



**Special Council Meeting Minutes  
Tuesday, July 28, 2020  
6:00 p.m.**

**Regular Council Meeting:**

Mr. Bellan called the Special Council meeting to order at 6:00 pm.

**ROLL CALL:** G. Bellan, S. Barr, S. Scaffide, D. Walker, M. Stauffer, J. McFearin and B. Furey

**ABSENT:**

**ALSO PRESENT:** Ted Yates, Mayor  
David Maistros, Law Director  
Sarah Buccigross, Finance Director  
Shannon Collins, Clerk of Council  
Mark Gutowski, Senior Communications Administrator

**INVOCATION & PLEDGE OF ALLEGIANCE:**

Mr. Scaffide bestowed the Invocation and led Council in the Pledge of Allegiance.

**LEGISLATION**

**ORDINANCE 61-2020 - AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH JJB RESTAURANT ENTERPRISES, LLC FOR THE EXISTING RESTAURANT, BANQUET/EVENT SPACE AND RELATED EQUIPMENT AT THE GLENEAGLES GOLF COURSE; AND DECLARING AN EMERGENCY**

Read by S. Collins

**MOTION: TO PLACE ORDINANCE 61-2020 ON THE THIRD AND FINAL READING AND DECLARING AN EMERGENCY**

Moved by G. Bellan, seconded J. McFearin

Mr. Furey stated the reason for the emergency is the city would like to enter this contract as soon as possible.

Mayor Yates stated this is the city entering into a lease agreement for the food and beverage operations at Glen Eagles Golf Course. The group is the Burntwood Group who is forming a new LLC. Thanked Ms. McFearin for reaching out to them. He is excited for the city to have this experienced group.

Upon roll call motion passed unanimously

**MOTION: TO ADOPT ORDINANCE 61-2020 AS AN EMERGENCY**

Moved by G. Bellan, seconded by M. Stauffer

Upon roll call motion passed unanimously

**ORDINANCE 62-2020 - AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT FOR THE USE OF CARES ACT FUNDS TO CONVERT CITY RESTROOM FACILITIES WITH AUTOMATED TOUCHLESS FIXTURES AT STATE BID PRICING IN AN AMOUNT NOT TO EXCEED \$85,000.00; AND DECLARING AN EMERGENCY**

Read by S. Collins

**MOTION: TO PLACE ORDINANCE 62-2020 ON THE THIRD AND FINAL READING AND DECLARING AN EMERGENCY**

Moved by G. Bellan, seconded S. Scaffide

Mr. Furey stated the reason for the emergency is to get the bathrooms started as early as possible and to use the COVID money.

Upon roll call motion passed unanimously

**MOTION: TO ADOPT ORDINANCE 62-2020 AS AN EMERGENCY**

Moved by G. Bellan, seconded by D. Walker

Upon roll call motion passed unanimously

**UNFINISHED BUSINESS, NEW BUSINESS, MISCELLANEOUS**

**MOTION: AT THE REQUEST OF THE PROPERTY OWNER AND AFTER REVIEW OF THE REVISED SITE PLAN AND ZONING ANALYSIS I HEREBY MAKE A MOTION TO OVERTURN THE PLANNING COMMISSION'S RECOMMENDATION DENYING THE REZONING REQUEST OF DEVELOPER'S DIVERSIFIED TO REZONE PARCEL NUMBER 64-00589 FROM C-2 TO R-5 AND PLACE THE REZONING REQUEST ON THE BALLOT FOR CONSIDERATION.**

Moved by G. Bellan, seconded B. Furey

Mr. Maistros stated that council has been provided copies of the Planning Commission minutes from May 4<sup>th</sup>, the revised site plan, the zoning analysis and the Ryan Home's correspondence that was provided.

Attorney Kenneth Fischer spoke on behalf of his client Developers Diversified. Mr. Fischer gave copies of the submissions to council. He stated the land is currently zoned C-2 and the applicant would like it rezoned to R-5. The original plan was voted down by Planning Commission. He stated his client has submitted revisions which have 34 homes and two cul-de-sacs. This should meet the code requirements.

Ms. Julie Lindner, AICP Planner for Developers Diversified spoke and provided information that was in her report that Mr. Fischer passed out. She highlighted the traffic study. She stated there are four different zonings on the different corners.

Rob Benjamin with Developers Diversified also spoke. Mr. Benjamin spoke about the history of the property stating in the early 2000's they requested to rezone the land from I-2 to C-2. When 2008 hit there was very little interest in commercial. It has been proven that they can do residential and that is what they would like to see. Mr. Benjamin stated he has done everything he could to try and make the commercial work. He stated they would like to see this on the ballot so the voters can vote. They understand that if on the ballot it would have to pass city wide as well as in the ward.

Mr. Furey asked Mr. Bellan to reread the motion. Then asked Mr. Maistros to confirm that a yes vote would override the Planning Commission and put this on the ballot for the residents to vote and a no vote upholds the Planning Commission's decision. Mr. Maistros confirmed and stated that it would take a vote of five or more council members to overturn Planning Commissions decision.

Mrs. Stauffer asked about the site plan. Mr. Maistros stated the site plan is not being approved by the Planning Commission. The zoning issue is what was before Planning Commission and he assumes the site plan was just to show an option of what could be there. Mr. Fischer stated that they would comply with the site plan as revised and no variances should be needed. Mr. Maistros clarified for Mrs. Stauffer that council would be approving the rezoning request not the site plan.

Mr. Bellan stated the changes made have not been seen by Planning Commission but include; the changes from 35 units to 34 units, adding an additional cul-de-sac for a total of two. Mr. Fischer stated they listened to some of Planning Commissions concerns and made these changes.

Mr. Bellan stated the comments earlier stating they have tried C-2 zoning before and stated it just doesn't work. He asked if there were any consistent reasons given why it would not work. Mr. Benjamin said that the depth of the lot doesn't work well for commercial, turn around space for trucks for drop off or garbage pickup. Another reason was it's a site that is between Twinsburg's downtown retail and Macedonia's.

Mr. Bellan also asked if they did not anticipate these issues when they asked for it to go from industrial to commercial. Mr. Benjamin stated that the plan with commercial was to bring a mini Legacy Village to Twinsburg but wouldn't fit.

Mr. Bellan asked if they would anticipate the homes to be in the range as the newly completed Whispering Woods with a value around \$360,000. Mr. Benjamin confirmed. Mr. Bellan also asked that of the 34 units do they have an estimate on additional traffic and also potential students added to the

school district. Mr. Benjamin stated he does not have the estimate of the students but believes it might be a mix of families and empty nester.

Mr. Scaffide stated he represents the Planning Commission. He was on the meeting and understands their concerns. Listening tonight, he is a little torn. He would like to see this go back to Planning Commission with the new site plan and see what they think.

Mr. Bellan asked Mr. Maistros what would need to happen procedurally to do this. Mr. Maistros stated that there is a motion on the floor now that would need to be rescinded.

Mrs. Stauffer asked when this started with the city. Mr. Benjamin stated when they rezoned the Whispering Woods side when Mayor Procop was still here around 2013 and then back in 2018.

Mr. Bellan asked Mr. Scaffide if with the new site plan and traffic study, he thinks it would change a 4-1 vote on Planning Commission. Mr. Bellan stated that one thing in Planning Commission minutes a commissioner stated buyer beware. Mr. Scaffide stated that comment was in regards to the truck traffic. Mr. Scaffide stated that they people purchase their homes and love it and then have concerns after with the area around them that then become the city's issues. Mr. Scaffide stated that he thinks they would like to see this new information to reconsider rather than council come by and overturn their decision. This way they can see the same info council has.

Mr. Bellan rescinded his motion, Mr. Furey seconded the motion to rescind.

**MOTION: THAT THE REZONING APPLICATION FOR 1816 E. AURORA ROAD BE REFERRED BACK TO PLANNING COMMISSION TO REVIEW THE ADDITIONAL INFORMATION THAT WAS PRESENTED TONIGHT**

Moved by S. Scaffide, seconded by G. Bellan

Upon roll call motion passed unanimously

**ADJOURNMENT:**

Meeting unanimously adjourned at 6:40pm.

Attest:

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Greg Bellan  
President of Council

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Shannon Collins  
Clerk of Council