ. FT. IS REQUIRED.

2. THE PEARL ROAD DRIVEWAY WIDTHS AT THE CURB FOR THE CENTER AND SOUTHERN DRIVE OF 34.17' AND 40.36', RESPECTIVELY, MEET THE 30' MINIMUM AND 45' MAXIMUM WIDTH REQUIRED BY TABLE 1276-4; HOWEVER, THE NORTHERN-MOST DRIVE MEASURES 29.34'. ADDITIONALLY, THE WIDTH FOR THE ABOVE DRIVEWAYS AT THE PEARL ROAD RIGHT-OF-WAY SHALL BE PROVIDED; A MINIMUM OF 20' IS REQUIRED.
3. THE APPLICANT HAS JUSTIFIED THE NEED FOR THREE DRIVEWAYS ON PEARL ROAD AND SHALL INDICATE THE PROPOSED TRAFFIC PATTERN FOR DROP-OFF AND PICK-UP OF CHILDREN ON THE SITE PLAN.
4. PEDESTRIAN ACCESS SHALL BE PROVIDED FROM THE BUILDING TO PEARL ROAD, AS REQUIRED BY SECTION 1278.09(d). ADDITIONALLY, A WALKWAY SHALL BE PROVIDED FROM THE HOUSE TO THE DAYCARE CENTER.
5. A PHOTOMETRICS PLAN SHALL BE SUBMITTED WITH THE DETAILED SITE PLAN, PURSUANT TO SECTION 1276.14(a) AND (c) RESPECTIVELY, INDICATING A MINIMUM 0.6 FOOTCANDLE LIGHTING LEVEL FOR PARKING AND PEDESTRIAN AREAS, AND AN AVERAGE ILLUMINATION LEVEL NOT TO EXCEED 2.4 FOOTCANDLES.
6. A MINOR SUBDIVISION APPLICATION AND FEE TO CONSOLIDATE THE FOUR PARCELS SHALL BE SUBMITTED TO THE DIVISION OF PLANNING, SUBJECT TO ENGINEERING APPROVAL.
7. THE APPLICANT HAS AGREED TO PROVIDE AN ENHANCEMENT TO THE FRONT FAÇADE USING STONE VENEER SIMILAR TO THE BASE OF THE FRONT COLUMNS, WHICH WILL EXTEND TO A MINIMUM HEIGHT FROM GRADE TO THE HORIZONTAL BREAK ON THE FRONT FAÇADE WINDOWS.

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

Item 4(b)

Concerning the revised discussion plan for the Market 42 SPD-8 rezoning, conceptual plan, and development guidelines, 2099 and 2105 Pearl Road, Mr. Travis Crane and Mr. Tom Ludwig, Davey Resource Group; Mr. Nick Kyriazis, Mr. John Will, and Ms. Necol Washington, Ergotech Development Group; and Mr. Thom Sutcliffe, Drees Homes, were present.

Mr. Ludwig explained they are trying to integrate the development with the rest of the neighborhood. Mr. Shirilla asked why this project would merit an SPD designation. Mr. Ludwig noted on page 3 of Mr. Harsany's report that this would preserve the 1.27 acres of wetlands, instead of removing them. Mr. Shirilla questioned if this property is developed as an SPD, would there be a greater compatibility to the existing development, instead of developing it under the current R-L Low Density Residential District; Mr. Ludwig replied developing it as R-L would destroy the wetlands. Mr. Crane commented an SPD designation is the best use of the property for the city and the neighborhood. Mr. Shirilla noted the SPD

development guidelines state there is a maximum density of 4 units per acre; therefore, they could put in 32 units, but they are only proposing 18. He explained an SPD gives the Planning Commission latitude on certain design guidelines.

Mr. Crane asked if the Commission agrees the development qualifies as an SPD; Mr. Hasan responded yes, but guidelines are needed for setbacks and density. He questioned what is the developer giving and what is the neighborhood getting? Mr. Arona said he has some questions and is not ready to give an answer as to if the development qualifies as an SPD. He asked for clarification that the developer will not proceed with the farmers market if less than 18 units are built; Mr. Crane responded that is correct. He explained it is important to have walkability between the farmers market and the paired villas. He stated the farmers market will be open six days per week. Mr. Crane said they are hoping this walkability extends to other surrounding neighborhoods. He explained the paired villas are designed for empty-nesters and young professionals. Mr. Arona commented he can't believe the developer is depending on 18 homes to sustain the farmers market. Mr. Incorvaia stated he doesn't know if the Planning Commission can enforce that the commercial property has to be a farmers market.

Mr. Shirilla asked Mr. Incorvaia to read the permitted and conditionally permitted uses that are allowed in the C-G General Commercial District and GW-C Gateway Commercial District. Mr. Shirilla noted that an undesirable use could potentially go into the commercial portion of this project. Mr. Harsany commented they can have separation between the commercial and residential portions of the development, as well as having connectivity.

Mr. Shirilla opened the public comment period.

Ms. Cindy Wargo, 4195 Arlington Drive, Brunswick, stated she is requesting the SPD application to be denied. She commented this is spot zoning and the concept of 18 houses supporting Market 42 is unrealistic. She said the site area doesn't meet the minimum size requirement and will cause more problems for the residents and the city. She stated this project is better suited for Laurel Square. Ms. Wargo noted the applicant is entitled to develop the property, but not at the expense of the residents. She further stated that better protection should be provided for the wetlands and the community.

Mr. Don Cepek, 2035 Glenmont Drive, Brunswick, stated there are too many homes proposed for the residential portion of the development. He said he is concerned about the traffic pattern for emergency vehicle access and noted there is a line-of-sight issue at the intersection of Glenmont Drive and Cherryshire Drive. He commented there should be access directly off of Pearl Road. Mr. Cepek said it is a preposterous statement that 18 homes will support the farmers market.

Ms. Renee Sklenka, 2027 Glenmont Drive, Brunswick, noted there is a 20' drop from Glenmont Drive to the proposed development. She stated Carol and Jeff Lynn, who live at the end of Glenmont Drive by the street stub, are out of town tonight, but they forwarded their comments to Councilman Hanek. She commented there are too many homes proposed for this development.

Mr. Aungst stated developing this property as an SPD allows the Planning Commission to have more control. He explained if the property is developed as R-L Low Density Residential, all the trees and wetlands will be removed. He commented the Glenmont Drive stub street was always meant to be developed and proper stormwater control measures are required by the city. He noted if this property is developed as R-L, Molly Drive will be a cut-through street, instead of a cul-de-sac. He commented when Cherryshire Woods was developed, the existing residents didn't want a new subdivision being built either. He said a retaining wall will be installed to help with stormwater management, which will be very expensive.

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

Mr. Shirilla noted there is a 20' drop from Glenmont Drive and a 16' drop from Molly Drive. He said Glenmont Drive and the subdivision will have to be raised up. He explained a Pearl Road entrance to the development is not feasible, as the developer doesn't own the property. He stated an SPD protects the interests of the community.

Mr. Harsany commented the proposed maximum density of the development is 4 units per acre, resulting in 32 units, but it would be less due to the topography and wetlands.

Mr. Jones explained the stormwater management guidelines must be met and noted the proposed development sits lower than Glenmont Drive and Shalbey Trail. He said the 20' drop-off is over a stretch of 100 to 150 feet. He stated there is a substantial amount of fill near Glenmont Drive, and erosion in that area is due to the slope.

Regarding the traffic layout, Mr. Jones commented the cul-de-sac helps the safety and services forces. He explained if the property is developed as R-L, more traffic will be created due to connecting with Molly Drive, instead of a cul-de-sac if developed as an SPD.

Concerning the development guidelines, Mr. Arona said Section F Commercial Uses needs to be more specific. Mr. Shirilla inquired if the Planning Commission can limit the uses in the commercial portion; Mr. Incorvaia replied yes. Mr. Saeger stated he thinks the property merits an SPD designation because of the potential uses under current zoning. Mr. Hasan said the residents and developer should have reasonable expectations and he also felt the proposal meets the requirements of an SPD. He commented the density probably won't be 18 paired villas, due to the topography. He suggested moving the rear setback to 45', which would move the paired villas further away from the property line, and the wetlands would still remain. He said this would be a compromise between the developer and the residents.

Mr. Shirilla asked why 18 homes are proposed; Mr. Crane replied the initial plan had more triplexes and fourplexes, resulting in more than 20 units. He said the developer decided on building paired villas, thus, containing all end units.

Mr. Aungst suggested eliminating the sidewalk on the north side and moving the buildings further back from the property line, which would be similar to R-L development. Mr. Jones commented this was done at The Preserve at Meadow View SPD-6 and Oak Ridge Preserve SPD-7.

Mr. Shirilla noted the residents are concerned about density and traffic, and some houses on Glenmont Drive will overlook the wetlands. He stated the Planning Commission could require a buffer zone to be established in the SPD development guidelines. Mr. Kyriazis commented he originally thought about constructing a car wash or auto repair shop for the commercial portion of the land, but decided on building a farmers' market. He explained Medina has something similar to this, but only in the summer, and this will support local farmers. He stated he has a contractual agreement with Drees Homes to build the farmers' market.

Mr. Hasan asked if the Planning Commission can limit the commercial portion to one use, to which Mr. Incorvaia responded yes. Mr. Aungst commented he doesn't want to be too restrictive, because a lot of activities associated with the farmers' market will be taking place.

Mr. Arona stated the development guidelines should incorporate additional language for commercial uses. He said Units 1 and 2 are too close to the property line, and Units 3, 4, 5 and 6 are also problematic. He stated he would like to see more ideas on the retaining wall and keeping as many trees as possible for privacy. He suggested marking where a potential "Do Not Disturb Zone" would be on the site plan and to designate where off-street parking will be located. Mr. Jones commented as this is a public street, on-street parking would be available.

Mr. Shirilla suggested implementing a limitation on the commercial uses, which should be harmonious to The Pearl and Center Road Corridor Plan. He noted there should be a masonry requirement on the front façade of the paired villas and asked if these are one-story or two-story buildings. Mr. Crane answered they are two-story with the master bedroom on the first floor. Mr. Shirilla stated specifics should be added to the site plan as to how far the walking trail will be from the rear property lines of 4266 and 4260 Shalbey Trail. He also commented the paired villas will not be designed as "snout houses" (prominent garage forward).

Mr. Rocha suggested that language could be added to the development guidelines prohibiting renting of the paired villas; Mr. Aungst responded whomever owns the property is allowed to rent it.

Mr. Shirilla stated a revised discussion plan should be submitted addressing the density and buffer zones.

MR. SAEGER MOTIONED TO TABLE AT THE APPLICANT'S REQUEST, THE MARKET 42 SPD-8 REZONING, CONCEPTUAL PLAN, AND DEVELOPMENT GUIDELINES, 2099 AND 2105 PEARL ROAD.

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

Item 5

Regarding old business, Ms. Plavecski explained Ed Neiner, 9er's Diner, 63 Pearl Road, is having difficulty submitting a photometrics plan for the proposed patio, which is a condition of the Planning Commission's March 17, 2022 approval, as no lighting engineers have been returning his calls.

Ms. Plavecski asked if the Planning Commission could grant a modification, as permitted by Section 1276.15(b), to waive the photometrics requirement, as only outdoor light bulbs are being hung across the patio, to which Mr. Incorvaia responded yes. Mr. Shirilla stated as this is merely seasonal outdoor lighting, he thought a modification would be appropriate.

MR. SAEGER MOTIONED TO GRANT A MODIFICATION TO WAIVE THE REQUIREMENT TO PROVIDE A PHOTOMETRICS PLAN, WHICH IS A CONDITION OF THE PLANNING COMMISSION'S MARCH 17, 2022 SITE PLAN APPROVAL, FOR 9ER'S DINER, 63 PEARL ROAD, AS THE PROPOSED OUTDOOR LIGHTING IS ONLY SEASONAL. THE PLANNING COMMISSION, AS PERMITTED BY SECTION 1276.15(b), MAY MODIFY THE SPECIFIC STANDARDS OF THIS CHAPTER AND APPROVE LESS RESTRICTIVE PARKING OR SITE DESIGN IMPROVEMENTS IN INDIVIDUAL, UNIQUE SITUATIONS WHERE SUCH STANDARDS ARE CLEARLY INAPPLICABLE. IN MODIFYING ANY REQUIREMENT OF THIS CHAPTER, THE COMMISSION HAS FOUND THAT THE OBJECTIVES OF THIS CHAPTER, AS STATED IN SECTION 1276.01, HAVE BEEN MET, THAT THE INTENT OF THE SPECIFIC REQUIREMENT WILL BE MAINTAINED, AND THAT THE PUBLIC INTEREST WILL BE SERVED.

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

Item 6

There was no new business.

Item 7

No one appeared at the public comment period.

Item 8

Mrs. Piper 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 9:48 p.m.

Respectfully,

Pamela Plavecki

PLANNING COMMISSION STAFF REPORT

April 21, 2021

Baby Land Academy daycare center

(Discussion plan)

Location: 1656 Pearl Road
C-G District

Proposed Use & Background:

An application has been submitted to renovate the existing approximate 4,528 sq. ft. building into a daycare center. Interior renovations are being performed with no added foundation area to the structure; however, a 1,540 sq. ft. detached pavilion will be constructed. Four parcels will be consolidated into one property (Parcel Nos. 003-18C-04-087, 003-18C-04-088, 003-18C-04-089 and 003-18C-04-081).

Thirty-three (33) parking spaces are proposed, including two handicap-accessible spaces (one van-accessible space and one regular space), which meets the minimum 29 spaces required by Table 1276-1(b)(4) of the Zoning Code for child care facilities, and Table 1106.1 and Section 1106.5 of the 2017 Ohio Building Code. New parking lot paving will be installed; 5,200 sq. ft. in the rear of the building, and 2,700 sq. ft. in the front of the building, in accordance with Section 1276.10(c). An access drive will lead from the front parking lot to the rear lot. Drive aisle widths of 24' and parking stall dimensions of 9' x 19' are indicated, in compliance with Table 1276-3. A dumpster enclosure is located at the northwest corner of the property.

The building façade will be constructed with double 4" clapboard maple-colored vinyl siding. The existing roof will be removed, along with any necessary repairs to the plywood sheathing, and replaced with asphalt shingles to match the building. On the east elevation facing Pearl Road, in addition to the new vinyl siding, the existing wood portion of the structure beneath the new glass windows will be painted to match the new siding.

Section 1260.07(a) requires that street facades greater than 60' in width shall incorporate one or more wall planes, projections or recesses having a minimum depth of at least 3% of the street façade and extending at least 20% of the length of the street façade. The building has a 64' wide street façade and a new 10' deep x 48' long entry porch will be constructed, which meets the minimum 1.92' deep projection and minimum 12'8" length required by the above section. The entry porch will utilize metal columns that will be wrapped with PVC trim to match the new aluminum trim. The base of the columns will be covered with stone veneer in earth-tone colors.

A 1,540 sq. ft. pavilion will be constructed west of the existing building that will incorporate a peaked roof with brown asphalt shingles and vinyl siding to match the proposed daycare center, and will be placed on a 4" thick concrete base. Treated 6" x 6" posts will be used to support the roof, and electrical service will be provided for the pavilion. Additionally, a new playground is indicated adjacent to the west side of the pavilion that will be enclosed by a 4' high chain link fence. A path will lead from the daycare center to the pavilion and playground. The north, west, and south sides of the property will be enclosed by a 6' high wood privacy fence.

Concerning landscaping, the species, height, and tree caliper in the 10' wide screening strip along the Pearl Road right-of-way meet the requirements of Section 1282.06(g). Additionally, as a condition of granting a modification to the front yard setback and front parking zone width, pursuant to Section 1260.07(e)(3), a minimum of 1,320 sq. ft. is required (2 x 660 sq. ft. - 33 parking spaces x 20 sq. ft.); 2,700 sq. ft. has been provided.

Staff Review Comments:

1. The existing building is located 96.04' from the Pearl Road right-of-way; Section 1260.05(a)(2)(A) requires a maximum front yard setback of 75', and Section 1260.07(a) requires that 2/3's of the building's street façade shall fall within the front yard zone established above. Additionally, the front yard parking zone width of 72' exceeds the maximum 45' width permitted by Section 1260.07(b).

In accordance with Section 1260.07(c), the Planning Commission may approve a greater front yard width or front yard parking zone width greater than the maximum in the following instances:

- (1) The applicant demonstrates to the satisfaction of the Planning Commission that a greater yard is necessary for maneuvering or display for uses such as, without limitation, auto dealers, auto service stations, and garden centers.
- (2) The master plan for the site shows that the negative effect of buildings with more than the maximum front yard will be offset by other buildings included in the master plan that will line the right-of-way in compliance with the maximum yard.
- (3) The applicant demonstrates to the satisfaction of the Planning Commission that more front yard parking than a single loaded bay is necessary because of the unique characteristics of the business or the site.

As required by Section 1260.07(d), before approving a front yard or front yard parking zone greater than the maximum, the Planning Commission shall find:

- (1) That the objectives of the Pearl and Center Road Corridor Plan adopted by Ordinance 86-04 will be met, including the vision, goals and preferred characteristics in Chapter 3; and
- (2) That the negative effects of greater building yards, including, without limitation, the impairment of pedestrian activity and streetscapes visually defined by a "sea of asphalt" will be outweighed by required landscaping and other required site amenities as provided below in Section 1260.07(e).

Pursuant to Section 1260.07(e), where the Planning Commission approves a front yard or front yard parking width exceeding the maximum, the Commission shall, as part of its findings, require one or more of the following improvements to lessen the negative effect of larger front yards:

- (1) Pedestrian amenities to create a physical and design linkage with the street, including, without limitation, plazas, benches, bike racks and landscaped or covered walkways.
 - (2) Structural elements such as walls or decorative metal fencing used to satisfy the purpose and intent of the maximum yard requirement. Such walls or fencing shall be a minimum height of 4 feet, constructed of materials similar to or harmonious with the street facades of near-by buildings, and shall have openings no wider than necessary for vehicles or pedestrians to pass through.
 - (3) Landscaping within adjacent parking areas equal to twice the minimum requirements in Section 1282.08(b). A minimum of 1,320 sq. ft. is required; 2,700 sq. ft. has been provided.
2. The Pearl Road driveway widths at the curb for the center and southern drive of 34.17' and 40.36', respectively, meet the 30' minimum and 45' maximum width required by Table 1276-4; however, the northern-most drive measures 29.34'. Additionally, the width for the above driveways at the Pearl Road right-of-way shall be provided; a minimum of 20' is required.
 3. Provide the proposed traffic pattern for drop-off and pick-up of children to justify the need for three driveways on Pearl Road.
 4. Pedestrian access shall be provided from the building to Pearl Road, as required by Section 1278.09(d).
 5. A photometrics plan shall be submitted with the detailed site plan, pursuant to Section 1276.14(a) and (c) respectively, indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, and an average illumination level not to exceed 2.4 footcandles.
 6. A Minor Subdivision application and fee to consolidate the four parcels shall be submitted to the Division of Planning, subject to engineering approval.

Staff Recommendations:

Staff recommends moving the discussion plan to a detailed site plan, pending the Planning Commission's ruling on the modifications.

Market 42 SPD-8

(Revised discussion plan)

Location: 2099 and 2105 Pearl Road
Existing C-G, GW-C, and R-L Districts

Proposed Use & Background:

At their meeting on March 3, 2022, per the applicant's request, the Planning Commission tabled the discussion plan to rezone existing Permanent Parcel Nos. 003-18D-19-008 consisting of 7.229 acres in the C-G General Commercial District and R-L Low Density Residential District (2099 Pearl Road), and 003-18D-24-001 measuring approximately 1 acre in the GW-C Gateway Commercial District (2105 Pearl Road), for a total of 8.1934 acres, to create Special Planning District No. 8. This will be a mixed-use development consisting of a 25,610 sq. ft. commercial marketplace building and eighteen residential paired (attached/detached 2-unit) villas. Pursuant to Section 1268.02, a conceptual development plan and development guidelines have been submitted.

To address a staff review comment from the March 3rd meeting, the rezoning exhibit map has been corrected to indicate that Permanent Parcel No. 003-18D-19-008 (7.229 acres) has an existing address of 2099 Pearl Road and Permanent Parcel No. 003-18D-24-001 (approximate 1 acre) has an existing address of 2105 Pearl Road. Additionally, the "Overview" of the development guidelines has been corrected to indicate the correct site area of 8.1934 acres.

An additional staff review comment from the above meeting was addressed, whereby Section D(5)(c) has been eliminated from the development guidelines, as lower level finished spaces are not considered part of the living area, pursuant to Section 1242.02(32)(e), which states minimum square footage of a single-family dwelling shall not include any area below the front grade.

In response to the Planning Commission's request at the March 3rd meeting to provide an option of developing the residential portion of the property as a R-L District, a discussion plan has been submitted showing eight lots being constructed as a single-family cluster development, instead of the proposed eighteen lots if the property was developed as an SPD. In the proposed R-L development, the existing 4.7 acres would be increased to 5.9 acres by means of moving the R-L boundary further west to create two rectangular parcels for the C-G and GW-C Districts. A 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, which requires a minimum site area of 15 acres, in accordance with Section 1284.04(a)(1). However, the Planning Commission may, by the concurring vote of three members, allow areas of less than 15 acres if it determines that the single family cluster development can adequately meet the intent of Section 1284.01.

There are approximately 1.27 acres of wetlands on the residential portion of the property, which would be removed, whereby the impacted wetland area would be mitigated off-site

through the purchase of mitigation credits. If the property is developed as a single-family cluster development, a minimum 30% common open space is required by Section 1284.04(a)(3); 1.77 acres of open space will be provided. The stormwater management pond will be designed as an amenity pond to qualify towards the open space requirement, which is permitted by Section 1284.07(g) of the Zoning Code.

Entry to the proposed single family cluster development would be via the southern extension of Glenmont Drive that would connect to a western extension of Molly Drive (Street "A") from the existing cul-de-sac bulb. This western extension would also terminate in a cul-de-sac. The maximum density for a single-family cluster development is 2.2 units per acre; however, due to the 30% common open space requirement, and minimum 13,600 sq. ft. lot size and minimum 85' lot width, pursuant to Section 1284.04(b)(1) and (2), respectively, along with the property being a narrow site, the density would be reduced to 1.36 units per acre.

The applicant has stated if the commercial property is developed as C-G and GW-C, instead of an SPD, it would be developed in the future by either the applicant or sold to commercial developers. Due to the reduced density of the residential portion of the project, the applicant does not believe there is a sustainable customer base to facilitate the success of a local farmers market.

As permitted by Section 1278.03(h), a review and report of the proposed Market 42 SPD-8 has been submitted by an independent consultant. The consultant has noted in his summary that the subject property is a challenging site with difficult topography, but with features that are worth saving such as wetlands, trees, and greenspace. It is the consultant's opinion that the proposed development meets the purpose and intent of an SPD, and that the development guidelines are basically reasonable, although the commercial portion of the plan still needs further attention. However, he has expressed concern over the steep slopes within the residential portion of the development, along with stormwater runoff and drainage.

Staff Review Comments:

1. Section 1268.05(a) requires a minimum site of ten acres; however, the Planning Commission and City Council may consider areas of less than ten acres if they determine the proposed SPD is necessary to achieve the purposes in Section 1268.01 as follows:
 - (a) To regulate the development and use of property in areas throughout the City that contain sensitive or unique environmental, historic, architectural, or other features which require additional protections and flexibility not provided through the application of the Zoning Code;
 - (b) To promote creative and sensitive site planning;
 - (c) To provide for a greater range or mixture of compatible uses than would be allowable in the standard zoning districts of this Code, while also requiring features that protect against negative impacts of incompatible land uses or harm to the environment;
 - (d) To provide an effective method for the City to guide the development of such areas so as to preserve unique characteristics or to provide for the greater range or mixture of land uses when appropriate; and

- (e) To create a regulatory structure which will allow more flexible and creative design of the built environment, within the limits of the approved conceptual development plan, than is possible with the lot-by-lot design approach of a conventional zoning district.
- 2. The Planning Commission, pursuant to Section 1268.01 as stated above, shall determine if the purpose of a Special Planning District has been met, and that one or more of the following conditions listed in Section 1268.05(c) below 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.
- 3. Provide the cul-de-sac length of the Glenmont Drive extension in proposed SPD-8; Section 1228.02(d) of the Subdivision Regulations 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.
- 4. Pursuant to Section 1268.02, the rezoning, conceptual plan and development guidelines are subject to City Council approval, for which a public hearing is required, in accordance with Section 1268.06(b) of the Zoning Code and City Charter Section 6.02.

Revisions to the development guidelines as recommended by the independent consultant:

- 1. Minimum building envelope widths and depths should be added (insert in Section D). Additionally, Section D(3)(a) states building envelopes shall be located 20' from the SPD-8 boundary; however, the conceptual plan indicates a 15' separation. Consistency should be provided between the development guidelines and conceptual plan.
- 2. A minimum 200 sq. ft. of private outdoor space, with minimum dimensions of 10', shall be provided (add to Section E) to allow residents flexibility in the manner for which the outdoor spaces are designed and used.
- 3. In order to accommodate supplementary parked and stopped vehicles, and to allow for a clear path for emergency vehicle access, recommend limiting parking on one side of the street or a designated area, and no parking on the cul-de-sacs (add to Section E).

4. In order to ensure the sides and rear of the paired villas will be attractive, add the language “Structures shall use offsets, projections, recesses and other comparable design elements to avoid long, uninterrupted wall or roof planes, and a variety of textures and materials will be used to add interest and character.” (This language is consistent with development standards in The Preserve at Meadow View SPD-6 and Oak Ridge Preserve SPD-7 and should be added to Section E).
5. In order to prevent garage-prominent dwellings (“snout houses”), add “The garage door shall be a maximum of 2’ forward (toward 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.” (This language is used in Section 1284.06(j)(1) for single family cluster development and should be added to Section E(3)(e) of the development guidelines).
6. Concerning landscaping, with a 4’ width between the sidewalk and the street, the independent consultant does not recommend adding street trees, though provisions in the development guidelines should be made to make the street and front yards attractive. He suggests planting trees of a smaller species with careful spacing between the house and sidewalk, along with other landscape elements, which should be added to the development guidelines. Provide additional details around the placement of new trees to maintain the buffers and natural feel of the site, i.e. size, species, locations and numbers (add to Section E).
7. Further details for Sections F, G and H regarding Commercial Uses; Commercial Density, Separation and Floor Area Requirements; and Commercial Development Standards, respectively, shall be provided.

Staff Recommendations:

Staff withholds recommendation until the above items are addressed.

