

Village of Richfield

4410 W. STREETSBORO ROAD
P.O. BOX 387
RICHFIELD, OHIO 44286-0387
330-659-9201

BOBBIE BESHARA, Mayor
ROGER SWAN, Council President

SANDY TURK, Finance Director
MELANIE A. BAKER, Service Director

PLANNING AND ZONING COMMISSION MEETING

MINUTES

Tuesday, March 8, 2016 – 7:00 p.m.

CALL TO ORDER: Dr. Boester called the meeting to order at 7:00 p.m.

ROLL CALL: Charles Boester, Dan Holahan, Bart Sauer, Roger Swan, Ralph Waszak

OTHERS PRESENT: Mayor Bobbie Beshara and Planning and Zoning Director Brian Frantz

Mayor Beshara swore in Mr. Sauer.

AGENDA REQUESTS: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. Case No. 4-2016
Jim Winar
3647 Brecksville Road

Mr. Frantz said he has met with Mr. Winar and his partner Dale Guenther in regard to constructing a conference center at the rear of Mr. Winar's property on Brecksville Road. They were both present for a presubmission conference. Mr. Frantz said the proposed use was not permitted in this district, however, several permitted uses in the OLI district are more retail in nature than typically envisioned in a commercial district. He felt the use could be included as a permitted use in the OLI district or a similar use determination clause could be added.

Mr. Winar felt the proposed use would be a great fit for the area and felt the topography of the lot would provide a perfect view for a conference center. He mentioned that Mapleside has recently constructed a similar facility which has proven to be very popular. Mr. Guenther believed the demographics and freeway access make this an ideal location for a conference center or banquet hall. The Commission members were very receptive and liked the concept being proposed. Mr. Sauer asked about capacity and Mr. Winar said they hope to hold 300-325 people for a sit down dinner and the conference area to have space for 80-90 people. Mr. Guenther mentioned they may have the ability to increase the size of the meeting area. Mr. Winar explained the entrance drive would run between the two existing buildings near Brecksville Road and loop around to flow with the topography near the middle of the lot. The property backs up to I-77, so noise was not a major concern. The Commission felt the traffic pattern would be lighter than the other permitted uses in the district such as medical buildings or office space. Mr. Frantz discussed the possibility of adding similar use determination language into the OLI district section of the code. The members discussed the pros and cons of similar use determination versus a conditionally permitted use versus a use variance at BZA level. Mr. Swan felt the use was not retail in nature because of the time frame the facility would be utilized is opposite of a

typical retail store. He felt a conference center use has a recreational component as well. Mr. Frantz agreed that the use is more commercial in nature than industrial.

Mr. Waszak was in favor of the proposed use and felt it would serve as a good transition into the commercial historic district. He also suggested construction of a road that would run parallel to I-77; connecting Timberlake to Route 303. Mr. Waszak asked if the property would be accessed via a roadway or a private driveway and questioned the financing of the project if Mr. Winar planned to construct a private drive rather than a roadway. Mr. Winar said he planned to split the lot and construct a private drive. Dr. Boester asked if there was additional land that could be developed behind the proposed conference center. Mr. Winar said the proposed structure would be in the center of the property but a riparian area that runs through the property provides significant challenges for additional development.

Dr. Boester felt a similar use determination would be the quickest and cleanest approach to allowing this type of use within the OLI district. Mr. Sauer noted that the permitted uses in the district are daytime uses and the use being proposed is not strictly daytime hours. He was concerned that changing the code could open the door to future problems. Mr. Swan disagreed and felt it provided authority to the Planning Commission.

Mr. Frantz said the OLI section can be amended to allow for conference centers as they seem to be more allowable in OLI than in the Planned Commerce District. He recommended listing the use as a conditional use rather than a permitted use. The Commission discussed the pros and cons of the amendment processes for each option. Mr. Waszak did not feel the change would be controversial to adjoining property owners.

Mr. Waszak made a motion to instruct the Planning and Zoning Director to work with the Law Director to prepare an amendment that would provide for a conference center use and definition in the OLI district. Additionally, the Commission requested the amendment be forwarded to Village Council for their formal referral back to the Commission in order to begin the amendment process. Mr. Holahan seconded his motion.

Upon discussion of the motion, Mr. Swan said he would prefer the similar use determination and Mr. Holahan suggested adding similar use determination language to all the districts at a later time. Mr. Kevin Ahlborg commented that the OLI district is a tax revenue generator and he wasn't sure this concept is consistent with that. He felt that having a conference center in a business area makes sense, but felt it needs to generate revenue to be located in the OLI district. Mr. Frantz explained that uses cannot be required to generate income or jobs; he used churches, schools, and off-street parking as examples.

Dr. Boester, Mr. Holahan, Mr. Sauer, and Mr. Waszak voted aye. Mr. Swan voted nay.

Mr. Waszak suggested to the applicant that they incorporate storm water management systems such as bioswales or biocells into their landscaping.

2. Case No. 6-2016
Village of Richfield
4034 Wheatley Road

Mr. Frantz reminded the Commission that they approved the four-acre lot on Wheatley Road in November of 2015 but it has not been recorded. He explained the minor changes made to the plat cannot be recorded until the Village officially owns the property. Ownership will not occur until after Probate Court decides the value of the property which will likely take a few months. The Village does have possession of the property so the Commission can move forward with the plat. Mr. Frantz pointed out the new right of way which provides Mr. Zelinski direct access to the new road. He also indicated the new four-acre lot that will be home to the Nexen Tire building. The remaining parcels will be combined into one large parcel in order to provide frontage to the bar properties.

Mr. Frantz asked the Commission to approve the preliminary plat and reminded them again that it would be officially filed when the Village owns the property.

Mr. Swan moved to approve the following details of Case No. 6-2016:

- To extend a public road over the land located at 4034 Wheatley Road
- To dedicate 4034 Wheatley Road and the “flag” portion of parcel 50-00041 into public right-of-way
- To create a new approximately four-acre lot from the frontage of parcels 50-01485 and 50-00979
- To consolidate the remaining portions of parcels 50-00041 and 50-00979 into existing parcel 50-00004
- To include the plat provided at the beginning of the meeting to the record as ‘Exhibit A’ (dated 3/8/2016)

Mr. Holahan seconded his motion. All members were in favor.

APPROVAL OF MINUTES:

APPROVAL OF THE FEBRUARY 23, 2016 MINUTES:

Mr. Holahan motioned to approve the February 23rd, 2016 meeting minutes as corrected. Mr. Swan seconded his motion. Dr. Boester, Mr. Holahan, and Mr. Swan voted aye and Mr. Sauer and Mr. Waszak abstained.

MAYORS REPORT: Mayor Beshara welcomed Mr. Sauer to the Commission. She reported that she is currently working on reviewing annual reports provided by each department and putting together the Village newsletter which will be mailed to residents in early April. An art show will be held at the Masonic Hall on March 19th from 10 am-4 pm. Also on March 19th, the Village is hosting an Easter egg Hunt at Village Hall.

COUNCIL REPORT: Mr. Swan reported that Council approved the purchase of a Gradall. He reminded the Commission that a decision needs to be made regarding the R-3 district changes.

Mr. Swan motioned to recommend approval to Council of the R-3 text amendments. Mr. Holahan seconded his motion. Dr. Boester, Mr. Holahan, Mr. Swan, and Mrs. Waszak voted aye, Mr. Sauer abstained.

Council approved a two-year extension of the GPD Group contract for engineering services. Also approved by Council was the 911 Cellular System which can be accessed through your cell phone during an emergency. Mayor Beshara explained the ability to download an application for smartphones which can pinpoint your exact location during an emergency. Medical information can also be added so that first responders are made aware of any medication needs. The provider will be doing training at local businesses and at Village Hall when the system is up and running.

In a 4-3 vote, Council approved the Knopp House to be relocated north of the old town hall. Mr. Holahan asked if funds were approved for the relocation. Mr. Swan explained that only the idea and new location had been approved; funds and a time table have not been discussed yet. He mentioned the Historical Society said they would donate \$10,000 to repair the roof. Lastly, Mr. Swan reported that in a 5-2 vote, Council approved Option ‘B’ for the remodel of the Service Garage.

DIRECTOR OF PLANNING AND ZONING REPORT: Mr. Frantz reminded the Commission that once the location of the water tower is determined, it will come to the Commission as a mandatory referral. He provided the Commission with a proposal for a change to the Herschal Products monument sign. The proposal adds five tenant panels to the sign. Mr. Frantz told the Commission he was inclined to approve the proposal but wanted the Commission members to provide input. None of the members had objections so Mr. Frantz said he would approve the request.

The Commission discussed several text amendments to the code. Mr. Frantz proposed to make changes to Chapter 1109, Amendments. He would like to rewrite the section so that when the Commission suggests a text amendment to Council it does not have to return to Planning Commission for their approval after Council approves the change. This happened with the R-3 text amendment and the Commission felt the current requirement unnecessarily repeats the process. Mr. Frantz then reminded the Commission that they need to re-approve the Schwarzwald rezoning for the property at 3928 Brecksville Road and the Commission agreed to re-approve the language. He used this as another example of why the code is in need of an amendment as cases are repeated at the Planning Commission level. Section 1126.03 (c) (2) was also a topic of discussion. This code section covers detached accessory structures in the R-2 district. Mr. Frantz read from the code "*Not more than one accessory building shall be permitted on lots less than one acre in area and not more than two accessory buildings shall be permitted on lots between one and two acres in area.*" He felt this statement falls short of describing how many structures are permitted on a property greater than two acres and felt the code should define what is allowed for lots larger than two acres. The Commission agreed with the text amendments and Mr. Frantz said he would work with the Law Director to move forward with the updates.

Mayor Beshara and Mr. Frantz discussed the recent AMATS meeting that was held at Village Hall to discuss the funding of road projects. They discussed the methods used to score projects that need AMATS funding and how small communities are losing out on funding. Another meeting will be held in March to see if changes can be made to the current scoring system. Lastly, Mr. Frantz reported that most of the trees at 4034 Wheatley Road will be cut down in the next few weeks. The Village is reacting quickly as the trees are a potential habitat for Indiana bats from April 1st through October 31st. National Interstate will be expanding their parking lot to the east of their building and will be removing trees immediately for the same reason.

COMMENTS FROM THE PUBLIC: None.

UNFINISHED BUSINESS: Mr. Waszak received the latest draft of the tree ordinance from Kirby Date. He felt that it is not ready to be shared at this point, but told the Commission it is very comprehensive. The current language is being shared with developers for their input. Mr. Waszak did voice concern that the language did not accomplish what it should in regard to tree canopies.

ADJOURNMENT:

A motion was made by Mr. Waszak to adjourn the meeting. His motion was seconded by Mr. Holahan and the meeting was adjourned at 9:00 p.m.

Respectfully submitted,



Kayla Nealon, Clerk
Planning and Zoning Commission

Approved,



Dr. Charles Boester, Chairman
Planning and Zoning Commission