



Village of South Russell

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

**PLANNING COMMISSION MEETING
MINUTES
March 14, 2024
7:30PM**

Members Present: James Flaiz, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn, Phyllis Marino

Member Absent: Mark Porter

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

Visitors: Brad Camposo, 1576 Bell Road; Jason Yanesh, 576 Industrial Pkwy; Christopher Woofter, 400 East Washington; Ryan Schmit, 4230 River, Willoughby 44094; Lorraine Sevich, 11 Ridgcrest Dr; Nick & Melissa Nykulak, 1580 Bell Road

Meeting called to order by James Flaiz at 7:30pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business tonight is to select a chairperson. William Koons made a motion to nominate James Flaiz. Elisa Budoff seconded. On roll call vote, the motion passed unanimously.

Mr. Flaiz thanked the board members.

Mr. Flaiz asked board members if there were any additions or corrections to the minutes from the Public Hearing and Planning Commission meeting held on November 16, 2023. There were none. Mr. Bruhn made a motion to approve both sets of minutes. Ms. Budoff seconded. On roll call vote, James Flaiz-Yes; Greg Bruhn-Yes; William Koons-Abstained; Elisa Budoff-Yes; Phyllis Marino-Yes. The motion carried.

Agenda Item 1:PC Case #24-01: Pursuant to Section 3.05(b) of the Zoning Code, the Planning Commission shall schedule a public hearing within 60 days on the Conditional Use Permit Application submitted by Mr. Ryan Schmit of TDA, on behalf of Mr. Christopher Woofter, Director of Operations for Chagrin Schools, for parking and storm drain improvements to the west parking lot at Gurney Elementary School.

Mr. Flaiz said since Gurney School is operating under a Conditional Use Permit, they have submitted a Conditional Use application for the parking lot upgrades and storm drain improvements. A Public Hearing must be held for any improvements or changes to the property, and tonight's meeting is simply to set up a date for the Public Hearing. He asked the representatives from the school to introduce themselves.

Christopher Woofter said he is representing the school district and has served as its Director of Operations, among other things, for the past twelve years. Their plan is to upgrade the parking area on the west side of Gurney School, which is currently gravel. They are hoping for approval to pave over the gravel areas, as well as add additional parking and put crosswalks in the island area. Mr. Woofter introduced the architect on the project, Ryan Schmit of TDA, who is also working closely with the storm water management engineers, and said he will talk briefly and answer any questions.

Mr. Schmit said the project is primarily about long-term maintenance and life-safety issues. They propose creating hard surface areas for visitors, in addition to improving some of the lighting in the parking lot areas. This will help with evening events, and they plan to be very mindful of the surrounding residential areas. The crosswalk features will complete the site development in that area, allowing it to be usable and functional.

Mr. Flaiz asked board members if they had any questions at this stage. There were none. Mr. Flaiz asked if there would be a retention or detention situation in the stormwater area. Mr. Schmit said it would mostly be kept dry, but may fill up during a significant event. He said they are aware of the concerns about stormwater in the area, and this will allow an opportunity for them to collect rain that had not been collected in the past, and while some issues have been addressed, this project will be a holistic approach to take care of that whole side of the site, which will benefit everyone long-term.

Mr. Flaiz said there have been problems in the past around Waverly, and asked if the stormwater would be directed north-south. Mr. Schmit said yes, that is correct.

Discussion followed regarding setting the date for the Public Hearing. Mr. Flaiz said since the board still has to discuss the proposal to change the time of future meetings, they would let the applicants know the Public Hearing date and time, which will be decided later in the meeting. He assured them that it would be held as quickly as possible.

The applicants thanked the board for their time.

Agenda Item 2: PC Case #24-02: Mr. Jason Yanesh of iDevice Wholesale is seeking approval to open an electronics e-commerce business at 576 Industrial Parkway, Zone 7, owned by Mark Derry of Living Lean.

Mr. Flaiz asked the applicant to tell the board about what he would like to do. Mr. Yanesh introduced himself and said he is a resident of Auburn Township. He began this e-commerce business during Covid when his other business, was dealing with default mortgages, was affected. He buys and resells electronics, and recently obtained contracts with the National Institute of Health. Mr. Yanesh went on to say that his business expanded enough that he grew out of his space in Auburn Township. He was driving around the area and met Mark Derry, who had the upstairs space available.

Mr. Yanesh said most of his iDevice Wholesale business sells directly to other businesses such as phone repair stores, other e-commerce companies and eBay. Mr. Flaiz asked if his business would repair phone screens. Mr. Yanesh said they still do some repairs, although their in-house repairs are limited since they are so busy with buying, repairing, and reselling.

Mr. Flaiz asked the board members if they had any questions. Ms. Budoff asked where he bought most of the phones. Mr. Yanesh said the business mostly gets MacBooks and laptops from the NIH, and just today he picked up 500 MacBooks. They also run Facebook ads and people are able to mail in their phones to them.

Mayor Koons said it is very impressive that he secured a contract with the National Institute of Health. Mr. Yanesh thanked him and said he has been repairing phones since iPhone4. Mr. Bruhn asked if they serviced phones from any different manufactures. Mr. Yanesh said yes, but they try to focus mainly on Apple products since the parts needed are more readily available. He hopes to get certified with R-2 soon, which is a

responsible recycling program. He would be required to outsource the recycling to other R-2 companies. It would limit the places they could send the recycling to, but it would open doors to many other products.

Mr. Flaiz asked if he had just one employee. Mr. Yanesh said yes, that is correct. Mr. Flaiz asked Mr. Hocevar if there were any parking issues in the area. Mr. Hocevar said no, and that the Fire Prevention Officer and he had been through the space, and they saw no problem with anything.

Mr. Flaiz asked Ms. Matheney to go over the requirements for new business reviews for the benefit of the two newer Planning Commission members. Ms. Matheney read from Section 3.04 of the Codified Ordinances:

“(f) Review Standards: It shall be the duty of the Planning Commission to investigate and ascertain if the plans for the development comply with the following conditions, which conditions must be complied with by the applicant in order to receive a zoning permit to develop their property:

(1) That the proposed development is harmonious with the Subdivision Regulations, if applicable, of the Village of South Russell.

(2) That it will not adversely affect neighboring properties.

(3) That the plan of the development provides for integrated and harmonious design of buildings and structures and for adequate and properly arranged facilities for internal traffic circulation, off-street parking and loading, landscaping and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the applicant as well as from the standpoint of the adjoining or surrounding, existing or potential developments.

(4) That an adequate water supply sufficient for the reasonable needs of the proposed development is available to the development....”

Mr. Flaiz thanked Ms. Matheney for the overview. Ms. Budoff motioned to approve. Mr. Bruhn seconded. On roll call vote, the motion was carried unanimously.

Board members welcomed Mr. Yanesh to the Village, and he thanked the board and Village employees for their assistance.

Agenda Item 3-PC Case #24-03:

Brad and Becky Camposo are seeking approval to swap 5,069 square feet of their property located at 1576 Bell Road, with the neighboring property at 1580 Bell Road (agenda item 4), owned by Nick and Melissa Nykulak.

Agenda Item 4-PC Case #24-04:

Nick and Melissa Nykulak are seeking approval to swap 5,069 square feet of their property located at 1580 Bell Road, with the neighboring property at 1576 Bell Road (agenda item 3), owned by Brad and Becky Camposo.

Mr. Flaiz said the board will review the next two agenda items together. He asked the applicants to begin their presentation.

Nick Nykulak introduced himself and his wife, Melissa as owners of 1580 Bell Road. He said Brad, the owner of 1576 Bell Road, needs more land to better access his driveway, and they wanted more space at the rear of their house for better turnaround abilities. They also put up a privacy mound and planted evergreens. The land swapping is equal in square footage and would not affect any other properties.

Mr. Flaiz asked the board members if they had any questions. Mr. Bruhn asked if the size of Mr. Nykulak's house was contemplated when the sites were laid out, since the house looks larger than intended for the lot. Mr. Nykulak said the size of the house did not change, but they have found since the houses were built, the

topography has come into play and made the homes seem squeezed together. Mr. Bruhn said the berm and the landscaping look very nice, and once the trees mature, they will provide a nice separation.

Mr. Flaiz said he recalls when the applicants appeared before the Planning Commission to obtain approval for the lot splits. He feels this is one of the bigger success stories for the Planning Commission, and the applicants have done a beautiful job by taking unusable space and building two beautiful and amazing homes. He hopes to see other owners of similar bowling alley type lots in the Village do the same.

Mr. Bruhn made a motion to approve the requested land swaps. Ms. Marino seconded. Mr. Flaiz clarified that the motion and second included both agenda items 3 and 4, and asked for roll call. On roll call vote, the motion was carried unanimously.

The applicants thanked the board for their time and consideration.

Mr. Flaiz moved on to Old Business-the **Review of the Solicitor's Zoning Code Recommendations.**

Ms. Matheney went over the discussions that had taken place during past meetings regarding the recommendations. She said the subject was brought up regarding the timeline to commence work after having been given Planning Commission approval, and referred to the current **Section 3.01 ZONING PERMITS:(d) Permit Issued:** *The Zoning Permit shall be issued by the Zoning Inspector immediately after his approval of the application. Such permit shall become void if work is not started within one hundred eighty (180) days and completed within twelve (12) months after the date of issuance unless an extension of an additional six (6) months period is obtained by applicant from the Commission if completion is not possible within twelve (12) months. Any such request for an extension shall be accompanied by an additional fee of twenty-five dollars (\$25.00) and shall be deemed to be a request for a zoning permit under Schedule 1.*

She said the board discussed putting restrictions on their approvals after an applicant wanted to move forward with a Planning Commission approval four years after appearing before the board.

Ms. Matheney then referred to her proposed recommendation of a new section of the code, to read as follows: **Section 3.11, EFFECTIVE APPROVAL** - *Except for administrative appeals or variances granted by the Board of Zoning Appeals, approvals from the Board or Commission granted under Chapter 3 of the Zoning Code shall expire within twelve months if the use authorized by the approval is not established or the work authorized by the approval has not materially commenced unless otherwise provided by the Board or Commission. Upon a reasonable request for an extension accompanied by an additional fee of twenty-five dollars (\$25.00), the Board or Commission may, in its respective discretion, extend the date of its effective approval.*

If the Planning Commission recommends amending the Zoning Code with the new Section 3.11, then in order to be consistent, the changes to the current Section 3.01 are as indicated below:

3.01 ZONING PERMITS *(d) Permit Issued: The Zoning Permit shall be issued by the Zoning Inspector immediately after his approval of the application. Such permit shall become void if use is not established or work has not materially commenced work is not started within one hundred eighty (180) days and completed within twelve (12) months after the date of issuance unless an extension of an additional six (6) months period is obtained by applicant from the Board or Commission, as the case may be, if completion is not possible within twelve (12) months. Any such request for an extension shall be accompanied by an additional fee of twenty-five dollars (\$25.00) and shall be deemed to be a request for a zoning permit under Schedule 1.*

As an example, Mr. Flaiz asked if this scenario would apply to the approval given to Augie's for their patio, and would they then be required to come back before the board. Ms. Matheney said that is correct. She said this is the proposal she has written based on past discussions at Planning Commission meetings, but the board must decide on any changes.

Mr. Bruhn asked if there is any intent regarding the duration of the extension. Mr. Flaiz said if an applicant comes back before the board, the thought was they could then use their discretion as to the length of the extension they would grant. Ms. Matheney said it is also an option for the board to add a time frame, or just have it be at their discretion.

Ms. Matheney then addressed the next item, which was **Certification of Action**. Specifically, when does the action from the Planning Commission actually become certified. Certification is necessary in order to enable the next steps, which could relate to Development Approval, Conditional Uses and amendments. Mr. Flaiz said this is important in case someone wanted to file an administrative appeal of the board's decision with the Court of Common Pleas. He said the current language is ambiguous. Ms. Matheney agreed. She noted *that Ohio Supreme Court has held that, for the purposes of perfecting an appeal pursuant to Chapter 2506 of the Ohio Revised Code, the 30 day time period begins to run from the final entry of the decision of the public body which final entry is created by the public body through the act of making or entering a record, which is evidenced by the approval of the meeting minutes of the public body making such decision.* Mr. Flaiz said there has not been a Planning Commission meeting held for a few months. Ms. Matheney said yes, and as a result, the minutes approved tonight were from November 2023, and if that applicant had been denied and wanted to appeal the decision, that thirty-day time frame would run for thirty days from today. She said the board may have called a special meeting to approve the minutes, if necessary, but the point is that the current code is vague, and she made some proposals that would clarify Sections 3.04(c), 3.05(c), 3.06(c) and 3.07(c), as indicated below:

Section 3.04(c) Action: *Following a review of the application and reports thereon, the Commission shall, within the time limit as set forth in paragraph (b) approve, conditionally approve or disapprove the application. Within five (5) business days of the Commission action, Commission action, including any conditions thereto the Secretary shall shall be certified such Commission action, including any conditions thereto by the Secretary on Form Z-1 to the applicant and the Zoning Inspector.*

Section 3.05(c) Action: *Within 15 days after the public hearing, or continuations thereof, the Commission shall approve, conditionally approve or disapprove the application. Within five (5) business days of the Commission action, the Secretary shall certify such Commission action, including any conditions thereto, shall be certified by the Secretary on Form Z-3 or Z-3-A and one (1) copy shall be returned to the applicant and one (1) copy forwarded to the Zoning Inspector.*

Section 3.06(c) Action: *Within fifteen (15) days after the hearing or forty-five (45) days after the filing date if no hearing is held, the Commission shall recommend approval, disapproval, or modification of the amendment. Commission action including any conditions thereto shall be certified by the Secretary on Form Z-5 within five (5) business days of such Commission action and the Secretary shall return one (1) to the property owner and forward one (1) to the Clerk.*

Section 3.07(c) Action: *Within fifteen (15) days after the public hearing, the Board, or the Commission, as the case may be, shall approve, conditionally approve or disapprove the application. Board or Commission action, including any conditions thereto, shall be certified by the Secretary on Form Z-6 within three (3) business days of the approval of the meeting minutes of the Board or Commission action and one (1) copy shall be returned to the applicant and one (1) forwarded to the Zoning Inspector.*

Mr. Flaiz said he thinks all the proposed changes that Ms. Matheney has written are very good. He said the time periods are reasonable to the applicants, and they do not put undue burden on Village staff.

Discussion followed regarding the proposed changes.

Mr. Bruhn asked if it would make sense for the fifteen days to be thirty days, in order to avoid the need to call a special meeting. Mr. Flaiz said it has always been fifteen days, but the issue has never come up. He recalled the contentious nature when the Lantern was being presented, and the board was supposed to make a decision, but they decided to continue the Public Hearing to get around the fifteen-day requirement. He went on to say with

Mr. Bruhn's suggestion, that would no longer be necessary. Mr. Bruhn said the only question may be is if that would put an undue burden on the applicant. Mr. Flaiz said the Village of South Russell's Planning Commission is always very considerate of their applicants. Mr. Flaiz asked board members what they thought about changing Section 3.07 (c) from **fifteen days to 35 days**. All board members agreed. Ms. Matheney asked if that change should then apply to all mention of fifteen days on the proposed amendments. All board members agreed. Mr. Flaiz asked how the BZA and ARB would be affected by these changes. Discussion followed.

Mr. Bruhn noted that all the sections being amended allow five (5) business days for the Secretary to provide certification, with the exception of Section 3.07(c), which allows only three (3) business days. He was curious as to why Section 3.07(c) is different in that respect. Mr. Bruhn said he would not want something to be an administrative burden. Ms. Matheney said she believes it is because that pertains to the Board of Zoning Appeals. Mr. Flaiz agreed, and said the rationale behind it may be due to the applicants needing to begin construction after being granted a variance. He said it would still be okay to have them all be five days, since it doesn't prevent the certification from happening sooner. Mr. Flaiz asked board members what they thought about changing all of the sections to allow **5 days for certification**. All board members agreed.

Mr. Flaiz moved on to the next item, the proposed clarification to Section 1.05, and referred to Ms. Matheney's proposed change as indicate below:

1.05 ESTABLISHMENT OF ZONING MAP - The aforesaid districts are designated by symbols and the location and boundaries of said districts are established on the map entitled "Zoning Map of the Village of South Russell Ohio." The Zoning Map, certified by the Commission Chairman and Secretary, shall be on file **in the Village Building Department and/or with the Village records** ~~with the Zoning Inspector~~ and no change thereon shall be made without legislative authority.

All board members agreed to the change.

Mr. Flaiz then asked about the next item relating to the Business and Industrial District. Ms. Matheney said at one point, the Planning Commission had discussed eliminating the Industrial District, due to the B1-I1 Overlay District. She feels it needs further discussion due to all the additional changes to the code it would entail. Mr. Flaiz said there used to be more industrial operation in that area many years ago, and today it is more like a restaurant and entertainment district, although there is some variety of businesses as well. His concern is that, since the current code allows, an industrial operation would want to open up near a restaurant. What may make more sense would be to narrow the permitted uses instead of eliminating the Industrial District, since as Ms. Matheney said, it is very interwoven into the code. Ms. Matheney said the district has businesses that are classified as permitted uses, as well as conditional uses. Mr. Flaiz said what is also crazy is that all the restaurants in that district are operating under a Conditional Use Permit, since restaurants are not permitted in the B1-I1 area. Ms. Budoff said that is what she would like to see changed more than anything. Mr. Hocevar said when Burntwood first opened, the Planning Commission decided it best to have all restaurants require a Conditional Use Permit in order to retain reasonable control and limit certain activities. Mr. Flaiz recalled the many restrictions put on Burntwood when they opened, and even more after they put the patio in without permission. He said that is also when the board began requiring valet service for restaurants in that area.

Discussion followed regarding the past zoning changes initiated by the Planning Commission for Cipriani Plaza. Ms. Matheney said prior to the change, neither retail nor restaurants were permitted.

Mayor Koons said the former Citizens Bank building has been vacant for years, and perhaps the Planning Commission can take a look at rezoning that. Mr. Hocevar said he has taken many calls from interested parties, inquiring if a donut or coffee shop would be allowed, which are not permitted uses. He said office space is not in high demand. Discussion followed. Mr. Flaiz said maybe the board may consider making it more marketable by changing the zoning classification. Mayor Koons asked if Ms. Matheney could prepare something in time for the next meeting to begin the process. Mr. Flaiz said he would rather see someone apply for a Conditional Use

permit, rather than rezone it for retail. He would prefer to keep it zoned for professional office use. Mr. Hocevar said after discussing this with Ms. Matheney, he thought it would have to be rezoned, rather than obtaining a Conditional Use permit. Ms. Matheney said that is correct, because the property is currently zoned B-2, and restaurants and retail uses are not permitted to obtain a Conditional Use permit in a B-2 District. Mr. Flaiz said further thought would go into allowing retail there, as the Village does want to encourage economic development. He asked that this issue be added to the agenda as a discussion point for the next meeting.

Mayor Koons said Ms. Matheney's recommendations have not yet been voted on.

After review, discussion, and clarification, Ms. Budoff made a motion to approve all of the changes proposed by the solicitor, which include Items I, II and III in the attachments, and to also change the 15 (fifteen) days after the hearings to be 35 days, and to have all sections reflect 5 (five) business days instead of 3 (three), for action to be certified by the Secretary. Mr. Bruhn seconded. Mr. Flaiz noted the proposed changes would now have to go before Council for their approval. He asked for any discussion on the motion. There was none. On roll call vote, the motion was carried unanimously.

Mr. Flaiz thanked Ms. Matheney for her patience.

Mr. Flaiz then moved on to **New Business** and the proposal to change the meeting time to 7:00pm on the second Thursday of the month. After discussion, it was decided to keep the meeting time of 7:30pm, on the second Thursday of each month.

Mayor Koons said he and Ms. Griswold are unable to attend the Planning Commission meeting scheduled for July 11, 2024. He asked if the meeting could be moved to July 25, 2024.

After discussion, Mr. Flaiz made a motion to change the regularly scheduled Planning Commission meeting from July 11, 2024, to July 25, 2024, at 7:30pm. Mr. Bruhn seconded. Mr. Flaiz asked for any further discussion. There was none. On roll call vote, the motion was carried unanimously.

Mr. Flaiz asked for a motion to schedule a Public Hearing regarding PC Case #24-01, the application submitted by Chagrin Falls Schools, for the parking lot and drainage improvements at Gurney Elementary School, 1155 Bell Road. Ms. Budoff made a motion to schedule the Public Hearing for April 11, 2024, at 7:30pm. Ms. Marino seconded. Mr. Flaiz asked for any further discussion. There was none. On roll call vote, the motion was carried unanimously.

Mr. Flaiz asked for any further business or public comment.

Mayor Koons said Mr. Bruhn is unable to attend the meeting on April 11, 2024, and Ms. Marino said she would be available to serve as an alternate.

Ms. Sevich said it was nice to be at the meeting and witness local government in action and working cohesively together.

There being no further business, Mr. Flaiz motioned to adjourn the meeting at 8:26pm. Mr. Bruhn seconded. Ayes all, the motion carried.


James Flaiz, Chairman

4/11/24
Date


Ruth Griswold, Board Secretary

4-11-2024
Date



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



Village of South Russell

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

**PLANNING COMMISSION
PUBLIC HEARING
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 Hocevar, 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

James Flaiz called the Public Hearing to order at 7:30pm.

Ruth Griswold conducted roll call.

Mr. Flaiz welcomed the applicants and guests and explained the process necessary to approve the submission from Gurney School. He said since the school is not a permitted zoning use, therefore operating under a Conditional Use Permit, a Public Hearing must be set for any proposed changes or modifications. After the Public Hearing, there will be development review during the Planning Commission meeting, and the board will vote whether or not to approve the proposal. The presentation, discussion and public comments will be during the Public Hearing. He asked if there were any questions regarding the procedures. There were none.

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 asked the applicants to begin their presentation.

Mr. Woofter introduced himself and thanked the board for convening on their behalf, and thanked the residents in attendance as well. He referred to the satellite view displayed on the media screen and outlined their proposed parking lot expansion. He said as many people know, the parking lot at Gurney currently has gravel on the west side of the west drive. If their proposal is approved, the west drive would become paved spaces and they would also add additional parking to the east side of that same driveway. The inside of the curve would also have more walkway spaces added. These proposed improvements are needed due to an increase in staff, volunteers, and visitors. He said during events, and even on regular school days, it can become very crowded. Additionally, the wider drive would also allow the buses to navigate easier. He introduced Ryan Schmit of TDA, saying he could go into more detail. Jeff Jardine, the civil engineer with Riverstone, is also prepared to speak to any water runoff concerns.

Mr. Schmit referred to the satellite view and pointed out the problems with the current parking situation. The available spaces reach capacity very quickly with staff, making it difficult for parents, visitors, and volunteers. Their plan would provide additional safe and secure staff parking, which would free up space for others. When there is an evening event, the new spaces would also make parking easier.

He went on to say that the other issue is the current morning and afternoon pick-up and drop-off area. There is a five-way intersection that is very challenging for cars and buses. The concept is to simplify the interaction between traffic. Currently, there are many people coming from various directions, as well as kids walking in the area, which makes for unsafe conditions. Reducing the crossing points would make it easier for both drivers and pedestrians. He said another improvement to the meandering drive would be to make it straighter, which will allow the buses to maintain a simpler traffic pattern. The project should also eliminate the need to have drivers park on any grassy areas.

Mr. Schmit then referred to the development plan on the media screen and indicated what the areas would look like after the improvement, and explained the intentions and positive impact of the finished project. The new parking would be achieved by converting some gravel areas and edge spaces to paved spaces, with the total for that lot reaching about 100. Regarding the pedestrian aspect, the pathways and crosswalks will create more defined methods for people to reach various destinations, without migrating across grass or driveway areas. He said there will also be several lights added, which will be directed downward with minimal light levels for the purpose of safe traveling. Mr. Flaiz asked how many light poles would be added. Mr. Schmit said he believes there may be about 4 or 5, and they are indicated on the electrical plan. They would only be placed in the island area, and as far away from the rear of the property as possible.

Mr. Schmit said presently there is no drainage system in the area, and water sheds into the grass and gravel. The goal of this project is to create a way to channel the water into a swale, which will then direct the water to end up in a depression. The release rate of the water is EPA regulated, so the tie-in to the sewer system will not be overburdened, and their engineer has done all the calculations to ensure compliance with the EPA. He said generally, they will be going from having no system in place to having a storm drainage system in place, which is designed to reduce some of the water in that area. He referred to an area on the drawing and said there will also be a little bit of a berm, since somewhat of a formal swale along the edge must be maintained. Mr. Flaiz said currently, north of the baseball field, there is a build up over a culvert pipe that people walk over, and asked if this would be similar. Mr. Schmit said yes, that is the same concept. Mr. Flaiz asked if they would be at four different points. Mr. Schmit said that is correct, and that most times it would be dry grass that people walk on, except when the weather has been damp for a period of time. Mr. Schmit said the project also affords them the opportunity to create a couple of ADA parking spaces.

Mr. Flaiz said he thinks the project is great. He referred to the drawing on the screen and said his only concern is the busy pick-up and drop-off area that has heavy circulation, and the plan includes eliminating the extra drive. He said it doesn't appear to him that the area will accommodate the two-way traffic. Mr. Schmit said the drive will be 27' wide, with a typical drive being 24'. They made it larger for the buses. Mr. Flaiz expressed concern that the buses would be able to make the turn. Mr. Schmit assured him that they would, and the area would be in excess of what would be required. Mr. Porter asked if two buses would be able to go by in either direction with the expansion. Mr. Schmit said yes, that is correct. Mr. Flaiz asked if the area would be curbed. Mr. Schmit said generally, no. Mr. Flaiz asked what would be done if people started parking at the apex of the turn, which would make it difficult for two-way traffic. Mr. Schmit agreed that he made a good point. Mr. Woofter said this issue was discussed during the design phase, and they would need to police the area for safety reasons. They plan to add signage to discourage that and be diligent about enforcing the No Parking areas. Mr. Flaiz said the biggest problems would be during after school and evening hours. Mayor Koons suggested adding some sections of split-rail fencing. Mr. Schmit said there are some people who are going to break the rules no matter what deterrents are in place.

Mr. Flaiz said he likes the project, and the elimination of the other island is a great idea. His only concern is how narrow the area looks between the handicapped spaces, comfort station, and the extended out grassy area. Mr. Schmit said he understands his concern, and assured him that the width is ample if people follow the rules. Mr. Flaiz said people will park along that area, especially if it is not curbed. Mr. Porter said adding boulders may help.

Ms. Marino said she understands the project will control the flow rates, but still feels there will eventually be a significantly increased amount of water flowing into the sewer systems, and asked if the impact of that has been considered. Jeff Jardine of The Riverstone Company, the civil engineer on the project, said he would speak to that concern.

Mr. Jardine said the impervious area on the site will only be increased by about 10,000 square feet. The total acreage of the parcel is about 10 acres, and their area of work is under 3 acres. It will increase the storm water volume, but not necessarily stormwater discharge. He referred to the utility plan on the media screen and pointed to the detention basin on the south end of the site. They pretty much cut the parking lot in half. One half of the lot will drain into the detention basin, where it will be held for 48 hours and then slowly released over time, at a reduced flow rate. The upper half of the parking lot has curb cuts and catch basins throughout that will slow down the amount of water that is getting there, and also how quickly it is getting there. Mr. Jardine said their post-development flow is required to meet the pre-development flow, but they are actually doing more for the area than is required. He said by over-detaining, they will be easing stress on the system as a whole. Mr. Jardine went on to outline and explain the details of the storm water management project.

Mayor Koons said the average parent may be concerned by seeing the word "pond" as indicated on the plans, and asked Mr. Jardine to explain. Mr. Jardine said a detention basin is sometimes referred to as a pond. When it is raining, there will be water in there, but it will slowly let out over time. Forty-eight hours from when the rain stops, the basin should be free of water, and within 72 hours it should be fairly dry and able to be walked on. He said sometimes they hear concerns about people falling into the basin. When they design their basins, they use a three-to-one slope, which is very comparable to the lawn seating at Blossom. Mayor Koons asked if the basin could become an attractive nuisance to children. Mr. Jardine said he didn't think so. Ms. Budoff asked if kids would want to use it for sledding. Mr. Jardine said no, it would not be that steep. Mr. Schmit said there is presently a basin just to the north of this, and he hasn't heard of any difficulties. Mr. Flaiz asked how deep the basin would get before overflowing. Mr. Jardine said there will actually be an extra foot or so before overflow would occur during a catastrophic 100-year storm.

Jennifer Donnellan of 110 Waverly Lane asked if the retention basin would be located near the girls' softball field. Mr. Jardine said yes, that is correct. They tried to keep it as far away as possible so as to not hinder pedestrian access.

Mr. Flaiz asked what the depth of the basin would reach during a ten-year storm. Mr. Jardine said the depth would reach approximately two feet. Ms. Marino asked if there would be a fence around the basin. Mr. Schmit said they do not plan to put up a fence, and oftentimes that is only done in highly walkable areas, but not in an area such as this.

Mayor Koons said people may ask why a rain garden was not considered. Mr. Jardine said rain gardens do not provide a lot of storm water detention, and they are more suitable for smaller areas.

Mr. Flaiz asked if the rate of the slow release of the water leaving the property would be improved under this proposed plan. Mr. Jardine said yes, they are coming in under the allowable amount, and the allowable amount is what is currently coming off of the site. Mr. Woofter asked if he could give a general percentage of how much of an improvement there would be. Mr. Schmit said it depends on the storm, and the frequent smaller storms will have a greater percentage of improvement than a five-or ten-year storm.

Mr. Flaiz referred to the satellite view on the media screen and asked Mr. Jardine to point out where the existing water is going. Mr. Jardine showed the board and guests the current path of the water, which goes off the parking lot, over and then down the hillside. There is an existing catch basin that is collecting the upper portion, and the bottom portion is going from the catch basins into a swale, which then discharges into the basin. Mr. Flaiz asked where the catch basins feed into. Mr. Jardine said it would go into a 48" storm sewer, and he is not sure where it actually goes after that. James Nace of Chagrin Schools said he could be wrong, but he thinks that it eventually goes down to Bell Road. Mr. Woofter said there is an underground detention, and he believes it goes into a large pipe underneath the driveway. Mr. Flaiz asked where it then goes from the driveway. Mr. Jardine said he would have to check on that.

Ms. Budoff asked if there were any residents from that area in attendance. Jimmy Leffler from 1109 Bell Road was present. Ms. Budoff asked him if the water was currently going into his yard. He said yes, it is, and the area between his house and the neighbor's collects a lot of water, and there is an area that turns into a 4' lake during the bad storms. The previous owners of the house told him they never had any water problems in the rear yard, but for the past ten years, a good rain would flood his rear yard. When he put his pool in three years ago, he also added drainage and has not had any problems since then. Mr. Leffler said the reason he came to the meeting is because the water issues began when the school put the fields in. He has been there for ten years, and his backyard used to flood at least once a year. A certain area of his property still gets 3 to 4 feet of standing water.

Ms. Budoff asked if this proposal would stop that from happening. Mr. Jardine said he would have to see exactly where that water was coming from in order to answer that, but that is outside of the area of the proposed work.

Mr. Porter said this brings up an issue that many are concerned about. The central retention basin just next to Village Hall was put in for storm water considerations, particularly for the Parkland and Chagrin Lakes residents, as well as others. He said the July 25th storm of last year caused the basin to fill to a depth of 4', and Chagrin called it a 500-year storm. He went on to say that he's not sure if the proposed retention pond is large enough, although it might be okay for now. He said over the past few years, there has been a decrease in snowfall and an increase in rainfall. He said going forward, he's wondering if the basin is large enough, so that

it serves not just today, but also down the road. Mr. Porter said to Jim's point, he thinks the pipe that comes off of it goes down Bell and winds up in Sugar Bush, and he doesn't feel the people in that area need more water. Mr. Leffler said that's why he is in attendance. Mr. Flaiz said he's not convinced that the pipes go into Sugar Bush, as it seems too far west. Discussion followed as to the current path of the water, and where it ends up, from various areas of the Gurney site.

Mr. Porter asked if the proposed detention basin was a 100-year basin. Mr. Jardine said the basin could accommodate a 100-year storm, and there would be room for about another 16" or so that could hold more water. Mr. Flaiz noted that the area currently has zero detention, and this project would be adding the capabilities of handling a 100-year storm. Mr. Porter said they are also adding more runoff due to the additional asphalt. Mayor Koons referred to the site plan and said he realizes that this is not part of the project, but asked if any water could be channeled into a 48" culvert to help the neighbors. Mr. Leffler said they are used to the water, and his main concern is something that would potentially cause more water to be on their properties. After further discussion, Mr. Schmit said the project should not be adversely affecting anything in that direction, and the project should improve the whole edge as indicated, which conceivably could help reduce water flow along that edge.

Mr. Flaiz said to reiterate, even though more impervious surfaces are being created, the calculations indicate that the flow rate off the Gurney property is being reduced. Mr. Jardine said that is correct. Mr. Woofter said from a stewardship perspective, their goal, when considering major projects over the years, has always been to reduce any water flowing off the property by 20-30%. They don't want to meet the minimum allowance, but exceed it. Their past work is evidenced at Gurney as well as at the High School.

Mr. Flaiz asked the residents and commission members if there were any further questions regarding stormwater issues. There were none.

Mr. Flaiz asked how many official parking spaces the project would create. Mr. Schmit said after the project creates about 40 additional spaces along the edge, there will be about 100 spaces total. Mr. Woofter said there is also the gravel parking area that is used for parking but not striped.

Ms. Donnellan asked about the timetable to commence work. Mr. Schmit said they will start the work in summer, and it will be completed by the start of school. He said the actual amount of work won't take very long, and the experienced contractors have the capacity to complete the work in a timely manner, as their goal is always to finish as quickly as possible.

Mr. Flaiz asked if the main parking lot would be repaved and re-striped. Mr. Schmit said no, as it had been done fairly recently. Mr. Flaiz said he has noticed the state of the signage on the campus is in disrepair, and asked if they intend to upgrade it so it looks as nice as the main campus. Mr. Woofter said they could do that, and told Mr. Schmit to make a note of it. Mr. Flaiz confirmed that there would be no work done on the upper parking lot. Mr. Schmit said that is correct; they looked at it extensively and found there is no way to improve the amount of parking without enlarging it and cutting into the trees. Mr. Flaiz asked if the storage of items in the nine spaces at the far north end could be relocated, perhaps to the bus garage parking lot, since it contributes to the parking problem. Mr. Nace said they recently auctioned some of the items, and the trailers have been moved. Mr. Flaiz asked about the shipping containers that have been there for years. Mr. Woofter said they utilize the three units for summer and winter equipment, as they are under-spaced for storage of those items. Their immediate plan is to paint them as needed, as they do look pretty bad. Mr. Flaiz said the school has many people coming from outside the district for games, and in his opinion, the Gurney campus is not kept up to the same standards as the High School.

Mayor Koons addressed the two residents of Manor Brook in attendance, and assured them that this project will not affect them at all. Mr. Flaiz said, from a stormwater perspective, he does not believe it will adversely affect anyone.

Mr. Flaiz asked if anyone had any further comments or questions. Mr. Leffler said the main reason he attended tonight was to hear about the stormwater. As a parent of children who attend Gurney, he thinks this project is very much needed for the campus, and that the safety of pedestrian and vehicular traffic will be greatly improved. Ms. Donnellan asked if there were any future plans for enhancing and enlarging the bus garage. Mr. Woofter said, although the discussion began about 5 years ago, the official decision has not been made yet. Mr. Schmit said unexpected cost increases due to Covid put a damper on the project. Mr. Woofter said the drawings are ready to go out for bid, but they are tasked with prioritizing. They try to address the more immediate issues of fitting the needs from an educational and community perspective. The school board knows the bus garage is something that still must be addressed.

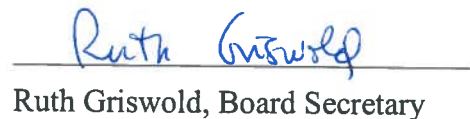
Mr. Flaiz said the Public Hearing will now be closed, and the regular Planning Commission meeting will be called to order. The board will then consider the application and allow any further comments before making a decision. He asked for a motion to adjourn.

Mr. Porter made a motion to adjourn the Public Hearing at 8:29pm. Ms. Marino seconded. On roll call vote, the motion was carried unanimously.



James Flaiz, Chairman

Date



Ruth Griswold, Board Secretary

Date

5/9/24

5-9-2024



Village of South Russell

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

PLANNING COMMISSION MEETING MINUTES MAY 9, 2024, at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

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

Visitors: Brad Friedlander, 506 East Washington; Gary Mynchenberg, 16 Louise Drive

Meeting called to order by James Flaiz at 7:32pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the two sets of minutes from the Public Hearing and Planning Commission meeting on April 11, 2024. He asked if there were any additions or corrections. There were none. Mr. Porter motioned to approve. Ms. Budoff seconded. Mr. Flaiz asked for any further discussion. Hearing none, he asked for roll call. On roll call vote, the motion carried unanimously.

Agenda Item 1: PC Case #24-05: 506 East Washington Street-Lopez

Pursuant to Section 3.05(b) of the Zoning Code, the Planning Commission shall schedule a public hearing within 60 days of the Conditional Use Permit Application submitted by Mr. Brad Friedlander, who is seeking approval for a new canopy roof over the existing patio and permission for the temporary sign to become a permanent sign for Lopez Restaurant, 506 East Washington Street, owned by Mr. Thomas Violante.

Mr. Flaiz said at tonight's meeting, the Planning Commission will only be setting a date for the Public Hearing. He said Mr. Friedlander still has to provide drawings for his proposal. Mr. Friedlander said unfortunately his architect notified him yesterday that he is unable to complete the project due to health reasons. He said he would welcome any suggestions for an architect that may be able to assist him.

Mr. Flaiz said public hearings are usually set for about a month in the future. He is unavailable on June 13, and he would like to be present for the hearings, but only if it's convenient for the rest of the members. Mr. Friedlander said he would be fine if it were set for the month after that, since that would allow him more time to

have an architect prepare the plans. Mr. Flaiz said he didn't want Mr. Friedlander to have to miss so much of the nice weather. Mr. Friedlander said he doesn't anticipate being able to start the project until the fall.

Discussion followed between board members and the applicant as to what date would work best for the public hearing.

Mr. Flaiz made a motion to cancel the regularly scheduled Planning Commission meeting on June 13, 2024, and schedule a special Planning Commission meeting for June 20, 2024. Mr. Porter seconded. On roll call vote, the motion carried unanimously.

Mr. Flaiz asked for a motion to schedule the Public Hearing for 506 East Washington Steet, PC Case #24-05 for June 20, 2024, at 7:30pm. Mayor Koons so moved; Mr. Porter seconded. There being no discussion on the motion, Mr. Flaiz asked for roll call. On roll call vote, the motion carried unanimously.

Agenda Item 2: PC Case #24-06: 576 Industrial Parkway-That Hawaiian Guy's BBQ

Pursuant to Section 3.05(b) of the Zoning Code, the Planning Commission shall schedule a public hearing within 60 days on the Conditional Use Permit Application submitted by Ms. Rachael Sherry, applicant for the property located at 576 Industrial Parkway, owned by Mr. Mark Derry, for permission to re-review the discussion to allow carry-out operations from That Hawaiian Guy's BBQ from 11:00am-3:00pm.

Mr. Flaiz welcomed Mr. Mynchenberg, representing Rachael Sherry of That Hawaiian Guy's BBQ. He said in addition to the materials already submitted; they will need to see a parking circulation plan for consideration of the carry-out service. At the time of the original conversation, he visited the site, and it was a difficult area to turn around in. Mr. Mynchenberg said there is a walkway in the front with about four or five parking spaces, which is the proposed area for the take-out. The patrons who park there should be able to just back out. Mr. Porter asked if there would be a take-out window. Mr. Mynchenberg said no, the customers would either park and come in or have the order delivered to their vehicle.

Mr. Flaiz asked for a motion to schedule the Public Hearing for PC Case #24-06, 576 Industrial Parkway, for June 20, 2024, at 7:30pm. Mr. Porter so moved; Ms. Budoff seconded. There being no discussion on the motion, Mr. Flaiz asked for roll call. On roll call vote, the motion carried unanimously.

There being no further business, Mr. Porter moved to adjourn the meeting at 7:43pm. Ms. Budoff seconded. Ayes all, the motion carried.


James Flaiz, Chairman

6/20/24
Date


Ruth Griswold, Board Secretary

6-20-2024
Date



Village of South Russell

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

PLANNING COMMISSION MINUTES JUNE 20, 2024, at 7:30PM

Members Present: James Flaiz, Chairman, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

Member Absent: Mark Porter

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

Visitors: Karen Becker of Becker Signs; Jeff Allie, 5040 Richmond Rd; David B. Jilbert, 528 East Washington Street; Brad Friedlander, 20 Oakshore Dr, Bratenahl; Rob Truax, 477 Industrial Parkway; Rachael Sherry and Elijah Sherry, 44 East Bel Meadow Ln; Gary and JoAnn Mynchenberg, 16 Louise Drive

Planning Commission meeting called to order by James Flaiz at 8:19pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the minutes from the Planning Commission meeting on May 9, 2024. He asked if there were any corrections or changes. There were none. Mayor Koons motioned to approve. Mr. Bruhn seconded. On roll call vote, the motion was carried.

Agenda Item 1: PC Case #24-05: 506 East Washington Street-Lopez

Mr. Brad Friedlander, owner of Lopez Restaurant, is seeking approval for a new canopy roof over the existing patio and permission for the temporary sign to become a permanent sign for Lopez Restaurant, 506 East Washington Street, owned by Mr. Thomas Violante.

Mr. Flaiz began the discussion by talking about the Lopez sign and confirmed with Mr. Hocesvar that this was approved as a temporary sign, since it has been up for a while. Mr. Hocesvar said yes, that is correct. Mr. Flaiz said since this is now proposed to become his permanent sign, the Planning Commission must review it. The photo of the sign was displayed on the media screen. Mr. Flaiz said he liked the sign, and asked members if they

had any questions, comments or concerns. Ms. Budoff said she also liked the sign, and asked if it was lit, which it is not.

Mr. Flaiz asked for a motion to approve. Ms. Budoff made a motion to approve the Lopez sign as submitted. Mr. Bruhn seconded. On roll call vote, the motion passed unanimously.

Mr. Flaiz then moved on to the second request from Lopez, which is to install a new canopy roof over the existing patio. Discussion followed regarding possible actions the board could take tonight, which were also discussed during the Public Hearing. Mr. Flaiz said if the board approved the concept, the owner could then move forward and have drawings done by his architect, as well as begin legal proceedings to obtain the easement from Burntwood for the exit door. Members agreed.

Ms. Budoff made a motion to approve the concept of the covered patio and the additional exit door, subject to having the applicant return to the Planning Commission with the final drawings for approval. Mr. Bruhn seconded. Mr. Flaiz asked for any discussion on the motion. Hearing none, he asked for roll call. On roll call vote, the motion passed unanimously.

Agenda Item 2: PC Case #24-06: 576 Industrial Parkway-That Hawaiian Guy's BBQ

Ms. Rachael Sherry, owner of **That Hawaiian Guy's BBQ**, is seeking permission to review the discussion to allow carry-out operations from That Hawaiian Guy's BBQ from 11:00am-3:00pm at 576 Industrial Parkway, owned by Mr. Mark Derry.

Mr. Flaiz said it would be more accurate for the request to be for a modification to the prior Planning Commission approval, which was discussed during the Public Hearing, to allow carry-out operations from 11:00am-3:00pm at 576 Industrial Parkway. He asked Ms. Matheney to go over the items the Planning Commission must consider during development review.

Ms. Matheney said the two that are most applicable are that it "*cannot adversely affect any neighboring properties*" and that "*the plan of the development provides for integrated, harmonious design of buildings and structures, and for adequate, properly arranged facilities for internal traffic circulation, off-street parking and loading, landscaping and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the applicant as well as from the standpoint of the adjoining and surrounding existing, or potential developments.*" Ms. Matheney said the other two standards relate to subdivision regulations and having an adequate water supply.

Mr. Flaiz asked Ms. Matheney if the applicant were to be approved, would they also need a variance, since it would kind of be morphing into a restaurant. Ms. Matheney said they don't have a definition of restaurants, but the definition of retail includes the selling of food. The applicant wouldn't need a variance, and a Public Hearing was required because they are operating under a Conditional Use permit. Mr. Flaiz asked her to go over the standards for granting Conditional Uses. Ms. Matheney read the following from Section 7.01 of the Zoning Code:

- (a) *The use shall be properly located in relation to adopted land use and street plans.*
- (b) *The use shall generate minimum traffic through residential neighborhoods.*
- (c) *The use is necessary to serve surrounding residential areas, which cannot be served satisfactorily if the same use is located in a nearby, less restrictive district where it may be permitted by right.*
- (d) *The location, design and operation of the use shall not discourage or interfere with appropriate neighborhood development or impair the value of the surrounding area.*

(e) The use shall comply with all applicable provisions of this Code including parking and loading, sign, development and performance regulations, and the following supplementary regulations.

Mayor Koons asked the applicant if she could provide any flexibility to her proposal. Ms. Sherry said she wants the Village to know that they are very willing to work together towards a compromise.

Ms. Budoff asked if the commission would be able to conditionally approve this, then have the situation be reviewed after a specific time period. They are doing as much as they can to control the flow to make this a different situation than they had in Burton and are being honest about their intentions. She would like to give them the opportunity to prove themselves right. Dr. Truax said he does not disagree that they are honest people, and all businesses want to grow, and he also wants that for them. Ms. Sherry said she only wants to grow her catering business. Dr. Truax said he is here to voice his concerns because his parking spots are so logically situated for Hawaiian Guys patrons to use. The parking in the area is just very awkward for a carry-out business.

Mr. Flaiz said he is concerned that there are only four parking spaces. Ms. Sherry said she understands his concern, but with the support of Living Lean and Ortho Sport, there are 42 spots available during the off hours for those businesses. She understands the commission cannot regulate what she's saying but the idea is that they would not even need to use those spaces, given the restrictions on the timing of the carry-out. Mr. Flaiz said the bulk of those spots are behind the building, making it unlikely that people would park there to pick up carry-out.

Mayor Koons asked Ms. Sherry when they were hoping to begin the carry-out business. Ms. Sherry said they have the system in place to do so, but catering remains their priority. There would be limited hours a week, and they would work within whatever made the most sense.

Ms. Budoff asked Dr. Truax if they would be permitted to have parking signs for their spaces, and if the building is identified. Dr. Truax said no, the building owner will not allow any of that because the owner doesn't want any frontage sign, as that is the Australian motif, which he likes. He went on to say there is nothing to discourage people other than his patients from parking there, and unfortunately Ms. Sherry is also suffering the consequences of their building owner's restrictions.

Mr. Flaiz said both the Development Review and Conditional Use regulations focus on the impact to surrounding businesses. His opinion is they must be sensitive to that, especially since the original approval of the catering kitchen was conditioned on not having takeout.

Mr. Flaiz made a motion not to approve the Hawaiian Guy's application. Mr. Bruhn asked if there were a way to do a trial period. Mr. Flaiz said even if the trial goes well, business may amp up in the future.

Dr. Truax said all the businesses want to grow, including theirs, but that growth is restricted by the parking.

Mr. Flaiz said his suggestion would be to cook the food in their catering kitchen and get storefront elsewhere to sell it from. Ms. Sherry said she appreciates the level of success that is being predicted for them, but if they wanted to put themselves in a position of being that busy with carry-out, then they would definitely be looking for a different spot. Ms. Mynchenberg reiterated that they only want to grow their catering business. Mr. Flaiz said the catering business is what the Planning Commission approved.

Mr. Flaiz said if no one is seconding his motion, then someone should make a different motion.

Mayor Koons made a motion to table the application until the next meeting on July 25, 2024. Mr. Flaiz said in the meantime, the fence issue from the original approval should be addressed. Mr. Bruhn seconded. On roll call vote, James Flaiz-No; William Koons-Yes; Elisa Budoff-Yes; Greg Bruhn-Yes. Motion carried.

Agenda Item 3: PC Case #24-07: 5216 Chillicothe Road-Family Paws Animal Hospital

Mr. Jeffrey Allie of Northcoast Signworks, applicant on behalf of Dr. Jae Kwon of Family Paws Animal Hospital, is seeking approval to replace the existing 30 square foot monument sign with a new 23 square foot monument sign for the property located at 5216 Chillicothe Road, owned by Jabar Holding Company LLC.

Mr. Flaiz welcomed the applicant, thanked him for his patience and asked him to begin his presentation. Mr. Allie said the proposed sign would be smaller than the existing sign, since Dr. Kwon's choice of material only comes in a 4 x 8 size. Mr. Flaiz asked if it would be backlit. Mr. Allie said no, there are only a couple spotlights. The design process went through four or five iterations, and he suggested something a little more elaborate, but Dr. Kwon preferred the simpler version. His wife and daughter created the graphics, and the images are hand drawn by them, which were then scanned and made so they could be carved.

Mr. Flaiz said he thinks the sign looks awesome, and he wishes more signs in the Village had simple designs.

Mr. Bruhn asked if the sign would be any taller than the current sign. Mr. Allie said no, it would not be any taller.

Mr. Flaiz asked board members for any questions. There were none. Mayor Koons made a motion to approve the sign as presented. Mr. Flaiz asked for any discussion on the motion. There was none. Mr. Bruhn seconded. On roll call vote, the motion passed unanimously.

Mr. Hocesvar said the applicant will also appear before the Architectural Review Board.

Mr. Flaiz thanked the applicant and complimented him on the design work.

Mayor Koons said Dr. Kwon held an open house last week. The facility has been completely remodeled, is ready to open, and Dr. Kwon is there every day.

Agenda Item 4: PC Case #24-08: 1184-1186 Bell Road

Mr. Brian Becker of Becker Signs Incorporated, applicant on behalf of Sharon Schmah of Leap Orthodontics and Powerscourt Properties Ltd., is seeking approval to replace the existing ground sign with a new 21.34 square foot multi-tenant monument sign for the property located at 1184-1186 Bell Road, owned by Powerscourt Properties Ltd. Karen Becker will be in attendance on behalf of Becker Signs.

Mr. Flaiz welcomed the applicant and asked her to begin the presentation. Ms. Becker began by saying they are replacing the deteriorating and outdated sign with a beautiful modern and more appealing sign. The location will be a little further from the road than the existing sign, in order to have it centered in the landscaped bed. The owners plan to improve the landscaping after the sign is installed. The existing spotlights will remain as lighting.

Ms. Becker said lettering on the sign will be dimensional, which provides an elegant feature. Ms. Budoff said she is concerned about the longevity of the color on the sign. Ms. Becker provided Ms. Budoff with a

manufacturer's brochure which indicated their resistance to the elements. Ms. Becker said the blue color is from Sherwin Williams and is named "Splashy". The owner spent a lot of time choosing the color. She consulted with her employees and tenants and ended up choosing the "Splashy" color over many other blue colors.

Ms. Budoff expressed concern about the paint chipping or peeling. Mr. Bruhn said the color is usually impregnated into the material of the sign and asked Mr. Hocevar to confirm that. Mr. Hocevar said yes, that is the standard for this type of sign. Mr. Flaiz said although he does not care for the blue color, he does like that it will only be spot-lit and not backlit.

Mr. Bruhn said the existing sign is not as outstanding as the proposed sign. He is a little concerned about the bright color, and asked the applicant if there was a way to tone it down a bit. Ms. Becker said they did encourage them to limit the information on the sign. Ms. Budoff said the design of the sign is very good, but to her, the blue is very bright. She asked if the color would be the board's decision. Mr. Flaiz agreed and said it doesn't fit the character of the neighborhood, and he feels the blue is an odd choice since the building itself does not have any of that color on it.

Ms. Matheney referred to the standards of the sign regulations, which says "*...the color of the sign shall be a component of the color of the building façade, and the total number of colors on the sign shall be limited to four.*"

Mr. Flaiz said the board could approve the sign with the condition that the color be changed to match a component of the building. Ms. Matheney said the code also indicates the sign should be, "*...compatible in character and style in regard to materials, color, and size of the building.*" Mr. Flaiz said he thinks a black color would be way more compatible than the blue.

Discussion followed among board members and the applicant regarding options.

Mr. Flaiz made a motion to approve the sign with the blue background color and the blue color for "Orthodontics" changed to black. Ms. Budoff seconded. Mr. Flaiz asked for any further discussion. Mr. Bruhn and the applicant asked for clarification. On roll call vote, the motion passed unanimously.

Agenda Item 5: PC Case #24-09: 528 East Washington Street

Mr. David Jilbert of BAC Industries is seeking approval to operate a Naturepedic Warehouse storage facility for mattress supports such as organic fibers, sheets, duvets, etc. from the property located at 528 East Washington Street, owner by David R. Jezek of Washington Center Ltd.

Mr. Flaiz welcomed the applicant and said, in full disclosure, this is one of his favorite companies. All his children slept on their baby mattresses, and he is very impressed with their products. He knows they have a manufacturing facility in the Knowles Industrial Park and that they do a little retail as well. Mr. Jilbert said they have four buildings in Knowles Industrial Park and there is no additional room for them there. The South Russell site is the only space available for them.

Mr. Flaiz asked if they would be storing materials for manufacturing or finished products. Mr. Jilbert said there would be no mattresses, and two of their main manufacturing facilities are sprinklered at the other site. They are interested in getting into the furniture business, so they are buying bedroom items such as nightstands, beds and dressers, and that is mostly what would be stored here. There would be no retail sales in South Russell.

Mayor Koons asked if there were any concerns regarding fire safety. Mr. Jilbert said he spoke with the Fire Marshal, Sean Davis, and he said the site complies with the building and fire codes. He does want to see full plans, including the layout. The email from Mr. Davis is included in his submission.

Mr. Flaiz asked if there was a loading dock there. Mr. Jilbert said yes, there are two. His lease will be a sub-lease of an existing lease from the guy who has the pods.

Mayor Koons made a motion to approve, subject to approval by the Fire Marshal. Mr. Bruhn seconded. On roll call vote, the motion passed unanimously.

Mr. Flaiz welcomed the applicant to the Village and thanked him for waiting patiently.

Old Business: Discussion regarding tree planting for Manor Brook

Mr. Flaiz asked Mayor Koons to update members on the tree planting. Mayor Koons said there are three different jurisdictions that make up Manor Brook. After the culvert work was done by the Village, the residents felt they needed screening from noise and the view of Chillicothe Road. Impullitti Landscaping is doing the work, and they have recommended planting arborvitae in the fall. The cost to the Village of \$15,000 has already been approved.

Mr. Flaiz asked if there has been any feedback from the residents. Mayor Koons said the first application of the vegetation was done way too late, but the second attempt is taking better and looks okay. The most important thing is that the water mitigation project is working well. He said the catch basins for the Whitetail and Manor Brook area had incorrect mortar, and the Village is replacing all of those. An ESID was created to take care of some swales and ditches that had filled in over the years. That project was supposed to take six weeks, but it is taking about eight months. Also, it has come to light that the water lines for their private water system need replacing, so they have some expensive issues. Mr. Bruhn asked what all the current excavation is from. Mr. Hocevar said it is all drainage work. Mayor Koons said the State of Ohio did a wonderful thing by creating the ESID program. Mr. Flaiz said he believes the Village did right by the residents in doing that project, as it has completely alleviated the problems on both sides of 306. He said the contractor who did the culvert work did an outstanding job.

Mr. Flaiz asked about the status of the bathroom project at South Russell Village Park. Mayor Koons said this discussion has been going on for ten years, and the price has gone from about \$40,000 to \$110,000. He said a lot of research had been done regarding available grants. Basically, at this time, it is ready to go forward. Mr. Flaiz said he thinks porta-potties work just fine for that park. Ms. Budoff said her concern would be the new bathroom would invite vandalism. Mr. Flaiz said the new bathroom would get the most use by Amazon drivers and people traveling the roads during the day. Mr. Bruhn said a fence around the porta-potties would be an improvement. Mayor Koons said planting arborvitae to screen them has also been suggested.

Mr. Flaiz asked Mr. Hocevar if he knew anything about school buses being parked near the fenced in storage area on where the pods are. Mr. Hocevar said he would follow up on that.

Mr. Bruhn said, going back to the parking issues at 576 Industrial Parkway, sometimes something as simple as striping could make a big difference. There is a long row of parking along the side of the building that Hawaiian Guys is in, which he thought was all dedicated to that building. If it was striped, making them visible, it would draw people to park there. Without striping, people don't know what to do. Mr. Flaiz said that is a good point. Ms. Budoff said the wrench in the whole thing is the doctor's office next door. Mr. Bruhn said it is definitely a

difficult situation, but it is not done very well right now. He asked if there was a way for the Village to require a refreshment of the parking spaces. Mayor Koons said the lawn in front of the doctor's office could be converted to parking spaces. Mr. Bruhn said they could add another space or two in front of Hawaiian Guys. Mr. Flaiz said the smoke shack is a lot larger than he thought it would be, and it projects out quite far. Mr. Bruhn said there is an area to the left of the existing spaces that is currently gravel, and that area may be utilized for creating parking spaces. Discussion followed regarding potential options for maximizing the parking on the site.

Mr. Hocevar said he could approach the building owners regarding striping the lot. The code requires a certain number of spaces depending on the size of the building. Ms. Matheny asked if Hawaiian Guys had a directional sign at the road. Mr. Hocevar said they do not. Mr. Flaiz said they do not even have a sign on the building. He said he was on the fence regarding the proposal and thought maybe there would be a way to make it work, but after hearing from the doctor, it swayed him the other way. Mayor Koons said it is understandable that the doctor is concerned about parking, if his clients have trouble walking.

Discussion followed regarding the potential parking problems and the ability of the business owners to control any restrictions. Ms. Budoff said although the Sherrys are planning to do a phenomenal job in controlling the carry-out, customers may arrive earlier than their pick-up time, and take up a space. Mr. Flaiz said it also would be difficult to stop people from eating in their cars. Ms. Budoff added that customers may also go to eat their food on the grassy area, but the installation of the fence may be helpful with that. Mr. Bruhn suggested a reorientation of the parking spaces may also be an option. Mr. Flaiz said that Mr. Gottschalk would have to agree to that, but the possibility of a fire truck having access must be maintained.

Mr. Bruhn asked what enforcement measures could be taken if they were conditionally approved and things weren't going well. Mr. Flaiz said if they conditionally approved the submission, it would be difficult to enforce the limitations proposed. Ms. Matheny said the police department could enforce Planning Commission restrictions. Mr. Bruhn asked what penalties would be imposed if they violated the conditions. Mr. Flaiz said the approval could be rescinded.

There being no further business, Mr. Flaiz adjourned the meeting at 9:33pm



James Flaiz, Chairman

7/25/24
Date



Ruth Griswold, Board Secretary

7-25-2024
Date



Village of South Russell

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

PLANNING COMMISSION

PUBLIC HEARING MINUTES

JUNE 20, 2024, at 7:30PM

Members Present: James Flaiz, Chairman, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

Member Absent: Mark Porter

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

Visitors: Karen Becker of Becker Signs; Jeff Allie, 5040 Richmond Rd; David B. Jilbert, 528 East Washington Street; Brad Friedlander, 20 Oakshore Dr, Bratenahl; Rob Truax, 477 Industrial Parkway; Rachael Sherry and Elijah Sherry, 44 East Bel Meadow Ln; Gary and JoAnn Mynchenberg, 16 Louise Drive

Public Hearing called to order by James Flaiz at 7:32pm.

Ruth Griswold conducted roll call.

Agenda Item 1: PC Case #24-05: 506 East Washington Street-Lopez

Mr. Brad Friedlander, owner of **Lopez Restaurant**, is seeking approval for a new canopy roof over the existing patio and permission for the temporary sign to become a permanent sign for Lopez Restaurant, 506 East Washington Street, owned by Mr. Thomas Violante.

Mr. Flaiz told commission members that although Mr. Friedlander does not have formal plans due to the difficulty in finding a replacement for his original architect, he thought the rough sketch may be sufficient for the members to review the proposal in concept, and any approvals could be conditioned on providing acceptable final plans. The legal notices had also already been published. He said if anyone objects to that, please let him know. There were no objections from commission members.

Mr. Flaiz asked Mr. Friedlander to begin his presentation. Mr. Friedlander said they would like to be able to use the outdoor dining patio more often, and in order to help them utilize its potential, he would like to provide a cover over the top.

While referring to the rough drawing projected onto the media screen, Mr. Flaiz noted that the proposal includes adding another exit door, along with a 5x5 pad and an asphalt ramp. He asked if that would go out onto the

Burntwood property. Mr. Friedlander said yes, it does, and he did receive a verbal agreement from Burntwood, but will wait until formal approval before he pursues any legal easement that would be necessary. Mr. Flaiz asked what made the additional exit necessary at this point. Mr. Friedlander said he doesn't really understand why it is required just because he wants to add a canopy over the patio. Mr. Flaiz recalled the initial approval of the patio for the former tenants as having some egress concerns, and asked if the Fire Marshal is requiring the additional exit. Mr. Hocevar said when the Fire Marshal reviewed the proposal and said the additional exit would be required because of the length of travel, he also questioned it. But the Fire Marshal did show him the relevant section in the Ohio Fire Code. Mr. Friedlander said he did agree he would put it in, but it doesn't make any sense to him, since they are not adding any seating.

Mr. Flaiz asked if he was envisioning a free-standing roof or would it come off the existing roof. Mr. Friedlander said he would like it to look like part of the building as much as possible.

Mr. Friedlander referred to the display on the large screen, indicating how little the canopy would impact egress. Discussion followed. Mr. Friedlander said any consideration would be appreciated since the cost of adding another exit is significant, along with legal work relating to the easement. Mr. Flaiz said he recalls the Fire Marshal having concerns with ingress and egress when the patio was initially approved. He told the applicant that he may want to meet with the Fire Marshal to discuss the possibility of any flexibility regarding the layout on the patio, if an additional exit addresses those concerns.

Mayor Koons complimented Mr. Friedlander for working with his neighbor regarding the need for an easement.

Mr. Flaiz reviewed the options before the board, which would be to continue the item, approve the concept conditioned on receiving formal plans, and requiring the applicant to reappear when the plans are finalized.

Mr. Flaiz told Mr. Friedlander that the board will go over the approvals and address the sign issue in the regular Planning Commission meeting. He concluded the Public Hearing for PC Case #24-05.

Agenda Item 2: PC Case #24-06: 576 Industrial Parkway-That Hawaiian Guy's BBQ

Ms. Rachael Sherry, owner of **That Hawaiian Guy's BBQ**, is seeking permission to review the discussion to allow carry-out operations from That Hawaiian Guy's BBQ from 11:00am-3:00pm at 576 Industrial Parkway, owned by Mr. Mark Derry.

Mr. Flaiz said when the commission approved the business use, smoker set up and temporary food truck for Hawaiian Guys, there was discussion regarding the possibility of carry-out, which was not approved, and the applicant wishes to revisit the possibility. Mr. Flaiz welcomed Ms. Sherry and asked her to begin her presentation.

Ms. Sherry said concerns about the parking was the reason they were not approved for carry-out operations, and said since moving in, they have observed daily traffic patterns in the area during the hours of 11:00am-3:00pm. She said there is almost no one back there during that time frame. Living Lean and Ortho Sport, the two other tenants in the building, are very supportive of their proposed carry-out operation. Their busy times are in the morning, but then it clears out. There is one neighbor who had concerns about parking, but the tenants in their building are all utilizing their spaces and have not had any problems. Mr. Mynchenberg added that there are now four signs installed indicating the parking spaces for Hawaiian Guys, and that the other businesses are respecting that. Ms. Sherry said that is correct.

Ms. Sherry said she has been asked how they would be able to manage the parking. They are planning to utilize the ability to manage the online orders and limit them to fulfilling an order every 15 or 30 minutes, and then having it block any further ordering attempts. She said they also can turn off online ordering if they get too busy.

Mr. Flaiz asked board members for questions or comments. Mayor Koons said he is having a tough time with this request. He feels they would basically be running a restaurant behind narrow little roadways, where turning and maneuvering vehicles is a challenge. He could see a year from now it could turn into outdoor dining at picnic tables. Ms. Sherry said they do not want anything like that at all. They had a dine-in operation at their Burton location, and they have no desire to do any kind of dine-in or even offer outdoor dining ever again. She simply wants to offer carry-out, which would be brought to their car, and then the customer would leave.

Mr. Flaiz said he stopped by there yesterday, which was a Wednesday, in the middle of the afternoon. There were not a lot of cars parked there. He said there are four parking spaces for Hawaiian Guys, but there are only three signs up because the smoker occupies one of the spots. Ms. Sherry said they will move the smoker back into the smoke shack, and it was only pulled out for an event. Mr. Flaiz said the smoke shack is a lot larger than he envisioned when the Planning Commission approved it. Essentially, there are three spots in the front, and he assumes that the employees park in the back. Ms. Sherry said that is correct. Mr. Flaiz referred to the media screen and pointed out the current parking situation with the other tenants utilizing their spaces. He said it would force people picking up their orders to turn around in the back area, which is not easily maneuverable. He said to the mayor's point, at their Burton location, the popularity of the food was such that there were long lines, a lot of cars and people, and they would sometimes run out of brisket by 3:30 on a Friday. He said this site is nowhere near able to accommodate something like that. He feels they have the capability of making a lot more food here than at their previous location, and even if this location would only draw half the amount of people that Burton did, it would still be overwhelming for the area. He went on to say that he hates to be critical of the plan because of their prior success, but he has to judge the traffic flow and the potential impact to the area.

Ms. Sherry said they would be offering very carefully timed orders so that only 4 people would be scheduled to pick up their food within a fifteen-minute time frame. She said they could change that to three people if needed. Mr. Flaiz said those details are not something the board could control; they would either be approving the carry-out or not. He saw first-hand their past success and popularity in Burton, and it would not be suitable for this area, and it would be unfair to the other businesses if the Village permitted a large amount of traffic to be drawn to the very last spot in the Industrial Parkway. He went on to say if cars are parked perpendicular to the building on the right, it doesn't even seem feasible for two cars to pass each other. Ms. Sherry said that it would come down to having their online system keeping the parameters in place. They do not want to have lines or produce the volume of food for carry-out such as they did in Burton. The patrons would not be permitted inside, the food would be brought to their cars, and they would leave. She said they have the support and consideration of their neighbors, who are aware of the possibility of their spaces being utilized for a short time, during a period of the day that will not impact their own patrons. She added that she drives a large pickup truck with an extended cab, and she does not have any issues turning around in that area.

Mr. Friedlander of Lopez Restaurant said since he is aware that parking in the area can be a problem, they also carry the food out to patron's cars when they are picking up their carry-out. He said they don't even allow Door Dash to enter the restaurant; everything is brought out to the car for carry-out service. Because of this effective approach, they have been able to avoid parking issues. He said he is on site all day and night, since he also has his office space back there, and he can attest that there are many vacant spaces between noon and 3pm. Mr.

Friedlander said he is in support of their proposal, and Hawaiian Guys has very good food. Mr. Flaiz said part of the problem is that they are known for having very good food, and it would attract a lot of people.

Dr. Rob Truax said he is a tenant in the building next to Hawaiian Guys. He referred to the site plan on the media screen, and indicated where his parking spaces are. Unfortunately, they do see some traffic problems. His concern is that people picking up carry-out will use the most convenient empty spaces, and then his patients, who are in pain, would not have a close place to park. He said there is already a parking pressure there, and Cross-Fit has a lot of outdoor activity for their special needs clients. Dr. Truax said the parking ratio in the South Russell code is currently not being met at 477 Industrial Parkway, and it is not uncommon for Cross-Fit patrons to use their parking spaces, and the owner of their building will not allow them to put up signage for exclusive parking. He said he understands that people want to grow their business, but as that happens, he can certainly see people parking in spots not permitted for Hawaiian Guys and justifying it due to them just "running in".

Mr. Flaiz said he noticed that Ortho Sport has installed signs to reserve their parking spaces, and it leads him to believe there was a parking problem that prompted that. Ms. Sherry said she spoke with Ortho Sport directly, and they both felt their signs would simply help the area be more organized, and that it was not prompted by any problem.

Mr. Mynchenberg reiterated that there is no seating at Hawaiian Guys, so no one will park and stay. There are four spaces, and there would only be four possible pick-ups within a restricted time period. He added that the entrances to the other businesses are on the other side of the building. He agrees that two-way traffic would be difficult in a certain area, but it has no impact on the parking in the front. Mr. Mynchenberg said he has never seen a real problem and that Dr. Truax's clients could not utilize the spaces for Hawaiian Guys anyway, he would still be limited to his spaces. Dr. Truax said his concern is people using their spaces to come pick up carry-out orders and rotating every twenty minutes. Ms. Sherry assured him that no one would be permitted to do that, and that it sounds like Dr. Truax may need to talk to Cross-Fit regarding the parking problem, instead of encroaching on their business, since they may be the source of his issues. She said she spoke at length with their neighbors about the parking, and they know that of all the other neighbors, Dr. Truax has issues with parking. Ortho-Sport watches very carefully where their clients park, and they do not utilize Dr. Truax's spaces. She said it sounds like Cross-Fit may be the issue for them.

Dr. Truax said while the parking issue is a concern for this board, the current issue and main concern of his is that if traffic develops, his business has the logical default spots for somebody to park and wait. This may cause his patients to have to wait for a spot. Ms. Sherry said he could call her, since she is there all the time, but she feels that the natural default spot would be at Ortho-Sport, since his business has a patch of grass separating them.

Mr. Flaiz said he understands Dr. Truax's concerns. Mr. Mynchenberg referred to the media screen and pointed out other potential additional parking areas at the site. Mr. Flaiz said that is not something the board can enforce or regulate; they are simply allowing carry-out or not. The previous location of Hawaiian Guys had people lining up, and now to scale up the business to produce more food, he cannot logically see how there would be less people.

Ms. Mynchenberg said she thinks it should be made clear that this is a catering business, and they do not want to have anything to do with running a restaurant. If other places allow Uber and Door Dash, why couldn't they also be approved to do this. Mr. Flaiz said restaurants are permitted to have carry-out. The Planning Commission approved Hawaiian Guys to operate a catering kitchen, but by offering carry-out, it becomes a

restaurant. Ms. Mynchenberg said there are traffic and parking issues for the restaurants in the area, and there is a big carry-out business. She is wondering why a small family business would not be permitted to offer carry-out also.

Ms. Matheney asked the applicant if they are keeping their catering business or switching to a carry-out only restaurant. Ms. Sherry said it is a catering business, and the carry-out option would be for potential customers to be able to sample their menu items prior to hiring them to cater an event. She said she usually just tells them to go to one of their pop-ups, but it would be nice to offer another option.

Ms. Budoff said it sounds like they are presenting a completely different business plan than their former location. People cannot walk in and order anything, and they wouldn't potentially run out of brisket, since they control and limit the orders. Ms. Sherry said that is correct, patrons can only order online. They will not even have a phone number to call for ordering.

Ms. Budoff referred to the media screen and clarified which parking spaces belonged to which business. She asked the applicant if they would be willing to modify their signs to have more details such as limiting the parking to specific minutes, indicating no eating in cars, etc. Ms. Sherry said that is a good idea, and they would be willing to do that. Ms. Budoff said since their plan is to bring the carry-out to the car, another way to control parking would be to refuse the food delivery if they are not parked in the correct space.

Mayor Koons said he thinks they are afraid of their success. Ms. Sherry said in Burton they were very busy with long lines of people coming in and ordering. It was a great success, but it also caused a lot of stress. They do not want to do anything like that again. It was disorganized, parking was a problem, they didn't even have any signs for spaces. She said having only online ordering will allow them to limit the volume, and there will be no patrons waiting while their order is prepared. Mayor Koons asked if someone in the area could walk over and attempt to order carry-out. Ms. Sherry said the customer would have to plan ahead for that, and the door is kept locked.

Mr. Flaiz reiterated his concern that the board cannot regulate that. They can only decide whether to allow carry-out or not. He said if they are doing a hundred take-out orders in four hours, they would not be able to stop that. Ms. Mynchenberg said they are being honest when they tell the board they would not be doing that, her daughter and her husband don't want that for their business. She said they were told they couldn't do carry-out when the Planning Commission approved the catering kitchen, but the owners do not want to run a high-volume business. Mr. Flaiz said he doesn't think they are misrepresenting what they would like to do, he is saying the board is in a position to approve carry-out or not. They would lose a lot of control of the situation, and they have to be fair to the other businesses.

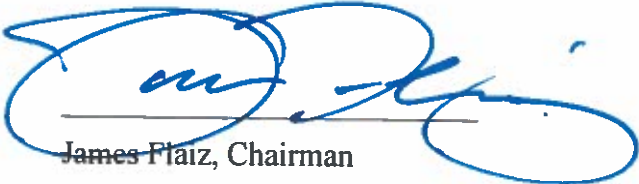
Mr. Flaiz asked for any further comments for the Public Hearing. Mr. Bruhn said he is a little concerned about people eating in their cars or going next door to the church property to do so. He recalled the previous approval was conditioned upon, among other things, having a fence installed in the area where the cookers are, and extending to the edge of the building. He thought the fence was primarily to discourage people from going to the grassy area of the church property.

Dr. Truax presented a scenario where if the carry-out activity gets busy enough, there may be people coming and going at the same time. He said if the designated spaces are full, the patron would have to wait for one to open up to then back out, and the small area makes maneuvering difficult. The person picking up the order may then choose to wait in one of his parking spaces, simply while waiting for a carry-out spot to open up. This could cause problems for his clients, even though all parties are attempting to follow the rules.

Mr. Flaiz referred to the Planning Commission minutes from the previous approval on November 17, 2022, and read a portion of the motion, "...and to approve the smoke shack, subject to approval by the Fire Prevention Officer. The condition of the smoke shack is that a fence be installed from the building to the smoke shack on the west side and the fence must be approved by the Building Commissioner." Mr. Flaiz thanked Mr. Bruhn for catching that. Ms. Sherry said she will check with her architect, since he attended the meeting also and should have included that with the plans.

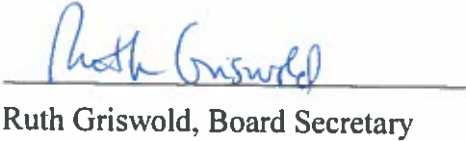
Mr. Flaiz read further from the motion, "There will be no counter sales permitted. The approval is also for an immobile, temporary kitchen on the property, the location of which is subject to approval by the Fire Prevention Officer and the Building Commissioner and shall be removed from the property no later than June 30, 2023." Mr. Flaiz said there is no mention of the other smoker currently situated in a parking space being approved.

Mr. Flaiz asked for any further comments for the Public Hearing. Hearing none, he said development review for the two agenda items from the Public Hearing will take place during the Planning Commission meeting immediately following. He asked for a motion to adjourn. Mr. Bruhn motioned to adjourn the Public Hearing at 8:19pm. Ms. Budoff seconded. Ayes all, the motion carried.



James Flaiz, Chairman

7/25/24
Date



Ruth Griswold, Board Secretary

7-25-2024
Date



Village of South Russell

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

PLANNING COMMISSION MEETING MINUTES JULY 25, 2024 at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

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

Visitors: Mindy Mackin, Chalk It Up, 524 East Washington Street; Rob and Colleen Truax, Chagrin Osteopathic, 477 Industrial Parkway; Michelle Bissler, 12800 Keystone Ln, Chardon 44024; Rachael and Duane Sherry, 44 E Bel Meadow Ln; Eriana Lucas, 255 Park Place.

Meeting called to order by James Flaiz at 7:30pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the two sets of minutes from the Public Hearing and Planning Commission meeting on June 20, 2024. He asked if there were any additions or corrections. There were none. Mayor Koons motioned to approve. Mr. Bruhn seconded. On roll call vote, the motion carried unanimously.

Agenda Item 1: PC Case #24-10: 1194 Bell Road

Ms. Michelle M. Bissler is seeking approval to operate a CPA and Accountant Services business at the property located at **1194 Bell Road**, owned by Renhab Accretion LLC.

Mr. Flaiz welcomed the applicant and asked her to tell the board about her business. Ms. Bissler said she is a CPA and a Certified Financial Planner. She purchased the space with the expectation to move her practice there. She is currently located on East Washington Street in Chagrin Falls.

Mr. Flaiz asked her how many employees she has. Ms. Bissler said right now, it is just her. She may hire an admin and another CPA, as her plan is to grow. Mr. Flaiz said he thinks that is a perfect fit for that building. He asked board members if they had any questions or concerns.

Mayor Koons asked if her building is surrounded on three sides by easements, because of all the traffic that goes around it. Ms. Bissler said she doesn't know where the easements are exactly, but drivers do have a right to use the parking lot as a thru-way.

Mr. Flaiz asked Mr. Hocevar if he had any concerns. Mr. Hocevar said he does not. Mr. Flaiz said it's a great location, and a huge plus that she could walk to both Augie's and Sleepy Rooster. Mayor Koons asked Ms. Bissler if she could sublease to a chiropractor or a lawyer. Ms. Bissler said since she has a security license, she would have to subdivide the space so the tenants would have separate entrances. Realistically she would probably not do that, since it would be more work than it's worth. Mr. Flaiz said any sub-lease must also come before the Planning Commission. Ms. Budoff asked her if she does insurance. Ms. Bissler said she does taxes, investments and insurance. She only does a few insurance policies a year, and typically she doesn't advertise that service.

Mr. Porter motioned to approve. Ms. Budoff seconded. On roll call vote, the motion carried unanimously.

Mr. Flaiz and board members welcomed Ms. Bissler to the Village.

Agenda Item 2: PC Case #24-11: 524 East Washington Street

Ms. Madelynne Prosek, owner of Chalk-It-Up Gymnastics, tenant at **524 East Washington Street**, is seeking permission to park a former school bus in the rear of the property, owned by Mr. David Jezek of Developers Realty. Mindy Mackin was in attendance on behalf of Ms. Prosek.

Mr. Flaiz asked the applicant to begin her presentation. Mindy Mackin said Madelynne is her daughter, but she also works at Chalk-It-Up as the manager of the gym. The bus is known as a Tumble Bus, and they go around to pre-schools and regular schools in the area to promote gymnastics. Many children are unable to come to the facility due to scheduling conflicts or financial reasons, and they feel this is a good way to be able to offer gymnastics to all the children in the community. They created the Tumble Bus by having the floors and walls padded, and the equipment inside is often rotated. She said when the bus is not in use, it is stored in the back of the building.

Ms. Budoff asked if the bus is used to transport kids. Ms. Mackin said they do not use it to transport students, the bus is taken to the schools. Mr. Flaiz said he is assuming then, that there are no seats in the bus, just equipment, and they bring the activities to them. Ms. Mackin said that is correct, all the seats have been removed, there is a spring floor, padded walls and various gymnastic equipment.

Ms. Budoff asked if the bus would be classified as a vehicle. Mr. Flaiz asked Mr. Hocevar if the applicant is before the Planning Commission because there is no commercial vehicle parking allowed back there. Mr. Hocevar said it was mentioned at the last meeting, and it's an addition to their business, so he thought the Planning Commission should review it. Mr. Flaiz said it may be an issue if there were multiple buses parked there, but since there are many storage containers back there already, he doesn't think one bus is an issue. Ms. Mackin said there are probably fifty storage units back there. She said when they first started renting the space, and before the storage units were there, that area was supposed to be their parking lot. The bus is parked in the spot where they are supposed to have as parking.

Discussion followed regarding the number of storage containers and how high they are stacked. Mr. Hocevar said the Fire Marshal keeps an eye on the situation, and the building owner does as well.

Mayor Koons said he researched this, realized it has been done before, and he found it interesting. Ms. Lucas said there is a similar type of tumble bus that goes to her daughter's daycare in Chesterland, the children love it,

and it is a wonderful experience for them. Mr. Porter said it sounds like a bouncy house on wheels and may be a good idea for the Village's Fall Festival.

Mr. Flaiz asked board members for any further questions or concerns. Mr. Bruhn asked Mr. Hocevar if there are any other uses or restrictions for that space, and what would the space be used for normally. Mr. Hocevar said it is normally used for storage. Ms. Budoff said the bus is not taking up anyone's space, and asked if there was a concern during the winter and having the snow plowed. Mayor Koons said if anything, the storage containers are starting to take up her space, because they keep adding more and more containers.

Ms. Budoff motioned to approve the submission. Mr. Bruhn seconded. Mr. Flaiz asked for further discussion on the motion. There was none. On roll call vote, the motion carried unanimously.

Mayor Koons thanked Ms. Mackin for helping the Village out with the 100th birthday party last year and having the kids in the Blossom Time Parade. He said they enjoyed themselves and he was very impressed that even with the large number of participants, they remained organized. Mr. Flaiz said it's a great business for the Village. Ms. Mackin said thank you, and Chalk It Up was happy to have been invited to be part of the celebration.

Agenda Item 3: PC Case #24-12: 255 Park Place

Ms. Eriana Lucas, owner of the property located at **255 Park Place**, is seeking approval to operate a permanent make-up salon called Blade and Shade Beauty Bar, LLC.

Mr. Flaiz welcomed the applicant and asked her to begin her presentation. Ms. Lucas said she performs cosmetic tattooing, also known as permanent make up, which adds enhancements to eyebrows, lips and lash lines. She will not be doing any tattooing. Ms. Budoff asked if she ever had anyone ask her to do tattoos. Ms. Lucas said no, she has not. Mayor Koons asked if she sees people that are in need of cosmetic tattooing to hide burns or scars. Ms. Lucas said she has not been approached on that subject yet because she has not started working, but she will specialize in scar camouflage. Ms. Budoff asked how that is done. Ms. Lucas said small pixels of ink are matched to the skin color, and this procedure, as do many of them, requires more than one session. Mayor Koons asked Ms. Lucas if she foresees any parking problems. Ms. Lucas said no, her clients will be by appointment only and there is an HOA there as well. Mr. Flaiz said he feels like this place is the only one in the area that does not have a parking problem. He asked if she would have any employees. Ms. Lucas said at this time, it's just her but she hopes to eventually teach a class. In order to do that, she first needs at least six months experience.

Mr. Bruhn asked how large the space was. Ms. Lucas said it is 610 square feet. Mr. Flaiz said there are many single offices down there, and the Village has approved other permanent makeup services in the past. He asked board members for any other questions or concerns. There were none.

Mr. Porter motioned to approve the submission. Ms. Budoff seconded. There being no discussion on the motion, Mr. Flaiz asked for roll call. On roll call vote, the motion carried unanimously.

Mr. Flaiz welcomed Ms. Lucas to the Village and wished her luck. Ms. Lucas thanked the board for their time.

Agenda Item 4: PC Case #24-06-A: 576 Industrial Parkway-That Hawaiian Guys BBQ

This item was tabled at the meeting held on June 20, 2024.

Ms. Rachael Sherry, owner of **That Hawaiian Guy's BBQ**, is seeking permission to review the discussion to allow carry-out operations from That Hawaiian Guy's BBQ from 11:00am-3:00pm at 576 Industrial Parkway, owned by Mr. Mark Derry. This would require a modification to the previous Planning Commission approval.

Mr. Flaiz confirmed that no additional items regarding this submission had been received from the applicant since the last meeting. He asked Ms. Sherry if she would like to present additional information, or if there was anything else she would like to say. Ms. Sherry said she understand that this is not a public hearing, and just a discussion. Mr. Flaiz said it is a public meeting, and they will ask for public comment on the application from anyone who wants to weigh in on it. He said it is a continuation of the board's review to modify the previous approval of the business.

Ms. Sherry said she feels it's important to clarify that the focus of their business is catering. They do some Farmer's Markets and pop-ups, but they do not make a lot of money doing those things. It is a great way to get their food out to the public, and they use these events as marketing tools. They would like to offer the very restricted carry-out as another marketing tool. She said they are trying to be as collaborative as possible, and although they requested the hours of 11am-3pm, they could offer dinnertime carry out if that works better.

Ms. Budoff asked which days per week they would like to offer carry-out. Ms. Sherry said they are incredibly busy on Fridays and Saturdays, sometimes working from 5:00am-10:00pm. They are hoping to bring in revenue on the days when they are slower, which tend to be Monday thru Thursday. She said they do not want to create a lot of traffic; they simply want to be able to have people try their food and consider them for a catered event. Many people are not familiar with Hawaiian style barbecue, and this would allow them an opportunity to sample their menu items.

Mr. Flaiz said as part of their initial approval in 2022, the Planning Commission required a fence to be installed from the corner of the building to the smoker. This has not been done and was brought to their attention by Mr. Bruhn at the last meeting. He asked Mr. Hocevar for the status. Mr. Hocevar said he met with Ms. Sherry last week, and they discussed the requirements. Ms. Sherry will obtain a permit for a 4' cyclone fence in the required area.

Mr. Flaiz said yesterday, the board received a pretty comprehensive packet from Chagrin Osteopathic, which includes photos and other information, outlining the situation in regard to traffic flow and parking. He asked Mr. Hocevar if he reviewed the packet. Mr. Hocevar said he did. Mr. Flaiz said when talking about the parking requirements in the Village, it is difficult to determine how many spaces are actually there, since none of them are actually marked. The informational packet raised some interesting points regarding egress and ingress and if the drive area could even accommodate perpendicular parking. He asked Mr. Hocevar where the discussion on parking stands. Mr. Hocevar said he has spoken with Ms. Matheney; they talked about the existing codes and the need to create a requirement for striping in parking lots. He said he was going to bring this up tonight under New Business, since it is the decision of the Planning Commission to authorize them to move forward.

Mr. Flaiz said it's often discussed how many employees and parking spaces a business should have. Before anything is decided, he said the board should require Living Lean to stripe their parking lot. Mr. Hocevar agreed. Mr. Flaiz said he doesn't know if the board should even be considering the application when they don't know how much parking is there, since it's not marked. Ms. Budoff asked Mr. Hocevar if he feels there is room for 40 parking spots, as it was advertised to have by a realtor. She said if each business in that building is allowed 12-13 parking spaces, she doesn't feel parking is a problem as much as the challenge of enforcing who parks where.

Mr. Flaiz said the Fire Prevention Officer would look at a parking plan and provide his comments. He doesn't know if he would allow perpendicular parking. Discussion followed regarding the challenges of cars parking

many different ways in the area. Mr. Hocevar said the Village Engineer would also need to see a parking plan and calculate turning radiuses, the width and length of parking spaces, and the size of the entire lot. Mr. Flaiz repeated that they should require the owner of the Living Lean building to submit a parking plan and have it approved by the Village Engineer, the Fire Prevention Officer and the Building Commissioner. Once the plan is approved, the area needs to be striped so the board could figure how many spaces are available for that building. Once it is striped, it would come before the Planning Commission, then they could go through the process of determining how many spaces are needed for each tenant.

Discussion followed regarding the current code, which determines the number of parking spaces needed based on square footage. Mr. Hocevar said he thinks that some changes to the current code may be in order. Mr. Flaiz said the nature of the business comes into play, as evidenced by the Naturepedic storage facility, which has one employee. Ms. Budoff said the catering kitchen is 2,000 square feet, and according to the code, they must have 12 parking spaces. She said they don't want to have twelve people coming every ten minutes to pick up food, and they couldn't make it a restaurant if they wanted to, since the kitchen is so large. Mr. Sherry said they don't want to make it into a restaurant. Colleen Truax said Hawaiian Guys also has employees that must be included, so 12 spots is just a buffer. Ms. Budoff asked the Sherrys how many people are on their payroll. Mr. Sherry said technically none, but they have people coming in to help occasionally. He said any employees park all the way in the back of Living Lean.

Ms. Matheney said the current code does not have a striping requirement, and that is something that should be addressed. Mr. Flaiz said as part of their development review, they could require a submission of a parking plan with all the spaces striped. The applicant could then come before the Planning Commission, and they would be able to discern whether the business would be approved. He said the parking in the back area doesn't seem to be the problem. He is more concerned about the perpendicular parking along that drive, and whether the Engineer or the Fire Marshal would allow that. He feels more information is needed before the discussion and debate continues.

Mr. Flaiz said the whole discussion has been about the take-out, traffic and location, and many of them have expressed their opinions about that at the last meeting. Separate and apart from that is the issue of getting a handle on how many parking spaces are back there and what the layout is permitted to be. The photos presented show that it is somewhat of a free-for-all as to how and where cars are parked. His sense is because there is no striping, people are just parking wherever. Ms. Budoff said there aren't any "No Parking" signs either, and people park right up to the fence. Ms. Sherry said there have been some signs recently installed. They talked to the owner of the building and his brother-in-law, who owns a portion of the property behind the gate. He said he's been wanting to do that for a while. She said she saw a patron of Osteopath park there today.

Mr. Sherry said their main concern in that area is for the safety of the public and their employees. They don't want to create overflow past the four parking spaces in front of their building. He said setting up potential carry-out service in the way they have designed makes it literally impossible for people to pull in and order, as everything has to be done online, and only one order can come in every ten minutes. Customers will pull in, let them know they are there, the food would be brought out to them, and then they leave. He said it would be literally impossible for them to create the potential volume that is causing concern. They can't purchase or cook that much food to generate the sales that would cause lines or traffic. They don't want the traffic any more than other tenants or the Village does. They just want to allow a few people to pick up carry-out on their slower days, in order to sample their food. They intend to do everything they can to keep it at a minimum because they respect their neighbors, they don't want overflow or impedance to other businesses, and they want to keep the traffic to a bare minimum for everyone's safety.

Dr. Truax said he appreciates that, but while the discussion is focused on 576 Industrial Parkway, Ortho Sport has put up signs designating their parking, so they have identified that they need parking spots. Even if all the parking spaces are striped at Living Lean, those spaces are not vulnerable to the potential carry-out services.

The parking spaces for their business in front of 477 Industrial Parkway are vulnerable if the potential carry-out customers arrive early, or late, for their pickup time slot. He said Living Lean and Ortho Sport are not vulnerable to potential carry-out overflow as much as his business is.

Mr. Sherry said he begs to differ, because those spaces are closest to them. In addition, they have seen people, who are not their customers, park in front of their building. They have also seen people park in front of Ortho Sport who are not their customers. The signs are more like suggestions, other than a strong deterrent, since they don't say Tow Away Zone. The kind of back-up problem that Dr. Truax is concerned about is very unlikely. All four people would have to be late for their pickup time. He has been in the industry for 25 years, and with the ordering system they would have in place, the likelihood of that is almost impossible. Mr. Sherry went on to say that they would happily situate themselves outside to ensure their patrons do not park anywhere except the spaces designated for their carryout customers. They feel they can make it all work, but they just need the opportunity. He invited Dr. Truax to come to their office and look at their proposed ordering system.

Dr. Truax said they just want to be able to run their practice without worrying about patrons from other businesses using their spaces, and they know that people going to Ortho Sport and Living Lean use them.

Mr. Flaiz said it is clear there is a parking problem because Ortho Sport put up those signs. Ms. Sherry clarified that she and the owner of Ortho Sport are good friends, and they collaborated to install the signs in an effort to better organize the area. It was definitely not due to a parking problem. She said Jen from Ortho Sport would happily remove the signs if she asked her to, since it is clearly misunderstood as to why the signs were installed. Ms. Budoff said once Living Lean marks their spaces, it may make sense for signage to be installed that says, "Parking for 577 Only".

Colleen Truax of Chagrin Osteopathic said Ms. Sherry is speaking for Ortho Sport, but Ortho Sport knows there is a parking problem. If they were here, they would say they put up the signs because there are parking issues. Nobody even knows how many parking spaces there are, but in his real estate ad, Mark Derry claims there are 44. She went back there when Living Lean was full, she took a video, and there were 35 parked cars. They may be able to have more spaces if they were marked. That means they have a 2.7 parking ratio, and there are four business in that building. She went on to say that Ortho Sport is a medical clinic, and they share patients. She knows for sure Ortho Sport thinks there is a parking problem, and as a medical clinic, they should have a vested interest in their shared patients. She said she agrees that the number of parking spaces should be determined before anything is decided. She said that should have been established before four businesses were permitted to move in. Her sister owns and manages a restaurant, so she showed her this plan. She doesn't think it's a good plan, especially since people have to come in and go out the same way. Ms. Truax reiterated the need for the Village to establish parking spaces before making any decision.

Mr. Flaiz said he agrees with her point as far as parking being marked, but he told her that the Planning Commission's initial approval of Hawaiian Guys did not include carryout, because they were concerned about the traffic. He said he is still worried about the traffic. He said this application should be tabled, and once the spaces are marked and approved by the Fire Prevention Officer, the picture will be clearer.

Mr. Bruhn asked Ms. Sherry if their lease allocates them a certain number of parking spaces. Ms. Sherry said she can double check, but she believes it is communal.

Mayor Koons thanked Ms. Truax for the packet of information. He said he visited the site at 6:00am and 6:00pm. When cars are parallel parked, there may be enough room for a fire engine to get through, but it would be very difficult. He also has concerns about large piles of plowed snow during winter, and medical patients having to walk further in hazardous conditions. He is trying to balance his concerns with wanting to help a business. He said he visited businesses in the area, and they are all supportive of one another. The jeweler told him that at times, CrossFit people are running outdoors, and bicyclists are riding around at the same time. He said Chalk It Up may have designated spots, but it really doesn't mean anything. The Planning Commission

meets again in two weeks, and he doesn't feel that is enough time to gather additional information. He said Hawaiian Guys is a nice business for the Village, and he doesn't want to make life difficult for them, but there are issues that need to be addressed.

Mr. Porter asked Dr. Truax how late his practice is typically open. Dr. Truax said his hours shouldn't impact anything, but he is open from 9:00am-6:00pm, but they are trying to grow. Mr. Porter said he asked only because of the possible dinner option for carryout. Ms. Truax said they are sometimes open later, and dinnertime is often quite busy in the area because of the gym classes.

Mr. Porter said he agrees that it is important to have clearly marked spaces, so the board knows what they're dealing with, as the Village wants all their businesses to succeed.

Dr. Truax said their building owner won't even allow them to put signs up that would indicate parking for their business only. Mr. Bruhn asked him if their parking spots are identified in their lease, or do they just happen to be located in front of their door. Ms. Truax said there are no designated parking spaces in the lease, just that they are for the 477 building. She went on to say that her owner is bringing in a lot of tenants offering personal services, and the area used to be for industrial uses. She said they are very invested in finding out if the Village would allow another personal services tenant in Suite C, which is how they found out about Hawaiian Guys requesting carryout.

Mr. Bruhn asked Dr. Truax if his clients, or clients of other tenants in their building, ever park in the spaces for other buildings. Ms. Truax said yes, because the public doesn't know. Ms. Budoff said that could be why Ortho Sport put the signs up. Ms. Truax said she did have to tell one of her patients where they should park when they come for an appointment, because she saw them parked at Ortho Sport. Mr. Bruhn said so this problem isn't unilateral, but rather bilateral. Ms. Truax said that is correct, and it creates a problem and supports the idea that adding a carryout would be a bigger problem. She said they've been there two years and it's always been a problem.

Mr. Flaiz said the Planning Commission's current review is for the application for 576 Industrial Parkway. **He made a motion to table the application until 576 Industrial Parkway develops a parking layout and traffic circulation plan that is approved by the Building Commissioner, the Fire Prevention Officer and the Village Engineer and once approved, those parking places must be striped. Mr. Porter seconded. Mr. Flaiz asked for further discussion on the motion. Board members agreed that it was a good idea to gather the data. Mr. Flaiz said when other tenants appear before the board, they can require the same. On roll call vote, the motion carried unanimously.**

Ms. Bissler said all the discussion regarding the parking has brought some questions to mind. She has thirteen parking spaces between her building and the devil's strip, or tree lawn, as well as parking on the side. She asked if she needs to have it re-striped. Mr. Flaiz said her parking is all marked, so she's fine. Ms. Bissler said her concern is the easement, since the markings on the driveways have disappeared. She asked if she needed to maintain those areas and should they be marked "In" and "Out". Mr. Flaiz said adding arrows for the entrance and exit should be enough. When the bank was there, the west drive was an entrance, and the east drive was the exit because the drive-thru and ATM were on that side of the building. He said since the bank has closed, he's also seen a lot of two-way traffic on the east drive. Ms. Bissler thanked the board.

Mr. Flaiz asked if there was any **Old Business**. There was none.

Under New Business he began the discussion regarding **Parking Space Regulations**.

Mr. Hocevar said he would like a motion to have Ms. Matheney begin the process of initiating amendments needed to the current code. Mr. Flaiz asked what pitfalls were seen in the code. Ms. Matheney said the sizes are listed to be 9' wide, but there is no current striping requirement. Mr. Hocevar said he would like to be able to

require all commercial parking lots to be striped. Mr. Flaiz said, as he had indicated earlier, the board can begin requiring the building owners to stripe the parking areas when a proposed new business comes before them for development review. They have successful businesses in the Village and in the past, they have addressed the parking issues that often come with success. Mr. Flaiz said there should be a requirement, upon notification from the Village, that a business owner must re-stripe their paved parking lot if needed. Ms. Matheney said the code indicates some curbing requirements, which would not always be practical or necessary. Mr. Flaiz said there should also be marked fire lanes along the Industrial Parkway driveway. Mr. Hocevar said he will work together with the Fire Prevention Officer to get that taken care of as well.

Mr. Flaiz made a motion requesting the Solicitor to work with the Building Commissioner to draft and develop some new parking and striping regulations for businesses in the Village. Mr. Bruhn seconded. Mr. Flaiz asked for any discussion on the motion. Mr. Porter said currently, the parking requirements are based on square footage of a building. He doesn't think it should be changed to be defined by how many employees a business has, since that could change over time, and that parking should be available when a new tenant comes in who may have a different number of employees. Ms. Budoff said the challenge is that parking goes for clients and customers as well. Mr. Porter said yes, but to change the formula from square footage to number of employees would create an untenable situation, and used the two businesses present as examples of those that may hire more employees as time goes on. He said he is offering that for consideration as Mr. Hocevar and Ms. Matheney proceed with their efforts. Mr. Flaiz agreed that it must be tied to something tangible. He said one of the reasons each new business comes before the Planning Commission is for them to evaluate and decide what they think the needs are and if it would be realistic within the parking scheme. He said past presentations may have met the parking regulations by square footage, but the board thought otherwise due to the anticipated needs of that business. Mr. Flaiz asked for roll call. On roll call vote, the motion carried unanimously.

Mr. Flaiz asked for any other business. Mayor Koons said he wanted to thank the solicitor for providing the board with the copies of parking regulations from surrounding communities. He thanked Ms. Truax for the information she provided and thanked the board secretary for compiling the information quickly. Lastly, Mayor Koons thanked the applicants and guests for remaining civil. Mr. Flaiz added that he has served on the Planning Commission since 2008, and the information the board received from Ms. Truax is the most comprehensive packet they have received from someone who is not an applicant, but an interested party. He appreciated it also.

There being no further business, Mr. Porter moved to adjourn the meeting at 8:37pm. Ayes all, the motion carried.



James Flaiz, Chairman

8/8/24

Date



Ruth Griswold, Board Secretary

8-8-2024

Date



Village of South Russell

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

PLANNING COMMISSION MEETING MINUTES August 8, 2024, at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

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

Visitors: Brian Becker, 6381 Chittenden Rd., Hudson 44236; Renee Shott, 15781 Grace Street, Newbury 44065

Meeting called to order by James Flaiz at 7:33pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the minutes from the Planning Commission meeting on July 25, 2024. He asked if there were any additions, corrections or comments. There were none. Mr. Porter motioned to approve. Mr. Bruhn seconded. On roll call vote, the motion carried unanimously.

Agenda Item 1: PC Case #24-13: 1188 Bell Road

Ms. Renee Shott, owner of Meadowbrook Natural Wellness LLC, is seeking approval to operate a massage therapy business at the property located at **1188 Bell Road, Suite 101**, owned by Kenneth A. and Marie E. Burke.

Mr. Flaiz welcomed the applicant and asked her to tell the board about her business. Renee Shott introduced herself, and said she is a licensed massage therapist, and has been doing this for 17 years. Her business, Meadowbrook Wellness, just celebrated their ten-year anniversary. She said over the years, she has employed multiple people, and now feels it's time to change gears. Ms. Shott said she does not have any employees. She is going to school to obtain dual certification in health coaching and life coaching, which she hopes to apply to her massage practice upon graduation.

Mr. Flaiz asked board members if they had any questions. Mr. Porter asked Ms. Shott if her business would be by appointment only, or would she also take walk-ins. Ms. Shott said it would be by appointment only. She

does like to speak with her clients before they come in, to get a general idea of the nature of their complaints. She receives a lot of referrals from Precision Orthopedics in Auburn. Her focus is primarily with people who have head and neck pain, lower back or mobility issues. She does not do relaxation or spa massages, although on request, she can do scrubs to make things cozier. That seldom occurs, since this is more of a medical practice.

Mr. Porter noted that the lease allows her two parking spaces. Ms. Shott said that is correct, one space would be for her, and she schedules her appointments so that there is sufficient time for one patron to leave well before the next one arrives. She kept many of the restrictions made necessary by the pandemic, as they work well to ensure no client ever feels rushed before, during, or after the session.

Mr. Flaiz said he doesn't recall ever having seen the parking lot for this building full. Mayor Koons said he visited the building earlier in the week and noticed that the tenant occupancy is at about half right now. He said the building is very well kept. Mr. Flaiz said he thinks most tenants are sole occupants, so there shouldn't be a parking issue. Ms. Shott said it does appear that way, although she has not met any of the other tenants yet.

Mr. Flaiz said he thinks her business is a great fit for the Village, and asked board members if they had any other questions. There were none.

Ms. Budoff motioned to approve the submission. Mr. Porter seconded. Mr. Flaiz asked for discussion on the motion. Hearing none, he asked for roll call. On roll call vote, the motion carried unanimously.

Mr. Flaiz and board members welcomed Ms. Shott to the Village. Ms. Shott thanked the board and said she would like to leave some literature pertaining to her business for the board members. Mayor Koons asked Ms. Shott what made her choose South Russell for her business location. Ms. Shott said she lives just up Bell Road in Newbury. Her younger daughter goes to pre-school nearby, and she prefers to be in close proximity to her during the week. Most of her clientele is in the area as well. She said it is such a beautiful area, and she feels very safe and welcome.

Agenda Item 2: PC Case #24-08-A: 1184-1186 Bell Road

Mr. Brian Becker of Becker Signs Incorporated, applicant on behalf of Sharon Schmahl of Leap Orthodontics and Powerscourt Properties Ltd., is seeking approval to change the previously approved color of a new 21.34 square foot multi-tenant monument sign for the property located at **1184-1186 Bell Road**, owned by Powerscourt Properties Ltd.

Mr. Flaiz welcomed the applicant and recapped the first submission of the sign, which came before the Planning Commission on June 20, 2024. The board members all liked the design of the sign but had an issue with the blue background color that was proposed. He said the solicitor also went over the sign ordinance and confirmed that the maximum number of colors permitted on a sign is four. After researching online, he realized there is quite a debate as to if white should actually even be considered a color.

Mr. Flaiz said the Planning Commission's prior recommendation and approval was for the sign to have a black background, and the plans before them tonight are proposing the owner's preferred choice, which is more of a gray background that would match the gray in the word "Orthodontics". Mr. Becker said their intent was to try and provide a color that would match the roof of the building. He said it is challenging because it depends on which angle you look at it from, and the impact of the sun. At different times and angles, it can go from a dark

reddish gray to a light gray or silver. The pantone color is very close to what the roof is. The “Orthodontics” and the background are of the same color. He said if white is counted as a color, it would add up to five, but he was wondering if the official logos of Alexandra Fine Homes and Leap Orthodontics could be considered a color entity. He said they would prefer approval on the gray background, as it looks softer and blends in with the area a little better as well.

Mr. Flaiz said the board had approved a black background for the sign, and the options before them are a lighter gray, which is preferred by the owner, or a darker charcoal gray with plank boards. Mr. Becker said the planks help to break up the darker color.

Discussion followed among board members regarding code requirements, and the colors and architectural style of the building. Mr. Porter said he likes the idea of the sign color matching the roof, since that is the most prominent feature as you drive past. Mr. Flaiz said he likes the look of the planked charcoal background but understands that the owner prefers the lighter gray. Mr. Becker said the owner does think the lighter gray gives it a softer look. Ms. Budoff said it is very considerate of the owner to adapt the color of a portion of her logo to match the lighter gray. Board members agreed that the lighter gray would work well. Ms. Matheney asked if the board would be considering white as a color. Board members agreed that it would not be considered a color. Ms. Matheney advised them that the motion must state that as well, otherwise the applicant would have to appear before the Board of Zoning Appeals.

Mr. Flaiz made a motion to modify the Planning Commission’s previous approval of June 20, 2024, and approve the Sherwin Williams 2848 gray background color for the sign. Further, the board has made the determination that white is not included in the color limit. Mr. Bruhn seconded. Mr. Flaiz asked for any further discussion on the motion. There was none. On roll call vote, the motion carried unanimously.

Mr. Becker thanked the board. Mr. Flaiz said his company does very nice work.

Mr. Flaiz asked if there was any **Old Business**. Mayor Koons said he wanted to take a couple minutes to talk about the parking and traffic concerns on Industrial Parkway. He said since the area is no longer industrial, but has become a personal service area, there are some things that should be looked into. This was discussed at the Building Committee meeting this morning. Dave will be spending a lot of time working with the landlords to gather facts and get things squared away. Since they are talking about private property, the Village also must determine what they can and cannot do. This will take time and patience. He recalled that the board gave Augie’s proposed patio a trial period and said it may be something to think about for Hawaiian Guys and could be discussed further at the meeting in September.

Mr. Bruhn said after reading the recent emails from Ms. Truax, he visited the site again. He said there are a number of solutions possible. The building that Hawaiian Guys is in has a great deal more property than is currently being used, and their rear parking lot could be expanded. Whether it’s aesthetically pleasing or not, it is also possible to add another space or two in front of the building, perpendicular to the existing spaces. That would give them six spaces for carry-out, which should be more than adequate. The building at 477 Industrial Parkway also has vacant land behind their rear parking area.

Board members referred to an overhead view of the site and discussed possible improvements that could be made to the parking situation on Industrial Parkway. Mr. Flaiz said he has concerns regarding the absence of striped spaces and fire lanes. When people are parking all sorts of different ways, there may not be clear passage for emergency vehicles. With so much traffic and activity going on in that area, having evolved into the hot spot that it is today, there must be marked parking spaces, fire lanes and signage in order to provide safety and organization to the area. He feels any municipality would require that.

Mr. Bruhn said after reading all the emails, it struck him that the doctor’s problems seem to be more with their own building and its other tenants. They are the most recent tenant in their building, so they benefitted from the

Village's willingness to work with them on a situation with a less than standard parking situation. He thinks it's a little unfair of them to now say that the parking should now be strictly enforced for others. Mr. Bruhn went on to say that personally, he is in favor of allowing the Hawaiian Guys to have carry-out with limited hours. Ms. Budoff said her understanding of their proposed set up of a carry-out system indicates they are doing everything in their power to prevent traffic and parking problems. She asked Mayor Koons if he was suggesting allowing Hawaiian Guys the opportunity to have carry-out for a certain period of time, and then have them come back before the Planning Commission after the trail period. And if so, could the Planning Commission approve something and then revoke that approval. Mayor Koons said this is a tough decision, and they have spent a lot of time on it. He said part of him feels they are holding back a business from opportunity, but then again, they were already denied carry-out when they were initially approved. Ms. Budoff said initially, they had wanted carry-out for dinner from the food truck. She said Rachael expressed very well the last time they appeared, that they simply want to provide carry-out during their slowest days and times.

Mr. Flaiz said the Planning Commission did make it clear that one of the conditions of their initial approval was that no carry-out would be permitted. The recent request from Hawaiian Guys brought to light other issues that should have been addressed a while ago. The emails and photos from the other business owner and his visits to the area have confirmed that. He still believes that a carry-out operation at such a popular food place would generate too much traffic, and he has serious concerns about that. He said it is unfortunate for them, but it may be one of the worst locations in the Village to attempt carry-out service. He had hoped they could somehow work with another business that could offer their food for carry-out. Ms. Budoff said they did have opportunities to do that, but because the food industry is so heavily regulated, it was not a practical solution for them, and they truly want to just focus on their catering business and supplement their slower days during the lunch hours.

Mr. Flaiz said he does feel bad that the applicants are left in limbo, but the landlords must address the parking and traffic situation before the Planning Commission can fairly evaluate their proposal. He asked Mr. Hocevar if the Fire Prevention Officer has been able to assess the area. Mr. Hocevar said once he receives the parking layout, he plans to meet Sean Davis at the site and go over everything with him. Mr. Flaiz said he would like to see the Fire Prevention Officer look at the entire Industrial Parkway area to determine specifically what the area needs as far as fire lanes. Mr. Hocevar agreed. Mayor Koons said they also have to consider the area when there are large snowbanks that would impact emergency services. Mr. Flaiz wondered where the people who now park in the grass would park when snow makes that impossible. Mayor Koons said he does hate to hold back a business but agreed that it will take time to gather facts and do things right.

Board members discussed the next regularly scheduled Planning Commission meeting on September 12, 2024, and it was decided, due to scheduling conflicts, to move the date of the meeting.

Mr. Flaiz made a motion to move the regularly scheduled Planning Commission meeting scheduled for September 12, 2024, to September 11, 2024, at 7:30pm. Mr. Porter seconded. On roll call vote, the motion carried unanimously.

Mr. Flaiz asked members if there was any further Old Business. Mr. Bruhn said, having received copies of the parking regulations from other communities, how is the Planning Commission going to address the study of the Village's current parking regulations. Ms. Matheney said upon reviewing the regulations from the other communities, the Village is actually not far off. She said there might be some differences, for example, regarding the square footage of usable fitness area. Other than instances such as that, they are very much in line with the other communities. She said once things get squared away regarding the current issues on Industrial Parkway, they could then take a better look at the regulations for all the other business districts and see if anything needs changing.

There being no further business, Mr. Porter motioned to adjourn the meeting at 8:09pm. Mr. Flaiz seconded. Ayes all, the motion carried.



James Flatz, Chairman

10/10/24
Date



Ruth Griswold, Board Secretary

10-14-2024
Date



Village of South Russell

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

PLANNING COMMISSION MEETING

MINUTES

October 10, 2024, at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff, Greg Bruhn

Other Officials: Bridey Matheney, Solicitor; Dave Hocesvar, Building Official; Leslie Galicki, Acting Board Secretary

Visitors: Peter Balunek, 16725 Munn Road; Allan Balaara, Cleveland Clinic Beachwood; Richard Gofman, 5055 Corbin Drive, Cleveland 44128; Bobby Vallarelli, 477 Industrial Parkway; Rob & Colleen Truax, 477 Industrial Parkway

Meeting called to order by Mark Porter at 7:31pm.

Leslie Galicki conducted roll call.

Mr. Porter said the first order of business is to approve the minutes from the Planning Commission meeting on August 8, 2024. He asked for a motion to approve. Mr. Bruhn motioned to approve. Ms. Budoff seconded. On roll call vote, Mark Porter-Yes; William Koons-Yes; Elisa Budoff-Yes; Greg Bruhn-Yes. The motion carried.

Agenda Item 1: PC Case #24-14: 516 East Washington Street, Unit F

Mr. Peter Balunek, applicant and owner of Wildscapes Gallery LLC, dba Peter's Safaris, is seeking approval to operate an art gallery and office at the property located at **516 East Washington Street, Unit F**, owned by Peter McCoy.

Mr. Porter asked the applicant to begin his presentation.

Mr. Flaiz entered the meeting at 7:32pm.

Mr. Balunek said they have taken over a former law office and are converting it into his office for his safari business, and it will also be an art gallery named Wildscapes.

Mr. Porter noted that the business meets current zoning per the zoning inspector, and asked board members if they had any questions for the applicant. Mayor Koons asked if he was planning on holding any gatherings. Mr.

Balunek said the main use of the space will be to have people come in and talk about safari trips. He plans on having a grand opening party and he may have an artist welcoming reception, as well as a few impromptu presentations on a consistent basis, for people to view photos of a recent safari trip. He said the office space is only 950 square feet, but the gatherings can extend into the atrium area of the building to better accommodate guests. Mayor Koons noted he has been allotted 3 parking spaces, and Mr. Balunek said he got lucky.

Mr. Porter asked board members if there were any further questions. Hearing none, he made a motion to approve. Mr. Bruhn seconded. On roll call vote, the motion carried unanimously.

Mr. Balunek thanked the board.

Mr. Porter asked Mr. Flaiz to take over.

Agenda Item 2

PC Case #24-15: Mr. Richard Gofman of Zenith Systems LLC, and Mr. Allan Balaara of CCF, applicants for CCF Chagrin Family Health Center located at **551 East Washington Street**, are seeking permission to install three new Blink EV chargers in the parking lot.

Mr. Flaiz asked the applicants to begin their presentation. Richard Gofman introduced himself as a professional engineer who works for the contractor and would be representing Zenith Systems. He said as many people know, electric vehicles are becoming more and more popular. The Cleveland Clinic has engaged Zenith Systems and other contractors to install EV chargers across Ohio and Florida. Mr. Gofman said one of the most important things the Clinic would like to do is to bring the chargers to all their smaller campuses, like the one at the Chagrin Family Health Center on East Washington Street.

He referred to the drawings that had been submitted, along with photos depicting how the project would look at the site. The project would include the installation of a fire extinguisher, the three EV chargers, as well as the service setup. Mr. Gofman said they would be planting 5' arborvitae trees around the service to hide it. He said the yellow bollards would be installed to protect the service from cars hitting it, and the middle bollard would house the fire extinguisher. He pointed out the ADA accessible spot, and that each charger would be able to charge two cars at a time.

Mr. Gofman referred to the media screen, which displayed photos of the area that show how the installation would be hidden from the neighboring properties. Mayor Koons asked if six charging stations were too many for the neighborhood. Mr. Gofman said when installing a service, you want to make sure there is an ability to expand. Many times, if a parking lot is full, people will just park in the spaces dedicated to EV charging. It's a huge service for somebody just to be able to pull into the next available EV charging spot. It is also helpful that there are handicapped accessible spaces, should that be needed. He said the ADA spaces are in addition to what is required for the parking of the building.

Ms. Budoff said the spaces are quite far from the building. She said that parking can be a problem there and asked who would be responsible for policing the area so that the spaces stay available for EVs. Mr. Gofman said it would be first come, first served, and that a non-EV would not be given a ticket if they parked there.

Mayor Koons asked if theft or vandalism has been a problem at other charging stations. Mr. Gofman said some inner-city stations have been vandalized, although it is rare. The stations do not have a significant source of electronics to be stolen.

Mayor Koons asked about plowed snow. Mr. Gofman said the snow would be cleared from the area without issues.

Mr. Porter asked if the Clinic would be charging a fee for the EV charging service. Mr. Balaara said there is a fee, and it is charged through a credit card, or the app. Mr. Porter asked how long it would take for a vehicle to get a full charge. Mr. Gofman said since they are level 2 chargers, it would take about a few hours. They offer faster charging options at gas stations, but this would be a service for the community if there is a need.

Mr. Flaiz asked if there were situations when non-patients, but just members of the public, would be utilizing these stations. Mr. Balaara said yes. Mr. Flaiz said he feels this may be a zoning issue, since these would be for-profit charging stations, and they are in an area zoned for a medical building. Although these stations may not be very profitable, it would still be outside of the scope of the use for this particular parcel, which is zoned for a medical building. Mr. Gofman said part of the services provided by this type of building include vending machines with cafeteria-type options. One could say that the vending machines could also be considered a for-profit use, but that is not the use, but rather a small and minor ancillary use which falls under the main use of the non-profit. Mr. Gofman said in his experience, this type of amenity is available across the spectrum at public hospitals and public buildings. He said one day there may even be charging stations at Village Hall. He feels it is not really a sales type of thing, just an ancillary part of serving the public, which, from his experience, is how it is typically viewed.

Mr. Flaiz said serving the public is different than serving your customers. Having a vending machine offering snacks or coffee for the patients is different because it falls within the scope of what the parcel is being used for. By installing the EV charging stations, they would be operating a completely separate business in the parking lot, that would be open to people who aren't patients at the medical building. Mr. Balaara said the intent is for the stations to be used by caregivers and patients who come to the facility. If it happens that other people use them, they do not have any control measures for those instances. Mr. Balaara provided an overview of the general goals of the Cleveland Clinic as it relates to the EV charging stations. He added that the Clinic has been awarded a grant from the Ohio EPA for this installation.

Mr. Gofman said there would be no advertising of the charging stations, and that it wouldn't be able to be found online. Ms. Budoff said there are several office buildings within walking distance that do not have charging stations. She asked if these stations would have parking meters with time limits or could someone just pay and charge there all day. Mr. Balaara said he is not sure what control measures these stations would have in place. Mr. Gofman said they don't typically see that people are abusing the systems. Ms. Budoff said there are not that many in town, and if someone were to park at the Clinic all day and walk to their place of work, it may be less expensive for them than to charge the vehicle at their home. She said she understands they are not advertising the stations, but because they are so close to the street and very visible, that is advertising in itself. She said those are her concerns, along with the responsibility of monitoring. She asked if the Clinic security department would monitor the area or would it be asked of the South Russell Police to do so. Mr. Balaara said the Clinic would provide the security.

Mr. Flaiz said the other issue he has with these charging stations is the placement of them on the property. The proposed placement may be the best location for running power, but to install these rear facing electronic boxes right off the road would greatly detract from the nice curb appeal the Clinic has created and maintained at this property over the years. He said there are two separate issues here, the first being that the project may be outside the scope of the permitted use for the building, and secondly, he would like to see the charging stations installed

closer to the building or on an internal traffic island, to lessen the negative impact on the currently very attractive curb appeal. The Clinic has installed a very beautiful sign, the grounds are nicely manicured, and the building is always kept up well. He has never heard any complaints about the Clinic, they have always been a class act. Mr. Flaiz said he does not like the proposed location of the charging stations and the unattractive electric box at all.

Mr. Porter asked the applicants if these charging stations would be more of a convenience to their patients, rather than a money-making operation. Mr. Gofman said he's not sure if much money, if any, would go back to the Cleveland Clinic. The installation would be to provide a service that people are constantly requesting, and there is no doubt a need for it. More and more people are buying electric vehicles and seeking workplaces that have the amenities that they need.

Ms. Budoff referred to a Google earth image on the media screen and indicated a parking area in the rear of the parcel that she thinks would be a better location, since it is much closer to the building and far enough away to not be seen from the street and less enticing for the public to use. Mr. Flaiz agreed. She asked if that option had been considered. Mr. Balaara said they could explore that option, although the proposed placement was chosen to make it visible and project the Clinic as a supporter of sustainability. Ms. Budoff said after looking at the distance one would have to go to reach the building, she doesn't think many handicapped people in EVs would appreciate having to go that far of a distance to a medical facility.

Mr. Flaiz said he is struggling because he feels like their proposed placement is designed for advertising and virtue signaling for sustainability vs considering curb appeal, not enticing the general public to use it, and some practical issues of where it really should be placed.

Mayor Koons said he is fine with it. It's three black poles, situated in a corner, and the electrical box would be covered. He likes the idea.

Mr. Flaiz asked Mr. Hocevar if he sees any zoning issues with the proposal. Ms. Matheney said the district is zoned as B-3, which is medical services. This includes inside retail but does not allow outside retail. Mr. Flaiz said he feels they need a zoning variance before the Planning Commission reviews it.

Ms. Budoff asked who owns the charging stations. Mr. Balaara said they are owned by Blink. Mr. Flaiz asked if the Clinic would be paid a royalty or a percentage of the profits. Mr. Balaara said the project is funded by the Ohio EPA and Blink is also funding a portion of it. The Clinic has no financial commitment. Any revenue will be shared 60/40 between Blink and the Clinic. The Clinic would be responsible for providing and maintaining the fire extinguishers. Mr. Flaiz asked if the Ohio EPA grant requires these facilities be open and available for public use, and not restricted to patient and customer use. Mr. Balaara said they do not require that, but they do require the placement to be easily accessible. Mr. Flaiz said that would be encouraging the public to use it. Mr. Balaara said that may be what is implied.

Mayor Koons asked Mr. Balaara if they had any theft, vandalism or complaints at their other Cleveland Clinic locations. Mr. Balaara said they have not had any complaints.

Mr. Flaiz said he is not opposed to charging stations themselves. The City of Chardon installed two of them for four spots, but he only ever sees one of them being used. He agrees that in the future they will be useful, and he doesn't want to give the impression that he is against the concept. He does not want to give free rein to anyone

to have a third-party vendor come in with a profit-sharing agreement and open up a use to the public that is not permitted under South Russell zoning. He thinks it's a huge can of worms.

Ms. Budoff referred to the photos of sample installations and asked where they were located. Mr. Balaara said they are on other Clinic properties. Mr. Bruhn noted that the photos show the stations on an internal road of the parking lot, not front and center and visible from the street. Ms. Budoff asked which Clinic property the photos were taken from. Mr. Gofman said he is uncertain. They are currently installing these stations at seven different properties, but it is another suburb.

Ms. Matheney referred to the zoning code and said she believes this would be considered retail, and it would not be permitted in a medical district. Mr. Flaiz noted that Panini's could put them in their lot without a problem. He said if the stations were in the Village Hall parking lot, he would not have an issue with it.

Mayor Koons asked what would have to be done to make this happen. Ms. Matheney said they would have to obtain a Use Variance from the BZA, or the Clinic could choose to initiate a zoning amendment. Mr. Porter said although it's ancillary to what they do, and primarily a convenience for their patients, and they wouldn't be opening it up as a public charging facility. Mr. Flaiz said it would absolutely be opened to the public, as the applicants stated earlier. Mr. Porter said they wouldn't be directing people to it. Mr. Flaiz said they are required to install these stations in a highly visible area, and that is so the public could see them.

Discussion followed regarding details of what would be permitted in a medical district, and the necessary steps required for the project to be approved.

Mr. Flaiz made a motion to table the submission until the applicants obtain a zoning variance. Mr. Porter seconded. Mr. Flaiz asked if there was any further discussion. Mr. Bruhn said he thinks it would better if the charging stations were situated to be not quite so visible from the street. There are a number of other options on the site. Mr. Flaiz said the applicants have presented a very professional, complete, and detailed submission, and one of the best he has seen. He complimented Mr. Gofman and Mr. Balaara on the renderings and their entire presentation of the project and wanted to make it clear that their decision to table the submission is not a reflection on their work. Mr. Flaiz asked for roll call on the motion to table. On roll call vote, the motion carried unanimously.

Mr. Flaiz advised the applicants how to proceed in order to obtain a variance. Mr. Balaara asked when the next Board of Zoning Appeals meeting would be held. Mayor Koons said they meet next on November 20th. Mr. Balaara said they had committed to a timeline to begin the project by the end of October. They must apply for an extension and see if it would be granted.

Mr. Flaiz suggested rescheduling the next Planning Commission meeting to November 21st, the day after the BZA meeting, to better accommodate the applicants. Mayor Koons said he will be unavailable on that date, but they have alternates to call on. Other board members said they would be able to make the meeting on November 21st. Mr. Flaiz asked Mayor Koons if he would be okay with not being able to attend. He said otherwise, they would have to wait until the Planning Commission meeting on December 12th. Because the Planning Commission tabled it, if they get a variance from the BZA, they could appear at the Planning Commission the next evening. He said if a variance is obtained, he would feel somewhat differently about the project, although he still does not like the proposed location.

Mayor Koons made a motion to move the Planning Commission meeting from November 14, 2024 to November 21, 2024. Mr. Porter seconded. Mr. Flaiz asked for any further discussion, and hearing none, asked for roll call. On roll call vote, the motion carried unanimously.

Mr. Flaiz told the applicants that since the Planning Commission has now moved their meeting date, if they are able to obtain a variance from the Board of Zoning Appeals on November 20th, they could return to the Planning Commission the next evening. The applicants thanked the board.

Mr. Flaiz said the next item for review is under **Old Business: Traffic circulation, parking plan and fire lane discussion for Industrial Parkway**. He referred to the drawing submitted, noting it is labeled as a landscape plan, but is actually a parking plan. It is indicating the number of parking spaces and a fire lane. He asked Mr. Hocevar to tell the board about the plan.

Mr. Hocevar said he met at the site with the property manager and Fire Inspector. They went through the code requirements pertaining to parking spaces and fire lanes, and asked them to submit a plan, to be approved by the Planning Commission. Bobby Vallarelli, property manager for 477 Industrial Parkway, said they were able to get the code complying plan drawn out for them by Steve Ciciretto. Mr. Hocevar said the number of parking spaces line up with what is required by the square footage.

Mr. Flaiz said the parking plan is very well done. He asked Mr. Hocevar if both he and the Fire Prevention Officer have seen and approved the plan. Mr. Hocevar said yes, that is correct. Ms. Budoff asked if the plan has anything to do with the Hawaiian Guys building. Mr. Flaiz said no. He commended Mr. Vallarelli for taking care of this request in a timely manner for 477 Industrial Parkway. He said as chair of the Planning Commission, he has been in communication throughout the month with Ruth Griswold at the Building department. The owner of 576 Industrial Parkway has made a few attempts to draw a parking plan that would be approved, and he was trying to get it in before the deadline. Mr. Flaiz said he told Ms. Griswold that even if they submit something the night before the meeting, he would be willing to have the board at least talk about it at tonight's meeting. Mr. Hocevar said that Mark Derry did submit something this afternoon, but it is still not right. He met with Ms. Matheny to go over the code and requirements and hopes to receive a plan from Mr. Derry that could work. As of now, the parking plan for 477 Industrial Parkway complies with the code, and the one for 576 Industrial Parkway does not. Mr. Flaiz said hopefully they will have something for the board to review by the next meeting on November 21st.

Mr. Flaiz thanked Mr. Vallarelli and said he appreciates him jumping on this request when it wasn't even primarily their issue.

Colleen Truax asked if the parking spots were 9'. Mr. Vallarelli said yes, they are 9x18, and that he would provide her with an accurate drawing. Ms. Truax said by their side door there is a concrete driveway, with a nice entrance and there is a nice pathway. She said in Suite C, it is not like that and that caused problems with the previous tenant. She would sometimes have a car blocking her doorway. She said she has a picture of that. The other problem that Suite C would have is when CrossFit would use the parking lot as an extension of their gym, which created hazardous situations. Ms. Truax said the reasons why Suite C left are not being addressed by this parking plan. She went on to say that she was wondering if CrossFit would be required to park in the back, or will they continue to be allowed to park in the spots by their business, so that their patients have to park in the back.

Mr. Flaiz said the Planning Commission, within the confines of the parking that is allotted for 477 Industrial Parkway, cannot dictate which tenants are parking where. That is strictly a landlord and tenant issue. He said the parking plan shows proper clearances between the east side doors and the parking area. He really likes the fire lane being striped and marked. Ms. Truax questioned the doors having proper clearances. Mr. Flaiz asked Mr. Hocevar if the plan is in compliance. Mr. Hocevar said they went through everything with the property manager and the Fire Marshal, who was satisfied with the plan.

Mr. Flaiz made a motion to approve the parking plan set forth here for 477 Industrial Parkway. Ms. Budoff seconded. Mr. Flaiz asked for any further discussion, and hearing none, he asked for roll call. On roll call vote, the motion carried unanimously.

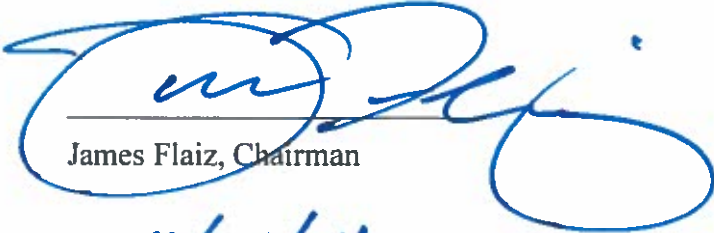
Mr. Flaiz asked for any other Old Business or New Business.

Under **New Business**, Mr. Hocevar said at the next meeting, the Police Department would like the Planning Commission to review the drawings for the Drone Vehicle garage.

Mr. Flaiz said he has been made aware that Lopez will be relocating to the former Flip Side location in Chagrin Falls, and that he plans to use the current location as an event space. He asked Mr. Hocevar if he had heard anything from Mr. Friedlander. Mr. Hocevar said he had only heard rumors. Mr. Flaiz said Mr. Friedlander was quoted as saying such in an article on Cleveland.com, and that the new location would have a third more seats than the current location. Mr. Flaiz said if he is going to start having wedding receptions at his East Washington location, it would be a lot different than having staggered dinner seating. Mr. Hocevar said Mr. Friedlander knows he must go through the Village before doing anything. Mr. Flaiz said it would be a shame to lose the restaurant, and he thought he was doing well. Ms. Budoff said he also opened up Goodfellas, which is right down the street from the new location, and they may get more traffic in that area as well. She said the night he opened Goodfellas, she went to Lopez, and the crowd was pretty thin. Mr. Flaiz said it is a very cool space and would be a shame to have an empty storefront. Mr. Flaiz said Violante's still owns the property and the liquor license.

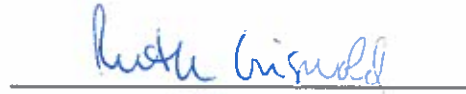
Mr. Flaiz asked if there was any other **New Business**. He wanted to mention that the new parking improvements that were recently completed at Gurney Elementary turned out so nice and are working very well. He said it is a major improvement, and he can't say enough good things about it. His only regret is that he wishes they would have taken care of the upper area, but he understands there is only so much funding available at a given time. Ms. Budoff asked if the improvements were meant to alleviate school-related traffic on Bell Road. She is in the area on Friday mornings, and there is still a horrible traffic problem. Mr. Flaiz said the traffic flow in and out of the school at peak times will always be there, but the improvements to the school parking lot, the addressing of the safety concerns and the new lighting have all been amazing improvements, and it has all turned out so much better than he could have imagined. He said he also drove through there after a recent significant rainfall and checked out how the detention basin was filling up due to their stormwater management improvements, and it was working as promised, which is another improvement. They really did a very nice job.

There being no further business, Mr. Porter motioned to adjourn the meeting at 8:23pm. Ms. Budoff seconded. Ayes all, the motion carried.



James Flaiz, Chairman

11/21/24
Date



Ruth Griswold, Board Secretary

11-21-2024
Date



Village of South Russell

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

PLANNING COMMISSION MEETING MINUTES November 21, 2024 at 7:30PM

Members Present: James Flaiz, Chairman, Mark Porter, Phyllis Marino, Elisa Budoff, Greg Bruhn

Member Absent: Mayor Bill Koons

Other Officials: Chris Elko, Solicitor; Dave Hocevar, Building Official; Ruth Griswold, Board Secretary

Visitors: Stephen Ciciretto, 270 Park Place; Police Chief Mike Rizzo; Sgt. Nick Divita

Meeting called to order by James Flaiz at 7:30pm.

Ruth Griswold conducted roll call.

Mr. Flaiz said the first order of business is to approve the minutes from the Planning Commission meeting on October 10, 2024. He asked for any additions or corrections. Hearing none, he asked for a motion to approve. Mr. Bruhn motioned to approve. Mr. Porter seconded. There was no further discussion. On roll call vote, the motion carried unanimously.

Agenda Item 1

PC Case #24-16: Police Chief Mike Rizzo, applicant on behalf of the Village of South Russell, is seeking approval to have an accessory structure built to accommodate a drone vehicle at the Police Department located at **1228 Bell Road.**

Mr. Flaiz said board members were given a tour of the drone vehicle before the meeting and asked Chief Rizzo to begin his presentation. Chief Rizzo said they have been the fortunate recipients of two donations. Sgt. Nick Divita is the current commander of the team, and he has family members who own several car dealerships down south. The family member learned that the department needed a vehicle after hearing that officers were running the UAS team out of their personal vehicles. The donation last year was used to purchase the vehicle that the board just toured. He said this year she gave the department another donation to protect the investment and build the garage, and they will also get a few more years of life from the vehicle if it is protected from the elements. He went on to say that the equipment inside the vehicle must be kept in a temperature-controlled environment.

Mr. Flaiz asked Ms. Griswold if the garage was granted the necessary height variance at the Board of Zoning Appeals the pervious evening. Ms. Griswold said yes, they did receive approval for the variance. Mr. Flaiz asked about the Architectural Review Board. Mr. Hocevar said that is the next meeting they will appear before.

Mr. Flaiz asked board members if they had any questions. Mr. Bruhn asked if the building would have a heating and cooling system. Chief Rizzo said yes, a mini-split system will provide both. Mr. Flaiz asked how far from the police station building the garage would be located. Chief Rizzo said it will be 20' from the station and lined up with the western edge of the building. Mr. Flaiz said you will have to go outside to access it. Chief Rizzo said yes, it will have a man door and a 12' overhead door to accommodate the vehicle. The garage would be located behind the police department building, along the side of the driveway.

Mr. Flaiz asked him what their timeline was. Chief Rizzo said as soon as they have all board approvals, the department would be ready to accept bids. He is hoping to break ground as soon as possible. Mr. Flaiz said that would be a good winter project.

Mr. Bruhn asked if there would be room for anything else in the garage. Chief Rizzo said the garage would accommodate the vehicle and extra storage shelves. He said they want to allow clearance that would enable having all the doors opened while the vehicle is inside the garage. Mr. Flaiz said he realizes the department has limited space, and the extra storage will be good for them. Chief Rizzo said if they receive another donation, they would like to connect the two buildings and add a training room and restroom facilities.

Ms. Marino said the department seems to be leading the way with the drones. Chief Rizzo asked Sgt. Nick Divita to talk about the recent mission involving the Secret Service. Sgt. Divita said the Secret Service had reached out to the department, knowing what their capabilities were. They said the Vice President and Governor Walz were giving speeches at the Convention Center. The department provided all the overwatch for the Secret Service with their drone vehicle as the planes flew into Cleveland Hopkins Airport. The Secret Service saw the department's capabilities and were stunned, thrilled and pleased with them. They expressed an interest in training with the department and possibly using the department more because of their skills,

and to utilize the streaming service and satellite system. Chief Rizzo said they have the Starlink satellite system in the truck, which has the ability to send a link to other law enforcement agencies to monitor the video. Anytime the SWAT team gets deployed, the drone vehicle also goes out with them. The department also has an indoor drone that can go into a building to ensure that it is safe before the team enters. Mr. Flaiz said he has seen a few of those situations, and being able to send the drone in to assess the danger level was very valuable. Chief Rizzo said the South Russell Police has offered their assistance to other police departments with their drone to provide intel. Mr. Porter said this is an important investment, and the garage would protect the vehicle by keeping it enclosed.

Mr. Flaiz asked board members if there were any further questions. Hearing none, Mr. Porter made a motion to approve. Mr. Bruhn seconded. On roll call vote, the motion carried unanimously.

Mr. Flaiz thanked the applicants, and Chief Rizzo thanked the board for their time and consideration.

Agenda Item 2:

PC Case #24-17: Mr. Steve Ciciretto, applicant on behalf of property located at **539 East Washington**, owned by RTB Partners Ltd, is seeking approval for the construction of two additions to the commercial property.

Mr. Ciciretto handed board members supplemental plans which included an aerial view and a better perspective of the 539 East Washington building. The site plan displayed on the media screens was the original site plan from 38 years ago. He went on to describe the many changes the area has been through in the past decades, and eventually the entire property was integrated into one parcel, leading him to his current proposal. Mr. Ciciretto is proposing small additions to the east and west sides of the building. He said they were granted the needed variances at the Board of Zoning Appeals at the meeting last night. He referred to the document outlining the parking breakdown. He said he realizes there are parking issues in the area, but they have ample parking at this site, and even more so since the engineering firm moved out.

Mr. Flaiz asked how many square feet would be added to the building. Mr. Ciciretto said the small additions would both equal about 1200 square feet. Mr. Flaiz said this project is more of a reconfiguring. Mr. Ciciretto agreed, and said originally the building was two houses, with things having been added over the years.

Mr. Bruhn asked if anything was being demolished. Mr. Ciciretto said the walls will be torn down and rebuilt to have better framing and insulation, which will make it more energy efficient. Mr. Porter asked if the Architectural Review Board has seen the proposal yet. Mr. Ciciretto said no; their intention was to secure the necessary developmental approvals prior to creating full construction drawings and appearing before the ARB.

Mr. Flaiz complimented Mr. Ciciretto on his work, and said he always does a nice job on his projects. He said this is one of those buildings that you don't really notice, and when he drove by the building, it was apparent that it had been pieced together in the past. He absolutely loves the design of the proposed finished look with the additions and upgrades. He said this will be a huge improvement, and gives credit to the owner, because for a fairly marginal square foot increase, the look of the building will be dramatically improved. Mr. Flaiz went on to say that this week, having had a half day off, he was able to visit various properties in the Village around noon. He doesn't often get the opportunity to do so. He was surprised at the unused parking at this site, as it looked to be at about 30% of the spaces were being used. He asked Mr. Ciciretto if the building had a lot of available occupancy. Mr. Ciciretto said the building is fully occupied, and they just have an overabundance of available spaces. He said they have never had parking issues, which has been one of their selling points. It is an attractive office area if you want to be close to Chagrin Falls, and not have any parking headaches. Mr. Flaiz said the property is very well maintained, and he is happy they are in the Village. He asked board members for any other comments or questions. There were none. Mr. Flaiz asked Mr. Hocevar if there were any issues from his standpoint. Mr. Hocevar said since the zoning variance was granted, everything complies with the codes.

Mr. Flaiz asked for a motion from board members. Ms. Budoff motioned to approve the additions as presented for 539 East Washington Street. Ms. Marino seconded. Mr. Flaiz asked for any discussion on the motion. Hearing none, he asked for roll call. On roll call vote, the motion carried unanimously.

Mr. Flaiz thanked Mr. Ciciretto and complimented him again on his work. Mr. Ciciretto thanked the board members for their time and consideration.

Mr. Flaiz asked for any **Old Business**. There was none.

Mr. Flaiz said for **New Business**, he wanted to briefly mention that recent research of records has shown that a tenant on Industrial Parkway has not yet been to the Planning Commission for approval. He asked if there were any possible applicants, other than that, for December. Mr. Hocevar said he has been told that Panini's will close on November 30. Mr. Flaiz said he had heard that as well, and that Tavern 6 bought the restaurant. Mr. Hocevar said that is correct. Mr. Flaiz said he was surprised, because he didn't think Panini's had been struggling. Mr. Hocevar said he believes it was something internal. He said he called Panini's, spoke to a manager, and let them know the new owners must appear before the Planning Commission. He doesn't know if the business or the building was bought, and he's waiting for a return call on that. Mr. Flaiz asked when Tavern 6 is planning to open. Mr. Hocevar said he has been told it would be after the first of the year.

Mr. Flaiz asked about the status on Lopez. Mr. Hocevar said he spoke with Brad Friedlander about his plans, and he wants to have private events at the site, within the occupancy limits. Ms. Griswold said Mr. Friedlander told them the valet was costing too much, and he thought private parties would be a good fit. He said he has done that in the past at this site, and the parties are never more than 40 people.

Ms. Budoff asked about the status on the proposed EV charging stations that was tabled in October. Mr. Flaiz said they withdrew their application and asked Ms. Griswold if it was because they needed a variance. Ms. Griswold said when they notified the Village, they did not give a reason for their withdrawal.

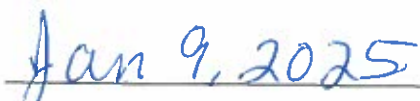
Discussion followed regarding ongoing issues at the Industrial Parkway site. Mr. Flaiz said he drove back there, and the No Parking signs are an improvement, which allows emergency vehicle access. The area still needs attention. The rear parking lot is a mess, and half is gravel. He doesn't think they have enough clearance to provide an adequate parking area. Mr. Hocevar said he does not have sufficient parking, and Mr. Derry was told he must appear at the Board of Zoning Appeals to obtain a variance.

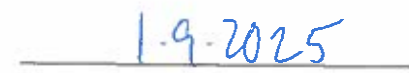
Mr. Flaiz said he is inclined to cancel the December meeting, and that they could always call a Special Meeting, if need be, as he wouldn't want to hold anybody up. Discussion followed and all board members agreed. Mr. Flaiz asked for a motion to cancel the December meeting. Mr. Porter motioned to cancel the December meeting. Mr. Bruhn seconded. Mr. Flaiz asked for any further discussion or comments, and hearing none, he asked for roll call. On roll call vote, the motion carried unanimously.

There being no further business, Mr. Flaiz asked for a motion to adjourn. Ms. Budoff motioned to adjourn the meeting. Ms. Marino seconded. Ayes all, the motion carried and the meeting was adjourned at 8:03pm.


Chairperson


Ruth Griswold, Board Secretary


Date


Date