



Village of South Russell

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

PLANNING COMMISSION MEETING MINUTES APRIL 11, 2024 at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff, Phyllis Marino, alternate.

Member Absent: Greg Bruhn

Other Officials: Bridey Matheney, Solicitor; Dave Hocesvar, Building Official; Ruth Griswold, Board Secretary

Visitors: Jeff Jardine of Riverstone Engineering, 3800 Lakeside Ave, Cleve; James Nace, Chagrin Schools, 400 East Washington; Ryan Schmit of TDA, 2630 River Rd, Willoughby 44094; Christopher Woofter of Chagrin Schools, 400 East Washington; Robert Tropf, 29 Sugar Bush Lane; Jennifer and Brennan Donnellan, 110 Waverly Lane; Jimmy Leffler, 1109 Bell Road

Meeting called order by James Flaiz at 8:29pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the minutes from the Planning Commission meeting on March 14, 2024. He asked if there were any comments or questions. There were none. Mayor Koons motioned to approve. Ms. Budoff seconded. On roll call vote, the motion was carried.

Agenda Item 1:PC Case #24-01: Mr. Ryan Schmit of TDA, on behalf of Mr. Christopher Woofter, Director of Operations for Chagrin Schools, is seeking approval for parking and storm drain improvements to the west parking lot at Gurney Elementary School.

Mr. Flaiz said the Public Hearing for this agenda item was held immediately prior to this meeting, where the board heard the presentation from the applicants, as well as public comments from several surrounding property owners regarding the project's potential impact.

Mr. Flaiz said his only concern, as stated during the Public Hearing, is the choke point near the

comfort station and the extended grassy area, and Mr. Schmit had said that the area would not be curbed. He referred to page C3.01 of the plans, and noted that it does indicate that there would be a 6" concrete curb. He asked for clarification. Mr. Schmit deferred to Mr. Jardine, who confirmed that the area would be curbed. Mr. Flaiz said his only suggestion, at least for that curb, would be to paint it red and mark the asphalt as a fire lane. He thinks people would honor that, and if people don't park in that area, it would address his concern. Mr. Woofter agreed and said that approach has been successful at the other campus.

Mr. Flaiz asked if there were any further questions or concerns.

Mr. Porter said the Village has been watching stormwater more closely than ever over the past few years, and there are ongoing projects relating to stormwater. The presentation tonight shows that the project will not make stormwater issues any worse, and may make it better. He said the Village will monitor that over the years to ensure that it does.

Mr. Flaiz said he is up at the school all the time, and the fact that Mr. Schmit is also up at the school often has likely contributed to his ability to create this very impressive plan. He said he came up with a fantastic solution to a problem that seemed unsolvable. Mr. Schmit said he has spent many hours on the campus which did help, and thanked Mr. Flaiz.

Ms. Marino made a motion to approve PC Case #24-01. Mr. Porter seconded. Mr. Flaiz asked for any discussion on the motion. There was none. On roll call vote, the motion was carried.

Mr. Schmit said his company has been before many boards and commissions, and complimented the Village on the smooth process, and an extremely well-run meeting. Mr. Woofter also thanked the board.

Mr. Flaiz then began the discussion on the item under Old Business: **The zoning of 1194 Bell Road-former Citizen's Bank**. At the last meeting, the matter was brought up for consideration to change the current zoning on the parcel from B-2 to B-1.

Mr. Hocevar said he recently spoke with a potential buyer of the building. The gentleman's business is similar to that of a travel agent, but he only organizes safaris. He would have a large art collection on display, and he also wants the ability to sell some of his artwork. Mr. Hocevar said when he mentioned the retail aspect, he had to tell him that the building is not zoned for retail sales. The prospective buyer then asked if the potential approval of re-zoning of the property could be brought up with the Planning Commission. He wanted a sense of the likelihood that re-zoning would be approved before he decides to purchase the property. Mr. Hocevar said that he would be compliant with everything other than the retail sales of his artwork.

Ms. Matheney said the prospective buyer was thinking of possibly initiating an amendment to the Zoning Code, not necessarily having the Planning Commission or Council do so. He would apply to the Planning Commission with the request, and the Planning Commission could then make a recommendation to Council for approval, or the board could modify the request as well. She said this would only be a map change, not a text change.

Mr. Flaiz referred to the Zoning Code and said the B-2 District has the following Main Permitted Uses: Residential, Offices or Personal Services, and Municipal Cemetery. The allowed Conditional Uses are: Wireless Telecommunication Facilities and Bed and Breakfasts. In the B-1 District, which is what Cipriani Plaza was recently changed to, the Main Permitted Uses are: Residential, Offices, Personal Services and Retail. The Conditional Uses permitted in a B-1 District add the potential of: Gas Stations, Restaurants, Commercial Amusements, Automotive Sales, Mortuaries and Wireless Telecommunication Facilities.

Mr. Flaiz said while Conditional Uses are expanded in the B-1, they still must be approved by the Planning Commission, and that's a high burden. He said basically, would you want to allow retail at that site, and possibly a restaurant, under a Conditional Use, since that would be the main effect of rezoning it from B-2 to B-1.

Ms. Matheney said the other option would be for the applicant to request a Use Variance, which is also a very high burden.

Mr. Porter said he would be fine with having a restaurant there. The bank building has been vacant and up for sale for years, and there doesn't seem to be a lot of activity. They have changed realtors every so often. He said perhaps a reclassification or rezoning is in order.

Mr. Flaiz said if a request came before them for a restaurant there, the Planning Commission could consider it for a Conditional Use and require various conditions. There may be some serious parking issues, but it could be a great coffee shop. He said it makes sense to have this parcel be in a B-1 District, since the plaza is already B-1. Mr. Hocevar agreed. Mayor Koons said hopefully the applicant could come before them in May.

Discussion followed regarding the procedures required to initiate a zoning change, which includes legal notifications in the newspapers and letters to surrounding property owners prior to holding a Public Hearing. Ms. Budoff asked if the current owner wanted to initiate a change, or a potential buyer. Mr. Hocevar said a potential buyer wanted a feel for the likelihood of it being approved. Mr. Porter said, unofficially, they would consider it.

Mr. Flaiz said if they all agree that the parcel should be changed to B-1, then the Planning Commission should just initiate the zoning change like they did for the plaza, without having somebody ask them to do so. Mr. Porter agreed that it should be a B-1. Mr. Flaiz said no matter who requests it, it would still have to go to Council after the Planning Commission's decision. Discussion followed. Ms. Marino said if the current prospective purchase falls through, the property would be more conducive to any buyer if it's zoned B-1. Mr. Porter said perhaps another bank would move in, since the vault is still there, it's just that nothing has been happening over there lately. Mr. Flaiz said banks usually like to build new facilities.

Ms. Matheney said if the property owner initiated the change, they would have to put down a deposit to cover the cost of the legal notifications. She said while someone may be interested in purchasing the building, it still has to be the owner who comes before the Planning Commission with the request. And would the Planning Commission consider a change if it weren't under contract.

Ms. Budoff said she is getting the impression that the potential buyer doesn't want to put in an offer unless the property is rezoned. She asked if a prospective buyer would be permitted to initiate the change, or does it have to be the owner. Ms. Matheney said it would have to be the property owner.

Further discussion followed regarding the procedures and costs involved in the rezoning.

Mayor Koons suggested that Dave let the prospective buyer know that the Planning Commission would be agreeable to the change, but that the request would have to come from the property owner, and that they must also appear at the meeting. Mr. Flaiz said it would be fine to communicate with him that the Planning Commission feels the change may be appropriate. Mr. Hocevar said if it were changed, the Planning Commission would still have control over what goes in there.

Mr. Flaiz said if they do get to the point where they approve a new business over there, the Village has to make a stipulation that the two driveways will remain open for traffic circulation. Ms. Budoff said if it were a business that would utilize both driveways, such as a coffee or donut shop, it would be in their best interests to keep them open. Mr. Flaiz said his concern is that by eliminating a driveway, more parking spaces could be attained if needed and he doesn't want that to be an option. Mr. Hocevar and board members agreed.

Mr. Flaiz asked if there was any other old business. Ms. Budoff said to preface her concerns, she wants it known that she is thrilled that Lopez is in the Village. But as she was leaving St. Joan's on Saturday at around 6:45pm, she came upon a little traffic jam on East Washington. It didn't last long, and it was due to a patron of Lopez who was backing his car up onto the sidewalk. She also noticed that they are parking cars on both sides of the lot. She suggested others take a drive down there during that time, and she is hoping there haven't been any complaints. Mr. Porter said it makes one wonder if it happens often. Mr. Flaiz said he makes a point of observing the area and has never seen any problems, and feels the overall situation in that area is much improved. He said they should talk to the police to see if there have been any issues there. Mayor Koons said while sitting in Hunan, you'll see a number of people walking over to Lopez, as well as the valet staying very busy.

Mr. Flaiz asked if there was any other old or new business. Mr. Hocevar said he was approached by the owner of Lopez restaurant, who would like to provide a cover over his patio. He doesn't want to move forward with architectural drawings unless the Planning Commission seems open to the idea. He understands he would have to comply with all parking requirements, as well as meeting the Fire Marshal's requirement of adding another door to the restaurant. The additional door may require obtaining an easement from Burntwood. After viewing the rough drawings on the media screen, the board agreed to be amenable to the change without officially committing.

There being no further business, Mr. Porter motioned to adjourn the meeting at 8:57pm. Mr. Flaiz seconded. Ayes all, the motion carried.


James Flaiz, Chairman

5/9/24
Date


Ruth Griswold, Board Secretary

5-9-2024
Date