

# BRUNSWICK CITY PLANNING COMMISSION

March 7, 2024 - Caucus

6:38 p.m.

## **Attendance:**

Joe Shirilla, Chairman  
Brad Saeger, Vice-Chairman  
Abbas Hasan, Member  
John Rocha, Secretary  
Keith Kuczma, Council Representative  
Matt Jones, City Engineer  
Santo Incorvaia, Assistant Law Director  
Grant Aungst, Community and Economic Development Director  
Jennie Lods, Planning and Zoning Coordinator  
Noah Ferriman  
Richard Otter, 2903 Interstate Pkwy  
Ian Otter 2903 Interstate Pkwy  
Paula Otter, 2903 Interstate Pkwy  
Craig Sanders, 1988 Pearl Road  
Andrew Bradigan, 16527 Falmouth Drive  
Larry Bradigan, 1894 Westfield Lane  
Brian Kunz, 18005 Heritage Trail  
Denise Arnaud, 1545 August Ave.  
John Reyes, 46405 Telegraph Road  
Eric Abeln, 3333 Warrensville Road  
Jesse Warren, 1988 Pearl Road

Chairman Shirilla called the meeting to order at 6:38 p.m.

The first item was **Bradigan rezoning from R-M to R-L**

(Public Hearing - map amendment)

Location: 1406 Congressional Avenue

R-M District

Mr. Jones explained this was a parcel of land that was meant to be the final phase of the Links development and applicant wants it zoned from R-M to R-L so he can build a home. BZA gave him a variance for the frontage. Mr. Incorvaia also mentioned there was an easement with the current pond that was brought up during BZA. The Commission wondered what the list of names were included in the packet and planning on asking the applicant that question. No further comments were made from the Commission.

The second item was **Tru-Cut Saw addition**

(Discussion Plan)

Location: 2903 Interstate Parkway

I-L District

No comments were made from the Commission.

The third item was **Panda Express**

(Discussion plan)

Location: 3299 Center Road, Marcs Plaza, east of Wendy's

C-G District

Mr. Aungst stated we need to look at how it will impact the neighborhood there and take note that the property to the east is not theirs including the sidewalk. Chairman Shirilla said this needs some modifications. There were no further comments from the Commission.

The fourth item was **Ber's HVAC, Plumbing & Electric new building**

(Detailed site plan)

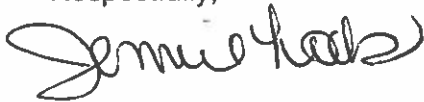
Location: 1988 Pearl Road

C-G District

Chairman Shirilla likes the enhancements the architect made and Mr. Saeger said there are two options they need to choose from. No further comments from the Commission were made.

Chairman Shirilla adjourned the meeting at 6:50 p.m.

Respectfully,

A handwritten signature in black ink, appearing to read "Jennie Lods", written in a cursive style.

Jennie Lods

# BRUNSWICK CITY PLANNING COMMISSION

March 7, 2024

7:01 p.m.

## **Attendance:**

Joe Shirilla, Chairman  
Brad Saeger, Vice-Chairman  
Abbas Hasan, Member  
John Rocha, Secretary  
Keith Kuczma, Council Representative  
Matt Jones, City Engineer  
Grant Aungst, Community and Economic Director  
Santo Incorvaia, Assistant Law Director  
Jennie Lods, Planning and Zoning Coordinator  
Noah Ferriman  
Richard Otter, 2903 Interstate Pkwy  
Ian Otter 2903 Interstate Pkwy  
Paula Otter, 2903 Interstate Pkwy  
Craig Sanders, 1988 Pearl Road  
Andrew Bradigan, 16527 Falmouth Drive  
Larry Bradigan, 1894 Westfield Lane  
Brian Kunz, 18005 Heritage Trail  
Denise Arnaud, 1545 August Ave.  
John Reyes, 46405 Telegraph Road  
Eric Abeln, 3333 Warrensville Road  
Jesse Warren, 1988 Pearl Road

## Item 1

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

Vice Chairman Saeger made a motion to excuse Jeff Arona for just cause.

Mr. Hasan seconded the motion.

4 ayes, 0 nays

Ms. Lods called the roll: 4 Present 1 Absent (Jeff Arona)

## Item 2

Announcements or Correspondence. There were no announcements or correspondence.

## Item 3

Approval of February 15, 2024 minutes.

MR. ROCHA MOTIONED TO APPROVE THE MINUTES FROM FEBRUARY 15, 2024.  
MR. HASAN SECONDED THE MOTION. THE VOTE WAS 4 AYES, 0 NAYS

Item 4 (a)

Regarding the Public Hearing – map amendment for Bradigan rezoning from R-M to R-L. Brian Kunz and Andrew Bradigan were present.

**Bradigan rezoning from R-M to R-L**

(Public Hearing – map amendment)

Location: 1406 Congressional Avenue  
R-M District

Brian Kunz and Andrew Bradigan were present. Mr. Kunz stated that the names on the list that was asked during Caucus were letters that were sent out in the development regarding this rezoning. Mr. Kunz said he applied for a frontage variance with the BZA and that was approved. Chairman Shirilla asked if the pond was stormwater and Mr. Jones stated yes it was.

Andrew Bradigan of 1406 Congressional Ave. was present who is the friend of the owner of the property. Chairman Shirilla wanted to know if there was anyone interested in the property right now and he stated no, the single-family home would be for him – Mr. Bradigan. Mr. Kunz is helping him because he is in real estate and they are friends. Public Hearing was opened at 7:07 p.m.

No one appeared at the public hearing so it was closed at 7:08 p.m.  
No further discussions from the Commission.

**Staff Recommendations:**

Staff recommends approval to City Council of the rezoning to the R-L Low Density Residential District.

MR. HASAN MADE A MOTION TO MOVE THIS TO CITY COUNCIL FOR THE  
REZONING TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT FOR 1406  
CONGRESSIONAL AVENUE, BRUNSWICK, OHIO.

Vice-Chairman Saeger seconded.

4 ayes, 0 nays

Item 4 (b)

Regarding the discussion plan –Tru-Cut Saw addition. John Reyes was present.

**Tru-Cut Saw addition**

(Discussion Plan)

Location: 2903 Interstate Parkway  
I-L District

John Reyes of 46405 Telegraph Road in Amherst was present. He discussed the project with the Commission. Mr. Hasan wanted to know if the applicant brought the email with him and he did. The Commission went over the staff review comments which can be found below under the staff review comments.

Chairman Shirilla wanted to know what Tru- Cut Saw was. Mr. Aungst said they make saw blades.

Vice Chairman Saeger is ok with the elevations.

No further discussions from Commission.

**The Staff Review Comments were addressed as follows:**

1. Verify one of the two handicap spaces required by Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code will be van-accessible. **They are going to comply with the van-accessible handicap spot.**
2. Along the west property line, Sheet 2 indicates the existing tree brush line will be removed; Section 1282.08(a) requires a minimum 5' wide parking perimeter screening strip containing material from Plant Lists "D" or "E" that will achieve a minimum height of 4', which shall be notated on the detailed site plan. **If any trees or shrubs are removed, they will replace them according to Code.**
3. A photometrics plan shall be submitted indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, as required by Section 1276.14(a), with an average illumination level not to exceed 2.4 footcandles, pursuant to Section 1276.14(c). **This was added by the applicant.**
4. Will there be any outside storage, if so, it is subject to the requirements in Section 1266.06. **The applicant stated no.**
5. Performance standards shall be submitted, in accordance with Section 1266.07. **This was asked to Mr. Jones on what this was and Mr. Jones stated it was what was in the conditional zoning certificate.**
6. The driveway is shown extending to the north property line; the pavement should end before that point in order to convey water to the new drainage basin. **Mr. Jones requested further grading details later on in the project.**

**Staff Recommendations:**

Staff recommends moving the discussion plan to a detailed site plan and public hearing for the conditional zoning certificate.

There were no further discussions from the Commission.

VICE-CHAIRMAN SAEGER MADE A MOTION TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN AND PUBLIC HEARING FOR TRU-CUT SAW ADDITION, 2903 INTERSTATE PARKWAY, BRUNSWICK, OHIO IN THE I-L DISTRICT. VICE-CHAIRMAN SAEGER READ THROUGH STAFF REVIEW COMMENTS 1-6 AND THE ANSWERS TO EACH COMMENT.

Mr. Rocha seconded.  
4 Nays, 0 Nays

Item 4 (c)

Regarding the discussion plan –Panda Express. Eric Abeln was present.

**Panda Express**

(Discussion Plan)

Location: 3299 Center Road, Marc's Plaza, east of Wendy's  
C-G District

Eric Abeln of 3333 Warrensville Road was present. Mr. Ebeln stated that Panda Express is a family- owned restaurant that started in 1979. They are looking to redevelop the sea of parking lot and are calling this a Panda Home with the elevations. He explained that the staff loads the plates for you when you come in and order. Chairman Shirilla wanted to know if they felt this would have enough seating and Mr. Ebeln stated yes, he does. Mr. Abeln also mentioned there would be outdoor seating as well. He sated the outdoor seating was under a pergola. Chairman Shirilla wanted to know if delivery trucks would have an issue and Mr. Abeln stated the trucks would get there early before customers. Chairman Shirilla said the Commission would have to grant some modifications. Mr. Ebeln stated he could make the patio bigger or move the structure to meet the setback requirements because they are currently two feet too far back. Mr. Hasan asked about the drive thru-elevation and all the signage symbols on the side of the building. Mr. Aungst stated that he liked the applicant talking about that signage possibly going away because this would require a lot of variances. Chairman Shirilla wanted to know what type of lighting will enhance the building besides the wall sconces. Mr. Abeln stated back lit LED lights on the wall, a metal canopy with wall washing light on the wall and the swoop element has red LED in addition to lighting on the patio. He also asked about the window line on the rear of the building and Mr. Abeln said the horizontal band that has LED lights and will wash the wall in addition to the drive-thru. Mr. Aungst said to make sure that is shown on the detailed site plans. Chairman Shirilla wanted to go through the Staff Review Comments:

**The Staff Review Comments were addressed as follows:**

1. The building is located 74' from the Center Road right-of-way and the covered patio is 62' feet from the Center Road right-of-way, which exceeds the maximum 60' permitted by Section 1260.05(a)(2)(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), which states a minimum of 880 sq. ft. (44 parking spaces x 20 sq. ft.) of interior landscaping is required; doubling that amount equals 1,760 sq. ft.

**The applicant has agreed that they can either make the patio bigger by two feet or they can move the building by two feet.**

2. Pursuant to Section 1282.06(g), a 10' wide perimeter screening strip adjacent to the Center Road right-of-way is required with a row of trees from Plant List "A", 25' to 35' on-center with a row of shrubs from Plant Lists "D" or "E" 3' to 4' on-center; or trees from Plant List "B", 20 to 30' on-center with a row of shrubs from Plant Lists "D" or "E".

**Chairman Shirilla wanted the applicant to make sure he listed the species and plants on the detailed site plan as well as the caliper and size. The applicant stated there are utility easements on one side of the property and they may not be able to plant there. Mr. Aungst confirmed that was true. Mr. Jones wanted to clarify, the perimeter screening strip is intended to be regular intervals and the Commission can approve a less restrictive requirement.**

3. Interior landscaping measuring a minimum of 880 sq. ft. shall be provided, pursuant to Section 1282.08(b), containing a minimum of 4 trees from Plant List "A" and 60 shrubs from Plant Lists "D" or "E", unless it is an improvement required by Section 1260.07(e) for a front yard setback modification, whereby twice that amount will be necessary. Staff suggests using the striped parking areas on the east side of the site to provide additional interior landscaping. **Chairman Shirilla stated that the 880 sq. ft. is required and the applicant agreed to planting trees.**
4. A photometrics plan has been submitted indicating an average illumination level of 3.9 footcandles for the entire parking lot and 7.3 footcandles for the dumpster enclosure area; Section 1276.14(c) permits a maximum of 2.4 footcandles. **It was stated to the applicant that this only pertained to their lot. The applicant will comply.**

Mr. Kuczma wanted to know the hours of operation. Mr. Abeln said it was 10:00 a.m. to 10:00 p.m.



**Staff Recommendations:**

Staff recommends moving the discussion plan to a detailed site plan, pending the Planning Commission's ruling on the modifications, and provided the above items are addressed.

There were no further discussions from the Commission.

MR. HASAN MADE A MOTION TO MOVE THE DISCUSSION PLAN TO A DETAILED SITE PLAN AND PUBLIC HEARING FOR PANDA EXPRESS, 3299 CENTER ROAD, BRUNSWICK, OHIO IN THE C-G DISTRICT WITH THE FOLLOWING CONDITIONS: THE APPLICANT HAS STATED THEY WILL COMPLY WITH STAFF REVIEW COMMENTS NUMBER 1 BY EITHER MOVING THE BUILDING OR MAKING THE PATIO LARGER, THEREFORE, NO MODIFICATION WOULD BE NEEDED. REGARDING COMMENT NUMBER 2, ADMINISTRATION AGREES THAT DUE TO THE EASEMENTS AND UTILITIES, THIS WOULD NOT BE FEASIBLE TO HAVE TREES OR SHRUBS IN THE EASEMENTS SO THE APPLICANT WILL PLANT TREES OR SHRUBS CREATIVELY IN DIFFERENT SPOTS ON THE SITE. LASTLY, THE APPLICANT HAS AGREED TO COMPLY WITH STAFF REVIEW COMMENTS 3 AND 4.

Mr. Saeger seconded.  
4 Nays, 0 Nays

Item 4 (d)

Regarding the detailed site plan – Ber's HVAC, Plumbing & Electric new building. Craig Sanders was present.

**Ber's HVAC, Plumbing & Electric new building**  
(Detailed site plan)  
Location: 1988 Pearl Road,  
C-G District

Craig Sanders of 1988 Pearl Road was present. Mr. Sanders explained this building will be used for storage of materials and he walked through some of the staff review comments that were made. He also stated that he submitted 2 versions of the porch and he had emailed Pam that morning addressing some of the staff review comments. Chairman Shirilla looked at the two different versions of the porch. Vice-Chairman Saeger agrees with the applicant that option 2 is the better option because it is softer in appearance because of the neighborhood they will be in. Chairman Shirilla agreed it works in harmony with the other features. Chairman Shirilla confirmed they moved the landscaping on the northeast side further out and he is happy with that. Mr. Jones said he is ok with the landscaping plan. Chairman Shirilla went through the staff review comments as shown below.

**The Staff Review Comments were addressed as follows:**

1. The dumpsters and yard storage have been relocated behind an existing outbuilding. Indicate the dumpster enclosure material to ensure it is compatible with the building, as required by Section 1276.12(a). Also, all outdoor storage shall be approved by the Planning Commission, pursuant to Section 1280.12. **There will be no outdoor storage per the applicant unless approved by the Planning Commission.**
2. An existing conditions/demolition plan has been provided; Sheet C2.0 indicates there are seven parking spaces in front of the existing building, with a total of 33 parking spaces on the entire site, which meets the minimum 32 parking spaces required by Table 1276-1(d)(2). However, the plan does not accurately reflect the most recent update resulting from the Pearl Road repaving project. **Mr. Jones said the location of the curb cut was adjusted after the drawings were originally submitted due to ODOT paving the road. He needs to make sure that is adjusted on the final and the applicant agreed he can correct that for engineering final approval.**
3. Two Princeton Sentry Ginko trees are indicated for interior landscaping; add one tree to provide a minimum of three trees from Plant List "A", as required by Section 1282.08(b)(2). The minimum 24 shrubs from Plant Lists "D" or "E" have been provided. A notation shall be added to Sheet L1.0 indicating there is a minimum 660 sq. ft. of interior landscaping. **The applicant has agreed to add one more tree.**
4. Along the west and north parking spaces located on the site of the existing building, Section 1282.08(a) requires a minimum 5' wide parking perimeter screening strip containing material from Plant Lists "D" or "E" that will achieve a minimum height of 4'. As there are existing woods on the west side of the site, the Planning Commission, as permitted by Section 1282.10(a), may approve a less restrictive landscaping or screening improvement in individual, unique situations where the requirements of this Chapter are clearly inapplicable. In approving less restrictive requirements, the Commission shall find that the purpose of this Chapter, as stated in Section 1282.01, will be met, that the intent of the specific requirement will be maintained and that the public interest will be served. The concurring vote of three members of the Planning Commission shall be required to modify any of the specific requirements of this Chapter. **Regarding west and north parking spaces, existing woods will remain in place so screening strip will be unnecessary. This will be added to the motion.**
5. Section 1282.06(a) requires a minimum 25' wide side and/or rear screening yard when a commercial use is adjacent to a residential zone or land use (Ridgeline Chase Subdivision). As there are existing woods to the west (rear) of the new building, the Planning Commission, as permitted by Section 1282.10(a), may

approve a less restrictive landscaping or screening improvement in individual, unique situations where the requirements of this Chapter are clearly inapplicable, as stated in Item 3 above. **Mr. Jones stated this is similar to comment number 4 and this comment has to do with the screening the entire site. Mr. Jones said the woods serve the purpose of this but will require a second modification during the motion.**

6. A photometrics plan has been submitted indicating a minimum 0.6 footcandle level for parking and pedestrian areas required by Section 1276.14(a); however, the average site illumination level for the existing front parking lot is 5.30 footcandles; the new building front parking lot is 3.22 footcandles; and the new building south parking lot is 2.56 footcandles, which exceeds the 2.4 footcandles allowed by Section 1276.14(c). The exterior lighting complies with the maximum one footcandle at the side or rear property lines adjacent to a residential use or zoning district (Ridgeline Chase Subdivision), pursuant to Section 1276.14(d). **The applicant has agreed to decrease the footcandle to meet allowable levels.**
7. Concerning electrical service, will conduit be installed on the exterior of the building? **The electrical service will come up about 30 inches of conduit that will go into the meter box so only 20 inches of conduit on the south side will be there which is not very visible.**

Mr. Aungst wanted it stated in the record that the sidewalk is already there and if there is any damage, they will need to repair that.

Vice-Chairman Saeger wanted to know what the dumpster enclosure looked like because this is the detailed site plan. Mr. Abeln said it would be harmonious to the structure.

There were no further comments from the Commission.

**Staff Recommendations:**

Staff recommends approval of the detailed site plan, pending the Planning Commission's ruling on the modifications, and provided the above items are addressed.

VICE-CHAIRMAN SAEGER MADE A MOTION TO APPROVE THE DETAILED SITE PLAN WITH THE FOLLOWING MODIFICATIONS FOR BER'S HVAC, PLUMBING & ELECTRIC NEW BUILDING, 1988 PEARL ROAD, BRUNSWICK, OHIO IN THE C-G DISTRICT WITH THE FOLLOWING COMMENTS AND MODIFICATIONS: THE ADMINISTRATION WILL APPROVE THE DUMPSTER ENCLOSURE. THE APPLICANT'S EXISTING CONDITIONS WILL BE PROVIDED AS PART OF THE ENGINEER APPROVAL PROCESS AND THE APPLICANT WILL PROVIDE UPDATED SITE PLANS THAT WILL REFLECT THESE CONDITIONS. THE LANDSCAPING PLAN COMPLIES. THE PLANNING COMMISSION APPROVED A LESS RESTRICTIVE REQUIREMENT FOR THE PARKING LOT PERIMETER

SCREENING. THE PLANNING COMMISSION ALSO APPROVED A LESS RESTRICTIVE REQUIREMENT ON THE REAR, WEST AND NORTH SIDE SCREENING BECAUSE OF THE EXISTING WOODS. THE APPLICANT HAS INDICATED THEY WILL PROVIDE A REVISED PHOTOMETRICS PLAN FOR ENGINEER APPROVAL. THE ENGINEER HAS ACCEPTED THE ELECTRICAL SERVICE THAT WAS DESCRIBED BUT WILL BE SUBJECT TO APPROVAL BY THE ENGINEER. PLANNING COMMISSION APPROVED OPTION A. FINAL SITE PLAN IS SUBJECT TO ENGINEERING APPROVAL.

Mr. Rocha seconded.  
4 Nays, 0 Nays

Item 5

Old Business – There was no old business.

Item 6

New business – The high school and text amendments for vape and smoke shops are on for March 21 Planning Commission meeting and Mr. Aungst asked the Commission if the May 16, 2024 meeting can be moved to May 15, 2024. The Commission didn't see an issue with that but would like to discuss it during the March 21, 2024 meeting when there will be a full quorum. Mr. Aungst expressed that Mr. Nevar would be present during that meeting on the 15<sup>th</sup> if it is moved.

Item 7

Public Comment Period – There were no comments.

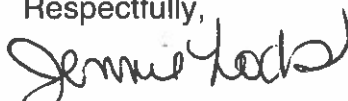
Item 8

Council Representative's Report – None.

MR. ROCHA MADE A MOTION TO ADJOURN  
Vice-Chairman Saeger seconded the motion. The vote was 4 Ayes 0 Nays.

The meeting was adjourned at 8:30 p.m.

Respectfully,

  
Jennie Lods

# **PLANNING COMMISSION STAFF REPORT**

**March 7, 2024**

## **Bradigan rezoning from R-M to R-L**

(Public hearing – map amendment)

Location: 1406 Congressional Avenue  
R-M District

### **Proposed Use & Background:**

An application has been submitted to rezone the existing 5.6140-acre parcel from the R-M Medium Density Residential District to the R-L Low Density Residential District. The Board of Zoning Appeals, at their meeting on October 16, 2023, granted a variance to allow a residential house to be constructed on the subject property without having frontage on a public street, as required by Section 1280.01(d) of the Zoning Code. Granting of this variance was contingent upon an easement that was obtained from The Fairways Homeowners Association to provide frontage for the residential driveway to a public street. In return, a maintenance/utility easement was granted to The Fairways HOA by the property owner.

### **Staff Recommendations:**

Staff recommends approval to City Council of the rezoning to the R-L Low Density Residential District.

## **Tru-Cut Saw addition**

(Discussion plan)

Location: 2903 Interstate Parkway  
I-L District

### **Proposed Use & Background:**

An application has been submitted to construct a 7,000 sq. ft. addition on the north side of the existing 22,450 sq. ft. building, for a total of 29,450 sq. ft., on a 1.75-acre site. The minimum 25' side and rear yard setbacks required by Section 1266.05(d) and (e), respectively, have been met. Manufacturing is a permitted use in the I-L Light Industrial District, pursuant to Section 1266.02(a), with warehousing allowed by Section 1266.04(h) as a conditionally permitted use that is accessory to and necessary for the support of a principally or conditionally permitted use.

Forty-four (44) parking spaces are indicated on Sheet L2.1 to accommodate the 33 employees, plus 25% for guests, company vehicles and employment growth, in compliance with the minimum 42 spaces required by Table 1276-1(e). The new parking

spaces measure 9' wide x 19' long for 90° angle spaces with a 24' aisle width for two-way traffic, pursuant to Table 1276-3.

The addition will be constructed with prefinished metal siding on the upper portion of the building, along with incorporating split-face masonry block on the lower section to match the existing structure, in accordance with Section 1278.08(e) and (f).

**Staff Review Comments:**

1. Verify one of the two handicap spaces required by Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code will be van-accessible.
2. Along the west property line, Sheet 2 indicates the existing tree brush line will be removed; Section 1282.08(a) requires a minimum 5' wide parking perimeter screening strip containing material from Plant Lists "D" or "E" that will achieve a minimum height of 4', which shall be notated on the detailed site plan.
3. A photometrics plan shall be submitted indicating a minimum 0.6 footcandle lighting level for parking and pedestrian areas, as required by Section 1276.14(a), with an average illumination level not to exceed 2.4 footcandles, pursuant to Section 1276.14(c).
4. Will there be any outside storage, if so, it is subject to the requirements in Section 1266.06.
5. Performance standards shall be submitted, in accordance with Section 1266.07.
6. The driveway is shown extending to the north property line; the pavement should end before that point in order to convey water to the new drainage basin.

**Staff Recommendations:**

Staff recommends moving the discussion plan to a detailed site plan and public hearing for the conditional zoning certificate.

**Panda Express**  
(Discussion plan)

Location: C-G District  
3299 Center Road, Marc's Plaza, east of Wendy's

**Proposed Use & Background:**

An application has been submitted to construct a 2,400 sq. ft. new restaurant with dual drive-thru lanes on a 0.95-acre site located east of Wendy's that will contain 38 indoor seats and 26 outdoor patio seats, for a total of 64 seats. Forty-eight (48) parking spaces (including two handicap spaces, one van-accessible) are shown, in compliance with the minimum 28 seats required by Table 1276-1(d)(4) of the Zoning Code, and

Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code. The 90° angle parking spaces measure 9' wide by 19' long, with a 24' aisle width for two-way traffic, pursuant to Table 1276-3. The front yard parking zone width of 43' complies with the maximum 45' width permitted by Section 1260.07(b). The minimum 130' stacking area for waiting cars in the two drive-thru lanes has been met, in accordance with Section 1276.10(j).

Restaurants are a permitted use in the C-G General Commercial District, pursuant to Section 1260.02(g) of the Zoning Code.

The Planning Commission, at their meeting on February 1, 2024, approved the lot split to create the Panda Express parcel that will be split from the main 16.68-acre Marc's Plaza parcel. The restaurant parcel, along with the two parcels created by the lot split, will be governed by a reciprocal easement agreement (REA) that will allow mutually beneficial cross-parking and ingress/egress.

The building will be constructed with a combination of light gray EIFS, charcoal wainscoting, and bamboo composite cladding. As the building has a street façade of less than 60' facing Center Road, the recesses and projections required by Section 1260.07(a) are not applicable.

The dumpster enclosure is located northeast of the restaurant and will be constructed of materials comparable to the building, pursuant to Section 1276.12(a).

**Staff Review Comments:**

1. The building is located 74' from the Center Road right-of-way and the covered patio is 62' feet from the Center Road right-of-way, which exceeds the maximum 60' permitted by Section 1260.05(a)(2)(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), which states a minimum of 880 sq. ft. (44 parking spaces x 20 sq. ft.) of interior landscaping is required; doubling that amount equals 1,760 sq. ft.
2. Pursuant to Section 1282.06(g), a 10' wide perimeter screening strip adjacent to the Center Road right-of-way is required with a row of trees from Plant List "A", 25' to 35' on-center with a row of shrubs from Plant Lists "D" or "E" 3' to 4' on-center; or trees from Plant List "B", 20 to 30' on-center with a row of shrubs from Plant Lists "D" or "E".
  3. Interior landscaping measuring a minimum of 880 sq. ft. shall be provided, pursuant to Section 1282.08(b), containing a minimum of 4 trees from Plant List "A" and 60 shrubs from Plant Lists "D" or "E", unless it is an improvement required by Section 1260.07(e) for a front yard setback modification, whereby twice that amount will be necessary. Staff suggests using the striped parking areas on the east side of the site to provide additional interior landscaping.



4. A photometrics plan has been submitted indicating an average illumination level of 3.9 footcandles for the entire parking lot and 7.3 footcandles for the dumpster enclosure area; Section 1276.14(c) permits a maximum of 2.4 footcandles.

**Staff Recommendations:**

Staff recommends moving the discussion plan to a detailed site plan, pending the Planning Commission's ruling on the modifications, and provided the above items are addresses.

**Ber's HVAC, Plumbing & Electric new building**

(Detailed site plan)

Location: 1988 Pearl Road  
C-G District

**Proposed Use & Background:**

The Planning Commission, at their meeting on February 1, 2024, moved the discussion plan to a detailed site plan to construct a 12,000 sq. ft. (80' x 150') new building to the north of the existing Ber's facility that will be used for offices and storage.

A portion of the February 1<sup>st</sup> Staff Review Comments have been addressed as follows:

1. In accordance with Table 1106.2 and Section 1106.6 of the 2024 Ohio Building Code, two handicap spaces have been provided, including a minimum of one van-accessible space.
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 at least 3% (2.40') extending at least 30% (16') of the length of the street façade. Sheet A101 indicates a covered porch facing Pearl Road (east elevation) with a depth of 6' extending 20'.
3. Sheet L1.0 indicates the species in the 10' wide landscape strip along the Pearl Road right-of-way, in compliance with Section 1282.06(e). Additionally, nine Norway spruce trees are shown near the north side of the site to provide screening between Ber's and the Ridgeline Chase Subdivision.

**Staff Review Comments:**

1. The dumpsters and yard storage have been relocated behind an existing outbuilding. Indicate the dumpster enclosure material to ensure it is compatible with the building, as required by Section 1276.12(a). Also, all outdoor storage shall be approved by the Planning Commission, pursuant to Section 1280.12.
2. An existing conditions/demolition plan has been provided; Sheet C2.0 indicates there are seven parking spaces in front of the existing building, with a total of 33

parking spaces on the entire site, which meets the minimum 32 parking spaces required by Table 1276-1(d)(2). However, the plan does not accurately reflect the most recent update resulting from the Pearl Road repaving project.

3. Two Princeton Sentry Ginko trees are indicated for interior landscaping; add one tree to provide a minimum of three trees from Plant List "A", as required by Section 1282.08(b)(2). The minimum 24 shrubs from Plant Lists "D" or "E" have been provided. A notation shall be added to Sheet L1.0 indicating there is a minimum 660 sq. ft. of interior landscaping.
4. Along the west and north parking spaces located on the site of the existing building, Section 1282.08(a) requires a minimum 5' wide parking perimeter screening strip containing material from Plant Lists "D" or "E" that will achieve a minimum height of 4'. As there are existing woods on the west side of the site, the Planning Commission, as permitted by Section 1282.10(a), may approve a less restrictive landscaping or screening improvement in individual, unique situations where the requirements of this Chapter are clearly inapplicable. In approving less restrictive requirements, the Commission shall find that the purpose of this Chapter, as stated in Section 1282.01, will be met, that the intent of the specific requirement will be maintained and that the public interest will be served. The concurring vote of three members of the Planning Commission shall be required to modify any of the specific requirements of this Chapter.
5. Section 1282.06(a) requires a minimum 25' wide side and/or rear screening yard when a commercial use is adjacent to a residential zone or land use (Ridgeline Chase Subdivision). As there are existing woods to the west (rear) of the new building, the Planning Commission, as permitted by Section 1282.10(a), may approve a less restrictive landscaping or screening improvement in individual, unique situations where the requirements of this Chapter are clearly inapplicable, as stated in Item 3 above.
6. A photometrics plan has been submitted indicating a minimum 0.6 footcandle level for parking and pedestrian areas required by Section 1276.14(a); however, the average site illumination level for the existing front parking lot is 5.30 footcandles; the new building front parking lot is 3.22 footcandles; and the new building south parking lot is 2.56 footcandles, which exceeds the 2.4 footcandles allowed by Section 1276.14(c). The exterior lighting complies with the maximum one footcandle at the side or rear property lines adjacent to a residential use or zoning district (Ridgeline Chase Subdivision), pursuant to Section 1276.14(d).
7. Concerning electrical service, will conduit be installed on the exterior of the building?

**Staff Recommendations:**

Staff recommends approval of the detailed site plan, pending the Planning Commission's ruling on the modifications, and provided the above items are addressed.