

CITY OF HUDSON
PLANNING COMMISSION
REGULAR MEETING OF MARCH 14, 2011
7:30 P.M., TOWN HALL

MINUTES

CALL TO ORDER

The Chair, Mrs. Barone, 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. Cox, Mr. Drew, Mr. Hanink, Mr. Kagler, Mr. Mulligan, Mr. O'Keefe,
Mrs. Barone
Absent: None

Officials Present: Mark Richardson, City Planner, R. Todd Hunt, City Solicitor; Aimee W. Lane, Assistant City Solicitor

Minutes were taken by Ms. La Lomia, Planning Commission clerk.

OATH OF TRUTHFULNESS

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

CORRESPONDENCE

Mr. Drew stated he had received numerous emails concerning the proposed visual appearance of Hudson Station. He said he was also displeased with the proposal.

Mrs. Barone added an informal presentation of the Hudson High School master plan to the end of the Agenda.

OTHER BUSINESS

CASE NO. 2011-11, UNIVERSITY HOSPITALS SIGN, 1335 CORPORATE DRIVE

Mr. Richardson said the original request was for three signs but since the staff report was issued it was now only for one sign. Since the sign was in District 8, the Commission reviewed it. He said, with revisions, the sign would comply with the regulations and the Design Subcommittee recommended approval.

Mr. Kagler said he had previously asked whether staff could administratively approve these types of cases. He did not think it was necessary for the Commission to see this and believed it wasted the applicant's time. He would be comfortable with an amendment to the Land Development Code (the "Code") that would delegate approval

of signs that conform to the sign development plan. He wanted to find a way that no other applicant had to do this again and would be comfortable with staff's approval administratively. He suggested in the future if the Commission had to approve certain things perhaps an applicant could be encouraged to delay their application to the same time as the building plan. Mr. Richardson said he understood his concern and would add this item to a list of other proposed Code amendments.

Mr. Mulligan moved to accept the recommendation of the Design Subcommittee for Development in Districts 6 and 8, and approve the sign plan and sign design for Case No. 2011 - 011 for a sign for University Hospitals located at 1335 Corporate Drive according to plans and details dated as received February 28, 2011 and the sign plan written in the staff report dated March 9, 2011. Mr. Cox seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Hanink, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

CASE NO. 2008-025, EXTENSION OF INSTALLATION OF SIDEWALK, 36 EAST STREETSBORO STREET

Mr. Richardson reviewed the staff report and said the owner was requesting an extension to the spring of 2012 to install the sidewalk. He said Mr. Clepper was present if there were questions.

Tim Clepper, Managing Member of the property owner, Ellsworth Partners, LLC, said the request was straightforward. He said his biggest challenge was getting this project done and getting tenants in. He said they were delayed about a year in getting tenants. He said it was a matter of money to get the sidewalks done.

Mr. Cox asked whether he would need more time than June 30, 2012. Mr. Clepper replied it would be tight from a budget standpoint but he was a proponent of the sidewalks in the front of the building. He thought he should be able to swing it by next year. Mr. Cox asked whether he would prefer to go beyond June. Mr. Clepper responded he was not sure what the construction season was, and that maybe he could go into the fall so he would prefer October 2012. Mr. Cox said he would go along with that and wanted to help in any way the City could. He suggested an extension to October 2012. Mr. Richardson said the deadline was established by this Commission and they could establish whatever deadline they wanted.

Mr. Drew said the applicant has said he would like to see the project finished and asked why he hasn't finished it. Mr. Clepper replied it was a case of money. Mr. Drew asked how much money. Mr. Clepper said he budgeted \$40,000. Mr. Drew said he spoke to the City Engineer and was told the City's cost estimate would be \$19,000 and the City Engineer said the applicant's cost would be about \$12,000 to 13,000. Mr. Drew said that was not a lot of money. Mr. Clepper said any cost was a lot at this point. Mr. Drew said it depended on your perspective and thought it was worth the value of a dollar versus the value of finishing this project. He was not in favor of extending this deadline.

He disagreed with Mr. Cox and thought there was no reason this project should not be done this spring. He was not in favor of extending the deadline beyond a year of the initial deadline. He said he saw no reason to extend the deadline for this applicant's convenience.

Mr. O'Keefe asked if the deadline was extended and the sidewalks were not done, what bond or lien waivers were in place to make sure they are done. Mr. Richardson thought completion of the project could initially be enforced by staff. He said there could be fines and eventually a court matter.

Mr. Mulligan thought the sidewalk installation was going to be a disruptive project and did not think it was going to be that easy an installation. His concern would be that the project would start and not be timely finished. He preferred to have it done all at once and thought the June 30, 2012 deadline could be a problem. He thought it may be better to be done over the summer. He suggested August 2012 as a deadline to encourage the work to be done in the summer. He did not have a problem with extending the construction date because of the economic circumstances of the area in the last couple of years.

Mr. Kagler said certain extensions that have been granted have been for actual projects that have not commenced, not an extension to finish a last piece of a project. He thought one unoccupied tenant who was not the prime tenant and the subject of the approval was not a sufficient reason to extend the deadline. He thought the restaurant opening was the primary source of traffic for how pedestrians get to the property and could benefit from the sidewalk. He said in the summer people from the restaurant go to the concerts on the Green and getting this done would help with safety. He understood the hardship of preferring not to do it, but said that unless there was an inability to finance the project, he had some concerns with delaying its completion.

Mr. Hanink did not have any strong opinion either way but was concerned with anything that would be taken as a precedent.

Mrs. Barone asked whether any complaints had been received about not having a sidewalk there. Mr. Richardson replied, no.

Mrs. Barone opened the public hearing. There being no comments, she closed the public hearing.

Mr. Drew said he had spoken to Thom Sheridan, the City Engineer, and the City was going to complete a section of the sidewalk from Hayden Parkway down Streetsboro Street to the Green. He said this was a \$1.5 million project of the building and the renovations and he did not think it was a lot of money for this sidewalk. He would hate to see it dragging out to the Fall of 2012.

Mr. Cox said Hudson has a reputation of being anti-business and the last restaurant at this location failed. He thought the Commission should do everything they could to help the applicant to build the sidewalk. He said since the town was founded there has been no sidewalk there.

Mr. Clepper said across the street there is sidewalk and one could cross over.

Mr. Cox said the owner says it is a \$40,000 project and Mr. Drew says the City says it is \$13,000, he said if they can do it for \$13,000 let them.

Mr. Cox moved to allow this applicant to have more time to have a sidewalk built by October 2012. There was no second.

Mr. Clepper said he understood \$10,000 or \$20,000 could be or could not be a lot of money. He said the issue he ran into with those buildings was that they were in very bad disrepair and had water problems costing a significant amount of money. He said it has not been an easy project. He said all the new pavement was not in the budget. He asked the Commission to please consider giving him time until he had a full year of rent coming in. He gave his assurance the project would be completed.

Mr. Mulligan said Mr. Drew lives next door to this project so he is aware this is the only gap without sidewalk. He said he would support an extension through June of 2012 and took back waiting until the Fall.

Mr. Kagler said a full year of rent would be in December.

Mr. Clepper said he would rather have to June 2012. He preferred to pour the concrete in the summer rather than the winter so that it could last longer.

Mrs. Barone asked whether the City was going to do their part at the same time as the applicant. Mr. Clepper said he could do it himself or do it along with the City utilizing some of the sources the City would provide. He said he had to look at both options.

Mr. Kagler asked the timetable for the City for the other pieces they have this year. He thought that maybe the applicant could coordinate with the City to do the work and then the applicant could pay the City. Mr. Richardson said he did not know the City's timetable and could not speak for the Finance Department of the City. Mr. Hunt thought it could be done legally but did not know the financial situation of the City.

Mr. Kagler said he was trying to find a way to pay for it now and construct it now and pay for it later.

Mr. Mulligan said the City prepared a list of proposed projects in advance and asked whether this project was on the City's list for 2011. Mr. Richardson said he did not know. He said if the list is being developed they may want to be installed together if the City can do the whole thing.

Mr. Clepper wanted to keep it simple.

Mr. Kagler said the City does assess properties for sidewalk projects.

Mr. Hanink said the Commission did not have any factual data the City intended to put in their piece in 2011. He thought it made sense to coordinate the efforts between the

City and the applicant. He said there has never been a sidewalk there and he did not think it would improve or degrade the restaurant. He said he did not have a problem walking where there was no sidewalk and he saw no reason to not provide the extension of time for the applicant.

Mr. Hanink moved to approve the request by Tim Clepper, Managing Member of property owner Ellsworth Partners, LLC, for an extension to install the sidewalk at 36 East Streetsboro Street to June 30, 2012. Mr. O'Keefe seconded the motion.

Mr. Kagler said he could be in favor if he had information from the City Engineer otherwise he would have to vote no.

Roll Call:

Aye: Mr. Hanink, Mr. Mulligan, Mr. O'Keefe, Mrs. Barone

Nay: Mr. Cox, Mr. Drew, Mr. Kagler

Motion carried.

CASE NO. 2011-09, HUDSON MIDDLE SCHOOL, SITE PLAN, ATHLETIC FIELDS and IMPROVEMENTS

Mr. Richardson said this project was for the replacement of the football field surface to artificial turf. He said artificial turf for the field has no landscaping requirements. Some trees are going to be relocated and suggested they be placed between the parking lot and adjacent properties on the north property line. He said the applicant would work with the City Arborist in tree protection for trees to be saved. Mr. Sheridan, City Engineer, was reviewing the engineering plans and City Engineering approval was recommended before a zoning certificate is issued as well as Summit Soil and Conservation District approval. He said the exterior lights have been reduced to the maximum level with a full glare package on each of the fixtures. Decorative lighting was also added. He said the applicant had to go to the Architectural and Historic Board of Review for fencing and the ticket booth. He said item 3 of the conditions in the staff report could be deleted.

Chris Wynn, OSports Architecture, and Chuck Schilling, Hudson City Schools, were representing the project.

Mr. Wynn said that for this project, storm water management was below the field with oversized pipes to hold a large amount of water. He said they would be adding a walkway around the field for ADA accessibility. He said they would comply with landscaping requirements with regard to tree placement and would be adding some spectator mounds. He said there would also be an upgraded entry on the southwest corner, some new light fixtures, and eight (8) light poles instead of four (4) light poles.

Mr. Drew asked whether the plans show the entryway and fence all the way around. Mr. Wynn replied, yes, and said the fence will have brick piers at the entryway and will be an eight (8) foot fence.

Mr. Kagler asked whether it was a different fixture and were the new poles at 70 feet high comparable. Mr. Wynn replied it was comparable to the current poles placed in particular position to get full coverage on field.

Mr. Kagler asked whether more fixtures were needed to get the same amount of light or are lights needed on the south side of the field. He asked whether it could only be on the north. Mr. Wynn responded that lights for any sporting activity are on both sides of the field.

Mr. Schilling said the existing poles were about 50 feet but do not shield the light. He said the new poles were going to be 70 feet and can be pointed down with additional shield. He said there would be no spill light delivered onto the field. He said this was very similar to the lights on the baseball field on Stow Road.

Mr. Kagler thought the other poles were about 50 feet. Mr. Schilling said maybe they were 60 feet. Mr. Kagler asked whether there was an overall light limit. Mr. Richardson replied not for recreational use like this, there is no limit.

Mr. Kagler asked about the ADA sidewalk around the field and whether the corners could maybe have a gentle curve to be easier to navigate. He asked whether the entire sidewalk along the driveway was being replaced. Mr. Wynn replied just a portion of it was being replaced. Mr. Kagler said that when the area is used for school bus drop off, the grass gets muddy and he suggested having the sidewalk be flush with the curb rather than maintaining the tree lawn.

Mr. O'Keefe asked whether there was a point of egress in the fence. Mr. Wynn said there were some utility gates for egress.

Mrs. Barone asked how tall the fence was. Mr. Wynn responded eight (8) feet.

Mr. Mulligan agreed that the baseball lights were better designed to shield light from the neighborhood properties.

Mrs. Barone asked when there was a big event was there an opportunity to bring in bleachers. Mr. Schilling replied that for the majority of events people bring their own chairs. He said there is rope to keep people back off the field. He said for community events they have incorporated the mounds so it would be possible for people to sit on the mounds. He said there were portable sets of bleachers that could be put in the end zones and even along the sidelines if needed.

Mrs. Barone asked about relocating trees. Mr. Richardson said the plan shows trees to be relocated and suggested they be placed along the north property line. Mr. Wynn said they could be moved wherever the City wanted.

Mrs. Barone opened the public hearing.

Perry Noe, 190 Aurora Street, said for forty years light has spilled over onto his property. He was pleased the lighting was being considered. He was concerned 70 foot poles were going to spread light into Franklin Street and Aurora Street.

Mr. Schilling said he has spent time in the Noe's driveway and front yard and said the light spill he was referring to was the original lights from the 1960's. He said there was a project 4-5 years ago where lights were donated and they have worked with the Hudson Hawks to eliminate a lot of the spill and redirect the lights.

Mrs. Barone closed the public hearing.

Mr. Richardson said recreational lighting does need to be turned off at 11:00 p.m.

Mr. Mulligan asked whether the applicant could reevaluate the design as needed to accommodate school bus loading and unloading. Mr. Schilling said the majority of buses wrap around but it was something the school district could look at. He said if there was money available they could work to replace or remove the tree lawn and replace the curb. He was not sure it could be done now.

Mr. Mulligan moved to approve the Site Plan for Case No. 2011-09 for replacement of the Franklin Field turf and other amenities at Hudson Middle School, 77 North Oviatt Street according to plans dated as received February 22, 2011, supplemented by drawings distributed at the meeting, provided the following conditions are met.

1. The comments of the City Engineer must be addressed.
2. Summit Soil and Water Conservation District must approve the Storm Water Pollution Prevention Plan.
3. The applicant shall consider revising the configuration of the west and north sidewalks as needed to accommodate student or athletic participant loading and unloading.
4. The above comments must be addressed before a zoning certificate can be issued. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
5. Before a zoning certificate may be issued the applicant shall install silt fencing, polypropylene fencing, and/or other means acceptable to the City to mark and protect approved clearing limits, which shall be maintained by the applicant.

Mr. Kagler seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Hanink, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

INFORMAL PRESENTATION - HIGH SCHOOL MASTER PLAN

Mr. Wynn reviewed the concept and showed plans featuring the multi-purpose stadium, with seating for 5,200, and having artificial turf.

Mr. Schilling said that in the spring the storm water system restoration project would begin and his goal was to have all high school activity on the high school campus.

Mr. Hanink asked what would happen to Lavelli Field. Mr. Schilling said they would remove the existing stands and make improvements to the parking at Evamere Elementary School. He thought the facility would probably be used for youth and middle school soccer and track for the middle school.

Mr. Drew asked the time frame for the master plan. Mr. Schilling responded maybe ten (10) years. He said there has been funding in 2000 and in 2006. He said there was private funding.

Mr. Kagler thanked them for showing the Commission this plan and said it was exactly what he was hoping to see.

Mr. Kagler asked about using the natural bowl where it is excavated for seating. He asked whether the dugouts could be rotated to have the dugouts next to each other. He asked if there could be a potential driveway with Herrick Park Drive near the overpass. Mr. Schilling said yes, eventually.

Mr. Hanink asked whether they were trying to do something with an environmental program. Mr. Schilling explained part of this project was to maintain areas as an outdoor classroom.

Mrs. Barone welcomed Aimee Lane as the new Assistant City Solicitor and thanked Todd Hunt for all he has done.

APPROVAL OF MINUTES

Mr. Cox moved to approve the minutes of the February 14, 2011 Regular Meeting, as amended. Mr. Mulligan seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Hanink, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

Mr. Cox moved to approve the minutes of the February 28, 2011 Regular Meeting, as amended. Mr. Kagler seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Hanink, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

The Chair, Mrs. Barone, adjourned the meeting at 9:00 p.m.

Jennifer Barone, Chair

Nora La Lomia, PC Clerk