

CITY OF CHARDON PLANNING COMMISSION

Meeting Minutes
February 28, 2023

Members Present:

Andrew Blackley, Chairman
Robert Emmons
Lene Hill

Dan Meleski

Members Absent

Dean Peska
Colin Wantz
Mary Jo Stark, Vice-Chairman

Also Present:

Vaughn Benson
Julia Chen
Ben Chojnacki, Law Director
Doug Courtney, City Engineer
Frank Dyrzc
Jaredd Flynn
Stephen Grover
William Hofstetter
Roberts Landies, III

Dale Markowitz
Rebecca Repasky, Secretary
Mitch Sanborn
Wilson, Mary Lou & Tracy Smith
Steve Yaney, Community Development
Administrator
Ann Wishart, Geauga Maple Leaf

Mr. Blackley called the meeting to order at 6:30p.m. The Pledge of Allegiance was said. Roll was called.

Mr. Meleski asked that Robert Landies, III, be reflected as Bob Landies. Mr. Emmons made a motion to approve the January 17, 2023 meeting minutes. It was seconded by Mr. Meleski. Roll was called. Mrs. Hill abstained. The vote carried 3-0. Mr. Meleski made a motion to approve the Joint Meeting with City Council on January 26, 2023 meeting minutes. It was seconded by Mrs. Hill. Roll was called. The vote carried 4-0.

Mr. Blackley reminded all that were present to sign in. He swore in City Staff.

OLD BUSINESS –

PC Case #22-219/220/221: Mr. Yaney explained the applicant, Roberts Landies, III, is requesting architectural review approval to allow for a new 35,000 sq. ft. industrial building. In addition, the applicant is requesting a variance from Section 1141.19 Design Standards to allow a facade that faces a street to have less than 90% be glass, brick, cut stone, cast stone or wood and allow a wall without window openings to face a street. Mr. Yaney explained the Concept Plan is already approved and this variance request did not meet the newspaper notice deadline previously. Mr. Durante does not recommend approval because it does not meet the design standards. The drawings are the same as the previous meeting. Staff has no issues. Mr. Yaney reviewed the nine (9) Design Standards. He said adding barbed wire to the property would make it look worse.

Mr. Blackley shared he usually will not go against the City Architect's recommendations, but in this circumstance, he agrees with the variance.

Mr. Emmons asked if the City Arborist reviewed the landscape plan. Mr. Yaney said yes.

Mr. Meleski added he drove around the site and this will be a nice-looking building.

Mr. Meleski made a motion to approve the variance as requested. It was seconded by Mrs. Hill. Roll was called. The vote carried 4-0.

Mrs. Hill made a motion to approve the Architectural Review. It was seconded by Mr. Meleski. Roll was called. The vote carried 4-0.

NEW BUSINESS –

PC Case #23-016: Mr. Yaney explained the applicant, Stephen Grover, is requesting Concept Plan approval for a lot consolidation. The proposed consolidation would take two existing parcels and consolidate them into one new parcel that is 1.4 acres. Mr. Yaney explained one lot is vacant, and one lot has a single-family residence. He said the Geauga County Tax Map Dept., and City Engineer have no issues.

Mr. Blackley agreed the strip parcel has no use. Mr. Emmons clarified both parcels are owned by the Grovers. Mr. Yaney said yes.

Mr. Emmons made a motion to approve the lot consolidation. It was seconded by Mrs. Hill. Roll was called. The vote carried 4-0.

PC Case #23-017/018: Mr. Yaney explained the applicant, Dale Markowitz, on behalf of the owners, is requesting Concept Plan approval for a lot consolidation and lot split. The proposed consolidation would take six existing parcels and consolidate them into three new parcels that are 1.219 acres, 22.646 acres and 26.265 acres. In addition to the concept plan approval, the applicants are requesting three variances: 1) 1150.37(i) – isolated parcels shall not be accepted unless they become a component of, and conform to a plan for, public or common lands. 2) 1150.43(a) – no person shall create by division of property, a lot that does not possess the minimum lot width, as required in the Planning & Zoning Code, fronting and abutting a duly dedicated and accepted public thoroughfare, street or highway, without having first secured approval of the required variance. 3) 1150.43(b)(2) The City Planning Commission may grant approval of division of property pursuant to subsection (a) herein and may require any of the following conditions: That the newly created parcel of land have access for ingress and egress to a duly dedicated and accepted public thoroughfare, street or highway with a minimum width of said access way of sixty feet and located thereon a concrete or asphalt pavement a minimum width of twenty feet which shall run and connect to the parcel newly created or to any improvement thereon the properties. Mr. Yaney said the three (3) homes are on six (6) separate parcels and the parcels are irregular shapes. He said the goal is to get the racetrack and the mansion on the same parcel. All parcels share the utilities. The Geauga County Tax Map and City Engineer have no issues. Mr. Yaney said all three (3) variances meet the Findings of Fact.

Mr. Jared Flynn was sworn in.

Mr. Blackley clarified one (1) of the parcels, is being created to maintain the race track. Mr. Flynn said yes. He said the parcels were created prior to the Zoning Codes; and they would also like to memorialize the easements. Mr. Blackley asked about water servicing all parcels.

Mr. Mitch Semborn was sworn in.

Mr. Semborn said there is a slight reconfiguration so there is now water service to all; and it is on the record plat.

Mr. Chojnacki said all the variances can be combined into one.

Mr. Emmons made a motion to grant all three (3) variances. It was seconded by Mrs. Hill. Roll was called. The vote carried 4-0.

Mr. Meleski made a motion to approve the Concept Plan. It was seconded by Mrs. Hill. Roll was called. The vote carried 4-0.

Mr. William Hofstetter was sworn in.

Mr. Hofstetter requested the City be aware of separate easements needing recorded on a plat to be reviewed and approved. Mr. Chojnacki said the Legal Dept. and City Engineer have reviewed the easements and have no issues; but they do not need to be approved because the City is not partied to the easement. Mr. Blackley encouraged the property owners to consider putting in a water line in the future. Mr. Courtney added the City would need to know where the line is going and it would be subject to Municipal Specifications.

Mr. Blackley amended the agenda to have PC Case #23-022 go before PC Case #23-009/010/011/012.

PC Case #23-022: Mr. Yaney explained the applicant, Premier Forbes LLC, is requesting Concept Plan approval for a lot split from PN: 10-165641 (Chardon Park Sublot 1) and create a new buildable lot. The Gauga County Tax Dept. has no issues. There are no variances needed.

Mr. Blackley said the Announcement of Decision needs to have added “*each individual parcel of lot split would be required to do their own storm water retention*”. Mr. Blackley asked what will happen to the storm water management on the other parcel; meaning, who will maintain it.

Mrs. Julia Chen was sworn in.

Mrs. Chen asked where the water should go in the meantime, if no one builds on the other lot (Parcel A). Mr. Courtney suggested considering an offsite drainage to this property (Parcel B.) Mr. Blackley added that would be an allowable discharge rate until the site is developed. Mrs. Hill said that doing a bypass would be difficult. She said her thought is build storage now to capture what is being drained.

Mr. Emmons clarified they will only own Parcel B. Mrs. Chen said yes.

Mrs. Hill made a motion to accept the Announcement of Decision with Mr. Blackley’s amendment. It was seconded by Mr. Emmons.

Mr. Frank Dyrz was sworn in.

Mr. Dyrz asked who will be responsible for maintaining the basin on Parcel B. Mr. Blackley said it will be filled in with a new storm water management system. Mr. Courtney added the owner of Parcel A will maintain Parcel B, until there is a new property owner for Parcel B.

Roll was called. The vote carried 4-0.

PC Case #23-009/010/011/012: Mr. Yaney explained the applicant, Vaughn Benson (FMS Architects) on behalf of JP Morgan Chase Bank, is requesting Concept Plan and Architectural Review approval to allow for a new 3,810 sq. ft. bank. In addition, the applicant is requesting two variances. 1) 1155.09 (c)(2) – to allow 35 parking spaces which is 19 more than is permitted. 2) 1155.25 (e) – to allow a parking space less than the required 10' setback from building wall with doors or windows. Mr. Yaney explained the parking lot will go where the existing pond is filled in. There will be a shared driveway of Parcel A and B. There will be no access to Geauga Metropolitan Housing Authority or to Center Street. Access will only be on Fifth Avenue. There will be an ATM, but no drive-thru ATM. Some of the parking spaces are only 8' from the wall; and not 10'. The storm water management for this site will be underground after removing the pond. There will be a landscape buffer between this site and GMHA. There will be a large retaining wall constructed. An email from Dominick Durante to Steve Yaney said Mr. Durante is okay with the design. (There was no formal letter sent to Planning Commission.) The Fire Department recommends approval.

Mr. Blackley asked for a detailed site document. Mr. Courtney said that will be at construction document time. Mr. Blackley asked what the retaining wall material is.

Mr. Vaughn Benson sworn in.

Mr. Benson provided the Commission with a photo of the proposed retaining wall. He said it will be poured concrete. Mr. Blackley asked if they will import fill to the site. Mrs. Chen said no, there is already enough dirt on the site from making the ground flat for the building. Mr. Blackley asked about a barrier for parking spaces that face Fifth Avenue so no one goes over the hill. Mrs. Chen said there will be curbing. Mr. Blackley said he does not want a mountable, right in, right out mound. Mrs. Chen asked if a 6" curb is acceptable. Mr. Courtney said yes. Mrs. Hill expressed concern there will not be enough turn radius when the other site develops. Mr. Courtney said a turn analysis can be done. Mrs. Hill said making the turn radius bigger will not help. Mr. Blackley asked if the utilities are existing. Mrs. Chen said yes. Mrs. Hill asked if there is a requirement for a railing to be on top of the retaining wall. Mr. Courtney said if it was over a certain height; but a guard rail was requested.

Mrs. Hill made a motion to accept the Concept Plan approval which includes the variance to increase parking spaces and to allow a parking spaces be less than the required 10' from the wall. It was seconded by Mr. Blackley. Roll was called. The vote carried 4-0.

Regarding the Architectural Review, Mr. Benson shared that the building is 38,000 sq. ft. and there will be approximately sixteen (16) employees. Mr. Blackley asked about future signage for the building. Mr. Benson said it is still in design, they are awaiting this approval first. It will face Fifth Avenue.

Mr. Blackley commented this is a radical departure from the other buildings in the area. Mr. Benson said it is a modern building as this is Chase Bank's design. Mrs. Hill said yes, it is different, but likes the look of the building.

Mr. Meleski made a motion to approve the Architectural Design contingent on receiving Dominick Durante's letter. It was seconded by Mr. Emmons. Roll was called. The vote carried 4-0.

PC Case #23-021: Mr. Courtney explained the applicant, City of Chardon, is requesting Concept Plan approval for improvements to the extension of Seventh Avenue. The improvements include pavement replacement, expansion of the intersection at Center Street, sub-surface utilities and the extension of the roadway to connect with Park Drive to the northeast. Mr. Courtney said design is underway; the cost of the project is \$1.7 million and the City has a Ohio Public Works Commission Grant for \$400,000.

Mr. Blackley asked when the project will go out to bid. Mr. Courtney said mid-April. Mr. Blackley asked about the pavement materials. Mr. Courtney said 2" asphalt and 9" concrete. Mr. Blackley clarified the sidewalks will not be extended. Mr. Courtney said correct based on City Council approval. Mr. Emmons clarified there is no parking after the cul-de-sac. Mr. Courtney said correct. Mr. Meleski asked if it is designed to have heavy trucks. Mr. Courtney said yes, however, it will be posted with signs for trucks to still use the 5th Avenue exit.

Mrs. Hill made a motion to the Concept Plan. It was seconded by Mr. Emmons. Roll was called. The vote carried 4-0.

PC Case #23-024: Mr. Yaney explained Planning Commission will be reviewing a Zoning Map Amendment for multiple parcels on Center Street. The proposed re-zoning is from "I-WTTO" Industrial – Wireless Telecommunications Overlay District to "C-4" General Commercial District. Mr. Yaney said this was reviewed at the 12/8/22 Economic Development meeting. He said this does not need voter approval. He shared this is no longer industrial in nature and Retail Strategies identified this area as an ideal retail location. Additionally, the Hotel Feasibility Study targeted this area.

Mr. Blackley asked if the property owners were notified. Mr. Yaney said yes; and for the Council hearing anyone within 200'.

Mrs. Hill made a motion to recommend to City Council the re-zoning. Mr. Emmons clarified only City Council is actually approving the re-zoning. Mr. Blackley said yes. It was seconded by Mr. Emmons. Mr. Roll was called. The vote carried 4-0.

OTHER BUSINESS –

Mr. Yaney said the next joint Council and Planning Commission meeting is: April 20, 2023.

EXECUTIVE SESSION – none.

ADJOURN

Mr. Meleski made a motion to adjourn the meeting. It was seconded by Mrs. Hill. The meeting adjourned at 8:08 p.m.

Respectfully Submitted:

ANDREW BLACKLEY, CHAIRMAN

Rebecca Repasky, Secretary