

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

Present: Messrs. Metropulos, Sterling, Cohen, Shebeck
Absent: Mr. Matt Bova

Also Present: Ms. Lynn Muter, City Planner
Maureen Stauffer, Council Representative
Larry Finch, Director of Community Planning and Development

The Board recited The Pledge of Allegiance.

CITY OF TWINSBURG PLANNING COMMISSION WORK SESSION MARCH 5, 2018
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1. Preliminary Rezoning Request
E. Aurora Rd. and Chamberlin Rd. PP# 64-00589
Southwest corner
Requesting C-2 to R-5
HERITAGE DEVELOPMENT / ROB BENJAMIN

Mr. Rob Benjamin, Vice President of Heritage Development 34555 Chagrin Blvd. Moorland Hills, Ohio 44022
Presented the application for preliminary rezoning.

- They are close to final permits for Whispering Woods III, which will have 30 lots on the corner of S.R. 82 and Chamberlin Rd.
- In 2015 he presented two rezoning requests and was asked to step back from the second request which is the parcel being discussed tonight.
 - The first parcel was approved and rezoned R-5 and is currently being developed as Whispering Woods III.
 - Ryan Homes is the builder for Whispering Woods III.
- This parcel was originally zoned I-1 and Heritage Development went through the rezoning process and the voters approved a change to C-2.
 - There has been one interested party since that rezoning; however, the site was not large enough.
 - The site is probably too small for most industrial uses and is at an odd location for retail.
 - Dunkin Donuts and Panera have considered the lot but both chose to locate closer to the center of town.
- The applicants feel strongly that residential use is best for this site and have created a plan which mimics the plan for Whispering Woods III.
 - There is nice buffering on the plan, there is a park to the west and the army reserve property to the south which will be well buffered as well.
 - They would like to take this to the ballot later this year.

Mr. Cohen commented that at the first attempt for rezoning this parcel to residential, there was discussion with Fire and Police regarding the length of the road and number of units as well as the proximity of the curb cut on Chamberlin Rd. to Aurora Rd. and also the truck traffic and how difficult it would be for residential traffic to exit and enter the development.

Ms. Muter explained that since this is not a formal application it has not gone to staff review to receive comments from Police and Fire.

- There are two additional projects currently being considered on the Cornerstone site which will be distribution and warehousing and will presumably add truck traffic to Chamberlin Rd.
- The largest truck impact on Chamberlin Rd. appears to be Kimble, which generates traffic all day.

Mr. Cohen commented that he was concerned with traffic with the new development across the street and the cutting through on Chamberlin to access Highland Rd.

- It becomes a problem once people purchase a home and realize how much traffic they will have to deal with.
- The City's perspective is whether it is good planning for the community.
- He confirmed that, if rezoned and the current plan was approved, the cul-de-sac length would be acceptable but the number of houses would require a variance.

Mr. Benjamin explained that they created this proposal as a match to the Whispering Woods III plan, except with some deeper lots.

- This parcel has been very difficult to market to commercial buyers and there is a party actively interested in developing it as a residential neighborhood.

Mr. Sterling noted that there are specific buffer requirements between Commercial and Residential properties.

Ms. Muter clarified that there is a landscaping requirement of 80% opacity.

- The residential developer would be responsible for creating that buffer.

Mr. Shebeck noted that this property was residential at one time with one house on the property.

- He feels that the voters have the right to decide on this issue.
- He would like the applicants to consider creating access to S.R. 82 from the development as well because of the heavy truck traffic on Chamberlin Rd. and also in case of a fallen power line or trees it would allow the residents to get into and out of the area.

Mr. Cohen asked if the City staff has commented on another curb cut on Aurora Rd.

Ms. Muter noted that they have not moved past the rezoning request to a specific configuration of the proposed street.

- Engineering did not support it on the Whispering Woods III side of Aurora Rd.

Mr. Benjamin commented that they had not considered a second exit although he understands the desire for a second way out.

Mr. Shebeck reiterated that he is willing to give the decision to the voters.

Mr. Sterling asked if there should be sidewalks along S.R 82 and Chamberlin Rd.

Ms. Muter replied that there is allowance for a multipurpose trail feature across the frontage of Cornerstone.

- There is no sidewalk along Aurora Rd. heading west.

Mr. Shebeck noted that a path heading west and allowing access to the Macedonia park would be nice.

Mr. Benjamin commented that they had discussed access to the park being an asset to the development but it would also allow people to come into the development from the park.

Mr. Metropulos stated that he reviewed the Comprehensive Plan and it shows this parcel as C-2.

- If there is an office building developed at that corner of the Chrysler site he could see this parcel as a C-4 use.
- He understands that the timing of the C-2 rezoning along with the 2008 economic downturn has made it difficult to create a retail area.
- A residential use at the north corner of S.R.82 and Chamberlin Rd. made sense as it abutted a residential development.
 - This parcel being residential is a stretch.

Mr. Benjamin feels that this area will sell out in a year as there are not many areas left to build in Twinsburg.

Mr. Metropulos reiterated that he sees the property having potential as a C-4 Commercial Office District use, being an engineering, accounting, law firm, etc.

Mr. Cohen commented that if the applicant had been approached for a C-4 use, he likely would be proposing that zoning designation.

- A commercial use does not appear to be desirable at this time for that location.
- There should be a strong buffer at the Chamberlin Rd. side of the development, however, with keeping visibility at the curb cut in mind with the high traffic volume in the area.
- He also supports sending this rezoning to the voters.

There was a discussion regarding the timing required to place this on the November ballot.

Mr. Benjamin thanked Planning Commission for their input.

2. Chapter 1171 Update, 2018
TREE AND VEGETATION PROTECTION
COT / LARRY FINCH
 - o PLANNER'S REPORT DATED FEBRUARY 22, 2018 ATTACHED AND NOTED AS EXHIBIT A.
3. Chapter 1172 Update, 2018 (Incorporating existing Chapter 1347, Tree Regulations)
LANDSCAPING
COT / LARRY FINCH
 - o PLANNER'S REPORT DATED February 22, 2018 ATTACHED AND NOTED AS EXHIBIT A.

Mr. Larry Finch, Director of Community Planning and Development for the City of Twinsburg presented the updates to chapters 1171 and 1172.

- There are some conflicts with existing codes, with a portion of the building code still having former tree regulations in it.
 - o When the Tree and Vegetation and Landscape codes were revised a few years ago, section 1347 in the Building Code should have been eliminated. Since it was not, the Engineering Department has been enforcing the tree regulations as they are written in the Building Code.
 - o There are a number of conflicts between Building Code 1347 and the Tree and Vegetation Protection Regulations and the Landscaping Regulations.
 - o The proposed revisions would eliminate those conflicts and provide clarification on a couple of things.

Mr. Cohen clarified that they would like to eliminate Chapter 1347, taking the important information and placing it into Chapter 1172 and 1171 with appropriate modifications to eliminate conflict.

- Chapter 1347.02 is a list of definitions and he does not see them listed in the updated Chapters, the definition section of the Zoning Regulations should be updated to include those definitions.
- Chapter 1172.07 shows a schedule of minimum number and caliber of trees, in the older Chapter there are smaller trees and less trees, why have we made that change?

Mr. Finch replied that the number was difficult as it is the site planting requirements, which are in addition to the parking lot landscape planning requirement and in addition to the street trees.

- This led to an impractical amount of trees being required on a project site.

Mr. Cohen asked about 1172.09, why are the item numbers eliminated after number 2 while the items remain?

Mr. Finch explained that those numbers should remain.

Mr. Cohen asked about 1172.11, which says "landscape materials shall consist of the following and are described in more detail in the plant list on file".

- In 1347.08 there is a section called "Permitted Trees", is that the plant list on file?

Mr. Finch explained that the City Engineer has a list of preferred trees and preferred plantings and there have been discussions with the Arborist about recommending native species.

- It is best if they propose their plantings to the Engineering Department so they can work together to encourage as many native species as possible.
- There is a preferred list at the Engineering office.
 - o It is not a permitted list and it is not in the old section, which has been modified to meet better criteria and allow flexibility on the part of Engineering and the Arborist in planting to specified materials.

Mr. Cohen commented that it should be updated to state that the preferred list of plantings is available through the City Engineer's Office.

Ms. Muter pointed out that there is a master list of street trees that are planted in the subdivisions and part of this process is to try to achieve as much diversity as possible.

- Sometimes, the preferred tree is not available at the time of planting and there must be flexibility.

Mr. Cohen stated that he feels that providing the list will assist the applicant in selecting approvable trees and simplifying the process for them.

Mr. Sterling noted that the Planning Commission is supposed to consider the tree and vegetation protection plan and approve what vegetation is removed as a part of the site plan approval.

- He does not feel that he has ever seen this information when considering a site plan.

Mr. Finch commented that is part of the Landscape Plan in a site plan submission.

Ms. Muter agreed that it is on the Landscape Plan of a subdivision site plan.

- Trees larger than 8 inches that will be removed will have an X on them and there is a clearing limit listed on the plan with trees to be saved called out with species listed.

Mr. Shebeck noted that it is not a list; you have to read the drawing to find the information.

Mr. Finch commented that there is a tree survey for the Shepard Preserve subdivision, which was approved by Planning Commission.

Ms. Muter added that the Young Explorer's site plan also had sizes and species called out.

- Some of the larger sites recently have had a tree clearing limit and they have assessed an acreage fee in place of an individual tree count.

Mr. Cohen stated that Planning Commission will reconsider Chapters 1171 and 1172 once the recommended changes have been made, including an update to the Definitions chapter.

4. Proposed Donation Box Regulations, 2018

COT / LARRY FINCH

- o PLANNER'S REPORT DATED February 22, 2018 ATTACHED AND NOTED AS EXHIBIT A.

Mr. Finch presented the proposed Donation Box Regulations.

- The reason for these regulations is that the donation boxes are currently placed without any permits, notice, screening or concern for setbacks or location.
- There have been occasions when donation items were accumulating outside of full boxes.
- These regulations require all donation boxes, current or future, to have a permit.
 - o This assures that the property owner and entity responsible for the donation box have mutual responsibility to assure that the box is properly placed, screened and maintained.
 - o It could be included in an existing chapter of the regulations or it may be an additional chapter.

Mr. Sterling asked about recycling boxes as they sometimes have the same issues.

Ms. Muter mentioned that they have discussed including those in these regulations.

Mr. Finch explained that the regulations limit the number of boxes on any property to 2 and this can be a donation box and a recycling box if the property owner desires.

- They can clarify recycling boxes as donated materials boxes in the regulations.

Mr. Cohen asked how they plan to go back to enforce these new regulations on existing boxes.

Mr. Finch replied that they would have the Building Department provide notices to all owners and give them time to comply by obtaining a permit. Along with the permit there would be a conversation about location and screening.

- Ultimately, it is the responsibility of the property owner.

Mr. Cohen asked how many boxes are currently in the city and how many are compliant.

Mr. Finch replied that he estimates that there are 24 boxes right now and almost none are compliant.

Mr. Cohen asked if the minimum screening has to be a 6 foot solid wood fence to cover the height of the boxes or would a 5 foot fence be enough.

- He would prefer not to see a larger enclosure than necessary for aesthetic reasons.

Mr. Cohen noted in section 3.04(a) requires a sworn application, what is that and how is it different from a typical permit application?

Mr. Finch explained that there will be language on there that commits them to comply, and includes the written authorization of the property owner. The sworn application language could be removed.

Mr. Cohen commented that enforcing compliance would require quite a bit of work from the Building Department.

Mr. Finch replied that it already does and these regulations will clarify the requirements.

Mr. Shebeck noted that these boxes are becoming more prevalent and it is a good time to put regulations in place.

- His concern is that there are three recycling bins behind the middle school, are we going to limit other property owners to two bins? Regardless of the number, he believes the City should lead by example and be sure that we keep our bins maintained.

Mr. Metropulos stated that the screening requirement should mimic the dumpster screening requirements.

Ms. Muter suggested requiring the screening to be above the donation box height.

Mr. Metropulos recommended allowing existing bins to obtain permits without a fee for a certain amount of time in order to encourage them to comply in a timely manner.

Mr. Finch replied that the permit fee will not be large; the intent of this is not to make money.

Ms. Stauffer asked if the boxes are fenced in, will residents know what is inside or could it be mistaken for a garbage dumpster?

Mr. Finch explained that the regulations require that they have signs stating what is inside and who is operating it.

Ms. Stauffer commented that will be an extra cost to the nonprofit.

Mr. Finch replied that identification signs are already required by everyone in the state of Ohio.

- It would be fenced on the sides with the sign on the box.
- Visibility would depend on the orientation of the box, the fencing would screen from the street with the opening toward the parking lot.

Ms. Stauffer asked if the owners would have to apply for a sign permit as well.

Mr. Finch explained that there would not be signage on the enclosure and there would not be a sign permit.

Mr. Cohen noted that the proposed regulations call for screening from the nearest public street or right of way so there may only be a fence on one side, depending on the orientation.

Ms. Muter pointed out that there is one box currently that is not visible from a street, that box would not require screening.

Ms. Stauffer suggested having a list of donation box locations available for residents once permitting has begun.

Mr. Sterling asked who would be responsible if the box is not properly maintained.

Mr. Finch replied that this regulation allows both the property owner and the operator to be accountable.

Mr. Cohen clarified that the Twinsburg Building Department would have jurisdiction.

Mr. Finch stated that is correct.

Mr. Cohen suggested including recycling bins in the regulation and returning to Planning Commission with that update.

5. Discussion item

Variance summary garage size and setback, 2011 through 2017

COT / LYNN MUTER

- VARIANCE REQUEST SUMMARY ATTACHED AND NOTED AS EXHIBIT B.

Ms. Muter presented a list of requests for garage setback variances form 2011 through 2017.

- It is clear that the applicants requesting variances are not doing so due to a self created scenario, it is because of changes in the zoning standard.
 - Much of the R-4 zoning area began with a 75 foot lot requirement; those lots remain and are grandfathered into the current R-4 zoning district.

- o Over the years the requirement has changed to a 90 foot width.
- o When the new R-4 zoning was put in place along with the new accessory building standard it created difficulty for the homes built on a 75 foot lot with a different standard.
- o Many of these homes were centered on their lots with no clear side that allows a garage.
- o Residents have struggled to meet these newer requirements; there is a distance required from the home as well as from the side lot.

Mr. Sterling stated that his concern is primarily with variances is in the newer R-4 neighborhoods where he feels that homes were built without appropriate rear setbacks to allow for decks.

- He feels that the owner of a new build should be able to add a deck without requiring a variance.

There was a discussion regarding commercial zoning setbacks.

Mr. Shebeck suggested that Planning Commission be more diligent on preliminary site plans for new developments and be sure there is room for a deck.

Ms. Muter noted that on the Fox Hollow application, she suggested limiting the size of the deck in their Homeowners Association documents.

Mr. Cohen suggested allowing a different setback for decks as opposed to the 50 foot house setback.

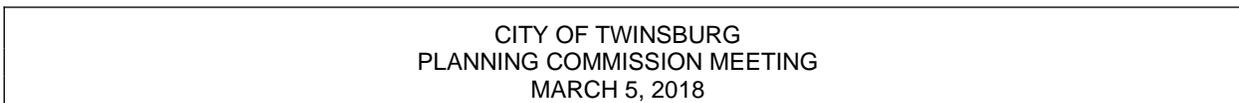
Mr. Shebeck commented that would be best referred to as an outdoor living space in order to include patios and other outdoor areas.

Ms. Muter stated that she will look into this idea.

- She felt positive that the garage setback variance requests came back to the zoning standard being changed.
 - o Perhaps those grandfathered properties could go back to the original zoning standard instead of forcing these residents to a BZA action.
 - o The Law Director would have to decide if that can be done.

Mr. Cohen pointed out that in Glenwood Acres, the residents are often replacing an existing garage but since the standards have changed, they are required to receive a variance to even use the same location.

PENDING ITEMS – NONE



Mr. Cohen called the regular meeting to order at 8:10p.m.

APPROVAL OF MINUTES – January 22, 2018

The minutes of January 22, 2018 are accepted as submitted.

- February 5, 2018

The minutes of February 5, 2018 are accepted as submitted.

PUBLIC PARTICIPATION- NONE

1. Chapter 1171 Update, 2018
TREE AND VEGETATION PROTECTION
COT / LARRY FINCH
2. Proposed Donation Box Regulations, 2018
COT / LARRY FINCH

COMMUNICATIONS AND MISCELLANEOUS

Mr. Shebeck thanked the City Planners for proposing regulations for the donation boxes.

Ms. Muter noted that there are two projects pending in Cornerstone Business Park, one on Chamberlin and Cornerstone, just south of the Vistar building.

- This takes up most of the frontage in Cornerstone Pkwy. up to the cul-de-sac.
 - This will be for an auto parts distributor.
- The second project is another spec. building similar to the one on the other side of the Vistar building.
 - This will be at the end of Independence Pkwy at the cul-de-sac.
 - This will be Phase IV of Cornerstone Business Park and will include shortening the cul-de-sac to allow the building to fit appropriately.

Ms. Muter commented that she expects the Whispering Woods III and Quarry Reserve final submissions this spring.

Mr. Cohen asked if the gravel piles will be removed from the Cornerstone property.

Ms. Muter replied that the developer has told the City that they will.

Mr. Sterling asked if the hotel on Wilcox Dr. has expired.

Ms. Muter replied that she has not heard from them.

Mr. Cohen asked if Ms. Muter knew who bought the Bob Evan's building.

Ms. Muter does not know.

Mr. Metropulos asked about the helistop at University Hospitals; when will it be built and what was determined regarding signage.

Ms. Muter explained that it is under construction now and ODOT is not allowing the sign on their property.

- She does not know if it would be visible from the entrance ramp if placed on private property.

Mr. Cohen asked if ODOT will allow a standard road sign warning of low flying aircraft.

Ms. Muter commented that, to her knowledge, they are not allowing that.

- She will check with the Building Commissioner for clarification.

Mr. Metropulos suggested contacting a State Senator or Representative on this issue.

Ms. Muter noted that it will be shocking to a driver on the ramp and focused on merging if there is an incoming flight at that moment.

Mr. Cohen pointed out that the traffic manual, which ODOT follows, stipulates a standard low flying aircraft sign.

Ms. Muter will look into it.

EXCUSE ABSENT MEMBERS- Matt Bova

MOTION: Moved by Mr. Shebeck, seconded by Mr. Sterling,

Upon roll call motion passed unanimously.

ADJOURNMENT:

There being no further business to come before the Planning Commission, the meeting unanimously adjourned at 8:20 p.m.

Mr. Cohen, Chairman

Cynthia Bennardo, Secretary