

# Village of Richfield

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BOBBIE BESHARA, Mayor  
ROGER SWAN, Council President

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

## PLANNING AND ZONING COMMISSION MEETING

### MINUTES

**Tuesday, June 28, 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, Planning and Zoning Director Brian Frantz, and Village Engineer Dave Neumeyer

**AGENDA REQUESTS:** Mr. Frantz requested to rearrange the agenda by moving Case No. 11-2016 to the end.

**Mr. Sauer motioned to alter the agenda as requested and Mr. Holahan seconded. All were in favor.**

#### **NEW BUSINESS:**

1. Case No. 17-2016  
Wilder Services, LLC/2636 Brecksville Road LLC  
2636 Brecksville Road

Mr. Frantz explained that Roadmasters Drivers School of Ohio is proposing a wall and monument sign; the wall sign has already been erected but complies with the area limitations. He was concerned that the 32 square foot sign being attached to existing posts was lacking structure and landscaping, but it does meet the area requirements. Mr. John Kearney and Mr. Tom Sankey were present representing Roadmasters. The representatives stated they plan to reuse the existing posts for their new monument sign. Mr. Kearney offered to install landscaping around the base of the monument sign. Mr. Swan requested a landscaping plan be submitted to Mr. Frantz.

**Mr. Swan made a motion to approve Case No. 17-2016 based on the submittal and administrative approval of a landscape plan. Mr. Holahan seconded his motion and all were in favor.**

2. Case No. 18-2016  
Tober Building Company, LLC  
3351 Brecksville Road

Mr. Frantz explained the applicant has relocated his company to a different property on Brecksville Road which allows for one wall sign. He stated the request complies with the code, including the type of illumination being proposed. Mr. Todd Tober was present to discuss his proposal. The Commission had no questions or comments regarding the request.

**Mr. Holahan motioned to approve Case No. 18-2016 and Mr. Sauer seconded. All members were in favor.**

3. Case No. 13-2016  
Christopher Wehr/Stam Loch, Aztech Engineering  
3171 Rainbow Lane

Mr. Frantz explained that the applicant constructed his home approximately one year ago. When Mr. Wehr took possession of the property, the grading was incomplete. There was a drainage pipe that daylighted into the middle of the property and it has always been Mr. Wehr's intent to continue the pipe out of the middle of the yard and make it safer for his children. Much of the grading work has already been completed without Planning Commission approval. The applicant has provided drawings showing the completed and future grading, he has ceased work on the site, and is working to obtain a grading permit pursuant to Chapter 1167 of the code. Mr. Frantz said Mr. Wehr has been working with Aztech Engineering to provide drainage calculations and tie in the contours from the original site plan with the new grading plan.

Mr. Dave Neumeyer from GPD Group was present to assist in discussion. He said the intent is to extend an existing drainage outlet approximately 200 feet to the edge of Mr. Wehr's property to provide more usable space. Mr. Neumeyer said that Mr. Wehr is not adding any additional flow, the drainage pattern's are not changing, and water is continuing to discharge into the same wetlands. His main concern was erosion control for the outlet and to disperse as much energy as possible as the water outlets since it is near the edge of Mr. Wehr's property. He also stated that he received additional drainage calculations prior to the meeting and is in the process of reviewing those.

Mr. Wehr apologized for the delay but felt the information that has recently been submitted to Mr. Neumeyer was substantial and should meet all requirements. Mr. Neumeyer agreed and said after a brief review, it seems the proposal will exceed the requirements. Mr. Frantz said the project is not carrying any additional water, it is only increasing the velocity of the water to the basin. Mr. Sauer pointed out that water is also being placed on the neighboring property. Mr. Neumeyer said large boulders will be used to dissipate energy as much as possible to slow down the flow before it exits the pipe. Mr. Wehr mentioned that Summit County Building Department approved the project in the past and said they are still in the construction phase, so it is possible to make modifications.

**Mr. Holahan made a motion to approve Case No. 13-2016 pending approval of the Village Engineer. Mr. Swan seconded his motion.**

Upon comments from the public, Mr. Hamid Manteghi of 4536 Hawkins Road spoke of drainage concerns that he has raised with the Village in the past. He has taken video recording of the flooding and the speed of the water through the easement and feels the Village, County, and Rainbow Acres Homeowners Association are pointing fingers at one another. He stated he was not present to argue against Mr. Wehr's case, but to ask the Village what they will do to assist with the water coming from Hawkins Road through his property. Mr. Anthony Raleigh of 4548 Hawkins Road was also present to voice concerns about stormwater runoff. He said he is directly east of Mr. Wehr and is the first recipient of the stormwater discharging from this drainage pipe. His concerns are that a formerly narrow channel that carries the stormwater has greatly widened and is now approximately 20 feet from his home and is nearing a septic area. Mr. Raleigh complained of periods where his rear property is unable to be mowed due to standing water. He also argued that Mr. Wehr was using plastic where the pipe outlets rather than approved rip-rap. Both residents stated they voiced their concerns with the Service Director in the past.

Mr. Frantz explained that the Village has no control over private drainage channels and said this a civil matter. Mr. Raleigh disagreed and said the Village has done work on private property; it was done on his property prior to his purchase. Mayor Beshara suggested having a discussion with the Service Director regarding these issues since Mr. Raleigh believed it was unfair that he was receiving water from a subdivision he does not belong to. Mr. Swan preferred that the Commission refrain from taking action until the issues with the neighboring properties are resolved. Mr. Frantz also mentioned that Summit Soil and Water Conservation District should have been contacted on the matter if there were concerns during

the course of construction. Mr. Raleigh asked to see a definitive answer of who owns the drainage easement before holding a meeting. Mr. Frantz felt approval of the rock channel should be given since the rock channel would only benefit the neighbors by slowing down the flow of water. Mr. Wehr was not opposed to waiting two weeks for approval but was against waiting beyond that. He offered to work with Mr. Neumeyer to resolve the rip-rap area and felt it exceeds the code requirements.

Mr. Holahan explained that he made his motion based on the recommendation of the Village Engineer who is paid to assist the Village in these matters. Mr. Sauer felt the Commission should not push the matter to someone else to make a decision and Mr. Waszak agreed that waiting for additional information was best. Mr. Swan requested that Mr. Holahan to withdraw his motion and Mr. Holahan was not in favor of doing so.

**Upon roll call, Dr. Boester and Mr. Holahan voted aye; Mr. Sauer, Mr. Swan, and Mr. Waszak voted nay. The motion failed and the application was denied.**

4. Case No. 19-2016  
Jerome Ryba/Jim Moneysmith  
3937 Broadview Road

Mr. Frantz said the applicant is requesting to construct a parking lot behind the existing building. The Center for the Healing Arts currently operates out of the building which is zoned CHI. Medical uses require five spaces for each doctor plus one for each employee and there are six spaces on the property. Since the use has not changed or expanded, Mr. Frantz was unsure why the existing parking is no longer sufficient and felt the proposal creates design and safety issues for the site. He suggested the applicant consider acquiring additional property and said the current proposal may require a variance from the BZA since the proposed 9-foot drive aisle is not wide enough. Mr. Neumeyer voiced concerns over people attempting to enter and exit the site at the same time as well as SUV's maneuvering the parking area. He also had concerns with stormwater management on the site. A revised site plan was provided to Mr. Frantz shortly before the meeting. Mr. Frantz and Mr. Neumeyer had concerns with the revised plan as well. Mr. Neumeyer said he spoke with the architect who stated they would install a 500-gallon holding tank for stormwater management but Mr. Neumeyer did not believe this was a viable option. Mr. Frantz suggested shared parking with a nearby business since shared parking is permitted in the commercial historic district. This would allow the applicant to gain parking without creating ingress/egress and stormwater issues on the property. Mr. Sauer suggested Mr. Frantz meet with the applicant and return to the Commission when the plan is finalized and Mr. Waszak agreed.

Mr. Moneysmith said he was trying to plan ahead and complete this project during his slow time. He mentioned that employees do not park at this building, they have offsite parking at 4037 Broadview Road and on a small property next to the Octagon House on West Streetsboro Road. Mr. Moneysmith said a 500-gallon cistern would be installed regardless of the parking situation to remedy an existing water problem and to be used for gardening. Mr. Neumeyer warned that tying in stormwater runoff from the parking lot into the existing system will cause the system to overflow and the basement to flood. Mr. Moneysmith argued that his plumbing contractor disagreed. He said that when the project is approved, he would start by installing gravel and eventually replace the gravel with concrete. Dr. Boester suggested permeable pavers rather than concrete.

Dr. Boester asked where people have parked in the past and Mr. Moneysmith said people used to park at the neighboring properties and walk to the building. Mr. Moneysmith felt the second floor may be utilized in the future but did not elaborate. Mr. Frantz asked what the parking demand will be and what it is believed to be upon expansion. Mr. Moneysmith said he would like to maximize the space for future use and would like to know the cost ahead of time.

**Mr. Swan made a motion to table the case and Mr. Holahan seconded. All members were in favor.**

5. Case No. 20-2016  
John and Cynthia Constantine/Spagnuolo & Associates  
3171 Rainbow Lane

Mr. Frantz felt the requirements of the code had been met and the project could move forward with preliminary plan approval. He mentioned the Village would eventually need details on the proposed walking path which is noted on the plan. At the previous meeting, there was an issue with the location of the waterline being in Bath Township and requiring approval from Akron Water. The applicant chose to avoid those issues and run an easement on property already owned by Mr. Constantine from Brecksville Road for the waterline. Mr. Frantz was concerned with the length of the cul-de-sac being proposed but said the Fire Department verbally approved the proposed length. Mr. Neumeyer mentioned some concerns he noted in his memorandum including the existing pond being used for drainage and that Cleveland Water Department typically requires a 40' wide easement (a 30' easement is being proposed). He felt these were minor and could be worked out as the project progresses, but stated if the desired use of the pond cannot be achieved the applicant must return to Planning Commission.

Mr. Dennis Stoffer with Spagnuolo and Associates and Mr. Todd Folden with KNL Homes were present. Mr. Stoffer said he is waiting on review comments from Cleveland Water Department, but if they request a wider easement that can be provided. Mr. Waszak asked if the pump site would be privately owned and Mr. Stoffer said it would be public infrastructure transferred to the Village.

Mr. Frantz reminded the Commission they have the authority (section 8.3 Modifications) to grant exceptions or modifications to the subdivision regulations. He said he was hoping to have documentation from the Fire Department in regard to the cul-de-sac to support any modifications the Commission may make. Mayor Beshara told the Commission she would obtain written approval from the Fire Department in regard to the cul-de-sac specifications.

**Mr. Swan made a motion to grant preliminary approval as requested for Case No. 20-2016 and Mr. Holahan seconded his motion. All members were in favor.**

6. Case No. 21-2016  
FedEx Ground Package System  
3201 Columbia Road

Mr. Frantz stated the applicant is proposing improvements that include additional pumps and a canopy. He has no significant concerns and felt there was no reason why Case No. 20-2016 could not be approved at this time. The applicant had already been made aware of comments from the Village Engineer and Fire Department and is working to address those comments. Mr. Dan Mendiola with Diamond Z Engineering was present on behalf of FedEx Ground. He said the canopy lighting would consist of downcast LED's that would not spill off the property. The Commission did not have any questions or concerns for the applicant.

**Mr. Holahan made a motion to approve Case No. 21-2016 and Mr. Waszak seconded his motion. All members were in favor.**

7. Case No. 22-2016  
Richfield Furnace Run Associates, LLC  
Briarwood Subdivision

Mr. Frantz explained that after the Commission's request, the Village hired Rob Morgan to design the site with nature in mind rather than maximizing the number of lots. He said the Village met with Mr. Kertez, Mr. Neff of Neff and Associates, and Attorney Shelly Burns to discuss the Commission's concerns in regard to lot size, environmental impacts, and concerns of the Briarwood residents which were voiced at a recent Council meeting. Mr. Frantz clearly stated that preliminary approval is not being requested at this time. He explained the plan is being improved and that design alternatives are being looked into that would result in a decreased number of lots.

Mr. Neumeyer stated he had concerns with sight distance issues and the need for a possible turn lane at the entrance of the subdivision as well as the impacts on the crossing of the creeks. He recommended a sight distance analysis and traffic impact analysis to see how Route 303 would be affected and asked the applicant to provide clarification on the culvert being proposed within the riparian corridor.

Mr. Dan Neff thanked the Village staff for having such a productive meeting and that Mr. Morgan's comments were met with great regard. They will be revising their plan based on some of the suggestions made at the meeting and Mr. Neff was looking to hear comments from the Commission and residents.

Dr. Boester felt the original preliminary plan was segmented and disjointed and hoped to see a better flow of the neighborhood when the plan is revised. He also requested useable and easily accessible open space. Mr. Waszak agreed that the line of sight issues at Route 303 need to be worked out and suggested the applicant use the features and location of the national park to their benefit and expand on it. Mr. Sauer felt it would be beneficial to have an idea of what the proposed homes would look like and Mr. Waszak agreed. He was concerned about line of sight and traffic issues on Route 303, proposed setbacks issues, and erosion control measures. He also voiced concern of future problems with Village services for the 'island' of properties that would remain in the Township and suggested requiring the applicant to annex those few properties as well.

Mrs. Christine Young of 3918 Sawbridge Drive, Unit 6 inquired about the plan for the entrance way and Mr. Frantz told her those details are still being worked out. Mr. Neff felt the residents would be pleased when he returns with a revised plan. She also questioned if a particular property on Route 303 was purchased by Richfield Furnace Run Associates and Mr. Neff was not aware of any recently acquired property. He said the topography and limited access within the interchange would make the project-adjacent properties on Route 303 almost impossible to be used for access. Mrs. Young inquired about a second individual piece of property and if it was being considered for signage. Mr. Neff was unsure of those details at this point in the project.

Mr. Jim Koewler of 3578 Burrwood Drive asked about diverting traffic to Whitethorn Circle and Mr. Neff said Whitethorn will be used as an entrance and exit. Mr. Koewler suggested that the new lots on Burrwood Drive have a similar look and setbacks of the existing homes and should be built to look as they are part of the existing neighborhood. He also voiced concerns with impacts to the existing wetlands and Mr. Neff said he is very aware of the permitting impacts for wetlands and said they are looking at alternatives to lessen those impacts. He also said they are currently working on a new, updated delineation plan. Mr. Koewler mentioned that stormwater retention needs to be taken into consideration and Mr. Neff and Mr. Neumeyer assured him that those requirements cannot be ignored and will be met. Mr. Neff requested the application be tabled to allow them additional time to work with the administration to improve the plan.

**Mr. Waszak made a motion to table Case No. 22-2016 to provide the applicant time to iron out details with the administration at the applicant's request. Mr. Holahan seconded the motion and all members were in favor.**

**OLD BUSINESS:**

- 8. Case No. 11-2016  
 Richfield Village Council  
 R-1 and R-2 Districts  
 Sections 1124.05 (c) (3) and 1126.06 (c) (2)

Mr. Frantz explained the text has not changed but the Commission needed to reapproved based on the Chapter 1109, Amendments.

**Mr. Swan motioned to approve Case No. 11-2016 and Mr. Holahan seconded. All were in favor.**

**APPROVAL OF THE MAY 24, 2016 MINUTES:**

**Mr. Holahan motioned to approve the May 24<sup>th</sup>, 2016 meeting minutes as amended. Mr. Swan seconded his motion and all members were in favor.**

**MAYORS REPORT:** Mayor Beshara reported that the investment conference she attended in Washington DC was successful. She is currently working on new website for the Village which will go live in July. A new position was created for a full time, day shift lieutenant in the Fire Department and it has been filled following an internal promotion. Mayor Beshara announced that a discussion regarding the Briarwood proposal will be held after the July 5<sup>th</sup> Council meeting beginning at 7pm. All Briarwood residents have been informed and invited to attend.

**COUNCIL REPORT:** Mr. Swan reported that the last Council meeting was cancelled due to the lack of a quorum.

**DIRECTOR OF PLANNING AND ZONING REPORT:** Mr. Frantz reported that three very significant economic development projects will be coming to fruition in the near future, including one that will be occupying the third floor of the former Snap On building. The sale of Dr. Parshall's property to Ohio Hardwood Furniture has been finalized. Mr. Frantz suggested the Commission return to the idea of recommending rezoning for the school property since the design guidelines and updated R-3 requirements are now in effect. Mr. Waszak suggested hiring Rob Morgan to provide a conceptual layout of the property and felt it would be beneficial to the Commission and Village.

**COMMENTS FROM THE PUBLIC:** None.

**UNFINISHED BUSINESS:** None.

**ADJOURNMENT:**

A motion was made by Mr. Waszak to adjourn the meeting. His motion was seconded by Mr. Sauer and the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

  
 Kayla Nealon, Clerk  
 Planning and Zoning Commission

Approved,

  
 Dr. Charles Boester, Chairman  
 Planning and Zoning Commission