

Brunswick City Planning Commission

September 15, 2022 - Caucus

6:30 p.m.

Joe Shirilla, Chairman
Brad Saeger, Vice Chairman
John Rocha, Recording Secretary
Jeff Arona, Member
Abbas Hasan, 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
Thom Sutcliffe, Drees Homes, 6860 W. Snowville Road,
Suite 105, Brecksville
Tony Svoboda, Drees Homes, same as above
Nicholas Kyriazis, Ergotech Development Group, 2185
Southpointe Trail, Brunswick Hills (home address)
Necol and John Washington, Ergotech Development Group (no
address given)
Travis Crane, Davey Resource Group, 1310 Sharon Copley Rd,
Sharon Center
Tom Ludwig, Davey Resource Group, same as above
Kim Harrington, Brownstone Building & Redevelopment, 3660
Center Road, Suite #117, Brunswick
Jim Maclellan, Engelke Construction, 2927 Nationwide Parkway,
Brunswick
Rick Yanito, Hadcock Properties, 4351 State Road, Peninsula
Dave Budge, WXZ, 22720 Fairview Center Drive #150, Fairview
Park

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

The first item was the review of the revised home elevations for Oak Ridge Preserve SPD-7, 834 Pearl Road. Mr. Shirilla and Mr. Arona stated the elevations look good.

The second item was the discussion of the façade renovation for Hadcock Properties, 3839 - 3853 Center Road. Ms. Plavecski commented the Planning Commission requested landscaping on the west side of the building, which needs to be shown.

The third item was the review of the rezoning, conceptual plan, and development guidelines for Market 42 SPD-8, 2099 and 2105 Pearl Road. Ms. Plavecski noted there are a few items that need to be addressed regarding the development guidelines.

The fourth item was the review of the discussion plan for Center Road City Daily new retail center, 3801 Center Road (former Tri-County Oncology). As there were numerous Staff Review Comments on this application, the Commission agreed to discuss this further in the regular meeting.

Mr. Shirilla adjourned the meeting at 6:40 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

September 15, 2022

6:47 p.m.

Joe Shirilla, Chairman
Brad Saeger, Vice Chairman
John Rocha, Recording Secretary
Jeff Arona, Member
Abbas Hasan, Member
Joe Delsanter, Council Representative
Matt Jones, Consulting City Engineer
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Rick Yanito, Hadcock Properties, 4351 State Road, Peninsula
Dave Budge, WXZ, 22720 Fairview Center Drive #150, Fairview
Park

Item 1

Chairman Joe Shirilla called the meeting to order at 6:47 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 SEPTEMBER 1, 2022.

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

Item 4(a)

Regarding the revised home elevations for Oak Ridge Preserve SPD-7, 834 Pearl Road, Mrs. Kim Harrington, owner; and Mr. Jim Maclellan, Engelke Construction, were present.

Mr. Saeger clarified that elevations "D" and "E" are side elevations. Mr. Arona inquired if the windows are offset on adjacent homes; Mr. Maclellan responded, yes, these are usually bathroom or kitchen windows. Mr. Arona inquired on all the elevations that have front porches, if there is sufficient room to sit on them; Mr. Maclellan replied yes, these are full porches.

MR. ARONA MOTIONED TO APPROVE THE OAK RIDE PRESERVE SPD-7 HOME ELEVATIONS, 834 PEARL ROAD, AS FOLLOWS: BIRCHWOOD "A", "B", "C", "D", AND "E"; DEERFIELD "A", "B", "C", "D", "E", AND "F"; AND SOMERSET "A", "B", "C", "D", AND "E".

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

Item 4(b)

Concerning the façade renovation for Hadcock Properties, 3839 – 3853 Center Road, Mr. Rick Yanito, owner, was present.

The Staff Review Comments were addressed as follows:

1. The plaza was constructed in 1986 (current Zoning Code adopted June 11, 1997), and is an existing nonconforming site whereby the front yard setback is approximately 66' from the Center Road right-of-way, where Section 1260.05(a)(2)(B) permits a maximum of 60'. No site improvements are proposed, other than renovating the top portion of the front of the building and painting the façade. There is limited room on the property for site improvements that would be required by Section 1260.07(e) for a front yard setback modification, in addition to Sections 1282.06 and 1282.08 for landscaping along the Center Road right-of-way and interior landscaping, respectively. Pursuant to Section 1272.07(b), where the Planning Commission determines that it is clearly not practical or not in the public interest to bring a nonconforming site into total compliance with all applicable development standards, the Commission may secure agreements to provide reasonable, lesser improvements which will protect the interests of both the applicant and neighboring property owners. All new site improvements shall comply with current development standards. The Planning Commission determined that it would be practical to install lesser improvements.

2. The Commission requested at the January 20th meeting to add architectural enhancements on the west façade to break up the long expanse of blank wall, pursuant to Section 1278.08(c), and also suggested adding landscaping. Mr. Yanito stated he will plant arborvitae on the west side of the building and will also add lighting fixtures on the front elevation.
3. A color rendering shall be provided for all sides of the building, which Mr. Yanito showed to the Planning Commission. He stated he will be using different façade colors from what was originally proposed. He said the new color scheme will be “Weather Zinc”, “Champagne” and “Vintage”, which are shades of dark gray, tan, and bronze.
4. All signage, including wall and freestanding, shall be updated in compliance with Section 1270.05 – Table B. Also, Section 1270.14(a), which was adopted on September 27, 2021 (Ordinance No. 72-2021), states where a nonconforming sign exists on the property subject to a building permit application, no permit shall be issued until the nonconforming sign is made to conform with the requirements of Chapter 1270 entitled “Signs”. Therefore, the existing pole sign must be removed, as this is a prohibited sign, pursuant to Section 1270.11(m). Due to visibility issues on the site, the applicant is proposing to lower the existing pole on the sign from 10’ to 7’, with a total height of 15’3” (existing sign is 16.9’) and reduce the width on the sign face area to 8’, which will increase the height, as the tenant names will be vertically stacked, resulting in a sign face area of 66 sq. ft. Landscaping is proposed around the sign base. The proposed sign will require a variance from the Board of Zoning Appeals.

Regarding the dumpster enclosure, Mr. Yanito explained one tenant has a contract with a trash removal contractor through 2024. He said he would like to have only one dumpster in the plaza, but there are six separate dumpsters under contract. Mr. Aungst suggested having three dumpsters, but commented that each dumpster would require an enclosure constructed with materials comparable to the building. Mr. Shirilla stated the dumpster location and enclosure material will be subject to Administration approval.

MR. SHIRILLA MOTIONED TO APPROVE THE HADCOCK PROPERTIES FAÇADE RENOVATION, 3839 – 3853 CENTER ROAD, SUBJECT TO THE FOLLOWING:

1. THE PLAZA WAS CONSTRUCTED IN 1986 (CURRENT ZONING CODE ADOPTED JUNE 11, 1997), AND IS AN EXISTING NONCONFORMING SITE. NO SITE IMPROVEMENTS ARE PROPOSED, OTHER THAN RENOVATING THE TOP PORTION OF THE FRONT OF THE BUILDING AND PAINTING THE STRUCTURE. THERE IS LIMITED ROOM ON THE PROPERTY FOR SITE IMPROVEMENTS THAT WOULD BE REQUIRED BY SECTION 1260.07(e) FOR A FRONT YARD SETBACK MODIFICATION, IN ADDITION TO SECTIONS 1282.06 AND 1282.08 FOR LANDSCAPING ALONG THE CENTER ROAD RIGHT-OF-WAY AND INTERIOR LANDSCAPING, RESPECTIVELY. THEREFORE, PURSUANT TO SECTION 1272.07(b), THE PLANNING COMMISSION HAS DETERMINED IT IS CLEARLY NOT PRACTICAL NOR IN THE PUBLIC INTEREST TO BRING A

NONCONFORMING SITE INTO TOTAL COMPLIANCE WITH ALL APPLICABLE DEVELOPMENT STANDARDS, AND HAS SECURED AGREEMENTS FROM THE APPLICANT TO PROVIDE REASONABLE, LESSER IMPROVEMENTS WHICH WILL PROTECT THE INTERESTS OF BOTH THE APPLICANT AND NEIGHBORING PROPERTY OWNERS. ALL NEW SITE IMPROVEMENTS SHALL COMPLY WITH CURRENT DEVELOPMENT STANDARDS.

2. ARBORVITAE SHALL BE PLANTED ALONG THE WEST FAÇADE TO BREAK UP THE LONG EXPANSE OF BLANK WALL, PURSUANT TO SECTION 1278.08(c), AS SUBMITTED ON SEPTEMBER 15, 2022. ADDITIONALLY, WALL SCONCES SHALL BE ADDED ON THE FRONT FAÇADE OF THE BUILDING TO PROVIDE FURTHER ARCHITECTURAL ENHANCEMENTS.
3. THE APPLICANT SHALL SUBMIT A REVISED COLOR RENDERING OF THE BUILDING FAÇADE INDICATING THE NEW COLORS OF “WEATHER ZINC”, “CHAMPAGNE” AND “VINTAGE” THAT WERE PROPOSED AT THE SEPTEMBER 15, 2022 MEETING.
4. THE LOCATION AND MATERIAL OF THE REQUIRED DUMPSTER ENCLOSURE(S), PURSUANT TO SECTION 1276.12(a), SHALL BE SUBJECT TO ADMINISTRATION AND ENGINEERING APPROVAL.
5. SIGNAGE SHALL BE UPDATED IN COMPLIANCE WITH SECTION 1270.05 – TABLE B. ALSO, SECTION 1270.14(a), WHICH WAS ADOPTED ON SEPTEMBER 27, 2021 (ORDINANCE NO. 72-2021), STATES WHERE A NONCONFORMING SIGN EXISTS ON THE PROPERTY SUBJECT TO A BUILDING PERMIT APPLICATION, NO PERMIT SHALL BE ISSUED UNTIL THE NONCONFORMING SIGN IS MADE TO CONFORM WITH THE REQUIREMENTS OF CHAPTER 1270 ENTITLED “SIGNS”. THEREFORE, THE EXISTING POLE SIGN MUST BE REMOVED, AS THIS IS A PROHIBITED SIGN, IN ACCORDANCE WITH SECTION 1270.11(m).

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

Item 4(c)

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

Mr. Ludwig explained the driveways for Units 7 and 8 have been separated with a few feet in between, but it wasn't feasible to do that for Units 5 and 6, as they share a common wall. Mr. Arona commented short of removing two units, the plan is an improvement. He inquired who will connect the walking trail to Molly Drive; Mr. Jones responded the City will give the developer permission to work in the right-of-way and connect the trail to Molly Drive. He stated a bollard will be added to ensure no one drives on it.

The Staff Review Comments were addressed as follows:

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.

Mr. Shirilla asked the Commission if they agree Market 42 should be an SPD, to which they agreed. Mr. Arona stated he is alright with it, as long as the applicant builds the commercial portion of the project according to the development guidelines. Mr. Hasan commented the financial guarantee will be submitted for the entire project, both commercial and residential. Mr. Shirilla stated the Market 42 and residential homes need to be constructed at the same time. Mr. Kyriazis said they might start clearing land for the commercial portion first.

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. The Commission determined that conditions 1 and 3 have been met.

3. The cul-de-sac length is 672 linear feet on the Glenmont Drive extension; 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. Verify the right-of-way diameter at the cul-de-sac is at least 120 feet. Mr. Jones stated he is alright with a slightly longer cul-de-sac length and noted Medina County allows a cul-de-sac length of 2,500 feet and a maximum of 50 homes on a single access.
4. Regarding changes to the Development Guidelines, Section 1.5(3)(d) Design Standards. The wording “Natural stone shall be present up to the windows on all street facing primary elevations; stamped brick to grade shall be permitted on all other non-street facing elevations.” The Administration suggests the following revision: “Natural stone shall be present up to the **bottom of the first floor** windows on all street facing primary elevations; stamped brick to grade shall be permitted on all other non-street facing elevations.” Mr. Svoboda agreed to add that stipulation. The Commission requested at the July 21st meeting that wording similar to Oak Ridge Preserve SPD-7, Section E(3)(f) should be added, which states “Exposed foundation walls shall be covered with brick, stone, masonry or vinyl siding. Exposed formed in place concrete is acceptable no more than 4 inches above grade on front elevation and 16 inches above grade on side and rear elevations.” Mr. Svoboda explained that requirement has already been added under Section 1.5(3)(j).
5. Section 2.1(2)(c) and (d) Principally Permitted Uses, the Commission suggested at the July 21st meeting that “Professional Offices” and “Event Space” should be removed as principally permitted uses and listed as conditionally permitted uses. The applicant has chosen to have these remain as principally permitted uses. The Planning Commission agreed to allow both professional offices and event space as principally permitted uses with the stipulation that a maximum of 15% of the enclosed building space will be allowed for professional offices.
6. Section 2.2(4) Rear Yard Setback. The Commission requested for an actual number for the parking setback, which has not been provided. Mr. Svoboda stated there will be a minimum 5’ side and rear yard parking setback.
7. Section 2.3 Commercial Development Standards. The Commission requested to add this section regarding building height, building materials, and building design, similar to the Residential Development Standards in Section 1.5. The Commission determined the revised section is satisfactory.
8. Pursuant to Section 1268.02, the rezoning, conceptual plan and development guidelines are subject to City Council approval.

Mr. Hasan inquired if the trees shown on the plan are being provided by the developer; Mr. Ludwig answered they will try to keep as many trees as possible and they will provide screening.

Mr. Shirilla questioned if the detention ponds will be dry or wet; Mr. Crane replied that has not yet been determined.

Mr. Shirilla opened the public comment period; no one appeared, so he declared it closed.

MR. HASAN MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE MARKET 42 REZONING, CONCEPTUAL PLAN, AND DEVELOPMENT GUIDELINES FOR MARKET 42 SPD-8, 2099 AND 2105 PEARL ROAD, SUBJECT TO THE FOLLOWING:

1. SECTION 1268.05(a) REQUIRES A MINIMUM SITE OF TEN ACRES; 8.1934 ACRES ARE PROVIDED. 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(a) THROUGH (e), WHICH THE COMMISSION HAS DETERMINED HAS BEEN MET.
2. THE PLANNING COMMISSION, PURSUANT TO SECTION 1268.01, AS STATED ABOVE, HAS DETERMINED THE PURPOSE OF A SPECIAL PLANNING DISTRICT HAS BEEN MET, AND THAT THE CONDITIONS LISTED IN SECTION 1268.05(c)(1) AND (3) EXIST WITHIN THE PROPOSED SPD.
3. THE CUL-DE-SAC LENGTH IS 672 LINEAR FEET ON THE GLENMONT DRIVE EXTENSION; 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. AS THESE CONDITIONS HAVE BEEN MET, THE PLANNING COMMISSION HAS APPROVED THE 672 LINEAR FT. CUL-DE-SAC LENGTH.
4. THE PLANNING COMMISSION REQUESTED THE FOLLOWING REVISIONS TO THE DEVELOPMENT GUIDELINES:
 - (A) ADD TO SECTION 1.5(3)(d): "NATURAL STONE SHALL BE PRESENT UP TO THE **BOTTOM OF THE FIRST FLOOR** WINDOWS ON ALL STREET FACING PRIMARY ELEVATIONS."
 - (B) ADD TO SECTION 2.1(2)(c): "PROFESSIONAL OFFICES SHALL OCCUPY NO MORE THAN 15% OF THE ENCLOSED BUILDING SPACE."
 - (C) ADD TO SECTION 2.2(4)(a): "THE PARKING SETBACK FROM THE SIDE AND REAR PROPERTY LINES SHALL BE A MINIMUM OF 5 FEET."

5. UPON APPROVAL OF THE DETAILED SITE PLAN, A FINANCIAL GUARANTEE, AS REQUIRED BY SECTION 1278.04(b), SHALL BE SUBMITTED CONCURRENTLY FOR THE RESIDENTIAL AND COMMERCIAL PORTIONS OF THE PROJECT.
6. PURSUANT TO SECTION 1268.02, CITY COUNCIL APPROVAL OF SPECIAL PLANNING DISTRICT NO. 8 IS REQUIRED.

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

Item 4(d)

Regarding the discussion plan for the Center Road City Daily new retail center, 3801 Center Road (former Tri-County Oncology), Mr. Dave Budge, of WXZ Development, was present.

Mr. Budge explained they are in negotiation with tenants for a medical office and restaurant, which will probably be a drive-thru. He explained they need to have access to the adjacent property to the west to provide access to the light at Hadcock Road. Mr. Budge explained they aligned their building with the adjacent structure to the west in order to prevent blocking visibility to their facility (Center Crossings I Plaza). He commented they added a sidewalk on Center Road and Kent Drive, in addition to providing a decorative fence along Center Road. He stated they added mounding at the rear of their property to protect the residents on Kent Drive. He commented the tenants in the new retail center will be ones that currently are not located in Brunswick.

For comparison purposes, Mr. Shirilla stated the Planning Commission granted a modification to allow North Park Plaza to have a front yard setback of 148.8' from the Center Road right-of-way. Mr. Delsanter asked about tractor-trailer traffic for the retail center; Mr. Budge responded some of the restaurants utilize this type of truck for deliveries. Mr. Delsanter asked if it will be difficult for trucks to exit the site; Mr. Jones replied he has asked for a traffic study and he needs a truck turning template for this site and the adjacent property to the west since they will be using the plaza to provide access to Hadcock Road. Mr. Arona stated he would like to see a traffic circulation pattern on the site. Mr. Hasan said he would also like to see the drive-thru traffic pattern on the site. Mr. Budge commented they will use signage on the property to assist with traffic flow and noted they have an easement across Center Crossings I Plaza to access the traffic light at Hadcock and Center Roads.

The Staff Review Comments were addressed as follows:

1. The building is located approximately 133' from the Center Road right-of-way; Section 1260.05(a)(2)(B) permits a maximum front yard setback of 60'. Additionally, Section 1260.07(a) requires that 2/3's of the building's street façade shall fall within the front yard zone, which has not been met. Furthermore, the front yard parking zone width 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).

Mr. Shirilla stated he felt the conditions of Section 1260.07(c) and (d) have been met and Mr. Budge should try to meet as many of the conditions in Section 1260.07(e) listed below as possible, as he is requesting a substantial modification.

Pursuant to Section 1260.07(e), where the Planning Commission approves a front yard or front yard parking zone 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. A decorative fence is shown along the Center Road frontage.

- (3) Landscaping within adjacent parking areas equal to twice the minimum of 1,200 sq. ft. required in Section 1282.08(b), resulting in a minimum of 2,400 sq. ft. of interior landscaping to be provided.
2. Section 1260.07(a) requires that street facades greater than 60' in length shall incorporate one or more wall plane projections or recesses having a minimum depth of 3% (4.35') of the street façade and extending at least 20% (29') of the length of the street façade. Mr. Budge stated he will show these on the detailed site plan.
3. The dumpster encroaches into the 50' setback from a residential district, pursuant to Section 1260.05(c); a variance will be required.
4. The Administration is unable to determine if there is a sufficient number of parking spaces on the site, in compliance with Table 1276-1, until tenant uses have been identified. Ms. Plavecski stated Mr. Budge will need to provide the number of seats in the restaurant and square footage of each tenant space and use to determine if there is sufficient parking on the site.
5. The driveway width dimension of 24' is indicated for the Kent Drive right-of way and drive located at the southwest corner of the site, in compliance with Table 1276-4. Provide the width of the Kent Drive entrance at the curb; the above Table requires a minimum of 30' and maximum of 45', to which Mr. Budge agreed.
6. As the western-most tenant has a drive-thru indicated on the west side of the building, Section 1276.10(j) requires a storage area for waiting vehicles of at least 130' to ensure that waiting vehicles will not extend into a public right-of-way or interfere with on-site traffic movement. Mr. Budge said he will show this on the detailed site plan.
7. Pursuant to Section 1278.09(d), a minimum 4' wide pedestrian walkway shall be provided from the building to Kent Drive. Mr. Budge said they will provide a pedestrian sidewalk to both Center Road and Kent Drive.
8. The detailed site plan shall include a landscape plan indicating the amount of interior landscaping and species in compliance with Section 1282.08(b), to which Mr. Budge agreed.
9. Landscape species and spacing of plantings in the 10' landscape strip along the Center Road and Kent Drive rights-of-way shall be shown, in accordance with Section 1282.06(g). Additionally, on the Kent Drive frontage, as required by Section 1282.06(e), the applicant shall verify that 10% of the total front yard area not used for parking or circulation must be landscaped with trees, shrubs, planting beds, and/or perennial borders and beds in a design selected by the owner and shall include the 10' wide landscape strip. Mr. Budge stated he will indicate this on the detailed site plan landscape plan.

10. Confirm the number of tenant units; Mr. Budge stated he will provide this with the detailed site plan.
11. Provide the height and material of the decorative fence along Center Road. Mr. Budge said this will be shown on the detailed site plan.
12. A photometrics plan shall be submitted with the detailed site plan, in accordance with Section 1276.14(a), indicating a minimum 0.6 footcandle lighting level for pedestrian and parking areas, with a site average illumination level of 2.4 footcandles, pursuant to Section 1276.14(c); Mr. Budge concurred.
13. The City Engineer has requested a traffic study, to which Mr. Budge agreed.

Mr. Shirilla asked the Planning Commission if they are in favor of granting a modification to the front yard setback and front yard parking zone width, to which they agreed. Mr. Incorvaia stated an official vote on the modification should be part of the detailed site plan approval.

MR. ARONA MOTIONED TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN FOR THE CENTER ROAD CITY DAILY RETAIL CENTER, 3801 CENTER ROAD (FORMER TRI-COUNTY ONCOLOGY), SUBJECT TO THE FOLLOWING: THE APPLICANT SHALL COMPLY WITH STAFF REVIEW COMMENTS 1 THROUGH 13, AS LISTED ABOVE, AND SHALL INCLUDE A TRAFFIC AND CIRCULATION STUDY TO INCLUDE THE PROPERTY TO THE WEST (CENTER CROSSINGS I PLAZA).

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

Item 5

Regarding old business, Mr. Incorvaia commented a definition should be provided for “professional office” and “event space”, which should be added to Chapter 1242 entitled “Definitions”.

Item 6

There was no new business.

Item 7

No one appeared at the public comment period.

Item 8

Mr. Delsanter gave the Council Representative’s Report. He stated the Planning and Zoning Committee of City Council will be sending eight text amendments to the Planning Commission for a public hearing on October 20, 2022.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

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

The meeting was adjourned at 9:18 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

September 15, 2022

Oak Ridge Preserve Subdivision

(Home elevations)

Location: 834 Pearl Road
SPD-7

Proposed Use & Background:

At their meeting on July 7, 2022, the Planning Commission, at the applicant's request, tabled the three home elevations submitted, as further architectural enhancements were required. In accordance with Section D(5) of the Oak Ridge Preserve development guidelines, a minimum of 1,200 sq. ft. for a single floor ranch and a minimum of 1,450 sq. ft. for a two-story home are required. The applicant stated at the above meeting that Home Model 1 (Birchwood) has a minimum of 1,677 sq. ft., but the option presented has 1,820 sq. ft.; House Model 2 (Deerfield) has a minimum of 1,820 sq. ft.; and House Model 3 (Somerset) has a minimum of 1,535 sq. ft.

Pursuant to Section E(3)(d) of the Oak Ridge Preserve SPD-7 development guidelines, architectural enhancements to the roof on the front elevations, along with additional window and siding variations on the side elevations, are indicated to provide visual interest and to break up the long expanse of blank wall. The applicant explained at the July 7th meeting, as there is only a 5' side yard setback from the property line, that a minimum number of windows are being installed to maintain privacy.

Staff Review Comments:

1. Home model elevations submitted are as follows: Birchwood "A", "B", "C", "D", and "E"; Deerfield "A", "B", "C", "D", "E", and "F"; and Somerset "A", "B", "C", "D", and "E". The Planning Commission shall determine if these elevations are satisfactory.

Staff Recommendations:

Staff recommends approval of the revised home elevations.

Hadcock Properties façade renovation

(Façade improvement)

Location: 3839 - 3853 Center Road
C-G District

Proposed Use & Background:

At their meeting on January 20, 2022, the Planning Commission, at the applicant's request, tabled the plan submitted for a façade renovation of the Hadcock Properties plaza located at the northwest corner of Center and Hadcock Roads.

A portion of the comments from the above meeting have been addressed as follows:

6. The vertical siding will extend to the “Enterprise” portion of the building, which will include a parapet with crown molding to match the rest of the plaza. Decorative wall sconces have been added to the south elevation to provide visual enhancement.
7. All concrete masonry unit (CMU) walls will be painted, including the rear (north) side of the building that is in poor condition.
8. The existing dumpster will be enclosed with a painted concrete masonry unit enclosure to match the building, as required by Section 1276.12(a).

Staff Review Comments:

1. The plaza was constructed in 1986 (current Zoning Code adopted June 11, 1997), and is an existing nonconforming site whereby the front yard setback is approximately 66’ from the Center Road right-of-way, where Section 1260.05(a)(2)(B) permits a maximum of 60’. No site improvements are proposed, other than renovating the top portion of the front of the building and painting the façade. There is limited room on the property for site improvements that would be required by Section 1260.07(e) for a front yard setback modification, in addition to Sections 1282.06 and 1282.08 for landscaping along the Center Road right-of-way and interior landscaping, respectively. Pursuant to Section 1272.07(b), where the Planning Commission determines that it is clearly not practical or not in the public interest to bring a nonconforming site into total compliance with all applicable development standards, the Commission may secure agreements to provide reasonable, lesser improvements which will protect the interests of both the applicant and neighboring property owners. All new site improvements shall comply with current development standards.
2. The Commission requested at the January 20th meeting to add architectural enhancements on the west façade to break up the long expanse of blank wall, pursuant to Section 1278.08(c), and also suggested adding landscaping.
3. A color rendering shall be provided for all sides of the building.
4. All signage, including wall and freestanding, shall be updated in compliance with Section 1270.05 – Table B. Also, Section 1270.14(a), which was adopted on September 27, 2021 (Ordinance No. 72-2021), states where a nonconforming sign exists on the property subject to a building permit application, no permit shall be issued until the nonconforming sign is made to conform with the requirements of Chapter 1270 entitled “Signs”. Therefore, the existing pole sign must be removed, as this is a prohibited sign, pursuant to Section 1270.11(m). Due to visibility issues on the site, the applicant is proposing to lower the existing pole on the sign from 10’ to 7’, with a total height of 15’3” (existing sign is 16.9’) and reduce the width on the sign face area to 8’, which will increase the height, as the tenant names will be vertically stacked, resulting in a sign face area of 66 sq. ft. Landscaping is proposed around the sign base. The proposed sign will require a variance from the Board of Zoning Appeals.

Staff Recommendations:

Staff recommends approval of the façade renovation, provided the above items are addressed.

Market 42

(Rezoning, conceptual plan, and revised development guidelines)

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

Proposed Use & Background:

At the public hearing on July 21, 2022, the Planning Commission, at the applicant's request, tabled the rezoning, conceptual plan, and development guidelines 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 one 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.

The majority of text revisions that were requested by the Planning Commission at their July 21, 2022 meeting have been incorporated into the Development Guidelines. A notation has been added to the Site Data on Sheet 1 of the site plan stating the maximum boundary setback from residential property is 45 feet. Additionally, the driveways to Units 7 and 8 have been adjusted slightly to reflect there will be a few feet between them, resulting in separate drives, whereby only Units 5 and 6 will have a shared driveway.

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:
 - (f) 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;
 - (g) To promote creative and sensitive site planning;
 - (h) 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;
 - (i) 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

- (j) 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.
4. The cul-de-sac length is 672 linear feet on the Glenmont Drive extension; 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. Verify the right-of-way diameter at the cul-de-sac is at least 120 feet.
5. Regarding changes to the Development Guidelines, Section 1.5(3)(d) Design Standards. The wording “Natural stone shall be present up to the windows on all street facing primary elevations; stamped brick to grade shall be permitted on all other non-street facing elevations.” The Administration suggests the following revision: “Natural stone shall be present up to the **bottom of the first floor** windows on all street facing primary elevations; stamped brick to grade shall be permitted on all other non-street facing elevations.” The Commission requested at the July 21st meeting that wording similar to Oak Ridge Preserve SPD-7, Section E(3)(f) should be added, which states “Exposed foundation walls shall be covered with brick, stone, masonry or vinyl siding. Exposed formed in place concrete is acceptable no more than 4 inches above grade on front elevation and 16 inches above grade on side and rear elevations.”
6. Section 2.1(2)(c) and (d) Principally Permitted Uses, the Commission suggested at the July 21st meeting that “Professional Offices” and “Event Space” should be removed as principally permitted uses and listed as conditionally permitted uses. The applicant has chosen to have these remain as principally permitted uses.
7. Section 2.2(4) Rear Yard Setback. The Commission requested for an actual number for the parking setback, which has not been provided.

8. Section 2.3 Commercial Development Standards. The Commission requested to add this section regarding building height, building materials, and building design, similar to the Residential Development Standards in Section 1.5. The Commission shall determine if the revised section is satisfactory.
9. Pursuant to Section 1268.02, the rezoning, conceptual plan and development guidelines are subject to City Council approval.

Staff Recommendations:

Staff recommends approval to City Council of the rezoning, conceptual plan and development guidelines, provided the above items are addressed.

Center Road City Daily new retail center

(Discussion plan)

Location: 3801 Center Road (former Tri-County Oncology)
C-G District

Proposed Use & Background:

An application has been submitted to construct a 11,125 sq. ft. six-tenant new retail/restaurant center on the former Tri-County Oncology site; the existing building will be demolished. The building complies with the minimum 30' and maximum 60' setback from the Kent Drive right-of-way required by Section 1260.05(a)(2)(C) of the Zoning Code, but exceeds the maximum 60' setback from the Center Road right-of-way permitted by Section 1260.05(a)(2)(B). The 50' rear yard setback from the residential district on Kent Drive has been met, along with the 25' rear screening yard, pursuant to Sections 1260.05(c) and 1282.06(a), respectively. As there is commercial property to the west, no minimum side yard setback is required.

In compliance with Table 1276-3, a 24' aisle width is indicated between the two rows of parking in the front and one row in the rear of the building. A 16' wide drive-thru aisle and 12' wide bypass lane are shown on the west side of the building for a proposed restaurant. Parking stall dimensions of 9' wide x 19' long for 90° angle parking are shown, as required by the above Table. Three handicap parking spaces are shown, including one van-accessible and two regular spaces, in accordance with Table 1106.1 and Section 1106.5 of the 2017 Ohio Building Code.

The building will be constructed with a combination of black brick veneer along with bronze and silver vertical metal panels. An aluminum store-front window system will be used that is bordered in dark bronze with painted trim to match.

Staff Review Comments:

1. The building is located approximately 133' from the Center Road right-of-way; Section 1260.05(a)(2)(B) permits a maximum front yard setback of 60'. Additionally, Section

1260.07(a) requires that 2/3's of the building's street façade shall fall within the front yard zone, which has not been met. Furthermore, the front yard parking zone width 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 zone 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. A decorative fence is shown along the Center Road frontage.

- (3) Landscaping within adjacent parking areas equal to twice the minimum of 1,200 sq. ft. required in Section 1282.08(b), resulting in a minimum of 2,400 sq. ft. of interior landscaping to be provided.
2. Section 1260.07(a) requires that street facades greater than 60' in length shall incorporate one or more wall plane projections or recesses having a minimum depth of 3% (4.35') of the street façade and extending at least 20% (29') of the length of the street façade.
3. The dumpster encroaches into the 50' setback from a residential district, pursuant to Section 1260.05(c); a variance will be required.
4. The Administration is unable to determine if there is a sufficient number of parking spaces on the site, in compliance with Table 1276-1, until tenant uses have been identified.
5. The driveway width dimension of 24' is indicated for the Kent Drive right-of way and drive located at the southwest corner of the site, in compliance with Table 1276-4. Provide the width of the Kent Drive entrance at the curb; the above Table requires a minimum of 30' and maximum of 45'.
6. As the western-most tenant has a drive-thru indicated on the west side of the building, Section 1276.10(j) requires a storage area for waiting vehicles of at least 130' to ensure that waiting vehicles will not extend into a public right-of-way or interfere with on-site traffic movement.
7. Pursuant to Section 1278.09(d), a minimum 4' wide pedestrian walkway shall be provided from the building to Kent Drive.
8. The detailed site plan shall include a landscape plan indicating the amount of interior landscaping and species in compliance with Section 1282.08(b).
9. Landscape species and spacing of plantings in the 10' landscape strip along the Center Road and Kent Drive rights-of-way shall be shown, in accordance with Section 1282.06(g). Additionally, on the Kent Drive frontage, as required by Section 1282.06(e), the applicant shall verify that 10% of the total front yard area not used for parking or circulation must be landscaped with trees, shrubs, planting beds, and/or perennial borders and beds in a design selected by the owner and shall include the 10' wide landscape strip.
10. Confirm the number of tenant units.
11. Provide the height and material of the decorative fence along Center Road.
12. A photometrics plan shall be submitted with the detailed site plan, in accordance with Section 1276.14(a), indicating a minimum 0.6 footcandle lighting level for pedestrian

and parking areas, with a site average illumination level of 2.4 footcandles, pursuant to Section 1276.14(c).

13. The City Engineer has requested a traffic study.

Staff Recommendations:

Staff recommends moving the discussion plan to a detailed site plan, pending the ruling by the Planning Commission on the front yard building setback and front yard parking zone width, and provided the above items are addressed.