



Village of South Russell
5205 Chillicothe Road
South Russell, Ohio 44022
440-338-6700

PLANNING COMMISSION MEETING VIA ZOOM
Record of Proceedings
June 11, 2020 7:30 p.m.

Members Present: Steve Latkovic, Chairman; James Flaiz, Dennis Galicki, Mayor
William Koons, and Elisa Budoff

Other Officials: Bridey Matheney, Solicitor; Nancy Grattino, Board Secretary

Visitors: Peter Cary, 477 Industrial Pkwy.; Steve Ciciretto, Architect
Brian Jeckering, Proposed Tennant; Chris Bell, Kensington
Green HOA President; Joe Cimperman, Kensington Green HOA Treasurer

Chairman Steve Latkovic called meeting to order at 7:30 P.M.

Board Secretary Nancy Grattino conducted roll call.

Latkovic stated that there were minutes from the January 9, 2020; February 13, 2020; and March 16, 2020 meetings. Flaiz made a motion to approve all the minutes, seconded by Budoff. Roll call – Latkovic – Yes, Flaiz – Yes, Galicki – Yes, Mayor – Yes, Budoff – Yes. With unanimous vote, the motion carried.

CASE # 20-PC-04: 477 INDUSTRIAL PKWY, SUITE D– ALL HOUSE DISTILLING LLC- PETER CARY, APPLICANT/OWNERS REP. – PROPOSED NEW TENANT FOR DISTILLING CO.

Cary reported that the two tenants previously presented to PC had withdrawn due to COVID-19. However, there was a proposal by Brian Jeckering, All House Distilling, to occupy 6,000 square feet of warehouse space in the rear of the building at 477 Industrial Pkwy. Jeckering explained that it was a combination of processing space to distill the spirits. It would also include a tasting room to educate the patrons on the process. He intended to have a kitchen where small pairings would be prepared to accompany the introduction of the spirits. He advised that where the craft beer trend is declining, the micro and craft distilleries are climbing. It attracts people for tours and events in the space. A large part of the revenue model for such a facility is to have some of

the space used for both aging of barrels and event space. The floor plan of the processing and aging areas would be to the outside of the building, and the internal space dedicated to events. He hoped to build partnerships with other local vendors to expand his offerings. The focus for All House would be whiskies with different finishes. The intent is only to serve spirits produced at the facility. Jeckering advised that the space provides tall ceilings necessary for processing, and they intend to build a box within a box for the tasting room. There is area in the back that would allow for patio space when the weather permits. It would be turning the warehouse space into an entertainment space. He stated that the business' objective is to become part of the community and participate in local events.

Jeckering stated the focus would be on different whiskies to include a bourbon, rye, and single malt, but also finished whiskies where the product is aged and then aged again in a rum barrel, for example. This is challenging because of time involved with the aging process. They would also be distilling gin or vodka. He did not plan to serve beer or wine unless there was a tie to a local microbrewery. Latkovic clarified that Jeckering would want to serve on site and would have a full liquor license. Latkovic asked how many people the location could accommodate, and Jeckering said within the tasting room, it would be 20 – 30. In good weather where the patio could be utilized, it would be doubled.

Steve Ciciretto stated that calculations were based on a maximum occupant load of 50. This does not include a staff of 5. Referring to the drawing, Ciciretto explained that if the 7,200 square feet were divided into offices, it would be one space for 300 square feet which would equate to a need for 24 cars. The distillery space is 6,000 square feet with distillery and tasting room with tables for 20 – 30 people. The distilling equipment would be in the northeast corner and would not be open to the people attending functions. The banquet area would be in the southwest corner. With this layout, there could be 50 occupants. Latkovic asked if this was just the banquet and kitchen area and not the patio. Ciciretto said yes and explained that it would be simultaneous to make cocktails outside on the patio and then dinners would be served inside to move the patrons into the facility. With tasting events, the space would be mixed use. He stated that just east of the tasting area is a commercial kitchen and ADA compliant restrooms. Ciciretto concluded the occupancy of the building would require parking for a total of 54 cars. He referred to the plan and indicated there were nine on the north side of the building, 20 on the east side of the building, and then 25 spaces in the back. He added that the events would be after hours where most of the building would be empty. Ciciretto advised that Cary had additional parking that could be used at adjacent buildings. Ciciretto also noted that there was landscaping proposed for the back side to make it feel like an event center. No elevation changes or signage for the building had been proposed yet. The paving for the parking is in place but would need to be finished. It is an existing parking lot, but it does not meet all the setback rules of current parking. There are no neighbors behind the property.

The Mayor asked about the hours of operation and Jeckering stated production would happen during a normal work week, and hours for the public would be 2:00 p.m. until 8:00 p.m.

weekdays and until 10:00 p.m. on the weekends with the tasting room closed on Mondays and Tuesdays.

Latkovic asked about the All House Distillery name, and Jeckering explained it involved his habit of taking over the whole house with his hobbies. He further explained that the business would only serve what it produces; all house spirits.

Hocevar informed the applicant and PC of the possibility of placing a conditional use on the application in terms of the Village's Zoning Code. Jeckering advised that the business would require substantial investment and the conditional use gave him pause. Flaiz, Latkovic, and Hocevar discussed the issue and decided that it was unnecessary for this application.

Flaiz made a motion to approve 20-PC-92 for 477 Industrial Pkwy, Suite D – All House Distilling, seconded by Galicki. Roll call – Latkovic – Yes, Flaiz – Yes, Galicki – Yes, Mayor Koons – Yes, Budoff – Yes. With Unanimous Vote, motion carried.

CASE # 20-PC-05: KENSINGTON GREEN- HOA- MOWING PLAN

In response to the January PC meeting, Bell stated that the new mowing plan was submitted. Furthermore, the HOA had the area mowed. He referred to the plan and indicated the area involved was from the entrance of Kensington Green to the west to the South Russell Police Department line as well as east from the Kensington Green entrance to the beginning of the wooded area along the right of way. Flaiz was unclear from the wording of the plan, and asked if the HOA would be mowing up to the roadway, or not mowing the ditch. Bell explained that the landscapers had been mowing the ditch. However, it was his understanding that this was not the responsibility of the HOA, but they were doing it anyway. Flaiz stated this was a gray area, but thought most people mowed the ditch line. Latkovic interpreted the plan to include the ditch. Flaiz explained that the mowing plan indicated from the right of way which would not technically include the ditch, where the old plan stated it would be from the roadway. Flaiz said his preference would be from the roadway to the fence line.

Flaiz noticed where the cutting stopped leaving an area between the right of way and the wooded area up to the drainage outflow on the far eastern end of the property. Flaiz said this area looked bad, and historically under the previously approved mowing plans years ago, would have been mowed. Bell stated that in 2017, the Mayor did a presentation to the HOA concerning water issues. As a result, the HOA stopped mowing the area along Bell Road and also part of the common property near the entrance that was allowed to become meadow land to help the Village mitigate water flow both in the direction of Chagrin Lakes and of Sunridge. This was a concession made for the Village. Flaiz indicated what he is concerned with was the area between Bell Rd. and the fence line and the wood line. Bell stated on the plan, they are still concerned about Sunridge. Flaiz stated that with respect, the Mayor should not have been making any deals on any of this because the mowing plan is of the purview of the PC. He did not see how not mowing the area between Bell Rd. and the fence line on the far eastern part of

the property had anything to do with stormwater control. Flaiz thought the stormwater issues were more on the south side of the fence line described as the wet meadow and retention basin adjoining Sunridge.

Bell asked if there were other communities along Bell Road that do not mow, and Flaiz said he did not know of any subdivisions that have a mowing plan. Kensington Green is the only subdivision that does not mow their entire common area per Village ordinances. Bell said he was aware that Willow Lane did not maintain the property along the roadway. Flaiz indicated this was a private property owner, not a subdivision, and is a private drive with individual homeowners. Bell indicated that Kensington Green is also a private lane, and Flaiz disagreed and said it was owned by a subdivision. Latkovic explained that the rules for subdivisions are different and would differ from the requirements of individually owned property. Latkovic clarified the area to which Flaiz was referring.

Cimperman advised that he read some historical documents which discussed flooding over Bell Rd., and he believed this was why the Village asked the HOA to cease mowing the area to slow down the water going over Bell. He thought this was the issue that resulted in the HOA's current situation. Flaiz stated he was involved with this issue, and there was flooding at the time. What the Village did not want mowed was the south side of the fence line in the retention basin. It used to be mowed periodically. The area visible from Bell Road between the fence line and the wood line was not included. Cimperman stated he was aware of this, but there was another part of the document that involved flooding over Bell Rd. near Sunridge. Flaiz explained that it was not completely the HOA's issue, rather an undersized storm drain that went from the wet basin outflow under Bell Rd. that the Village had the Engineer look into replacing. Because it was cost prohibitive, it was not done. Under the old plan, the area in question was mowed and as well as one swipe on the south side of the fence. Flaiz explained that his personal issue was at least having the area from Bell Rd. to the fence line mowed.

Cimperman stated he wanted to review the old plan with the HOA board because he was aware that there was an issue with getting to the south of the fence because of trees. He expressed reluctance in having to do an assessment of the HOA members with some out of work due to COVID. The HOA board would also need to renegotiate the contract with the landscaper to include the new requirements. Bell stated his understanding was that the former plan was moot because it expired and had not been renewed in 18 years, so the conversation should be what should be done now. He asked what the PC's concerns were, the stormwater or the aesthetic? Bell's concerns were more for the stormwater, but if the PC's priority were the aesthetic, he would mow it. Flaiz stated stormwater management had nothing to do with the area with which he took exception. He clarified that the flooding that Kensington Green is causing in his neighborhood, Chagrin Lakes, has to do with Bullfrog Pond and has nothing to do with the mowing or stormwater management related to the mowing. Bell explained that the HOA was told and had received complaints that Sunridge was having issues as well. Flaiz did not know anything about Sunridge. Latkovic did not see how mowing along the fence line on Bell Rd. in front of the forest for 100 yards would affect stormwater.

Bell stated his point was that two years ago, the Village came to Kensington Green to ask the HOA a favor, and the HOA complied. Now the Village is coming at the HOA and telling them not to do it and punishing the HOA. He did not want this to happen every two years with a change of the members of the PC. Bell wanted a clear plan that the Village would not keep changing so that the HOA could budget for it accordingly. Flaiz advised that historically, the HOA came to the Village to address the cost of mowing, and the Village passed an ordinance which set up a procedure where the neighborhood could mitigate its costs and not mow all of the property. For many years it was mowed. The reason for the current situation was that the HOA stopped mowing between the fence and road. Bell reiterated that they stopped mowing it because of the Village. Flaiz said the mowing of this area had nothing to do with stormwater management and whoever told the HOA this information was 1000 percent wrong. Latkovic asked the Solicitor for when the last mowing plan was approved, and she thought it was 2007. Latkovic asked if the plans were then supposed to be reviewed every two years. Flaiz recalled that the ordinance allowed PC to put a review on it periodically. PC could approve something to be done with the area indefinitely. The Solicitor concurred. She said the ordinance would allow for something more permanent. Latkovic asked if it could have different requirements over time, and the Solicitor stated any reasonable conditions could be imposed. Latkovic asked Bell if in the long term, he would want to see the area mowed or left natural. Bell liked the way it looked mowed but was supportive of efforts to control stormwater. Latkovic agreed with Flaiz but was sympathetic to the mixed messages and economic issues faced by Kensington Green residents. He proposed that the plan include some mitigation of cost for Kensington Green. He suggested skipping a year and then planning that the area will be permanently mowed in the future. Flaiz suggested adopting a plan that would take affect in May 1, 2021 and include what is mowed now, but specify the mowing should go to Bell Rd. instead of to the right of way and should extend to the outflow of the eastern end of the property between the wood line and Bell Rd. Latkovic asked if this were acceptable, and Bell asked that it be worded in such a way so as not to include a two-year review. Latkovic said the point would be for this to be a permanent plan. Flaiz agreed.

Bell verified that no other subdivision had a mowing plan, and Latkovic explained that other neighborhoods and residents are subject to the Village Zoning Code for tall grass. Kensington Green sought the plan originally as flexibility with this ordinance. Cimperman suggested that a plan might not be necessary if the HOA mowed in accordance with the zoning regulation. Flaiz advised that in that case everything would have to be mowed, to include the meadow area.

Latkovic stated that the plan would start the following year and it would become permanent so that in essence it would become the ordinance but modified for Kensington Green so that everything would not have to be mowed.

Flaiz clarified that the mowing at Kensington Green had nothing to do with stormwater issues at Chagrin Lakes, and it was not his intent on this issue to have anything to do with Chagrin Lakes' stormwater issues. Bell stated that the information indicating it did was provided in a

presentation from the Village and Chagrin River Watershed Partners describing that the water ran through the neighborhood's low point to Bullfrog Pond, which would get overwhelmed and eventually flow to Chagrin Lakes. Bell offered to provide this information to the PC. He was otherwise in agreement with PC.

Corrections were made to the plan map. Flaiz suggested extending the yellow line virtually to the end of the property on the eastern end. He thought there was 15 or 20 feet of the outflow that would be impractical for the HOA to mow. Flaiz stated he thought the Village should maintain the outflow.

Latkovic made a motion to approve the mowing plan subject to two changes. In the third and fourth bullet point, the term "right of way" is changed to "road" and the yellow line is extended to the break in the eastern side of the woods along Bell Rd. where the outflow is effective May 1, 2021, seconded by Flaiz. Roll call – Latkovic – Yes, Flaiz – Yes, Galicki – Yes, Mayor – Yes, Budoff – Yes. With Unanimous Vote, motion carried.

Latkovic inquired about old or new business and hearing none made a motion to adjourn, and the Mayor adjourned the meeting.



Steve Latkovic, Chairman



Date

Prepared by Leslie Galicki