

Mr. Cohen called the meeting to order at 7:00 p.m.

Present: Messrs: Bova, Metropulos, Sterling and Cohen

Absent: Mr. Steve Shebeck

Also Present: Ms. Lynn Muter, City Planner

Mr. Scott Barr, Council Representative

The Board recited The Pledge of Allegiance.

CITY OF TWINSBURG PLANNING COMMISSION WORK SESSION FEBRUARY 4, 2019
---

**1. Lot Split/Consolidation – Scannell Properties**

Darrow Road and Old Mill Road

PP# 64-09199 and 64-03581 I-2 Limited Industrial District

MATTHEW WEBER/WEBER ENGINEERING

Mr. Matthew Weber with Weber Engineering Services, 2555 Hartville Rd. Rootstown, Ohio presented the application.

- They are requesting approval of lot split and consolidation, which will result in two parcels, A and B at the intersection of Old Mill Rd. and Darrow Rd. for the purposes of future development.
- They will clean up the [property line at the] right of way along Old Mill Rd. as part of this.

Mr. Cohen noted that, according to the City Planner, the applicant's submission is mostly in compliance; however, they do need to update some of the signature lines as discussed.

Mr. Metropulos asked about the parcel noted as PARCEL B and possessed by Cleveland Clinic, is that parcel being consolidated?

Mr. Weber explained that is included in this project and will become part of Parcel B.

**2. Preliminary Site Plan – Circle K**

2496 East Aurora Road

PP# 64-09314 C-3 Interchange Business District

SAVANNA VAN DE KAMP PEET/CIRCLE K

Mr. John Iski, Real Estate Development Manager with Circle K, 935 E. Tallmadge Ave. Akron, Ohio presented the application.

- They are under contract to purchase and re-brand the property.
- They have been working with the adjacent Burger King and plan to demolish the existing car wash and create a shared access point from the gas station property to the Burger King parcel; this allows traffic from the gas station to access the traffic signal at the Burger King driveway.
  - This creates a safer driving access point as well as making the business more even with the Sheetz across the street.
- They plan to place a new car wash on the opposite side of the property, closer to the highway exit ramp; there are a few variances required for that.
- There is also a secondary access point near the diesel area which would allow people to funnel into the Burger King drive through.
- They are purchasing a small amount of land just south of this area due to the grading in order to replace the one existing diesel tank with a new underground fuel system with dispensers and a canopy on the southeast corner of the property as opposed to behind the store.
- They will need approximately 5 variances, mostly for the location of the new car wash and driveway; they will discuss that with the Board of Zoning Appeals.

Mr. Cohen commented that there is a lot happening on the site and much of it has been happening for a long time; the applicant is looking to improve the northeast corner with a right-in, right-out only driveway.

- He has concerns with increased truck traffic into the facility, they will not be able to access the traffic light to make a left turn out and will likely use the western access drive, which is very close to the intersection.
- He is concerned with the entrance to the car wash and the proximity to the curb cut; people entering from the Burger King side will be coming close to the curb cut and it is not an ideal traffic pattern.
  - How often are there more than 5 to 6 cars in the queue at your existing car wash locations?

Mr. Iski replied that it is not very frequent, car washes are not that popular, however, they help to offer a different product to the competition next door.

Mr. Sterling commented, regarding the southern entrance to the Burger King property, he feels that there must be clear signage to prevent left hand turns if this is one way traffic flow.

Mr. Metropulos asked where the trash enclosure will be placed.

Mr. Iski replied that it will be on the south end of the property and hidden as much as possible.

- There will be 2 dumpsters inside a cement enclosure that matches the store with a gate at the front.

Mr. Metropulos asked if all traffic flow can be changed from clockwise to counter-clockwise.

Mr. Iski replied that the traffic flow was designed based on previous meetings with the City Engineer with the intent of directing any truck traffic to enter at the eastern point and the natural flow from there was clockwise.

- He understands that exiting at the western curb cut is difficult but this is the best overall solution to the property.

Ms. Muter commented that the right-in right-out traffic pattern is driving this site plan and the benefit from that design component was seen by staff as being compelling enough to have everything else fall into place based on that.

- The thought is that allowing vehicles access to the traffic signal could enhance their ability to compete with having cars stopping there for fuel.
- Trucks will make their way out; they are large enough to make it through traffic.

Mr. Cohen noted that there is a traffic pattern drawing showing truck traffic entering on the east side and going around the building to exit at the west.

- If a truck were to enter at the west side, would they be able to maneuver around the pumps and exit at the east side?

Mr. Iske pointed out that it would not be the ideal fit but they would get through; it is not their intent to pull semi-trucks from Interstate 480, they hope to pull customers from FedEx and Amazon, etc.

- Sheetz does not have diesel so their goal is to have repeat local drivers stopping in daily to fill up and buy a meal.

### **3. Presentation**

Downtown Redevelopment District Act  
LARRY FINCH, DIRECTOR COMMUNITY PLANNING & DEVELOPMENT

Mr. Larry Finch, City of Twinsburg Director of Community Planning and Development gave a Power Point Presentation for Downtown Development Districts.

- POWER POINT PRESENTATION DATED 1/15/2019 ON FILE AND NOTED AS EXHIBIT F.

Mr. Cohen asked how much property is in the Medium density Condominium area.

Mr. Finch replied 9.7 acres.

Mr. Cohen asked if an economic development plan has been started.

Mr. Finch explained that an outline has been laid out of what could be done, but not an actual plan.

Mr. Cohen asked how the first interested property owner would begin the process when the funds would not be available until after the first project has been developed.

Mr. Finch replied that funds will not benefit people coming in with projects; revenue will not be transferred for incoming new projects; they may be used for public improvements such as streetscapes or sidewalks.

- Using the funds for loans to owners of historic and non historic properties is the primary purpose, if the individual will benefit from the substantial traffic flow on E. Aurora Rd., and the maximum density allowed on the site, the use which is marketable at the time and lower property costs with possible help from the CIC.

Mr. Cohen noted that all of those things are available to those property owners right now.

Mr. Finch pointed out that there have been complaints in the past of the City not maintaining historic properties; this is the only vehicle which he feels is acceptable as an answer to how to maintain this area; a small tax increase was not considered favorable to allow funds to sustain those properties.

Mr. Cohen asked who would decide how the money is used.

Mr. Finch replied that the anticipated source and use of funds will be stipulated in the economic plan and City Council will have the last decision.

Mr. Sterling noted that this district was originally zoned historical and was changed to a business district and, since then, the homes have been used as businesses.

- Will this be rezoned to require all new development to be in line with this plan?

Mr. Finch pointed out that they are not redeveloping this area as a historic district.

- The properties that are there are almost all owned by investors.
- The CIC purchased 2 properties that were owned by an investor and they were in very poor condition.
  - This is the case for most of the remaining properties.
- There are a couple that are still worthy of preservation, which would allow someone to buy the house and turn it into an office and there is incentive to do non-residential uses of those historic or non historic properties which have value in being preserved.
- The rest of the area needs a face lift.

Mr. Sterling stated that he does not like the inconsistent appearance that has resulted in the residential business zoning on E. Aurora Rd.

Mr. Finch explained that is why the CIC was formed and is trying to assemble properties, in order to allow some control over how the property develops; there is zoning and design standards in place now which restrict uses to an extent and the more properties the CIC owns, the more they can stimulate the redevelopment.

Mr. Metropulos commented that he feels that a plan should be kept to 10 years as things change quickly.

\*\*There was a discussion regarding tax distribution, with the clarification being made that this would be 70% of any increase, not of the overall tax amount.

Mr. Cohen asked what the next step is for Planning Commission regarding this.

Mr. Finch replied that no action is needed at this time, he will continue to work with City Council on this and there will be a Downtown Redevelopment Plan drafted, which will be brought to Planning Commission.

Mr. Barr commented that this presentation was previously given to City Council and was received favorably; he believes there will be more discussion on it.

Mr. Cohen closed the work session at 8:05

**4. Proposed amendment to the Planning and Zoning Code**

Section 1149.08, Yard and Building Setback Requirements; Industrial Districts  
LYNN MUTER, CITY PLANNER

**5. Presentation**

Amendment to the Streets, Utilities and Public Services Code, Chapter 909,  
Small Cell Facilities in the Right of Way  
LYNN MUTER, CITY PLANNER

- o PLANNER’S MEMO DATED 1/24/2019 ON FILE AND NOTED AS EXHIBIT E.

CITY OF TWINSBURG  
PLANNING COMMISSION MEETING  
FEBRUARY 4, 2019

APPROVAL OF MINUTES – January 7, 2019

The minutes of January 7, 2019 were accepted as submitted.

PUBLIC PARTICIPATION- NONE

**1. Lot Split/Consolidation – Scannell Properties**

Darrow Road and Old Mill Road  
PP# 64-09199 and 64-03581 I-2 Limited Industrial District  
**MATTHEW WEBER/WEBER ENGINEERING**

- o PLANNER’S REPORT DATED 1/24/2019 ON FILE AND NOTED AS EXHIBIT A.
- o PLANNER’S UPDATE DATED 1/31/2019 ON FILE AND NOTED AS EXHIBIT D.

**MOTION:** UPON RELIANCE UPON REPRESENTATIONS MADE BY THE APPLICANT AND THEIR REPRESENTATIVE ALONG WITH THE SUBMITTED LOT SPLIT AND CONSOLIDATION PLAT FOR PP# 64-09199 AND 64-03581 DATE STAMPED RECEIVED JANUARY 31, 2019 I MOVE FOR FINAL APPROVAL OF THE LOT SPLIT AND CONSOLIDATION.

MR. COHEN MOVED, MR. STERLING SECONDED, UPON ROLL CALL MOTION PASSED UNANIMOUSLY.

**2. Preliminary Site Plan – Circle K**

2496 East Aurora Road  
PP# 64-09314 C-3 Interchange Business District  
SAVANNA VAN DE KAMP PEET/CIRCLE K

- o PLANNER’S REPORT DATED 1/24/2019 ON FILE AND NOTED AS EXHIBIT B.

Mr. Cohen noted that there are a variety of items still required as this application goes forward; several variances that need to be addressed by BZA as well as the lot split and consolidation.

- Assuming that is all resolved favorably, it will be important for the applicant to return prepared to discuss signage.

Ms. Muter pointed out that the variances for the curb cuts are somewhat grandfathered as they already exist; the variances are only to widen them; the variances are mostly centered on the car wash.

**MOTION:** UPON RELIANCE UPON REPRESENTATIONS MADE BY THE APPLICANT AND THEIR REPRESENTATIVE ALONG WITH THE SUBMITTED SITE PLANS FOR THE CIRCLE K SITE REDEVELOPMENT 2496 EAST AURORA ROAD PP# 64-09314 DATE STAMPED RECEIVED DECEMBER 26, 2018 I MOVE FOR PRELIMINARY SITE PLAN APPROVAL.

MR. COHEN MOVED, MR. STERLING SECONDED, UPON ROLL CALL MOTION PASSED UNANIMOUSLY.

### **3. Proposed amendment to the Planning and Zoning Code Section 1149.08**

Section 1149.08, Yard and Building Setback Requirements; Industrial Districts  
LYNN MUTER, CITY PLANNER

- PLANNER'S MEMO DATED 1/24/2019 ON FILE AND NOTED AS EXHIBIT C.

Ms. Lynn Muter, City of Twinsburg Planner presented the proposed amendment.

- This amendment proposes allowing Planning Commission, through the site plan review process, to allow the same waiver for parking and driveway setbacks as we allow in the business districts to carry over into the industrial districts.
- In a retail area such as Town Center and Creekside Drive where two or more businesses share parking and driveway areas, the parking and driveway surfaces are permitted to span the side lot lines and not have the required side setback as part of the site plan review if Planning Commission approves it as part of a plan.
  - We are suggesting that be the same allowance for projects in the industrial districts.

Mr. Sterling asked if that is only side and front or rear setback as well; he is concerned with a residential district that may abut behind industrial.

Ms. Muter replied that it is only side setback, several of these have come before BZA and they have been side setbacks; Planning Commission is able to allow the one connecting Burger King and Circle K in the business district, they just do not have the same language in the industrial district standard.

- There have been numerous requests which have made sense in the industrial district.
- Planning Commission would have the authority to allow or deny the waiving of a setback and, if this Commission chooses to deny, the applicant could still apply to BZA for the variance.
- This would be considered on a case-by-case basis so if there were any residential properties which could be impacted, the Commission could deny it.

Mr. Metropulos asked if BZA has commented on this.

Ms. Muter replied that she has no comments from them.

Mr. Barr reiterated that this would allow a variance to be considered, not require a variance to be allowed.

**MOTION:** I MOVE THAT PLANNING COMMISSION RECOMMEND TO CITY COUNCIL THE UPDATES TO CHAPTER 1149 INDUSTRIAL DISTRICTS OF THE CITY OF TWINSBURG ZONING AND DEVELOPMENT REGULATIONS AS SUBMITTED AND OUTLINED IN THE PLANNER'S REPORT DATED JANUARY 24, 2019.

MR. COHEN MOVED, MR. METROPULOS SECONDED, UPON  
ROLL CALL MOTION PASSED UNANIMOUSLY.

## 5. Presentation

Amendment to the Streets, Utilities and Public Services Code, Chapter 909,  
Small Cell Facilities in the Right of Way  
LYNN MUTER, CITY PLANNER

Ms. Lynn Muter, City of Twinsburg Planner gave the presentation.

- There are 3 work products in this amendment plan; the chapter that regulates small cell facilities in the public right of way, the chapter that would create the design guidelines and there would be amendments to our existing chapter 1165 which addresses cell towers, rather than cell facilities.
- What is being presented tonight is the regulations that the State has adopted for small cell facilities as well as what the State has adopted in relation to design guidelines.
  - House Bill 478 is dictating this, we are allowed to have a permitting process but the application, fee and fact that it has to be an administrative review, not a Zoning Board review are all dictated by the House Bill.
  - We must permit attachment to wireless support structures owned or operated by the City, including light poles, traffic poles, signs at least 15 feet high; these are elements that the City owns that are in the right of way.
- We will issue a consent permit which will consider its appearance, distance between facilities, compatibility with existing utilities but we are not able to deny applications.
  - The State has set the fees and exempted electric poles and established a size for the antenna at 6 cubic feet as well as establishing 28 cubic foot volume maximum for the equipment; the pole cannot be more than 40 feet above ground level but if in a residential district with a building height restriction, we can restrict the height of the pole to that lower limit.
- In the design guidelines we can create criteria for the location of the ground mounted facilities as well as the boxes and facilities on the pole, determining how it looks on the pole.
  - In areas with underground utilities we can require underground facilities for these small cells as well.
  - For the most parts on our main corridors; Ravenna Rd., Rt. 91, Rt. 82, our industrial districts, we will likely end up with a similar looking facility to what was approved for 6 or 7 poles for the ACD NET Group that most of the Commission is familiar with. There was a galvanized steel pole with the antenna that would meet this criteria and the external equipment on the pole; because there are so many poles in those locations already, we have no ability to say that they can't place another pole.

Mr. Sterling asked how this complies with home rule.

Ms. Muter explained that it is a utility in a right of way; the State Bill that went through allowed municipalities some power in the design guidelines, the initial Bill did not allow for that.

- The municipality is allowed to create a distance standard to discourage too many poles very close together as well as asking them to co-locate on an existing pole but they are not allowed to refuse antennas to be placed.

## COMMUNICATIONS AND MISCELLANEOUS –

Mr. Barr commented that there was a resident at a Council meeting who indicated some resistance to the changes in the language in the Plan Approval.

Ms. Muter clarified that a resident contested Council's authority to pass Chapter 1181 without it going to the ballot; she believes that is under review by the City Law Director.

Mr. Barr indicated the special Council meeting last week regarding the land purchase for a parcel off of Cannon Rd. which abuts a city owned property and would be an addition to the First Mile Last Mile Trail Plan as it would allow a trail head on Cannon Rd.; the reason for the emergency meeting and short notice was that the grant application was due on February 1, 2019 and the land owner reached out to Kate Chapel of the Tinker's Creek Watershed and the Twinsburg Planning Department late in the day on January 25.

- As of right now, we have committed to nothing other than a letter of intent, should we be awarded the grant to buy the property the City's obligation at this time would be about \$65,000.00.

Ms. Muter pointed out that there is no second meeting this month, the next meeting is scheduled for March 4.

- An addition to an industrial building is expected for that meeting.
- Tulum Restaurant has been in contact with the Building Department, they are waiting for spring to begin construction.

EXCUSE ABSENT MEMBERS- Mr. Shebeck

**MOTION:** TO EXCUSE MR. SHEBECK FROM THE MEETING.

MR. STERLING MOVED, MR. METROPULOS SECONDED, UPON  
ROLL CALL MOTION PASSED UNANIMOUSLY.

ADJOURNMENT:

There being no further business to come before the Planning Commission, the meeting unanimously adjourned at 8:28 p.m.

\_\_\_\_\_  
Mr. Cohen, Chairman

\_\_\_\_\_  
Cynthia Bennardo, Secretary