

**CITY OF HUDSON
PLANNING COMMISSION
REGULAR MEETING OF JULY 14, 2014
7:30 P.M., TOWN HALL**

MINUTES

CALL TO ORDER

The Chair, Mr. Mulligan, called to order the Regular Meeting of the Planning Commission of the City of Hudson at 7:30 p.m. in Town Hall, 27 East Main Street, Hudson, Ohio.

ROLL CALL

Present: Mr. Anglewicz, Mr. Chuparkoff, Mr. Harvie, Mr. Kagler,
Mr. Wolenski, Mr. Mulligan

Absent: Mrs. Barone

Officials Present: Mark Richardson, Community Development Director;
Greg Hannan, City Planner; Aimee W. Lane, Assistant City Solicitor

OATH OF TRUTHFULNESS

Mr. Mulligan, the Chair, placed everyone under oath who would be giving any testimony during the meeting.

PUBLIC HEARING

**CASE NO. 2014-16, SITE PLAN REVIEW, DEMOLITION OF STRUCTURE AT 5122
DARROW ROAD**

Mr. Hannan reviewed the staff report.

Brad Nelson, 67 S. Hayden, Hudson, Ohio 44236, representing Coer Properties LLC, 2972 Telber Court, Stow, Ohio 44224, applicant and property owner, said that the demolition of the structure would allow development of the 10 acre parcel behind 5122 Darrow Road. He said that Coer Properties LLC has determined over the course of several years that 5122 Darrow is economically infeasible; that it offers no architectural significance; and that the property owners would like the opportunity to preserve and enhance the remaining 10 acres.

In response to questions asked by Mr. Anglewicz, Mr. Nelson stated that the structure at 5122 Darrow Road is located on a separate parcel and that its use most recently was residential. He indicated that the size of the structure at 1100 sq. ft. does not offer the space that attracts businesses. Mr. Anglewicz noted that the staff report indicates the structure at 5122 Darrow Road has a total square footage of 1752 sq. ft. Mr. Hannan verified the square footage as stated in the Summit County Auditor's records. Mr. Nelson described structures to the south as being fully occupied and economically feasible. Mr. Anglewicz asked what the intended use of the property would be if the

structure is demolished. Mr. Nelson said that landscaping would be installed to make the property more attractive for tenants in nearby structures.

Mr. Kagler stated that he thought Mr. Roth's feasibility study provides an excellent study of the facts regarding the current condition of the building, the cost it would take to restore, repair or upgrade the building to current standards and habitability, and that the cost is higher than the amount listed as the appraised amount on the parcel card. He said that just because it would cost more to renovate, upgrade and restore a building than its worth on the parcel card does not determine infeasibility. He suggested that an additional feasibility study would be advisable. He suggested that the current feasibility study does not demonstrate that the building is infeasible for the purpose that it is zoned.

Mr. Harvie stated that although he agrees with Mr. Kagler's comments, he will support the decision of the Architectural and Historical Board of Review.

Mr. Wolenski asked Mr. Nelson for more information regarding the flooding that occurred within the structure. Mr. Nelson said that frozen pipes were the source of the flooding in late December, 2013. Mr. Wolenski asked if an insurance claim had been filed. Mr. Nelson confirmed that the claim process has begun.

Mr. Chuparkoff said that information provided by staff seems to indicate that the criteria for feasibility is driven by whether or not it is economically infeasible to renovate or rehabilitate a structure, and the letter from Mr. Roth seems to address that particular issue. Mr. Chuparkoff stated that while he respects Mr. Kagler's comments, the review criteria has been met by the feasibility study, the AHRB has made its decision, and the staff has made a recommendation. He said that he thinks the property owner should be able to raze the building as he is requesting.

Mr. Mulligan opened the discussion for public comments. Julie Ann Hancsak, 60 Division Street, Hudson, Ohio 44236, on behalf of the Hudson Heritage Association, voiced concern regarding the intent to demolish an historic structure, feeling that it sets a dangerous precedent for the entire community and does not want an historic structure to be razed without thorough consideration of the implications. She stated that the Hudson Heritage Association asks that the possibility of demolition by neglect be prevented. Mrs. Hancsak proposed a second opinion study so that a more thoroughly informed decision is made. She stated that the Hudson Heritage Association would like to engage the services of the Cleveland Restoration Society, an agency specializing in historic structures, to assess the condition of the structure and its place among the Darrowville grouping of buildings.

Mr. George Roth, 105 E. Streetsboro Street, Hudson, Ohio 44236, stated that as a past member and chairperson of the Architectural and Historical Board of Review and past member and president of City Council, he fought to retain historic structures that were economically feasible and viable and that should be retained in the community. He reiterated that the structure at 5122 Darrow Road is not viable. Regarding the AHBR's

review and approval, he noted that an engineer and two registered architects on that board supported Mr. Roth's findings as stated in his letter dated February 12, 2014. He stated that the landlord had not been neglectful regarding the upkeep of the structure, but that major damage occurred last year that could not be fixed quickly, easily or cheaply.

Virginia Rogers, 175 Aurora Street, Hudson, Ohio 44236, a current resident and former member of the Architectural and Historic Board of Review, expressed her disappointment that the AHBR did not choose to ask for a feasibility study to be completed. She asked that the Planning Commission consider this an opportunity to hire someone who has the expertise in historic buildings to complete a feasibility study.

Mr. Mulligan closed public comment.

Mr. Kagler asked staff if the AHBR was made aware of the feasibility study that was done by the Cleveland Restoration Society previously. Mr. Hannan said that staff had not referenced it, but Mr. Richardson said that AHBR members were aware of the study. Mr. Kagler inquired as to what was invested in the structure in previous years to maintain it. Mr. Nelson answered that during the time of his involvement, interior work was done in the upstairs kitchen area, living area, rear porch and that a new water pump was installed. Mr. Kagler commented that there are no criteria for a feasibility study in the Land Development Code. He said that owners of historical properties may say that it costs more to maintain those properties than non-historical properties, and they might also say it costs more to maintain them than they are worth. He said that he thinks that cost comparison should not be the standard of review. He said he supports taking time to seek additional information in order to make a more informed decision.

Mr. Anglewicz stated that he felt that there was insufficient information on which to base a decision and that he could not support a demolition at this time.

Mr. Harvie said that he does not think that just because something is old, that it is necessarily worth saving. He said that whether this particular building is worth saving because of its age, would best be determined by experts. He also suggested that the City of Hudson needs to address with more specificity the issue of what criteria should be used in this type of review.

Mr. Chuparkoff said that he was supportive of the suggestion that the Hudson Heritage Association be given the opportunity to present more detailed information.

Mr. Mulligan said that he thinks a feasibility study can consist of an economic analysis of demolition versus restoration as is found in Mr. Roth's report. He said what is not referenced is the economic infeasibility experienced in trying to lease the building. Mr. Mulligan asked Mr. Nelson what efforts have been made to sell the property. Mr. Nelson stated that the property is not for sale. The "For Sale or Lease" sign Mr. Mulligan referenced is for the barn to the rear of the property. Mr. Mulligan asked if there have been constant ongoing efforts to lease the structure at 5122 Darrow Road.

Mr. Nelson said signage and brokerage services have been consulted to market the structure, but that leasing has been met with great difficulty. Mr. Mulligan asked Mr. Nelson if 5122 Darrow Road has a negative impact on potential and current occupants of adjacent structures. Mr. Nelson said it does make leasing more difficult.

Mr. Kagler said that the Land Development Code does not give proper guidance regarding the makeup of a feasibility study and that the Code does need to be revised. He said that he would like to access the information that Del Campbell gathered for the Hudson Heritage Association in the 1990's regarding all of the buildings in Darrowville and their historical significance. He stated that there are many ways to evaluate the historical significance of a structure.

Mr. Roth reiterated that the current review criteria is whether or not the structure is economically feasible. Mr. Mulligan stated that the AHBR weighs in regarding the architectural significance, but that the Planning Commission has the ability to request more information as to what may or may not be considered an incomplete analysis of economic feasibility.

Mrs. Lane said that when considering a decision such as this, the decision will be judged on a reasonableness standard.

Mr. Nelson asked who would pay for a feasibility study if one was requested. He also asked whether the Cleveland Restoration Society has the credentials to evaluate economic feasibility. Mr. Richardson said that the Cleveland Restoration Society would be considered qualified in conducting historic preservation assessments.

Mr. Kagler moved that the Planning Commission continue this application until the September 8, 2014 meeting, to allow the following to take place:

1. A study by Cleveland Restoration Society or a similarly qualified entity regarding the economic feasibility of renovation, relocation and/or reuse of the building located at 5122 Darrow Road.
2. Provision to the Planning Commission of past studies including the study by Del Campbell and the past Cleveland Restoration Society study, regarding the historic significance of this building as well as those in the Darrowville area.
3. Documentation of and quantification of the efforts by the applicant and owner to maintain the building and property during its period of ownership including funds spent and work completed.

Mr. Anglewicz seconded the motion.

Mr. Harvie commented that he thinks the Commission should have acted on the staff's recommendation.

Mr. Mulligan raised the question as to who would pay for an additional feasibility study. Mr. Kagler asked Mrs. Hancsak if the Hudson Heritage Association might pay for the study. Mrs. Hancsak indicated that they would be willing to absorb the cost. Mr. Richardson said that if the motion passes, staff would contact the Cleveland Restoration Society to inquire what the cost might be and will coordinate with Hudson Heritage on the arrangements.

Roll Call

Aye: Mr. Kagler, Mr. Anglewicz, Mr. Wolenski, Mr. Chuparkoff,
Mr. Mulligan

Nay: Mr. Harvie

The motion carried.

At 8:55 p.m. Mr. Mulligan stated that the Commission would take a five minute recess, reconvening at 9:00 p.m.

CASE NO. 2014-13, SITE PLAN REVIEW, 2400 SF BUILDING AT 75 SOUTH MAIN STREET

Mr. Hannan reviewed the staff report.

Mr. Duane Hills, 2174 E. Streetsboro Street, Hudson, Ohio 44236, applicant and property owner of 65 S. Main Street and 85 S. Main Street said that 75 S. Main Street will be included in the easement shared by 65 and 85 S. Main Street.

Mr. John Toomey, 3922 Clock Pointe Trail #103, Stow, Ohio 44224, architect and land planner of the project, said that all of the items found in the staff's recommendations are acceptable. He stated that the comments regarding requirements from the City Engineer, Thom Sheridan, are also acceptable. Regarding the lighting plan, Mr. Toomey said that there is existing lighting on the site and that the only lighting being added are three additional lights on the building itself. Mr. Toomey said that there should be no issue regarding photometrics because lighting exists there currently.

Mr. Harvie asked Mr. Hannan if the City Arborist had any comments regarding landscaping. Mr. Hannan said that landscaping is still under review, although the arborist was involved in early discussions regarding the property.

Mr. Kagler asked if the five additional parking spaces are actually needed. Mr. Toomey stated that the parking spaces are definitely needed to support the tenant. Mr. Kagler expressed concern regarding the location of the dumpster. He asked if a single dumpster enclosure with gates could be located near the lot line between the two properties. Mr. Toomey pointed out to the commission a location behind 75 S. Main Street not visible from Darrow Road that might be a better location for a trash enclosure. Mr. Kagler asked Mr. Hannan if an enclosure is required. Mr. Hannan said that a fenced or masonry wall enclosure with continuous plantings is required.

Mr. Chuparkoff asked for clarification regarding whether or not a photometric plan will be submitted. Mr. Toomey stated that there is existing lighting on the site. He reiterated that the only additional lighting will be around the building itself and that the parking with existing lights is adequate and does not allow the light to intrude upon the neighbors' properties. Mr. Hannan said that staff suggests asking the applicant to submit the cut sheets for the three proposed fixtures and review their general light spread.

Mr. Mulligan opened the public hearing. There being no comments, Mr. Mulligan closed the public hearing.

Mr. Mulligan expressed his support of the project.

Mr. Kagler requested that the dumpster detail be added to the list of conditions as set by staff. Mr. Toomey said the revised landscape plan shows the details of the trash enclosure and it also shows a list of the light fixtures.

Mr. Chuparkoff moved to approved the site plan in Case 2014-13 for the proposed 2,400 s. f. building at 75 South Main Street and associated parking improvements according to plans received June 23, 2014 with the following conditions:

1. Confirm the total impervious surface coverage does not exceed 80% or incorporate additional pervious pavement so no net increase in impervious surface coverage is proposed.
2. Incorporate curb ramps within the sidewalks to allow through access from the east side of the proposed building to the public right of way.
3. Revise the parking layout so no more than 10% of the total parking is proposed within the side and front yards.
4. Revise the landscaping plan to incorporate the following:
 - a. One tree with a minimum two inch DBH and four shrubs within each 160 sf of interior landscaping island.
 - b. Continuous evergreen plantings must be incorporated at the trash enclosure.
5. Revise the shared parking easement to reflect the proposed improvements at the site.
6. The comments of City Engineer Thom Sheridan must be addressed per the July 2, 2014 correspondence.
7. A lighting plan, including fixture cut sheets and a photometric layout, and/or other information satisfactory to staff, shall be submitted and approved for compliance with applicable standards of Section 1207.14.
8. Submit a detail of the trash enclosure.
9. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.

10. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.

Mr. Kagler seconded the motion.

Roll Call

Aye: Mr. Anglewicz, Mr. Wolenski, Mr. Chuparkoff,
Mr. Harvie, Mr. Kagler, Mr. Mulligan

Nay: None

The motion carried.

**CASE NO. 2014-15, PRELIMINARY PLAN, SAPPHIRE ESTATES SUBDIVISION,
1731 NORTON ROAD**

Mr. Hannan reviewed the staff report.

Mr. John Carse, 7339 Darrow Road, Hudson, Ohio 44236, represented the property owner and applicant, LDA Land Group, LLC, 6683 Olde Eight Road, Peninsula, Ohio 44264.

Mr. Anglewicz inquired as to who owns the interior lots A and B on E. Sapphire. Mr. Carse indicated that those lots are owned by adjacent property owners on E. Sapphire. Mr. Anglewicz asked the applicant why there is a reduction in the number of lots being proposed. Mr. Carse said that variances for lot width on the Sapphire connection and Norton Road frontage that would have added lots were denied.

Mr. Mulligan opened the public meeting.

Mr. Gregory Young, 1689 E. Sapphire Drive, Hudson, Ohio 44236 expressed economic, environmental, aesthetic and safety concerns regarding the connection of East Sapphire Drive and Sapphire Drive. He asked that the City and the Planning Commission monitor drainage issues and secure a guarantee for performance completion.

Mr. Tim Ujvari, 1661 Sapphire Drive, Hudson, Ohio 44236 also expressed concerns about traffic and safety, and in that regard, asked that the City consider running water lines onto Sapphire Drive.

Mr. Ethan Benore, 1679 E. Sapphire Drive, Hudson, Ohio 44236 said that he agrees with the comments of Mr. Young. He asked for clarification as to how his driveway and ditch will be affected by the installation of the through street.

Mrs. Olga Rasner, 1708 E. Sapphire, Hudson, Ohio 44236 asked how her driveway which is on the cul-de-sac would be affected and if an environmental study was conducted.

Mr. Alex Kelemen, 6101 Stow Road, Hudson, Ohio 44236, Hudson City Councilman from Ward 3, stated he would not support vacating the reservation strip if brought before Council for consideration.

Mr. Hannan said that regarding the removal of the cul-de-sac, the affected driveways at 1679 E. Sapphire and 1708 E. Sapphire would have to be restored/extended to the street as part of the developer's scope of work. Regarding the concern of Mr. Benore, 1679 E. Sapphire, the work will be confined to the public right of way, and the private parcel will not be disturbed.

Mr. Kagler referred Mr. Ujvari to the City Engineer's website for information about a petition procedure that could be helpful regarding the extension of water lines onto Sapphire Drive.

Mr. Mulligan reviewed each concern expressed by Mr. Young. Mr. Hannan stated that the City requires a Subdivision Improvement Agreement and a Performance Bond to insure the proper completion of projects. Mr. Mulligan asked the applicant what the timeframe is for the development of the house sites. Mr. Carse said development would begin after October 1, 2014.

Mr. Mulligan closed the public hearing.

Mr. Kagler asked if storm water management areas would be required. Mr. Hannan stated that the storm water management requirements would be relatively minor for this scale of project. He said that it is not anticipated that there will be the need for a stand-alone basin.

In response to Mrs. Rasner's question as to whether an environmental study had been conducted, Mr. Hannan stated that the proposed project is for a 170 ft. straight line street extension between Sapphire Drive and East Sapphire Drive. He said that staff did not request a wetland delineation based on field observation and review of the GIS data bases. He said there does not appear to be any potential wetland or riparian areas in close proximity. He said that when house construction is proposed, there will be a site specific grading plan and tree preservation plan prepared for review.

Mr. Harvie moved to approve the Preliminary Subdivision Plan in Case 2014-15 for Sapphire Estates, a subdivision to be located at the connection of Sapphire Drive and East Sapphire Drive (1731 Norton road) according to plans dated as received June 30, 2014 with the condition that the applicant must address the following as part of the final plat and improvement plan submissions:

1. The final landscape plan must show all aspects of activities pertaining to trees including the limits of disturbance, trees to be maintained and the means of protecting them, new plantings, and the required notes, specifications, and details.

2. Plans must address the preliminary engineering comments of City Engineer Thom Sheridan P.E., from his letter dated June 26, 2014.

Mr. Kagler seconded the motion.

Roll Call

Aye: Mr. Wolenski, Mr. Chuparkoff, Mr. Harvie,
Mr. Kagler, Mr. Anglewicz, Mr. Mulligan

Nay: None

The motion carried.

OTHER BUSINESS

APPROVAL OF MINUTES

Mr. Harvie moved to approve the minutes of the June 9, 2014 meeting as submitted.

Mr. Kagler seconded the motion.

Roll Call:

Aye: Mr. Anglewicz, Mr. Chuparkoff, Mr. Harvie, Mr. Kagler

Nay: None

Abstained: Mr. Wolenski, Mr. Mulligan

The motion carried.

Mr. Richardson announced that Council has hired a consulting firm to assist the city with the Comprehensive Plan Update and is appointing a committee to oversee that effort. The committee will consist of fifteen persons: six citizen members, and nine people representing various boards and commissions throughout the community, including a Planning Commission member. It was determined that the Commission will make that selection at the August 11, 2014 meeting.

Mr. Chuparkoff moved to adjourn the meeting.

Mr. Wolenski seconded the motion.

Roll Call:

Aye: All

Nay: None

The motion carried.

The Chair, Mr. Mulligan, adjourned the meeting at 10:15 p.m.

Joseph Mulligan, Chair

Judy Westfall, Account Clerk II