

PUBLIC HEARING TO CONSIDER COLLIGAN FRONTYARD SETBACK - 10531 SNOWVILLE RD.
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky

Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Public Hearing at 6:30 P.M. by reading the following legal notice published in the May 12, 2022 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 6:30 p.m. on Thursday, May 26, 2022 at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a front yard setback of 80' for Permanent Parcel #605-17-002, 10531 Snowville Road, Brecksville, Ohio 44141.

Mr. Jason Baylor, of Payne & Payne Builders, was requesting an 80 foot frontyard setback for a proposed new home at 10531 Snowville Road. The home adjacent to the west of the proposed new home had a 145 ft. front setback due to a frontyard swale, however all other homes in that area were in line with an 80 ft. frontyard setback.

There were no questions from the public present. The public hearing concluded at 6:36 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER REZONING PP #604-07-002 – 0000 S. EDGERTON RD.
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky
Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Public Hearing at 6:40 P.M. by reading the following legal notice published in the May 12, 2022 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 6:40 p.m. on Thursday, May 26, 2022, at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, for the proposed Zoning Map amendment of the City of Brecksville by rezoning PP #604-07-002, 0000 S. Edgerton Road from L-B Local Business to include a Planned Development Overlay District of an Assembly Use for a Gathering Room/Event Center per Section 1156.

Mr. Ken French was present on behalf of a rezoning request from Local Business to a Planned Development Overlay District so a gathering room could be rented to host events such as showers and weddings instead of having to charge a per person fee.

There were no questions from the public present and the public hearing was closed at 6:45 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER SOLAR SYSTEM – 6430 QUEENS WAY
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky

Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Public Hearing at 6:50 P.M. by reading the following legal notice published in the May 12, 2022 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 6:50 p.m. on Thursday, May 26, 2022 at Brecksville City Hall, 9069 Brecksville Road, Brecksville Ohio to consider the request for a residential Solar Photovoltaic System which requires a deviation proposed to be installed at 6430 Queens Way, Brecksville, Ohio 44141.

Neither the Queens Way property owner, nor a representative from Fluent Solar were present on behalf of this solar photovoltaic system application request. Mr. Lahrmer tabled the public hearing at 6:55 p.m. noting the applicant could reschedule a public hearing for June 23, 2022.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris

PUBLIC HEARING TO CONSIDER REZONING 9457 HIGHLAND DRIVE
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky

Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the May 12, 2022 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 p.m. on Thursday, May 26, 2022 at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, for the proposed Zoning Map amendment of the City of Brecksville by rezoning PP #603-15-009, 9457 Highland Drive from C-F Community Facilities to R-20 Single Family Residential

Mayor Hruby explained that the City was approached by the School District to assist in the sale of the Chippewa and Highland School properties, as the City has the ability to advertise and negotiate. Sale of the properties, handled by the school district, would require an auction where the sale price would be determined by the highest bidder and the school might not receive the fair market value for the properties. The properties have been appraised at \$1.1 million and \$1.4 million. Any amount received over the appraised value of the properties up to \$250,000 would be earmarked for operations of the new elementary school. Any amount beyond \$250,000 over the projected value would be split between the school system and the City. Considering the current state of the economy the Mayor didn't anticipate a windfall profit.

The Chippewa School property was zoned R-20 Residential, which the Administration and City Council felt was in keeping with the surrounding area. The Highland Drive school property was zoned Community Facilities, which could permit a sale to another school or activity within that zoning code. City Council recommended the issue be referred to the Planning Commission, for its review and commentary from the public through a public hearing, on whether that C-F zoning should possibly be changed to residential, or some other zoning classification. The objective would be to have a zoning request on the November ballot, where a 55% majority vote could approve rezoning the property. The Mayor mentioned that the approximately 21 acre property would be offered for sale during the rezoning process and any potential bidders would be apprised of that effort. He also indicated the properties would be sold with the buildings in place so any redevelopment of the land would involve razing those buildings at the new property owner's expense. Redevelopment of the Highland Drive land would be impacted also by a high pressure gas easement running through the property and the prospect of wetlands along the wooded Highland Drive frontage.

The public hearing was opened for comments from the audience. Mr. Richard Bastyr, 9516 Highland Drive, asked about the possibility of the use of the property to extend the cemetery. The Mayor responded that was one of the uses considered, but it was a cost/value consideration.

Mr. John Griffin, 9526 Highland, asked how many homes could potentially be built on the property. Mr. Wise thought that with consideration to the limitations imposed by the gas easement and wetlands, perhaps 20-24 homes could be developed on the Highland Drive property. Mr. Michael Paskert, 9422 Highland Drive, asked if consideration could be given to building cluster homes for seniors, or something like Grand Bay.

Mr. Steve Belsterling, 9530 Chapel Hill Oval, was concerned how any development would affect the Chapel Hill pond. Mr. Wise thought any drainage from the property would follow a northerly direction and not toward Chapel Hill. The Mayor indicated that issue would be addressed. Mr. Belsterling asked about the zoning of surrounding properties, which Mr. Packard described as either R-20 or R-30 residential, except for the church. He also asked whether there were inquiries about purchasing the land. The Mayor expected that after the property was advertised for sale there would be a lot of interest, as buildable land in Brecksville was very desirable.

Ms. Anna Michalek, 9519 Highland Drive, wanted an explanation of wetlands. Mr. Wise provided a description of wetlands and their protection, including the permitting and the possibility of the mitigation of a small portion of them by the developer. Ms. Michalek asked about the timeline of the election process to when a developer could

PUBLIC HEARING TO CONSIDER REZONING 9457 HIGHLAND DRIVE
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 2

begin work on the property. The Mayor commented that if the rezoning were approved by the electorate in November, the election results might be certified in early December after which the developer could begin the development application process through the City. Ms. Michalek hoped there would be consideration to saving as many trees as possible. She asked about any negative considerations with leaving the property zoned C-F. The Mayor thought the community might not like some of the non-profit, County or Government operations that could fall under Community Facilities zoning. Ms. Nancy Woelfl, 10134 Village Lane, asked if a usage like a group home would be included under C-F zoning and she was told that was a different zoning. The Mayor reminded the public they could read the City Code Section pertaining to C-F zoning on the City's website.

Mr. David Hubbard, 6886 Chapel Hill Drive, said their Home Owners Association owns four acres of land between the Chapel Hill property and the school land. He wondered if there was a way to possibly sell their four acres to the purchaser of the school property. The Mayor offered to include a certified letter from the Chapel Hill HOA regarding the availability of their four acres in packets for developers, however Chapel Hill would have to deal with any prospective purchaser on their own.

The Mayor mentioned, for the record, a May 23, 2022 letter from Cleveland Metroparks to the City of Brecksville advising them of deed restrictions regarding both setbacks and restricted usages relating to the land. The Mayor asked that the Metroparks letter be made a part of the record for this meeting.

There were no further questions and the public hearing was closed at 7:22 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria, Brian Stucky
Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Regular Meeting of the Planning Commission at 6:30 P.M. He explained that there were four public hearings before the Commission. The meeting agenda would begin with a discussion of the first public hearing, followed immediately by the Work Session discussion of that public hearing, before moving onto the next public hearing. Mr. Lahrmer advised that the Central School public hearing had been cancelled, however the issue of rezoning for the Central School would be discussed during the Work Session later in the meeting.

APPROVAL OF THE ROSALES FRONTYARD SETBACK PUBLIC HEARING MINUTES OF APRIL 21, 2022

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Rosales Frontyard Setback Public Hearing Minutes of April 21, 2022 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria, Brian Stucky
Nays: None
MOTION CARRIED

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 21, 2022

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission Regular Meeting Minutes of April 21, 2022 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria, Brian Stucky
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 21, 2022

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Planning Commission Work Session Meeting Minutes of April 21, 2022 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria, Brian Stucky
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE - No Report

REPORT OF THE MAYOR

The Mayor reminded everyone of the Monday, May 30, 2022 Memorial Day Parade scheduled to begin at 10:00 a.m. in front of City Hall. Speaker at the conclusion of the parade at the cemetery would be Garfield Heights Municipal Judge Sergio DiGeronimo.

REPORT OF CITY ENGINEER

Mr. Wise reported on several ongoing projects. Bids were opened for the Chippewa Road Sanitary Sewer Project and expected to be awarded at the June 7th City Council Meeting. Construction on the Sherwood Project was expected to begin on May 31st. May 31st there would be a public meeting for Glenwood Trail residents on that upcoming project.

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

COLLIGAN FRONT YARD SETBACK – 10531 SNOWVILLE ROAD

It was moved by Mr. Lahrmer, and seconded by Mr. Sciria, that the Planning Commission recommend to City Council the establishment of a Frontyard Setback of 80 feet at 10531 Snowville Road, Brecksville, Ohio, Permanent Parcel #605-17-002, as described in the application dated April 20, 2022 and shown in the Site Improvement Plan by R M Kole dated January 4, 2022, County GIS mapping and additional house plans.

ROLL CALL: Ayes: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, 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.

REZONING PP #604-07-002 – 0000 S. EDGERTON ROAD

It was moved by Mr. Lahrmer, and seconded by Ms. Bartkiewicz, that the Planning Commission recommend to City Council amendment of the Zoning Map of the City of Brecksville by rezoning PP #604-07-002, 0000 S. Edgerton Road, from L-B Local Business to include a Planned Development Overlay District of an Assembly Use for a Gathering Room/Event Center per Section 1156, conditioned on approval by City Council and by a vote of the electors of the municipality as required by City Charter, Article IV, Section 12, Mandatory Referral.

ROLL CALL: Ayes: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto,
Dominic Sciria, Brian Stucky
Nays: None
MOTION CARRIED

The Regular Meeting closed at 8:11 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris

WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 1

Present: Michael Bandsuh, Monica Bartkiewicz, Mayor Hruby, Eric Lahrmer, Ron Payto, Dominic Sciria,
Brian Stucky

Others: Scott Packard, Gerald Wise, and approximately 30 guests

Mr. Lahrmer opened the Work Session at 6:36 p.m.

COLLIGAN FRONT YARD SETBACK – 10531 SNOWVILLE ROAD

Mr. Jason Baylor, of Payne & Payne Builders, was requesting an 80 foot frontyard setback for a proposed new home at 10531 Snowville Road. Beyond the home adjacent on the west of the proposed new home that had a 145 ft. frontyard setback due to a frontyard swale, other homes in the area were in alignment with an 80 foot setback. This proposal was first presented to the Commission at an April 21, 2022 meeting and discussed also at a public hearing this evening. Commission members had no questions and the Work Session recessed into the Regular Meeting for a motion.

WINE ROOM S. EDGERTON & MILLER ROAD REZONING – 0000 S. EDGERTON ROAD

Mr. Ken French was present on behalf of a rezoning application to add a Planned Development Overlay District Assembly Use to the Local Business zoning. A zoning change would permit the expansion in the use of a wine room for gatherings such as weddings and showers, which because of semantics were not covered in Local Business zoning. Under the current zoning a per head fee was charged for wine room attendance. The zoning change would permit the room to be rented for gatherings. This proposal was discussed by the Commission at their April 21, 2022 meeting as well as an earlier public hearing. There were no questions from Commission members and the Work Session recessed into the Regular Meeting for a motion.

HIGHLAND DRIVE REZONING – 9457 HIGHLAND DRIVE

Mr. Payto asked to be reminded of the timeline for having the rezoning issue appear on the November ballot, particularly as it pertained to whether the Commission had to make a motion this evening. Mr. Packard commented that the Commission had one more meeting before they had to make a recommendation to City Council to make the November ballot.

Mr. Bandsuh supported the proposed rezoning to R-20, however he wondered if there was any way the baseball field could be preserved for community use. Ms. Bartkiewicz supported R-20 zoning, but asked if C-F zoning could be specified as a conditional use to expand the possibilities for use of the land in case there were too many restrictions for a developer's profitable residential use. Mr. Payto thought perhaps 25% of the land might be undevelopable due to the gas easement and wetlands. Mr. Sciria suggested R-30 zoning for larger lots and houses could also be considered. Mr. Wise responded that R-20 zoning did not preclude R-30 development.

Mayor Hruby remarked that the significant demolition cost for the school building would be factored in with the cost of the property in determining the price for the buildable lots. The Mayor wondered, in that regard, if residents would be receptive to a denser zoning like R-16 or R-8.

Mr. Lahrmer was supportive of R-20 zoning. He wondered if some advanced restrictions could be placed on the property like no house frontages on Highland Drive to avoid a narrow bottleneck onto Highland Drive. Mayor Hruby indicated that has been done in the past as part of subdivision planning through the Commission. It was mentioned that properties along Valley Parkway were entitled to one curb cut, which could be a topic for discussion at another meeting.

Ms. Bartkiewicz returned to the discussion of R-20 with a C-F conditional use. Mention was made of the layered classes under community facility that could be specified within the conditional use zoning as a means of restricting use. Classes A, C and D would be appropriate for park and athletic field uses. Mr. Stucky favored R-20 zoning, and no denser development. He hoped there was a way to preserve the ball field, but felt it was

WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
May 26, 2022 Page 2

important to protect the residents with R-20 zoning including C-F conditional use within restricted classes. Mr. Lahrmer wondered if it were possible for the City to purchase just the field.

The Mayor suggested the Commission delay a motion on the re-zoning until the next Commission meeting June 9th. Commission members could use the extra time to think about the issue, and collect data and possibly more feedback from residents. Mr. Payto wanted to learn more about community facilities uses. He felt any C-F use would require the land to be purchased by either the park or the city.

Mr. Lahrmer confirmed that no action would be taken on the rezoning this evening. The matter was tabled until the June 9, 2022 Planning Commission meeting.

CENTRAL SCHOOL RE-ZONING – 8929 OLD HIGHLAND & 27 PUBLIC SQUARE

Mr. Andrew VanNort was present representing a community committee evaluating the possible uses for the Central School property. That group usually met every 4-6 weeks. Under consideration by the Commission currently, was changing the C-F Community Facilities zoning of the property to R-8A, with a Conditional Use of L-B Local Business. Mr. VanNort remarked that some Old Town residents have felt the zoning decision was being rushed. They would like the Planning Commission to delay a recommendation to City Council while a more definitive, new zoning classification could be identified to hold potential developers to a higher standard.

Mr. Lahrmer asked for an idea of what issues the committee was considering. Old Town residents were considering how R-8A zoning was working for their area and how it might be changed to better preserve the character of the neighborhood. The R-8A zoning permitted the combining of lots where a property owner could build a house larger than adjacent homes. The Mayor pointed out that in recent years people have added on to their homes, built a larger home, and homes in a more modern style. Old Town residents wanted to consider what type of restrictions could be applied to the zoning to prevent construction not in keeping with the historic character of their neighborhood. They also wanted to have some control over the density of development.

The Mayor advised that the City was hoping to hire a city developer to deal with planning and zoning issues. He felt it was important to take the time to carefully consider the development of that important piece of our downtown. Mr. Payto suggested the development of some design guidelines, initially just for the Old Town area, that would be more restrictive than the zoning classification. The Mayor mentioned that some of the downtown business owners were considering either selling their properties or redeveloping them which might work very favorably into plans for the Central School property. In response to a question on who would be drafting new zoning, the Mayor indicated it would be the Commissioner, the Law Director and the new Planning Coordinator.

The Work Session closed at 8:11 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
MICHAEL BANDSUH, SECRETARY

Minutes recorded by Nancy Dimitris