

MINUTES OF THE PUBLIC HEARING - CONDITIONAL USE PERMIT VALOR ACRES MIXED-USE
DEVELOPMENT
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
January 26, 2023 Page 1

Present: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Others: Monica Bartkiewicz, Gerald Wise and approximately 25 guests

Mr. Lahrmer opened the Public Hearing at 7:10 P.M. by a reading of the following legal notice published in the January 12, 2023 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing on Thursday, January 26, 2023, at 7:00 P.M. at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to review the proposed L-B Local Business District Conditional Use for the Valor Acres Mixed-Use Development, Brecksville/Miller Roads, Brecksville, Ohio 44141.

Mr. Lahrmer clarified that despite the agenda published previously the only aspect of the Valor Acres property under consideration this evening was their application for an L-B Local Business Conditional Use Permit.

Messrs. Kevin DiGeronimo and Joshua Decker were present on behalf of DiGeronimo Properties. A conceptual "drive through" video was shown for the public to visualize the configuration of the proposed interior roadway layout and access points of the mixed use phase of the project. Conceptually the mixed-use portion of Valor Acres would include a hotel, grocery store, retail, restaurants, office space and some limited residential. The first building under consideration was the DiGeronimo headquarters building at the corner of Brecksville Road and Miller Road.

The public hearing was opened to public commentary. Mr. Richard Hipple, 10035 Hunting Drive, asked if Valor Acres would be comparable to Pinecrest in Orange Village. Mr. DiGeronimo commented that they were one of the builders of that award winning development. Pinecrest covers sixty acres with 400,000 sq. ft. of retail and they struggle with occupancy. Valor Acres mixed use encompasses about 28 acres with about 100,000 sq. ft. of retail expected. The hope was that Valor Acres would be more focused to business/office uses. Mr. Hipple suggested some minimum requirements should be established for retail space. He thought this development was an opportunity for some sophisticated retail in Brecksville.

Mr. Ray Andrews, 9515 Chippewa Road, asked about how many people would be on the site during a 9:00 A.M to 5:00 P.M. day. Mr. DiGeronimo thought Sherwin Williams projected from 800-900 employees for their new facility. He estimated very roughly about a thousand people daily in the mixed-use area dependent on the mix of office, restaurant and retail. Mr. Andrews pointed out that most of the development in Brecksville over the last ten years has been at the southern end of town. He wondered if any additional City services like EMS or a small fire station were planned for that area. He also suggested some retail tie-in to the Metroparks like a bike rental operation.

Mr. Chris Zach, 10161 Old Orchard Drive, asked if there were committed tenants for the hotel and the grocery store. He mentioned the apparent lack of occupancy of the several existing hotels in that area. The developer has not identified a grocery store, however has met with a dozen grocers ranging from boutique size at 15,000 sq. ft. up to 45,000 sq. ft. similar to a Heinen's size. A hotel partner out of Columbus has been identified that specializes in higher end, limited service hotels in mixed-use areas. Mr. Zach spent five months on grand jury duty involving crimes in nice communities that seemed to initiate at hotels. Demographic marketing studies of the mixed-use area support the need for a hotel. The hotel could be expected to serve visitors to Sherwin-Williams and the office/business areas with mainly short, weekday bookings. Mr. Zach asked about apartments and whether there would be any Federal restrictions involved, particularly that would require a balance of high end and low end rentals. Mr. DiGeronimo knew of no Federal regulations. He anticipated residential apartments in the mixed-use area, either to purchase or rent, but was not able to project a concrete number at this point.

Mr. Nathan Kehoe, 10210 Whitewood Road, favored the idea of a more walkable development with some attention to a bike friendly infrastructure. He suggested somehow linking the pedestrian/biking vibe of the development to the Metroparks. Mr. Kehoe wondered whether a movie theater could be an entertainment

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consideration. Mr. DiGeronimo responded that theaters were struggling now and would not be a development possibility.

Ms. Nancy Woelfl, 10216 Woodview Way, felt the five story apartment building on the north end of the site was too tall and out of character with the Brecksville community. She did not want to see even more five story buildings on the site. It appeared the project was so close to approval Ms. Woelfl wondered if comments made by residents now would have any impact. Mr. John Woelfl asked what guarantee residents would have on the quality of design for the project. Mr. DiGeronimo responded that the buildings would employ four sided architecture using quality materials and be similar to those shown in the video at the beginning of the public hearing. He noted that the Planning Commission has been overseeing and monitoring the building design as the project has progressed and would have final approval over any building constructed on the site. Mr. Woelfl wanted to know the floor area ratio. Mr. DiGeronimo said that statistic needed some research and he offered to answer that question at the next meeting.

Mr. Gary Klein, 13114 Snowville, commented on the increase in bike traffic on Snowville Road in recent years so he found it encouraging the new development would be bike friendly. Mr. Klein was concerned on how the large scale of the buildings and entire project would fit into the character of Brecksville. He, and Ron Garrison 9499 Greystone Parkway, asked about stormwater management measures. Mr. DiGeronimo outlined stormwater management measures on the site which started at the northern, residential portion of the site with temporary measures that are now replaced with the retention pond that will also collect runoff from other areas of Valor Acres beyond the residential area. Bio swales and other storm water management measures would be employed as the development progressed. Mr. Gary Slaby, 4595 Silver Creek, asked if additional runoff from new concrete and asphalt areas was taken into account. He was assured that non-pervious runoff was an important part of their stormwater management evaluation. Over the last several years the developer's storm water management efforts have worked well.

Mr. Garrison asked about lighting pollution. The developer follows "dark skies criteria" which requires no spill off of light from their site to adjacent backyards.

Mr. Michael Weiss, 7456 Old Quarry Lane, asked if the builder had a performance bond should any aspect of the project fail. He wondered what would happen in the case of adjacent neighbors experiencing flooded backyards. Mr. DiGeronimo knew of no bond required. He could only be guided by very stringent stormwater management requirements and their experience with the property over the last three years. It was an aspect of development that required continued evaluation.

Mr. Weiss was a retail real estate broker and he wondered given the small population of Brecksville and the current poor retail economy how the amount of proposed boutique retail could be successful. He noted there were currently retail vacancies in the downtown Brecksville area. He questioned how small retail tenants would be able to afford the rents in the new construction area. Mr. Weiss noted that retail usually didn't age well and he wondered what the area would look like in five years. Mr. Weiss preferred the character of Brecksville without the five story buildings and retail.

Mr. Chris Zach, 10161 Old Orchard Drive, wondered about the disposition of the property across Brecksville Road from Valor Acres which had been for sale for over twenty years. Mayor Hruby responded that the property was now owned by the MetroParks and would not be developed.

Ms. Bartkiewicz mentioned a number of e-mails received from the public. Copies of those e-mails were provided to Planning Commission members for their consideration.

There were no further questions from the public present and the Public Hearing closed at 8:05 p.m.

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THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
RON PAYTO, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
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Present: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Others: Monica Bartkiewicz, Gerald Wise and approximately 25 guests

Mr. Lahrmer opened the Regular Meeting of the Planning Commission at 7:00 P.M. The Public Hearing on Valor Acres was temporarily tabled so the only other unrelated agenda item could be dealt with quickly for the convenience of that applicant.

APPROVAL OF JANUARY 5, 2023 PUBLIC HEARING MINUTES ON A DECK FOR 7520 SANCTUARY CIRCLE

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission January 5, 2023 Public Hearing Minutes on a Deck for 7520 Sanctuary Circle be approved.

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 5, 2023

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission Regular Meeting Minutes of January 5, 2023 be approved.

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF JANUARY 5, 2023

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission Revised Work Session Meeting Minutes of January 5, 2023 be approved.

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE - No Report

REPORT OF MAYOR HRUBY - No Report

REPORT OF CITY ENGINEER - No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

DIGERONIMO COMPANIES VALOR ACRES MIXED-USE PHASE I – L-B CONDITIONAL USE APPROVAL

It was moved by Mr. Lahrmer, and seconded by Mr. Sciria, that the Planning Commission recommend to City Council approval of the L-B Local Business District as a Conditional Use for PP #604-09-016

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

DIGERONIMO COMPANIES VALOR ACRES MIXED-USE PHASE I – BPDA ROADWAY CONFIGURATION

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission will hold a Public Hearing on Thursday, February 23, 2023 at 7:00 P.M at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to review the proposed request for Preliminary Approval of a Business Planned Development Area for the Main Roadway Configuration BPDA – Phase I, subject to engineering approval, for PP #604-09-016 as part of the Valor Acres Mixed-Use Development fronting Miller Road, in Brecksville, Ohio 44141.

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

DIGERONIMO COMPANIES VALOR ACRES MIXED-USE PHASE I – BPDA OFFICE BUILDING I

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission will hold a Public Hearing on Thursday, February 23, 2023 at 7:00 P.M at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to review the proposed request for preliminary approval of Phases I & II of a Business Planned Development Area on PP #604-09-016 as part of the Valor Acres Mixed-Use Development fronting on Miller Road in Brecksville Ohio 44141

ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

PHYSICIANS AMBULANCE – 9200 NOBLE PARK DRIVE

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission recommend to City Council **PRELIMINARY** and **FINAL** approval for construction of an asphalt driveway addition and modification of the existing building to add two (2) new garage door openings at Physicians Ambulance, located at 9200 Noble Park Drive, Brecksville, Ohio, as described in the application dated January 9, 2023 by Maison A + D and attached documentation and contingent on Engineering approval.

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ROLL CALL: Ayes: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Nays: None
MOTION CARRIED

The Regular Meeting closed at 10:55 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
RON PAYTO, SECRETARY

Minutes recorded by Nancy Dimitris

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Present: Mayor Hruby, Mark Jantzen, Lawry Kardos, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Others: Monica Bartkiewicz, Gerald Wise and approximately 25 guests

Mr. Lahrmer opened the Work Session at 7:05 P.M.

PHYSICIANS AMBULANCE – 9200 NOBLE PARK DRIVE

Mr. Jason Hess, President of Physicians Ambulance, was present on behalf of their request for renovations to the property they purchased in October 2022 at 9200 Noble Park Drive. Phase I of their two phase renovation project would involve the addition of an asphalt driveway and two new garage doors to the building. Plans were within Code requirements. Mr. Wise had no issue with the project other than to comment that at the time Phase II for more parking comes before the Commission additional storm water management might need to be a consideration. The Work Session recessed into the Regular Meeting for a motion.

DIGERONIMO COMPANIES VALOR ACRES MIXED-USE PHASE I – MILLER ROAD & BRECKSVILLE ROAD

Present: Kevin DiGeronimo, DiGeronimo Properties
Joshua Decker, Project Executive

L-B Local Business Conditional Use

There was a general agreement that discussion should focus first on an L-B Conditional Use Permit for the mixed-use development area. Mr. Stucky asked for the total proposed square footage of office space which Mr. DiGeronimo estimated to be 250,000 sq. ft. In addition to their headquarters building there would be another office building of similar size and a third, mid-sized office building. Non-grocery retail was estimated at 75,000 sq. ft., with the grocery store in a range of 15,000-45,000 depending on the actual tenant. The mixed-use area would also accommodate 175-250 units of residential located over first floor retail. An average of 850 sq. ft. per unit would translate into about 200,000 sq. ft. of residential units expected to be for purchase condos. A discussion of the various class sizes of buildings for residential with their height limits followed, ending with a Class III building at four stories.

Mr. Stucky was surprised at the possibility of 250 apartment units in the mixed-use area and thought that number was too much. The Mayor asked if any four story, strictly residential buildings were planned for the Phase I mixed-use area and the response was none. He recalled discussions in the early days of planning where the Planning Commission suggested one or two floors of residential over retail for the mixed-use area. Mr. DiGeronimo commented that their interpretation of mixed-use might be a five story building with first floor retail/restaurant, several floors of office above the retail and a floor or two of residential over that. Mr. Stucky suggested the buildings be capped at four stories. Ms. Kardos asked if the Commission approved Building I (DeGeronimo headquarters building) at five stories, could the Commission restrict other buildings in the mixed-use section to lesser stories. The consensus was that according to City Code building height determination was included in the Planning Commission approval process. The question of building classifications with their height restrictions and how they might apply in a BPDA resurfaced at different times during the evening. Mayor Hruby asked Ms. Bartkiewicz to seek an interpretation from the Law Director on Code Section 1155.33(d)(2) and how it applied to this mixed-use project under consideration.

Mr. Lahrmer pointed out that the application for an L-B Conditional Use Permit before the Commission did not address a residential use which would require its own application for a conditional use permit and public hearing. A discussion ensued relating to the granting of a Local Business District overlay designation of the 23 acres by the electorate and how that translated into actual development under the guidance of the Planning Commission. Mr. DiGeronimo acknowledged that every aspect and each future building within the mixed-use portion of the project would be developed under the guidance of the Planning Commission and adhering to their established approval process. The Work Session recessed into the Regular Meeting for a motion on granting an L-B Conditional Use Permit.

Business Planned Development Area (BPDA)

Ms. Bartkiewicz prefaced the discussion with a definition of L-B as the Local Business District and BPDA as the proposed Business Planned Development Area within the L-B District. The applicant was requesting approval of the mixed-use BPDA – Phase I including the main roadway configuration.

The proposed 30 ft. setback from Miller Road and 50 ft. setback from Brecksville Road were discussed. The applicant was asked at the Planning Commission's January 5, 2023 meeting to consider increasing those setbacks yet the plans remained the same. Mr. DiGeronimo indicated the setbacks were effectively 45 ft. and 65 ft. including the sidewalk ROW. In many urban areas the setback was 20 ft. and in downtown Brecksville 12 ft. He knew this would be an adjustment in thinking for the community. He pointed out that putting parking lots along the street was not a look they are going for. Increasing the setback in any substantial way would not permit the developer the effective use of the property. Mr. Stucky would like to see setbacks of at least 75 ft. and parking in the front citing Pinecrest as an example. He also noted the Planning Commission's decision to set back Building T-1 in the Valor Acres Residential Section at 85 ft. off Brecksville Road. Most Commission members were agreeable to the proposed setbacks. It was pointed out that the parklike setting across Brecksville Road would only contribute to the immense change coming to a more urban look.

Mr. Jantzen commented that considering the predicted population density on the site in the initial phase, what would it be ten years from now. He speculated that a number equal to a quarter of the population of Brecksville could be on the site at any given time. He was concerned about those intersections to the south that have essentially been rural being negatively impacted and changing the character of Brecksville. Mr. DiGeronimo said current studies show the working population south of Rt 82 at over 13,000, already dense. He hoped their development would be successful and expected a traffic study of the area to be tweaked during the development process and also post construction to help effectively manage traffic patterns.

Mr. Wise commented on the lack of a road connecting Sherwin Williams and the residential area with the mixed-use area. Mr. DiGeronimo assured that there would be a road connecting the mixed-use section to the rest of Valor Acres, but its exact location was uncertain so they left it off the current drawings. Mr. Wise appreciated that only one access point from Brecksville Road was shown, but was disappointed it did not line up with Lubrizol's driveway. That Brecksville Road access would now require a traffic signal that would be sequenced with the one at Miller Road. Mr. DiGeronimo expected the Brecksville Road access to be lightly used and didn't think a traffic signal would turn out to be necessary there. The Mayor commented that the Lubrizol drive was only used by visitors to the site, as their employee entrance had been relocated. Ms. Kardos commented she did not look forward to two traffic lights back-to-back. She also preferred minimizing median cuts along Brecksville Road. Mr. DiGeronimo noted they have eliminated one of the proposed curb cuts along Brecksville Road into the mixed-use area and would be willing to confine the planned Brecksville Road access to right in and right out. He said their objective was to simplify the plan so it could be approved and they could move into clearing and mass excavation on the site. Mr. DiGeronimo added that in the future other curb cuts would be necessary along Brecksville Road to serve other aspects of the development.

Mr. Wise acknowledged receipt of the truck turn documentation demonstrating that a small semi-truck could traverse the roads which should accommodate service deliveries to the site. Fire truck accessibility to the site would need to be assessed. Storm water plans submitted to date did not show runoff to the retention pond. Those figures would be required to demonstrate the pond works. Mr. Wise finished his review of points made in his January 26, 2023 letter to the Planning Commission with brief comments on roadways, ingress/egress easements and utilities. Detention was mentioned again. Mr. Stucky wanted to make sure the 48" storm water line would be installed connected to the Phase 1 detention Pond, at the beginning of the project with the Temporary Sediment basins.

Discussion turned to parking for the mixed-use area. The parking planned for Phase I was 1,125 spaces with 2,000 provided for the entire project. It was noted that Pinecrest had parking for 2,214 over 60 acres and had no parking issues. Mr. Stucky thought the mixed-use plan provided inadequate parking. Mr. Decker mentioned that shared use of parking was considered because spaces were used at different times of day by varying patrons. Mr. DiGeronimo pointed out there were a number of areas of landbanked parking that could be used, along with the

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area for future development. There were enough temporary options for parking to work until the actual parking needs were determined.

Mr. Sciria asked if the buildings should be removed from the site plan since only the roadways were being considered. He had a concern that showing conceptual buildings could imply Planning Commission approval of those buildings. The Mayor recalled that we asked the developer for building footprints to help visualize the plan. Mr. Payto saw no problem showing buildings as long as they were identified as conceptual. There were no further questions on the road configuration and the Work Session recessed into the Regular Meeting for a motion.

Mass Grading, SWPPP, and Clearing

Clearing and mass grading of the site could not be considered until the roadway configuration was approved, potentially after the public hearing on February 23rd. Mr. Wise thought the mass grading could be put on the same February 23, 2023 Planning Agenda and in the interim between now and then the engineering work necessary could commence. Planning Commission members agreed that the mass grading should be added to their next meeting's agenda for February 23, 2023 following consideration of the roadway configuration.

Preliminary approval for BPDA Office Building I

The request for consideration was a five story office building headquarters for the DiGeronimo Companies featuring underground parking, a first floor restaurant, followed by floors of office use. Mr. DiGeronimo indicated Code specified 620 parking spaces. The applicant was requesting a parking space deviation from Code to permit 370 parking spaces. Parking would be accommodated by 28 dedicated underground parking garage spaces, 72 building exterior spaces and the over 725 spaces in Parking Garage G. Parking Garage G was slated to go up simultaneously with Building I.

Ms. Kardos wondered how the modern architecture of the building would age over the next ten to twenty years. The Mayor commented that from the beginning of planning the City knew it would be a departure from the classic Western Reserve architecture in Brecksville. Mr. DiGeronimo hoped the high quality of design and materials would serve the buildings well over the years. He suggested they might, in the way Heinen's did, use some classic elements to tie the development into the community. Mr. Lahrmer didn't think they should try to match Western Reserve architecture, but look for subtle ways to blend the buildings in.

Mr. Lahrmer questioned the mixture of white metal panels and white masonry. Mr DiGeronimo was not sure which material or combination they would be using, but both were of high quality and should be acceptable. He was uncertain of how they would weather over the years. The Work Session recessed into the Regular Meeting to set a Public Hearing.

The Work Session closed at 10:55 p.m.

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