

**CITY OF HUDSON**  
**PLANNING COMMISSION**  
**SPECIAL MEETING OF FEBRUARY 28, 2011**  
**7:30 P.M., TOWN HALL**

**MINUTES**

**CALL TO ORDER**

The Chair, Mrs. Barone, called to order the Special 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: Thomas E. King, Director, R. Todd Hunt, 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.

**OTHER BUSINESS**

**CASE NO. 2011-08, SEASONS ROAD COMMERCE CENTER, IMPROVEMENT PLANS**

Mr. King reviewed the staff report for the improvement authorization for Seasons Commerce Center. He explained there is a three step approval process between preliminary subdivision approval and final plat approval. He said the developer wanted to install the improvements before final plat approval and no performance bond was required and no subdivision of land could occur in that situation. He said there was no change in the layout from the preliminary plan approval. He said the design of a water quality basin on one side of the wetland resulted in less disturbance to the overall site.

Greg Seifert, Geis Construction, said at the preliminary plan approval meeting there was some discussion of the wetlands on the site. He distributed two drawings (attached to the minutes) showing how Geis would develop the land; one a pamphlet to be used as a sales brochure. He said Geis believed that many of their business developments were built to limit noncompliance with zoning. He said they take the existing conditions and see what development would work within those conditions and sometimes a mitigation process is required as in this case. He said their intention was for this to be an eco-industrial park with LEED buildings, sustainability, and trying to be a step ahead

environmentally. He explained the drawing showed what could be developed on this site which was almost 1,000,000 square feet that could be built without violating any zoning ordinances, and they were trying to mitigate some of the wetlands in the center of the site.

Mr. Mulligan asked the timeframe for installing the improvements. Mr. Seifert said there were still a few items that would be part of the plat provisions that were not resolved. He said there had been discussion with engineering about a water line through the property and maybe the potential for the easement to be in a different spot. He said the wetlands would be part of the plat and there would be conservation easements. He said they were scheduled to do the improvements along Seasons Road and the road construction during this summer's building season.

Mr. Mulligan questioned the reference to the City Engineer coordinating with Geis and the City of Stow for the Stow side of the road. Mr. King said that area was all zoned industrial and Geis owned some property on that side. He said there was anticipation of an upgrade to the road in the future and this design would accommodate that potential.

Mr. Cox inquired where the Commission is at in the approval process. Mr. King said the improvement authorization could be done at the final plat but at this meeting the Commission would be deciding whether to permit the improvements so Geis can proceed with the construction without a performance bond and final plat approval.

Mr. Cox said the preliminary plan was approved with conditions and asked the progress of those conditions. Mr. King said the improvement plans conformed to the City's plans and Code and the only thing that would be left to do would be a land subdivision process.

Mr. Hanink asked whether the storm water retention pond and a water quality basin were two different structures. Mr. King replied two criteria needed to be satisfied; the volume being handled and the quality. He said there were two ponds, one with plants to keep impurities out of the wetland, and then these would pass through into the volume device.

Mr. Hanink said the latest plans show a building has been added. Mr. Seifert explained that was to be shown on the plat and how it would be if the adjacent parcel becomes another parcel behind it. Mr. Hanink said at the last meeting in January he thought Specialty Metals was anticipated to be part of the original plan and then it backed off. Mr. Seifert said that was correct. Mr. Hanink asked about a water line on the current property line with Specialty Metals and questioned that without some consolidation of the properties would there need to be agreement with that property owner. He asked whether there was that agreement. Mr. Seifert replied he did not know.

Mr. Hanink asked if construction was approved whether the assumption would be that these storm water features were going to be included. He said there would have to be some provision that nothing would happen until the City was assured both property owners were in agreement. Mr. Seifert had no objection to that.

Mr. Hanink said the sizing, pre-construction and post-construction, would be part of the calculations of the retention ponds. He said this pond was only sized to handle the road installation. He asked whether this was going to be large enough to handle 1,000,000 square feet of space. Mr. Seifert said it was sized to handle what was anticipated for the development of the property and would be reviewed as individual projects for site plan approval came through. He said, in effect, it would be a check on those calculations as a project comes in for site plan approval.

Mr. Hanink presumed this was being designed for the worst case. He was pleased the applicant was concerned about the wetlands. He thought this probably should have been a conservation area as opposed to a developed area.

Mr. Hanink inquired with regard to the maintenance of the water quality basin and the planting of native plants, who was going to oversee that design and ensure it was put in place. Mr. King responded that he thought Summit Soil and Conservation District would ensure that appropriate plantings were there. Mr. Hanink asked whether maintenance meant assurance that the water quality basin and the native plants were functioning around the pond. Mr. King responded yes, standard maintenance easement agreements maintain that in perpetuity. He said that obligation needed to be signed or put on the property owners involved in that wetland. Mr. Hanink asked as properties develop and there are other owners, will they be added to the agreement. Mr. King said that would be reviewed as part of the final plat review to be sure the obligation was passed on to subsequent property owners. Mr. Hanink asked whether there was a standard way to inspect whether that was happening. Mr. King replied the easement gives the City the right to maintain it if the property owner fails to do so. He further said there was a storm water staff within the Public Works Department and as part of Phase II of the storm water implementation program, an annual report was filed to assure these items were being checked. He said it was handled as part of the City's water quality approval through the EPA.

Mr. Hanink asked whether the floodplain implications were considered as well as the wetlands. Mr. Seifert replied, yes.

Mr. Hanink asked whether the potential building sites were taken into account as well. Mr. Seifert replied, yes.

Mr. King explained the dark shading on the plans was the flood zone. Mr. Hanink said the plan showed the potential for railroad tracks. Mr. Seifert said yes.

Mr. O'Keefe said the concept plan answered a lot of his questions. He asked whether there was a reason to remove the existing trees from the water quality basin. Mr. Seifert replied that with the road construction that basin needed to have some earthwork done and then they would put the vegetation back in. Mr. O'Keefe asked whether some existing road had to be removed in order to expand and be replaced with earth. Mr. Seifert believed that was valid.

Mr. Seifert explained as part of this property there was an easement from Seasons Road across the property to the north and an easement to get across. He said there is

an issue of how that will be configured in the final plat. He said the existing driveway would be removed and in the short term the improved roadway comes across from the new cul-de-sac to maintain access for them to get back to their property.

Mr. O'Keefe questioned the City's requirement for pavement fabric reinforcing as shown on item 10 of page SB8. Mr. King responded he was not familiar with that issue and said there would be soil stabilization to ensure proper bearing weight. He said with respect to item #10 regarding soil stabilization he would rely on the City Engineer as to conformance with the engineering requirements.

Mr. Kagler questioned timing on page 2 of the improvement authorization agreement. Mr. Hunt replied the term was whichever was later. Mr. Kagler asked what happened with failure to comply with that clause in the agreement. Mr. Hunt replied that if the plat was not applied for within one year the applicant would have improvements that may or may not be finished and an inability to subdivide the land and would have to start the process all over again. Mr. Kagler thought the City would also be stuck with a disturbed site. He stated he had confidence in Geis and thought it was great what Hudson was doing now so he was not concerned with this applicant for this process, but questioned in the absence of those bonds what protection did the City have. Mr. King said it was a risk.

Mr. Kagler asked whether on the plan just submitted some of the bridges could be identified. Mr. Seifert said those would be on the individual lot improvements, and part of the Army Corps approval. He said in order to get a rail spur, they would need to put in those bridges. He said that was not part of the improvement plans that have been submitted.

Mr. Kagler questioned the scope of the paths shown for the relocated driveway. Mr. Seifert said the first plan would most likely be the path following the existing drive as it is now. He said an alternative was also being looked at. He explained there was still a lot of work to do in terms of site development but when people see a road installed, it helps to bring business in.

Mr. Kagler wondered if the sidewalk on the north might extend all the way around the cul-de-sac. Mr. King said the access drive for that development was not part of this request. He said when the particular project on a lot goes through site plan approval it could be requested to extend the sidewalk around. Mr. Kagler said extending west of the Specialty Metals building all the way along Seasons Road would require a boardwalk which would be difficult to put there. Mr. Kagler asked about the areas to the left. Mr. King said a boardwalk would not be required since it would be required to be filled and could be designed to accommodate that walk.

Mr. Kagler questioned condition No. 8. Mr. King replied it was for the improvements zoning certificate.

Mr. Kagler questioned whether the sign could be approved. Mr. King said he would review the District 8 regulations but did not think it could be done now.

Mr. Kagler questioned whether the subdivision was going to be divided up later. Mr. King replied, yes.

Mr. Kagler asked whether the subdivision had to be replatted each time. Mr. King replied once the initial final plat has been approved lot splits could likely be carried out administratively.

Mr. Kagler said he would like to minimize the number of times the applicant had to come back to the Commission. He thought if a plan was presented at this meeting for a sign the Commission could have looked at it basically as a final plat. Mr. Hunt said the applicant would have had to put up a performance bond if a final plat was to be approved. He explained there were time constraints in the Code regarding the recording of the plat. Mr. Seifert appreciated the concern for staff's time and their time.

Mrs. Barone asked about the water quality basin encroaching upon the existing parking at Specialty Metals. She asked whether they had parking available somewhere else. Mr. Seifert replied it was interesting that it was shown as parking spaces since the lot was gravel and parking could be anywhere at this time.

Mrs. Barone raised concern with the language in condition #7. Mr. King suggested language refer to the Army Corps of Engineers or EPA. Mr. Seifert suggested adding the Summit County Engineer. Mr. King said it was a matter of sending correspondence to the Army Corps of Engineers notifying them the project was proceeding as a matter of record. Mr. Seifert said from his perspective they did not have an issue with any of those agencies since all of them would be looking at it.

Mrs. Barone questioned page 2 of the agreement, item #3. Mr. King explained it could exceed what was initially estimated.

Mr. Hanink said there was a long list of plants within the Code. He said the City Arborist was recommending not using maple trees. He said about half of the trees are maples and beetles come after the maples. He asked whether the applicant agreed not to plant maples. Mr. Seifert said in earlier correspondence he questioned whether the Kentucky coffee tree was a native plant. Mr. King suggested amending condition #2 that street trees should get the recommendation of the City Arborist.

Mrs. Barone asked the applicant whether he was ok with all of the conditions. Mr. Seifert replied, yes.

Mr. Mulligan moved to approve the Subdivision Improvement Plans and authorizes the Chair of the Planning Commission to sign the Improvement Authorization Agreement for Case No. 2011-08 for Seasons Commerce Center, a 2-lot industrial subdivision to be located north of Seasons Road about half-way between Darrow Road and State Route 8, approximately one mile east of the new Seasons Road interchange, according to plans dated as received January 31, 2011 with the following conditions.

1. Plans must be submitted at a scale that the limits of construction, limits of clearing, wetlands, silt fence, and other lines in close proximity can be differentiated from one another. Staff may adjust these lines as necessary to enhance the protection of

- wetlands and trees to be preserved.
2. Street trees shall meet the approval of the City Arborist.
  3. Plans must be revised to specify the native plants that will be used in and around the water quality basin.
  4. A storm water management agreement must be executed among the property owners and the City to insure the maintenance of the water quality basin.
  5. The City Engineer must approve the project details before the installation of improvements will be authorized.
  6. The installation of improvements may not commence until an Improvement Authorization Agreement is executed and all applicable terms have been satisfied.
  7. Construction shall not be authorized until the City is in receipt of correspondence or other evidence that modification to wetlands and adjacent areas are approved by the appropriate governmental authorities or that no approval is required.
  8. The sidewalks should be extended along and around the circumference of the cul-de-sac and provide a crosswalk designed to be consistent with City engineering standards.
  9. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.

Mr. Hanink seconded the motion.

There was brief discussion regarding the sidewalk.

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 8:40 p.m.

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Jennifer Barone, Chair

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Nora La Lomia, PC Clerk