



**PLANNING AND ZONING COMMISSION MEETING
MINUTES
Tuesday, January 8, 2019 – 7:00 p.m.**

CALL TO ORDER: Dr. Boester called the meeting to order at 7:03 p.m.

ROLL CALL: Charles Boester, Dan Holahan, Bart Sauer and Ralph Waszak were present.
Mike Wheeler was absent.

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

Mr. Waszak made a motion to excuse Mr. Wheeler and Mr. Sauer seconded his motion. All members were in favor.

AGENDA REQUESTS: None.

ELECTION OF OFFICERS:

- Chair

Mr. Waszak made a motion to nominate Dr. Boester as Chair. Mr. Holahan seconded his motion and all members were in favor.

- Vice-Chair

Mr. Holahan made a motion to nominate Mr. Sauer as Vice-Chair. Mr. Waszak seconded his motion and all members were in favor.

- Secretary

Mr. Holahan made a motion to nominate Mr. Wheeler as Secretary. Mr. Sauer seconded his motion and all members were in favor.

- 2019 Planning Commission Goals

Dr. Boester suggested to move the review of 2019 Planning Commission Goals after New Business on the agenda.

Mr. Holahan made a motion to move the discussion of 2019 Planning Commission Goals after new business on the agenda. Mr. Waszak seconded his motion and all members were in favor.

OLD BUSINESS: None.



NEW BUSINESS:

1. Case No. 01-2019
Joe Butano & Olesia Pochynok
3960 Broadview Road

Mr. Frantz reported the applicant is requesting a conditional use permit to allow a non-fast food restaurant to utilize the building located at 3960 Broadview Road. The applicants were previously in front of Planning Commission on November 27, 2018 for a pre-submission conference. Since that meeting, the applicants have closed on the sale of the property; cleaned up the lot lines to bring the property into conformity; and are working with the Zoning Office on their construction and signage plans. Mr. Frantz stated the applicants conditional use permit request is ceremonial, in the context of, the next step towards the former restaurant in the center of town being re-opened and Olesia's Taverne of Richfield being reality.

Dr. Boester opened up the discussion and asked the applicant to approach the commission. Mr. Butano and Mr. Gallo were present and approached the commission as requested.

Mr. Butano referred to the business summary he provided with the conditional use permit application and noted:

- The restaurant will offer a moderate to fine dining experience, with a main dining area and upscale bar area located on the main level (1st floor).
- A seasonal dining area will also be available outside on the patio, located on the south-side of the building. Patio hours are proposed, however will be dictated by the weather and seasonal changes.
- The 2nd floor will offer two banquet rooms that can accommodate large and small events, parties, meetings, etc. The main banquet room will hold approximately 120 guests and the smaller banquet room will hold approximately 30 guests.
- The lower level (basement) bar may offer a limited food menu and will be easily accessible from the patio. The lower level will have a lush, opulent atmosphere and primarily operate Thursday-Saturday.
- The restaurant plans to have indoor and outdoor music/entertainment, which will be acoustic style, soft-background type music for ambiance. They are cognizant of the Village noise ordinances and proximity of neighboring properties and will not have loud club-like music.
- Proposed hours of operation are as follows, however may be adjusted due to customer needs and/or events:

Dining Room, Patio, Kitchen Hours
Monday – Wednesday, 11am to 10pm
Thursday – Saturday, 11am to 11pm
Sunday, 10am to 9pm

Bar Hours
Monday – Wednesday, 11am to 11pm
Thursday – Saturday, 11am to 12am
Sunday, 10am to 9pm

Mr. Butano asked what options are permitted for enclosing the dumpster. He would like to enclose three sides with greenery such as arborvitae and a fence-gate across the front. Dr. Boester noted he liked the idea of greenery and Mr. Frantz stated to include the details on his site/landscape plans.

Mr. Holahan asked if the parking lot and handicap spots ^{are} ~~was~~ accurate on the site map provided. Mr. Frantz indicated the site map provided was from the property file and given to Mr. Butano as a guide. Mr. Butano stated there are currently 83 parking spots and plans to have the handicap parking located on the southwest side of the parking lot. The handicap parking will be close to the handicap entrance into the building. Mr.



Butano explained the handicap entrance will include an elevator to access main floor and 2nd floor, however it will not access the basement.

Mr. Waszak noted not all handicap persons may ~~not~~ require use of the handicap entrance and elevator. For example- a person with a handicap or disability may be able to walk without issue, but may have other conditions that limit them in the distance they walk from the parking lot into the building. Mr. Butano agreed and will re-evaluate the handicap parking arrangement.

Mr. Sauer asked how the Village noise ordinance was enforced and measured. Mr. Frantz stated Chapter 511 Disturbing the Peace is enforced by the Village police department and measured in decibels, in conjunction with permitted/non-permitted hours.

In closing, Mr. Butano stated he will re-evaluate the amount of parking spots needed vs. the 83 currently available, as well as the location of the handicap parking spots. He does intend to repave and restripe the parking lot. Additionally, he is currently researching exterior lighting for the building, grounds and parking lot; and will ensure it meets the zoning historical requirements. He will also look into the Dark Sky Ordinance and will reach out to Mr. Frantz if he has any questions.

Dr. Boester thanked Mr. Butano for the thorough business summary provided and it was nice to see it included with the application submission.

Mr. Holahan made a motion to approve Case No 01-2019 and Mr. Waszak seconded his motion. All members were in favor.

Mr. Frantz stated pursuant to Section 1173.07 (d) of the Planning and Zoning Code, he will ask for Council's consideration to waive their "call-up" authority, so he can issue the conditional zoning certificate to Olesia's Taverne of Richfield, as recommended by the Commission.

Mr. Waszak mentioned he came across a very nice article in the Plain Dealer that showcased Olesia's restaurant and their plans to relocate to Richfield. He suggested that they may want to look into a temporary sign that advertises 'coming soon' or something similar. Mr. Butano agreed and stated a sign company is already working on temporary/permanent signage for the property.

2019 GOALS: Mr. Frantz stated he met with Dr. Boester at the first of the year and reviewed accomplishments of 2018 and discussed goals 2019. Mr. Frantz noted 2018 was a busy year for Planning Commission and administratively of new (and old) business items, development activities and enforcement. Although not all of the 2018 goals were started or fully completed, there were quite a few accomplishments for the year:

- Columbia Road/Brecksville Road Traffic Analysis
- Kinross Road Extension - completed
- Inn At Appleridge - completed
- GMS - completed
- National Interstate - completed



- Nexen Tire - completed
- Enacted New Zoning Chapter, 1183 Medical Marijuana
- Enacted Text Amendment, Res. 28-2018 Indoor Shooting Range as Conditional Use in Industrial District
- Enacted Map Amendment, Ord. 30-2018 Richfield Office Park/ReZoning of 5145 Brecksville Rd.
- Provided Approvals - Cleveland Water and Water Tower project
- Enacted Text Amendment, Res. 64-2018 Car Wash as Conditional Use in C-2
- Forest Ridge Phase II - replat
- Cozumel - completed
- Ashton Village

Mr. Frantz stated he would like to carry over most of the 2018 goals and add a few new goals for 2019:

- Architectural Design/Form Standards - South Wheatley Rd.
- Briarwood Annexation and Development
- Access Management Plan (curb cuts)
- Architectural Standards - Revise Section 1171.11
- Revisit Master Plan - run simultaneous w/South Wheatley Rd.
- Village Properties - Map and Discuss Land Use Matters
- Sign Standards - Illumination, Clean up inconsistencies between Residential/Non-Residential and Temporary/Permanent
- Revisit north end of town
- Village Properties - Recreation Plans for Town Hall, Driveway Expansion
- Nonconforming lot sizes
- Landscaping, lighting, and timbering ordinance
- Knopp House - relocation

Mr. Frantz solicited feedback from the Commission and Mr. Waszak provided the following comments:

- He would like ~~to get~~ a review the Planning Commission rules, to see if any clarity or changes are necessary. It's been some time since they were last reviewed.
- He would like to see clarification to the code regarding parking lot/driveway materials and standards.
- He would like to see the dark sky ordinance come to fruition. He provided a copy of another city's dark sky ordinance for review/consideration and hasn't seen any activity on this.

Mr. Sauer asked about the Broadview & 303 turn lane study completed by GPD. Additionally, Mr. Waszak asked if AMATS (the Akron Metropolitan Area Transportation Study group) was involved in the study, ~~as well~~. Mr. Frantz stated the Broadview/303 initiative is being overseen by the Service Director and is unaware if AMATS was involved. Mr. Frantz stated the Service Director is looking into alternate options to solve the issue, such as a possible round-about instead of widening the lanes. He mentioned a copy of the study is available at the Service Department.



Mayor Beshara thanked the Commission for all their hard work in 2018.

APPROVAL OF 12/11/18 MINUTES: Mr. Waszak made a motion to approve the minutes as amended and Mr. Holahan seconded his motion. All members were in favor.

MAYOR'S REPORT: Mayor Beshara reported the following:

- Snowbird Festival is on Sunday, February 10th at 1-4pm (Richfield Heritage Preserve)
- 2019 Budget was approved and adopted by Council
- Janitor and Administrative Assistants were added to the step-pay scale
- The approved budget is available on the Village website, on the Finance Department page
- Mr. Rick Hudak was elected Council President and Mr. Mike Wheeler as Vice-President for 2019
- Council is accepting applications for the open seat through January 17th – Mr. Jim Kahoe resigned from his position effective January 1st 2019.

COUNCIL REPORT: None

DIRECTOR OF PLANNING AND ZONING REPORT: Mr. Frantz reported the following:

- Final acquisition of the Heinle property occurred on Friday, January 4th. The next steps will be to determine the use of the building and accessory garage. In the meantime, he is working with the Service and Finance Department's to transfer utilities in the Village's name so we can maintain heating the building until a decision is made for its future use.
- He (and several others) met with the leadership of the Cleveland Water Department to discuss the water tower project, as well as the watermain extension into the center of town. The meeting provided much needed direction and the first milestone date to transfer properties was established. The intent is to execute the property transfer agreements by the week of the January 28th and this will allow us to proceed to closing, which should occur within 60 days from the agreements being executed.
- Between the holidays, the zoning office reviewed five Town Trust applications for zoning compliance and reported on each request. To date, this process has worked fairly well until this current round of funding. In 2016, Village Council adopted architectural design standards for additions, modifications and new construction in the Historic District. To ensure the standards are followed, a review process by a consultant Architect was instituted. This architectural review is done administratively prior to a zoning certificate being issued. Some projects requesting funding from the Town Trust may or may not require a zoning certificate. For example, Wood 'N' Us applied for a Town Trust grant and that project requires Planning Commission approval. Fortunately, this project had already been reviewed by the Village Architect and Planning Commission so he could sign-off to the zoning compliance review with little notice. However, not all projects will have this same amount of lead time. As such, starting in 2019 he will institute a submission deadline prior to Thanksgiving to ensure their request can be reviewed by the Planning Commission, if applicable. This has generated dialogue with members of the Town Trust and could lead to their organization changing their application submission process. He will keep Planning Commission and Council apprised the discussions with the Town Trust develop throughout the year.
- There are a few proposed text amendments that will get referred from Council for the next planning commission meeting- 1181.09, 1171.11(b)(c), 1177.03(b)(d), 1107.09(c), 1145.15(a).
- Mobilitie withdrew their small cell application on December 20, 2018.



Mr. Frantz reported he's been in conversation with Pulte Homes, builder of record for Everett Pointe. They are seeking clarification on the Declaration of covenants, conditions and restrictions of Everett Pointe.

- Section 10.5.7 Exposed Foundation Walls. "Exposed portions of foundation walls shall be brick or stone."
 - Pulte's intent will be to have poured concrete walls that are formed to have the look and overall texture of brick. The exposed foundation walls will not look like concrete block, which is what we believe this restriction is in place to address. Pulte will ensure foundations are installed with brick pattern stamped into the face of foundation wall, and there will be no exposed concrete block.
- Section 10.5.8 Driveways. "All driveways shall be either asphalt, tar and chip, or brick and shall be installed within one year of commencement to construction."
 - With respect to driveway materials, Pulte will not be using tar and chip or brick for driveways.
 - Pulte will install concrete material at its driveway aprons, lead sidewalk from driveway to front door and city side walk. The main section of driveway "throat", will be installed with asphalt.
 - Typical driveway width will be 16ft wide. In the instance of a 3 car garage, the additional asphalt servicing the 3rd car bay will taper back to a 16ft approach before flaring back out per code at the apron location.
- Section 10.5.11 Exposed Surfaces. "No exposed surface may be constructed with unfinished masonry material (i.e. cement or cinder block) as the completed face. Exposed exterior walls must be brick, stone, stucco, wood Hardie plank siding or finished masonry products. Aluminum or vinyl siding is not permitted except for use as soffit or fascia under spouting. Aluminum columns are not permitted. Exposed metal flue pipes are not permitted. Flue pipe enclosures are subject to review and approval by the committee. Brick homes have a minimum of three elevations of brick, unless otherwise approved by the committee."
 - Per 10.5.7 above, Pulte will ensure foundations are installed with pattern stamped into the face of the foundation wall.
 - Pulte's proposed market offering calls for 6 different floor plan models, each of which have up to 6 alternate elevations. The proposed elevations have differing design features and accent materials are introduced to create the most pleasing overall streetscape.
 - In place of Hardie plank siding, Pulte will offer/install vinyl siding with a millage ranging from .044 -.046 (above state code of .038). This offering ensures the broadest opportunity of color packages available to the consumer and ensures the community has architectural variety.
 - For the purposes of clarity, elevations which feature brick will not be required to have a minimum of three elevations of brick. The Brick/Stone materials will be on the front elevation.

In general, the Commission finds the items being proposed by Pulte Homes acceptable with one exception. The front elevations do need some type of stone/brick and the vinyl siding on the homes must be 0.046" or greater. Mr. Sauer did express concern about the look of the poured wall brick form, but in general it seems acceptable to move forward using the form as opposed to brick-to-grade.



COMMENTS FROM THE PUBLIC:

Mr. Roger Swan commented that he believes roundabouts are safe and effective. There have been lots of studies on them, however agrees that they are not pedestrian friendly.

Mr. Gary Domanick mentioned the RJRD is accepting applications for an open position on the board. He also noted that Council ~~is~~ will be conducting interviews and selecting a candidate in the near future.

UNFINISHED BUSINESS: None.

ADJOURNMENT:

A motion was made by Mr. Sauer to adjourn the meeting and Mr. Holahan seconded his motion. All members were in favor. Meeting adjourned at 8:48 pm.

Respectfully submitted,

Amy Nauer, Clerk
Planning and Zoning Commission

Approved,

Dr. Charles Boester, Chairman
Planning and Zoning Commission