

Brunswick City Planning Commission

October 20, 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
Dave Baylis, Provision Living, 9450 Manchester Road, Suite 207,
St. Louis, MO
Jon Hanks, Provision Living, same
Ryan Tebeau, Provision Living, same
Nils Johnson, Cunningham & Associates, 203 W. Liberty Street,
Medina

Chairman Joe Shirilla called the meeting to order at 6:35 p.m.

The first item was the review of public hearing regarding Ordinance Nos. 74-2022, 75-2022, 76-2022, 77-2022, 78-2022, 80-2022, and 81-2022 text amendments. Mr. Jones explained proposed Ordinance Nos. 80-2022 and 81-2022 regarding revised Chapter 1234 entitled Erosion and Sediment Control, and revised Chapter 1236 entitled Comprehensive Stormwater Management, respectively. He noted these amendments are necessary in order for the City to remain in compliance with their Municipal Separate Storm Sewer System (MS4) permit with the Ohio Environmental Protection Agency (EPA).

Regarding Ordinance No. 74-2022, concerning allowing fences in a riparian zone, Mr. Arona inquired if a solid fence would be allowed; Mr. Jones replied no.

The second item was the review of the revised discussion plan for Provision Living Brunswick (former Sanctus) senior living complex, 953 Pearl Road. Concerning the text amendment to allow a three-story building, instead of two stories, Ms. Plavecski explained the Fire Department stated their fire trucks are not equipped to carry 35' high ladders; therefore, the ladders will be stored on-site at Provision Living on opposite ends of the building for accessibility. Mr. Aungst noted the fire trucks cannot be reconfigured to carry the 35' ladders. Mr. Shirilla stated he would like the Fire Department to submit a letter stating they are working with Provision Living, who has agreed to store the 35' ladders, and that this will be satisfactory. He said as this is a health, safety, and welfare issue, he would like something in

writing to that affect. Mr. Hasan asked if there are other 3-story or higher buildings in the city; Mr. Aungst answered yes, the Fire Department works with them to review an emergency escape plan. He commented the Fire Department and Division of Building work in conjunction on required inspections and issuing a certificate of occupancy.

Chairman Shirilla adjourned the meeting at 6:57 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

October 20, 2022

7:04 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
Dave Baylis, Provision Living, 9450 Manchester Road, Suite 207,
St. Louis, MO
Jon Hanks, Provision Living, same
Ryan Tebeau, Provision Living, same
Nils Johnson, Cunningham & Associates, 203 W. Liberty Street,
Medina

Item 1

Chairman Joe Shirilla called the meeting to order at 7:04 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 OCTOBER 6, 2022.

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

Item 4(a)

A public hearing was held for Ordinance Nos. 74-2022, 75-2022, 76-2022, 77-2022, 78-2022, 80-2022, and 81-2022 text amendments. Mr. Jones gave an overview of Ordinance Nos. 74-2022, 80-2022, and 81-2022. Regarding Ordinance No. 74-2022 concerning location of fences and sheds in a riparian zone, Mr. Shirilla asked how the maximum 200 sq. ft. shed size was determined; Mr. Aungst replied that is the size of a shed that is normally used for

storage of tools, lawn mowers, etc. Ms. Plavecski commented that sheds under 200 sq. ft. are the most popular size.

Concerning Ordinance No. 76-2022, Section 1242.02(92), Mr. Shirilla inquired if this will result in the Huntington Bank ATM at Brunswick Town Center having to be removed. Mr. Aungst responded yes, as Huntington Bank has moved out of Giant Eagle. Concerning Section 1242.02(16), Mr. Hasan asked why the wording "Commercial establishments primarily engaged in providing a service for a fee on "contract basis" was used; Mr. Aungst responded it was the recommendation of the Law Director.

Regarding Ordinance No 75-2022, Mr. Hasan questioned where a DORA would be located; Mr. Aungst answered multiple locations have been discussed. He commented the location involves the Police Department, Fire Department, Medina County Parks District, and the Planning & Zoning Committee of City Council. Mr. Shirilla noted that restaurants are charging for the DORA cups multiple times and asked Councilwoman Piper to take that into consideration. Mr. Aungst said they don't want the DORA cups to be a financial burden on the city.

Mr. Jones explained proposed Ordinance Nos. 80-2022 and 81-2022 regarding revised Chapter 1234 entitled Erosion and Sediment Control, and revised Chapter 1236 entitled Comprehensive Stormwater Management, respectively. He noted these amendments are necessary in order for the City to remain in compliance with their Municipal Separate Storm Sewer System (MS4) permit with the Ohio Environmental Protection Agency (EPA). Mr. Hasan inquired if the city's stormwater requirements are stricter than the State of Ohio; Mr. Jones replied they are the same for sites over one acre. However, he said for sites under one acre, the State is silent; therefore, the City of Brunswick is more restrictive. He explained the EPA is concerned about water quality; not quantity.

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

MR. ARONA MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF ORDINANCE NOS. 74-2022, 75-2022, 76-2022, 77-2022, 78-2022, 80-2022, AND 81-2022.

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

Item 4(b)

Regarding the revised discussion plan for the Provision Senior Living Brunswick (former Sanctus) senior living complex, 953 Pearl Road, Mr. Dave Baylis, Mr. Jon Hanks, and Mr. Ryan Tebeau, of Provision Living; and Mr. Nils Johnson, of Cunningham & Associates, were present.

As Mr. Arona was not present at the September 1, 2022 Planning Commission meeting, Mr. Shirilla asked Mr. Baylis to provide an overview of the Staff Review Comments from that meeting which were addressed.

Mr. Baylis showed the Planning Commission pictures of the proposed development, along with material samples. Mr. Shirilla asked if the majority of the structure has a 6/12 roof pitch; Mr. Baylis responded yes.

The Staff Review Comments were addressed as follows:

1. Section 4(b)(iii) of the West Neighborhood Site and Building Requirements allows a maximum height of 50' and permits three stories. The applicant is working with the Fire Department to address their concerns to provide fire protection for occupants on the third floor for this type of use and location. The building is fully fire-suppressed and the applicant has agreed to store two – 35' high ladders at opposite ends of the building for fire-fighting purposes. Mr. Baylis explained they need three stories to provide a shorter distance for residents and caregivers to walk to the common areas, such as the dining areas, and to have smaller resident wings. He noted two stories would spread out the building more. Mr. Baylis further noted a three-story height would look more attractive from Pearl Road, as more than just a roof line would be visible. He commented they are not disturbing the wetlands. Mr. Shirilla stated three stories would increase the functionality of the development. Mr. Saeger commented the applicant has appropriately explained the need for three stories and hasn't increased the maximum 50' height; therefore, he is in favor of three stories. He stated the Fire Department must approve the ladder location before the Division of Building issues a certificate of occupancy. Mr. Hasan commented he was hesitant to approve three stories, but the 50' height hasn't changed.
2. Regarding the minimum 330 sq. ft. room size proposed in Section 4(b)(ii) of the West Neighborhood, explain the relevance of the 2016 National Investment Center guidelines. Mr. Baylis explained they track the appropriate size for memory care and assisted living rooms, which range from 250 sq. ft. to 500 sq. ft. Mr. Hasan requested that Mr. Baylis clarify in this section that the 330 sq. ft. minimum size is for one bedroom without a kitchenette, and 120 sq. ft. for each additional bedroom. Mr. Arona questioned how does the size compare with a hotel room; Mr. Baylis answered 330 sq. ft. is larger.
3. Pursuant to Section 1268.07(c) and (d), respectively, changes to the conceptual development plan of more than a cosmetic nature shall also be approved by City Council by ordinance. Additionally, once a Special Planning District is created, it may only be changed through the Charter provisions for zoning amendments.

Mr. Shirilla stated he doesn't see any strong objection from the Planning Commission to allow a three-story height, provided it is approved by the Fire Department. Mr. Baylis showed photos of all building elevations on the site to the Commission. Mr. Arona asked how did Mr. Baylis decide which building materials to use on the different elevations. Mr. Baylis answered based on other buildings they have constructed, the National Investment Center prefers Hardie board and cementitious products for the commercial portion of the development, and vinyl siding and stone for the residential portion.

MR. SAEGER MOTIONED TO MOVE THE PROVISION LIVING BRUNSWICK SPD-5 REVISED DISCUSSION PLAN AND DEVELOPMENT GUIDELINES TO A DETAILED SITE PLAN AND PUBLIC HEARING, SUBJECT TO THE FOLLOWING:

1. THE PLANNING COMMISSION HAS AGREED TO ALLOW THREE STORIES FOR THE WEST NEIGHBORHOOD, AS REQUESTED IN SECTION 4(b)(iii). THE APPLICANT IS WORKING WITH THE FIRE DEPARTMENT TO ADDRESS THEIR CONCERNS TO PROVIDE FIRE PROTECTION FOR OCCUPANTS ON THE THIRD FLOOR FOR THIS TYPE OF USE AND LOCATION. THE BUILDING IS FULLY FIRE-SUPPRESSED AND THE APPLICANT HAS AGREED TO STORE TWO – 35' HIGH LADDERS AT OPPOSITE ENDS OF THE BUILDING FOR FIRE-FIGHTING PURPOSES.
2. REGARDING THE MINIMUM 330 SQ. FT. ROOM SIZE PROPOSED IN SECTION 4(b)(ii) OF THE WEST NEIGHBORHOOD, THE APPLICANT HAS EXPLAINED THE RELEVANCE OF THE 2016 NATIONAL INVESTMENT CENTER GUIDELINES. THE APPLICANT SHALL CLARIFY IN THIS SECTION THAT THE 330 SQ. FT. MINIMUM SIZE IS FOR ONE BEDROOM WITHOUT A KITCHENETTE, AND 120 SQ. FT. FOR EACH ADDITIONAL BEDROOM.
3. PURSUANT TO SECTION 1268.07(c) AND (d), RESPECTIVELY, CHANGES TO THE CONCEPTUAL DEVELOPMENT PLAN OF MORE THAN A COSMETIC NATURE SHALL ALSO BE APPROVED BY CITY COUNCIL BY ORDINANCE. ADDITIONALLY, ONCE A SPECIAL PLANNING DISTRICT IS CREATED, IT MAY ONLY BE CHANGED THROUGH THE CHARTER PROVISIONS FOR ZONING AMENDMENTS.

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

Item 5

There was no old business.

Item 6

Concerning new business, Ms. Plavecski stated Jennie Lods, current BZA Secretary, will begin her training to take over the evening Planning Commission meetings on November 17, 2022. Mr. Jones stated he is unable to attend that meeting.

Item 7

No one appeared at the public comment period.

Item 8

Ms. 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 8:28 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

October 20, 2022

Text amendments

(Public hearing – Ordinance Nos. 74-2022, 75-2022, 76-2022, 77-2022, 78-2022, 80-2022, and 81-2022).

The following text amendments are proposed to the City of Brunswick Codified Ordinances:

1. Ordinance No. 74-2022: Amend Section 1238.06 to allow residential accessory buildings not exceeding 200 square feet and residential fences to be located within a riparian zone, subject to certain conditions and engineering approval.
2. Ordinance No. 75-2022: Create Sections 1242.02(31.1), (88.1), and (88.2) as follows:
Create Section 1242.02(31.1) – Designated Outdoor Refreshment Area (DORA): a specific area in which alcoholic beverages may be sold by licensed liquor establishments for outdoor consumption. The DORA is designed to make it easier to social distance, stroll within the specific outlined district and support the city's local restaurants and bars.

Create Section 1242.02(88.1) – Vending/dispensing machines: An automated machine that provides items including, but not limited to, snacks, beverages, cigarettes, and lottery tickets to consumers after cash, a credit card, or other forms of payment are inserted, swiped or tapped for payment on or into the machine or otherwise made.

Create Section 1242.02 (88.2) – ATM or similar financial machines. An automated machine that provides for the deposit of cash or dispenses items including, but not limited to, cash to consumers after a bank card or credit card is inserted, swiped or tapped for payment on or into the machine or otherwise made.

3. Ordinance No. 76-2022: Amend Section 1242.02(16) and (92) as follows:
Section 1242.02((16) – Business Services: Commercial establishments primarily engaged in providing a service for a fee on contract basis.

Section 1242.02(92) – Financial Institution: A bank organization or holding company of a bank organization, as defined in Ohio Revised Code Chapter 5726, as may be amended from time to time, subject to the following: (a) no freestanding ATM's or similar financial machines shall be permitted unless they are an accessory use to an approved principal financial institution structure located on a single lot; (b) such

freestanding ATM or similar financial machine shall be located within 20 feet of the approved principal financial institution structure; and (c) such freestanding ATM or similar financial machine shall be constructed under cover.

4. Ordinance No. 77-2022: Amend Section 1280.12(e) pertaining to outdoor sales and displays: Outdoor vending machines, other than newspaper boxes, may not be placed outside without approval of the Planning Commission, and if so approved, shall be located against an exterior building wall. There shall be no more than one outdoor vending machine per site.
5. Ordinance No. 78-2022: Create Section 1280.12(f) – A free standing ATM or similar financial machine shall not be considered a financial institution.
6. Ordinance No. 80-2022: Amend Chapter 1234, entitled Erosion and Sediment Control, in order for the City to remain in compliance with their Municipal Separate Storm Sewer System (MS4) permit with the Ohio Environmental Protection Agency (EPA).
7. Ordinance No. 81-2022: Amend Chapter 1236, entitled Comprehensive Stormwater Management, in order for the City to remain in compliance with their Municipal Separate Storm Sewer System (MS4) permit with the Ohio Environmental Protection Agency (EPA).

City Council held their first reading on September 12, 2022 for the above proposed legislation.

Staff Recommendations:

Staff recommends approval to City Council of the proposed text amendments.

Provision Living (former Sanctus) senior living complex

(Revised discussion plan)

Location: 953 Pearl Road
SPD-5

Proposed Use & Background:

The Planning Commission, at the applicant's request, tabled the discussion plan at their meeting on September 1, 2022, as several items needed to be addressed. Revised architectural renderings and development guidelines have been submitted. As requested by the Commission, further architectural enhancements have been added to the façade elevations. Also, color renderings of existing two-story and three-story facilities have been submitted.

A photometrics plan has been provided, which complies with the minimum 0.6 footcandle level for parking and pedestrian areas, along with the average illumination level of 2.4 footcandles, pursuant to Section 1276.14(a) and (c), respectively. Additionally, the footcandle level along the south residential property line near Keller-Hanna Drive, and east property line along Alice Avenue and Ganyard Avenue complies with the maximum one (1) footcandle permitted by Section 1276.14(d).

The landscape plan Plant Material List now includes the quantity of deciduous shrubs, evergreen shrubs, perennials, ornamental grass, and groundcovers, which shall be included with the detailed site plan.

The Commission agreed at the above meeting to the majority of the proposed text amendments to the development guidelines, noting that the following September 1st Staff Review Comments have been addressed:

1. The square footage of a studio apartment for the assisted living/memory care facility ranges from 250 sq. ft. to 500 sq. ft.; Section 4(b)(ii) of the West Neighborhood requires a minimum of 360 sq. ft. per unit, plus a minimum of 120 sq. ft. for each additional bedroom or bed. The applicant stated their minimum studio unit measures 333 sq. ft. and explained memory care units do not have kitchenettes for safety reasons; therefore, they are typically smaller than assisted living studios. Additionally, the applicant stated their assisted living and memory care unit sizes are consistent with the 2016 National Investment Center guidelines. Therefore, the Planning Commission indicated they would consider the proposed text amendment of a minimum 330 sq. ft. room size.
2. Section 4(b)(vi)(3): “Single style ~~or color~~ of material covering the exterior of a building shall not exceed 50% of the total façade. There shall be a minimum of 3 materials used on the building, one of which must be masonry.” (West Neighborhood).
3. Building elevations and color renderings of the East Neighborhood independent living cottages were provided to ensure compatibility with the West Neighborhood, in accordance with Section 4(b)(vi)(4) of the West Neighborhood Site and Building Requirements.
4. Section 4(b)(vi)(7): “All roofs will maintain at least a 4/12 pitch, with the predominant roof structures at a minimum of 6/12 pitch. Long rooflines shall be broken up through the use of gables, dormers, or other design elements.” The Commission suggested at the September 1st meeting to have the pitch remain at 6/12 (instead of proposed 5/12), to which the applicant agreed.
5. Section 5(b)(vi)(3): “A single style ~~or color~~ of material covering the exterior of a building shall not exceed 75% of the total façade. There shall be a minimum of 3 materials used on the building, one of which must be masonry.” (East Neighborhood).

6. Section 5(b)(vi)(11): “Garages shall be designed and located so they are not the dominant visual element of the building or streetscape. All attached garages shall comply with the following: (a) The garage door shall be set back a minimum of 20 feet from the road or sidewalk, whichever is closer. **In no instance shall the garage door be more than six (6) feet in front of the main living area.**” (added language in bold print).

Staff Review Comments:

1. Section 4(b)(iii) of the West Neighborhood Site and Building Requirements allows a maximum height of 50’ and permits three stories. The applicant is working with the Fire Department to address their concerns to provide fire protection for occupants on the third floor for this type of use and location. The building is fully fire-suppressed and the applicant has agreed to store two – 35’ high ladders at opposite ends of the building for fire-fighting purposes.
2. Regarding the minimum 330 sq. ft. room size proposed in Section 4(b)(ii) of the West Neighborhood, explain the relevance of the 2016 National Investment Center guidelines.
3. Pursuant to Section 1268.07(c) and (d), respectively, changes to the conceptual development plan of more than a cosmetic nature shall also be approved by City Council by ordinance. Additionally, once a Special Planning District is created, it may only be changed through the Charter provisions for zoning amendments.

Staff Recommendations:

Staff recommends moving the revised discussion plan and development guidelines to a detailed site plan and public hearing.