

Brunswick City Planning Commission

November 3, 2016 - Caucus

7:00 p.m.

Joe Shirilla, Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Patricia Hanek, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director

Chairman Joe Shirilla called the meeting to order at 7:18 p.m.

The first item was the review of the Phase 2 detailed site plan for the South Lake Subdivision, Southwest Neighborhood of Brunswick Town Center SPD-2. Mr. Jones stated it is in compliance with the preliminary subdivision plan that was previously approved by the Planning Commission.

The second item was the discussion of the Phase 2 final plat for the South lake Subdivision, Southwest Neighborhood of Brunswick Town Center SPD-2. Mr. Jones explained the build-to line on the final plat needs to be at 21', instead of 23'. He said it is conditional upon approval of the pipe location by the Medina County Sanitary Engineer and City of Cleveland – Division of Water.

The third item was review of the Hickory Hills Apartments, 4279 Beverly Hills Drive. The Commission discussed the 50' setback requirement from the east property line.

Concerning old business, Ms. Plavecski commented that Trampoline Xtreme, 1261 Industrial Parkway North, has withdrawn their application, due to a conflict with semi-truck traffic from other tenants in the building and hours of operation.

Mr. Shirilla adjourned the meeting at 7:37 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

November 3, 2016

7:30 p.m.

Joe Shirilla, Chairman
John Rocha, Recording Secretary
Abbas Hasan, Member
Patricia Hanek, Council Representative
Matt Jones, Consulting City Engineer
Pamela Plavecski, Planning & Zoning Coordinator
Santo Incorvaia, Assistant Law Director
Jim O'Connor, Drees Homes, 6680 West Snowville Road, Suite
105, Brecksville
Pamela Allen, 264 Judita Drive, Brunswick
Michele & Gary Gordon, 250 Judita Drive, Brunswick
Rick Carlson, 282 Judita Drive, Brunswick

Item 1

Chairman Joe Shirilla called the meeting to order at 7:45 p.m., as the caucus meeting ran late.

Item 2

Regarding announcements and correspondence, Mr. Shirilla announced that the application for the Trampoline Xtreme detailed site plan and conditional zoning certificate, 1261 Industrial Parkway, has been withdrawn today by the owner, as there is a safety conflict with semi-truck traffic and hours of operation for his business.

Item 3

MR. ROCHA MOTIONED TO APPROVE THE MINUTES OF OCTOBER 20, 2016.

Mr. Hasan seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(a)

Regarding the detailed site plan for Phase 2 of the South Lake Subdivision, Sandlewood Drive and Scarborough Drive extensions, Mr. Jim O'Connor, of Drees Homes, was present.

The Staff Review Comments were addressed as follows:

1. Mr. Shirilla noted that final approval of the Phase 2 detailed site plan is subject to City Council and Engineering approval.
2. The Commission and Mr. O'Connor reviewed the screening/fencing requirement in the 25' wide "Do Not Disturb Zone".
3. The required on-lot landscaping was discussed; Mr. O'Connor commented they are exceeding the minimum required landscaping.

MR. HASAN MOTIONED TO RECOMMEND APPROVAL OF THE PHASE 2 DETAILED SITE PLAN FOR THE SOUTH LAKE SUBDIVISION, SANDLEWOOD DRIVE AND SCARBOROUGH DRIVE, SOUTHWEST NEIGHBORHOOD OF THE BRUNSWICK TOWN CENTER SPD-2, SUBJECT TO THE FOLLOWING:

1. FINAL APPROVAL OF THE PHASE 2 DETAILED SITE PLAN IS SUBJECT TO CITY COUNCIL AND ENGINEERING APPROVAL, PURSUANT TO SECTION 1224.04(d)(4) OF THE SUBDIVISION REGULATIONS.
2. SCREENING/FENCING IN THE 25' WIDE "DO NOT DISTURB ZONE" SHALL COMPLY WITH SECTION (E) OF THE SOUTHWEST NEIGHBORHOOD GENERAL REQUIREMENTS, AS APPROVED BY THE PLANNING COMMISSION ON DECEMBER 17, 2015 AND ADOPTED BY CITY COUNCIL ON FEBRUARY 8, 2016.
3. IN ADDITION TO LANDSCAPING/STREETSCAPING REQUIREMENTS IN THE SOUTHWEST NEIGHBORHOOD, PURSUANT TO SECTION (C)(2), ON-LOT LANDSCAPING SHALL BE INSTALLED BY THE BUILDER AND CONSIST OF ONE TREE MATCHING THE SPECIES AND CALIPER OF THE CORRESPONDING STREET TREE, TWO BUSHES OF EVERGREEN SPECIES, MINIMUM 3-GALLON SIZE, PER THE REQUIREMENTS IN SECTION 1282.11(e), INSTALLED IN A MULCHED BED IN FRONT OF THE HOME AND SOIL STABILIZATION TEMPORARY SEEDING OF THE FINAL GRADE ON THE LOT. TEMPORARY SEEDING SHALL BE IN ACCORDANCE WITH THE GUIDELINES FOR THE SAME IN THE "ABBREVIATED SWP3 FOR INDIVIDUAL LOT RESIDENTIAL CONSTRUCTION". THIS LANDSCAPING SHALL BE INSTALLED WITHIN SIX MONTHS OF FINAL GRADE, WEATHER PERMITTING. THE APPLICANT HAS STATED THEY WILL EXCEED THE MINIMUM LANDSCAPING REQUIREMENTS ON ALL HOMES IN PHASE 2.

Mr. Hasan seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(b)

Concerning the Phase 2 final plat for the South Lake Subdivision, Sandlewood Drive and Scarborough Drive extensions, Mr. Jim O'Connor, of Drees Homes, was present.

Mr. Jones noted the build-to line on the south side of Sandlewood Drive should be 21', instead of 23', on the final plat, contingent upon approval of the Medina County Sanitary Engineer, City of Cleveland Division of Water, and City Engineer approval. Mr. O'Connor said it is their intention to have the build-to line at 21'.

MR. ROCHA MOTIONED TO RECOMMEND APPROVAL TO CITY COUNCIL OF THE PHASE 2 FINAL PLAT FOR THE SOUTH LAKE SUBDIVISION, SANDLEWOOD DRIVE AND SCARBOROUGH DRIVE EXTENSIONS, SOUTHWEST NEIGHBORHOOD OF BRUNSWICK TOWN CENTER SPD-2, SUBJECT TO THE FOLLOWING:

1. THE BUILD-TO LINE ON THE PHASE 2 FINAL PLAT SHALL BE 21 FEET ON SUBLOTS 35 THROUGH 48 (SOUTH SIDE OF SANDLEWOOD DRIVE), PURSUANT TO SECTION (A)(1) FOR "TYPE II BUILDINGS: FRONT-LOADED HOMES" OF THE SOUTHWEST NEIGHBORHOOD DESIGN GUIDELINES, CONTINGENT UPON MEDINA COUNTY SANITARY ENGINEER AND CITY OF CLEVELAND - DIVISION OF WATER APPROVAL.
2. THE PHASE 2 FINAL PLAT IS SUBJECT TO CITY COUNCIL AND CITY ENGINEER APPROVAL, PURSUANT TO SECTION 1226.04(b)(13) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

Mr. Hasan seconded the motion. The vote was 3 Ayes 0 Nays.

Item 4(c)

Concerning the conditional zoning certificate and detailed site plan for the Hickory Hills Apartments, 4279 Beverly Hills Drive, the applicant was not present.

Mr. Shirilla commented he is in favor of the 50' setback required by Section 1260.05(b), based on written testimony he received.

Mr. Shirilla declared the public hearing open.

Mrs. Pamela Allen, 264 Judita Drive, distributed an aerial view indicating the close proximity of her house to the proposed apartment building. She said for the last eight years, there has been junk dumped in her yard from Hickory Hills Apartments; her fence boards ripped off and broken; noise issues; and terrible odors from the dog run and dumpster of Hickory Hills Apartments that is not cleaned up or emptied. Mr. Shirilla asked if there was more room between her house and the proposed apartment complex (required 50' setback), would this decrease the amount of trespassing and vandalism on her property, to which she responded yes. She said since the apartment building burned down, these instances have decreased.

Mr. Gary Gordon, 250 Judita Drive, said he agrees there should be a 50' setback required by code and a maximum of 12 units in the building. He said he has also had problems with vandalism and debris.

Mrs. Michele Gordon, 250 Judita Drive, stated they have made an effort to contact the past and current property owners of Hickory Hills Apartments who do not want to take any action. She said the property has deteriorated significantly.

Mr. Rick Carlson, 282 Judita Drive, distributed a letter from his wife, Carlene Carlson, stating they are not in favor of the Hickory Hills apartment building being located 29.7' from the east property line. He commented there is noise from dumpster lids slamming all night, unsafe debris, drug paraphernalia, and light trespass pollution. He commented they are not in favor of this project being built at the proposed setback.

Mrs. Pamela Allen, 264 Judita Drive, said the property owner lives in New York and still has not visited the site since the building burned down. She stated several of the homeowners on Judita Drive tried to contact the property owner, but were unsuccessful.

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

Mr. Incorvaia noted there are time restrictions in the code for the Planning Commission to make a decision; pursuant to Section 1278.03(e), the Commission has to make a decision within 21 days. He explained the applicant could ask for a longer review period, but there is no applicant in attendance tonight. Mr. Incorvaia commented a ruling on the conditional zoning certificate must take place 30 days following the public hearing. He stated the applicant must wait one year to resubmit an application unless new evidence or different conditions, i.e. a different site plan, is provided.

Mr. Rocha said in light of the testimony presented tonight, the Planning Commission should deny the application. Mrs. Hanek said the apartment building should not be 29.7' from the property line; it is too close. She stated the maximum number of 12 units permitted by code should be adhered to; any deviation from the setback and maximum number of units would be a nuisance. Mr. Shirilla said he is in favor of denying the conditional zoning certificate and detailed site plan until the applicant comes back with a revised plan.

Mr. Incorvaia commented that Section 1274.05(d) requires reasons to be stated if the conditional zoning certificate is denied, and Section 1278.03(e) describes the disapproval process of the site plan.

MR. SHIRILLA MOTIONED TO DENY THE CONDITIONAL ZONING CERTIFICATE FOR HICKORY HILLS APARTMENTS, 4279 BEVERLY HILLS DRIVE, PURSUANT TO SECTION 1274.05(d), FOR THE FOLLOWING REASONS:

1. DURING THE PUBLIC HEARING, THE PLANNING COMMISSION WAS PRESENTED WITH SIGNIFICANT EVIDENCE SHOWING THE RESIDENTS ON JUDITA DRIVE FEAR FOR THEIR HEALTH, SAFETY AND WELFARE IN THEIR OWN HOMES, DUE TO THEIR CLOSE PROXIMITY TO THE APARTMENT COMPLEX.

2. A VARIANCE, BASED ON TESTIMONY HEARD TONIGHT, WOULD NOT BE REASONABLE FOR THE SIDE YARD SETBACK ON THE EAST PROPERTY LINE (29.7' WHERE SECTION 1260.05(b) REQUIRES 50'), AND THE 24 PROPOSED UNITS EXCEED THE MAXIMUM OF 12 UNITS PERMITTED BY SECTION 1286.03(e)(1). THE APPLICANT DOES NOT MEET THE STANDARDS OF SECTION 1274.07(a) AND (b) WHICH REQUIRES THAT THE PROPOSED USE SHALL BE HARMONIOUS WITH THE EXISTING OR INTENDED COMMUNITY CHARACTER OF THE NEIGHBORHOOD AND SHALL NOT HAVE AN ADVERSE IMPACT ON THE USE OF THE ADJACENT PROPERTY OR THE COMMUNITY AS A WHOLE.

Mr. Rocha seconded the motion. The vote was 3 Ayes 0 Nays.

MR. HASAN MOTIONED TO DISAPPROVE THE DETAILED SITE PLAN FOR THE HICKORY HILLS APARTMENTS, 4279 BEVERLY HILLS DRIVE, PURSUANT TO SECTION 1278.03(e)(2), FOR THE FOLLOWING REASONS:

1. THE BUILDING IS LOCATED 29.7' FROM THE EAST PROPERTY LINE ABUTTING THE RESIDENTIAL DISTRICT ON JUDITA DRIVE; SECTION 1260.05(b) REQUIRES A MINIMUM SIDE YARD SETBACK OF 50' WHEN ADJACENT TO A RESIDENTIAL DISTRICT.
2. SECTION 1286.03(e)(1) PERMITS A MAXIMUM OF 12 UNITS PER BUILDING FOR MULTI-FAMILY STRUCTURES WITH CENTRAL HALLWAYS; 24 UNITS ARE PROPOSED.
3. THE NUMBER OF PARKING SPACES SHALL MEET THE MINIMUM OF TWO SPACES PER DWELLING UNIT, INCLUDING ONE SPACE IN A GARAGE, PURSUANT TO TABLE 1276-1(a)(2); THIS INFORMATION WAS NOT PROVIDED.
4. SECTION 1282.06(a) REQUIRES A 25' WIDE LANDSCAPE SCREENING YARD ON THE EAST SIDE OF THE SITE WHICH ABUTS THE RESIDENTIAL DISTRICT ON JUDITA DRIVE. ANY EXISTING REQUIRED LANDSCAPING DISTURBED DURING CONSTRUCTION SHALL BE REPLACED; THE SCREENING YARD WAS NOT INDICATED ON THE SITE PLAN.
5. PURSUANT TO SECTION 1276.14(a), A PHOTOMETRICS PLAN WAS NOT SUBMITTED TO INDICATE A MINIMUM LIGHTING LEVEL OF 0.6 FOOTCANDLE FOR PARKING AND PEDESTRIAN AREAS, AND A MAXIMUM OF 1.0 FOOTCANDLE AT THE PROPERTY LINE ADJACENT TO JUDITA DRIVE, AS REQUIRED BY SECTION 1276.14(d).
6. SECTION 1286.03(e)(5) REQUIRES THERE SHALL BE A MAXIMUM OF 16 INCHES BETWEEN EXTERIOR WALL FINISHES AND THE FINAL GRADE. EXPOSED FOUNDATION WALLS SHALL BE COVERED WITH BRICK, STONE OR MASONRY WITH A SURFACE DESIGN; THIS WAS NOT INDICATED ON THE SITE PLAN.

7. SECTION 1286.03(e)(6) REQUIRES THAT SIDEWALKS SHALL FORM A NETWORK OF PEDESTRIAN PATHS WITH A LOGICAL CONTINUITY; THIS WAS NOT SHOWN ON THE SITE PLAN.
8. THE CITY ENGINEER AND ASSISTANT FIRE CHIEF REQUIRE A FIRE HYDRANT TO BE INSTALLED THAT IS ACCESSIBLE DIRECTLY FROM THE SOUTH PARKING LOT, WHICH IS NOT INDICATED ON THE SITE PLAN.

Mr. Rocha seconded the motion. The vote was 3 Ayes 0 Nays.

Item 5

Regarding old business, Mr. Shirilla reiterated that Trampoline Xtreme has withdrawn their application.

Item 6

There was no new business.

Item 7

No one appeared at the public comment period.

Item 8

Councilwoman Hanek stated there was no Council Representative's Report at this time.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Hasan seconded the motion. The vote was 3 Ayes 0 Nays.

The meeting was adjourned at 8:35 p.m.

Respectfully,

Pamela Plavecski

PLANNING COMMISSION STAFF REPORT

November 3, 2016

South Lake Subdivision – Phase 2 detailed site plan

(Detailed site plan)

Location: Sandlewood Drive & Scarborough Drive extensions
Brunswick Town Center SPD-2, Southwest Neighborhood

Proposed Use & Background:

The Phase 2 detailed site plan has been submitted for Sublots 31 through 61 on the Sandlewood Drive and Scarborough Drive extensions. The Planning Commission approved the revised preliminary subdivision plan on April 2, 2015, which included the removal of the grass pavers and widening of the turnaround at the end of the private alley to provide a turning radius that will accommodate a 26' long emergency vehicle with a wheel base of 160" in length.

Sublots 31 through 34 on the Scarborough Drive extension abut the 25' wide "Do Not Disturb Zone" on the west side of the subdivision, east of the existing Devonshire Woods Subdivision, Phase 1; and Sublots 35 through 48 abut the 25' wide "Do Not Disturb Zone" on the south side of the subdivision, north of the existing Mesa Grande Subdivision, Phase II.

Staff Review Comments:

4. Final approval of the Phase 2 detailed site plan is subject to City Council and Engineering approval, pursuant to Section 1224.04(d)(4) of the Subdivision Regulations.
5. Screening/fencing in the 25' wide "Do Not Disturb Zone" shall comply with Section (E) of the Southwest Neighborhood General Requirements, as approved by the Planning Commission on December 17, 2015 and adopted by City Council on February 8, 2016.
6. In addition to landscaping/streetscaping requirements in the Southwest Neighborhood, pursuant to Section (C)(2), on-lot landscaping shall be installed by the builder and consist of one tree matching the species and caliper of the corresponding street tree, two bushes of evergreen species, minimum 3-gallon size, per the requirements in Section 1282.11(e), installed in a mulched bed in front of the home and soil stabilization temporary seeding of the final grade on the lot. Temporary seeding shall be in accordance with the guidelines for the same in the "Abbreviated SWP3 for Individual Lot Residential Construction". This landscaping shall be installed within six months of final grade, weather permitting.

Staff Recommendations:

Staff recommends approval of the Phase 2 detailed site plan, subject to City Council and Engineering approval.

South Lake Subdivision – Phase 2 final plat
(Final plat)

Location: Sandlewood Drive & Scarborough Drive extensions
Brunswick Town Center SPD-2, Southwest Neighborhood

Proposed Use & Background:

The Phase 2 final plat has been submitted for Sublots 31 through 61 on the Sandlewood Drive and Scarborough Drive extensions. The Planning Commission approved the revised Phase 1 final plat on September 17, 2015 and approved the revised preliminary subdivision plan on April 2, 2015.

A notation is indicated on Sheet 2 that the Brunswick Lake Subdivision Homeowners Association shall have access to and maintain the 25' wide "Do Not Disturb Zone" as shown on this plat and that this zone shall also be a "no build zone".

Staff Review Comments:

3. The build-to line on the approved preliminary subdivision plan dated April 2, 2015 is 21'; Sublots 35 through 48 (south side of Sandlewood Drive) on the Phase 2 final plat indicates a build-to line at 23', which should be corrected.
4. The Phase 2 final plat is subject to City Council and City Engineer approval, pursuant to Section 1226.04(b)(13) of the Codified Ordinances of the City of Brunswick.

Staff Recommendations:

Staff recommends approval of the Phase 2 final plat, subject to City Council and Engineering approval.

Hickory Hills Apartments

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

Location: 4279 Beverly Hills Drive
C-G District

Proposed Use & Background:

The applicant is seeking to construct one 24-unit structure to replace one building with two separate entrances and addresses (formerly 4279 and 4281 Beverly Hills Drive) that was destroyed by fire.

Multi-family dwellings are a conditionally permitted use in the C-G General Commercial District, pursuant to Section 1260.04(o), subject to Chapter 1286 of the City's Zoning Code.

Recesses and projections are indicated on the building, as required by Section 1286.03(e)(3). There is 32.3' between the adjacent apartment building, which meets the minimum 20' separation required by Section 1286.03(c).

Staff Review Comments:

9. The building is located 29.7' from the east property line abutting the residential district on Judita Drive; Section 1260.05(b) requires a minimum side yard setback of 50' when adjacent to a residential district. A request for a variance is scheduled with the Board of Zoning Appeals on Tuesday, November 2, 2016.
10. Section 1286.03(e)(1) permits a maximum of 12 units per building for multi-family structures with central hallways; 24 units are proposed. A variance will also be required from the Board of Zoning Appeals.
11. Verify the number of parking spaces meets the minimum of two spaces per dwelling unit, including one space in a garage, pursuant to Table 1276-1(a)(2).
12. Section 1282.06(a) requires a 25' wide landscape screening yard on the east side of the site which abuts the residential district on Judita Drive. Any existing required landscaping disturbed during construction shall be replaced.
13. A photometrics plan shall be submitted to indicate a minimum lighting level of 0.6 footcandle for parking and pedestrian levels, pursuant to Section 1276.14(a). Verify the footcandle level shall not exceed 1.0 at the property line adjacent to Judita Drive, as required by Section 1276.14(d).
14. There shall be a maximum of 16 inches between exterior wall finishes and the final grade. Exposed foundation walls shall be covered with brick, stone or masonry with a surface design, pursuant to Section 1286.03(e)(5).
15. Sidewalks shall form a network of pedestrian paths with a logical continuity, in accordance with Section 1286.03(e)(6).
16. The City Engineer and Assistant Fire Chief require a fire hydrant to be installed that is accessible directly from the south parking lot.

Staff Recommendations:

Staff recommends approval, pending a ruling from the Board of Zoning Appeals on the setback and maximum number of units per building, and provided the above items are addressed.

Trampoline Xtreme, LLC

(Detailed site plan and conditional zoning certificate)

Location: 1261 Industrial Parkway North
I-L District

Proposed Use & Background:

At the applicant's request, the Planning Commission tabled the detailed site plan and conditional zoning certificate at their meeting on October 20, 2016. A public hearing for the application was held on that date and a revised site plan was also submitted.

The revised plan indicates one van-accessible handicap parking space on the west side of the building, along with three regular handicap spaces, as required by Section 1106.5 of the 2011 Ohio Building Code, which have been relocated further north closer to the customer entrance, pursuant to Section 1278.09(d)(5). Three of the northern-most spaces in the southwest parking lot have been removed to provide additional room for vehicle circulation. The five parking spaces located within the striped areas in the southwest and northwest parking lots on the west side of the building have been removed. A 24' aisle width is shown between the southwest parking lot and the truck dock.

The applicant stated at the October 20th meeting that the existing truck dock on the west side of the property will not be used. As requested by the Planning Commission, due to safety concerns regarding semi-truck traffic occurring simultaneously with operating hours of Trampoline Xtreme, the hours of operation have been revised as follows: Wednesday and Thursday from 5:00 p.m. to 9:00 p.m.; Friday from 5:00 p.m. to 10:00 p.m.; Saturday from 12:00 p.m. (noon) to 11:00 p.m.; and Sunday from 11:00 a.m. to 8:00 p.m. The facility will be closed on Monday and Tuesday. On federal holidays, the facility will be open from 11:00 a.m. to 8:00 p.m. The applicant has submitted a document signed by Decco Alloys and DRR (tenants in the building) stating their trucking activity hours end no later than 5:00 p.m.

A written Safety Plan has been submitted stating that a high-definition camera system will be installed over every attraction, lobby and parking lot. All activities in the facility will be recorded and up-loaded to a secure site. In the trampoline park, a camera system will be installed that can be accessed and viewed on-line by parents through their cell phone or home computer. Hourly parking lot sweeps will be conducted by an adult manager to deter any illegal or harmful activities. Entry to the facility will be secured and monitored by employees at the reception area during operating hours, and trained employees will be strategically placed throughout the trampoline park for court monitoring and safety monitoring. Parental seating will be available for viewing of their child.

Staff Review Comments:

1. Provide parking stall dimensions for the 66 new striped parking spaces on the west side of the site; Table 1276-3 requires a minimum dimension of 9' wide by 19' long for 90° angle parking.

2. Clarify the public will not have access to Trampoline Xtreme until 5:00 p.m. on Wednesday, Thursday, and Friday so as not to conflict with semi-truck traffic.

Staff Recommendations:

Staff withholds recommendation pending further discussion of conflicts with semi-truck traffic.