

**CITY OF HUDSON**  
**PLANNING COMMISSION**  
**REGULAR MEETING OF NOVEMBER 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. Dostal, Mr. Kagler, Mr. Mulligan, Mr. O'Keefe,  
Mrs. Barone  
Absent: None

**OATH OF OFFICE**

Mrs. Lane administered an Oath of Office to Michael Dostal as a new Commission member.

Officials Present: Thomas E. King, Director, Mark Richardson, City Planner, 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.

**CASE NO. 2011-37, WOODLAND ESTATES REPLAT**

Mr. Mulligan moved to continue until the December 12, 2011 meeting the application for the replat of an approved final plat for Woodland Estates Subdivision Replat of Lot Nos. 9-15, Parcels A and B, and Block A. Mr. Cox seconded the motion.

Roll Call:

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

Nay: None

Motion unanimously carried.

**PUBLIC HEARINGS**

**CASE NO. 2011-36, CONDITIONAL USE AND CONCEPT PLAN, TRAILS OF**

## **HUDSON**

Mr. Richardson reviewed the staff report and explained this was a conditional use and concept plan approval for a 172 unit residential community.

David Mann, Mann Architects and David Conwill, Redwood Management, were present for the applicant, Marty Erbaugh.

Mr. Mann thanked Mr. King, Mr. Richardson and City staff for their assistance in this project. He commended the City for having a pre-application meeting which helped the process. He displayed a drawing board of the project. He reviewed the status of the conditions of the staff report. With regard to condition 1, he had no objection. With regard to condition 2, he said they have the wetland delineation report and will be submitting it to staff. With respect to condition 3, he said they will be providing for parking. With respect to conditions 4 and 5, he said they have some rear setback problems and may need variances. He explained Travis Crane, the engineer, was not able to make it to the meeting. He said they would be seeking variances with regard to the garages explaining that Redwood has developed with double garage doors and they would have a single door that looked like two doors. With regard to condition 6, he did not have an objection to sidewalks on one side but said the other spurs appeared more like driveways so they would define the major pathway. Regarding condition 7, he said they will comply. With respect to condition 8, a traffic impact study was in progress. Finally, he had no objection to condition 9. He said they would be doing the project in phases. The first phase would come in from Hudson Drive, and include the sales office, mailbox area in the front, and there may be a small boulevard.

Mr. Mulligan asked whether they owned the side small parking area on Hudson Drive. Mr. Mann replied it was just parking and a link to the trail.

Mr. Conwill replied they did not own the property they were developing. Mr. Mann said the storm water pre run off existing pond could be enhanced for storm water management purposes. Mr. Cox asked about private open space. Mr. Richardson said with the property under one ownership there would not be land designated as open space. He thought the area around the pond and the green area around the buildings would comprise the open space.

Mr. O'Keefe asked whether Phase 2 would be built depending on how successful Phase 1 was. Mr. Mann said all their projects had waiting lists. Mr. O'Keefe asked whether the roads shown on the plan would be built even if Phase 2 was not built. Mr. Mann replied that Phase 1 included a gravel road to provide emergency access from Norton Road and if Phase 2 was not built, the Planning Commission could add a condition 10 that the gravel road be paved.

Mr. Kagler asked whether this was a concept plan. Mr. Richardson replied they did have to come back for site plan review although a lot of engineering needed to be worked through.

Mr. Kagler said there were three types of units listed: single family attached, duplex, and multi-family. Mr. Richardson explained multi-family was five units. Mr. Kagler asked how many units there were. Mr. Conwill responded there were 81 in Phase 1

and the balance in Phase 2.

Mr. Kagler asked whether under District 8 a homeowners association was required. Mr. Richardson said when zoning regulations were drawn up it was contemplated to be standard single family lots with one home so a homeowners association would be required. Mr. Kagler asked about the City enforcing the age restriction. Mr. King said it was one entity that was responsible with one landowner and one manager. Mrs. Lane said the age restricted agreement was currently being discussed.

Mr. Kagler asked whether public open space was going to the City or to the Metroparks. Mr. Conwill said it was essentially a trailhead for the Metroparks.

Mr. Kagler was concerned with cars parking on the street and the sidewalks on the internal streets. Mr. Conwill said there would be no parking on the streets and there was ample guest parking throughout the entire community. He said they did not want people parking on the private streets.

Mr. Kagler questioned four parking spaces at the entrance and guest space at the trailhead. Mr. Conwill said those details would be addressed when they did the engineering.

Mr. Kagler questioned front facing garages. Mr. Richardson said the width of the opening being single or double doors was in the district regulations in the Code. He said the Conditional Use in this project were the multi-family buildings, the other uses were permitted by-right. Mr. King said a variance could be sought from district dimensional and non-use standards.

Mr. Kagler questioned potential cut through traffic to the east. Mr. Richardson did not think it was an issue and presumed Lawnmark Drive would be used more. He contemplated two intersections with Lawnmark Drive and expected the stub to the east to be a turnaround for emergency vehicles. Mr. King said as far as the two streets onto Lawnmark Drive, Norton Road would be upgraded and has traffic lights. Mr. Kagler was concerned about creating private through streets.

Mr. Kagler questioned getting growth management allotments with the buildout timetable. Mr. Conwill hoped to break ground in the Spring of next year and complete in eight months the building phase with completion the end of 2013. Mr. King said they could get special merit, multi-year, or special merit growth management allotments.

Mr. Drew asked about the age 55 restricted housing regulations. Mrs. Lane said the City Solicitor was currently negotiating that issue and the regulations were still enforceable.

Mr. Drew asked about density and said with 180 units so close together there seemed to be a lot of building on a relatively small space. Mr. Richardson said the units were interspersed throughout the site plan, and each building type had a different density type associated with it. He said they have provided 27-3/4 acres and were under the maximum density and staff found the density was in conformance with the Code.

Mr. Drew questioned traffic and ingress and egress to Hudson Drive. Mr. Richardson said the traffic study will be reviewed and referred to the City Engineer.

Mr. Drew asked whether this new road, Lawnmark Drive, would be part of the same traffic study. Mr. Richardson replied it had not been specifically discussed but may make sense to have one study.

Mr. Drew asked about front facing garages. Mr. Richardson said front facing garages were not prohibited. He said this district allowed a percentage and this applicant had met that requirement.

Mr. Drew asked about the look alike ordinance. Mr. Richardson said he did not think the look alike ordinance applied to these building types. Mr. Mann said some renderings suggest different color palettes which had been done successfully in other areas in Ohio.

Mr. Drew asked whether the infrastructure and dedicated streets would be built to City standards. Mr. King said this would be like a parking lot in a private development. The Commission would not be approving public streets therefore that is not needed. He said the City would be involved in whether it can hold fire trucks. The water will not be Hudson water or sanitary sewer but would need to meet Department of Environmental Services standards.

Mr. Drew questioned whether providing sidewalks would be required if these were public streets. Mr. King said in District 9 sidewalks were required on both sides of the street to ensure adequate pedestrian linkages. Staff thought sidewalk on one side was adequate provided trail connections. Mr. Drew did not think both sides were necessary but thought sidewalks should be on all the streets through the neighborhood.

Mr. Dostal stated that due to a pre-existing relationship with the principal of Redwood Management and PrideOne he thought he needed to abstain from participation in this matter. Mrs. Lane said if you were abstaining you should physically be out of the room. Mr. Dostal said he did not have a lending relationship with this project. Mrs. Lane believed that it was not a conflict of interest.

Mr. Dostal asked whether a light could be recommended on Norton Road with the traffic study with the number of units. Mr. King said it was possible, a traffic study would look at pedestrian and vehicle traffic.

Mr. Dostal said the change to the color palette could upgrade the project. Mr. Dostal asked whether these were all two car units. Mr. Conwill replied everything was two cars, two bedrooms, and two bathrooms.

Mr. Dostal asked whether there would be a long term model unit. Mr. Conwill thought it would be determined by the market and that the market would exceed the amount of units that they were going to build there. He said they were building a leasing office separate from the model.

Mr. Dostal asked whether there were any storage buildings. Mr. Conwill replied just the

maintenance garage in the front. Mr. Dostal asked about access roads. Mr. Conwill said the primary entrance would be Hudson Drive where the sales office will be. He said Norton Road would be secondary.

Mrs. Barone asked about access to the trail. Mr. Conwill said the primary connection was where the parking lot was. He said the terrain was a little treacherous and they would provide a trail connection. Mrs. Barone asked whether the trailhead parking had a pedestrian path. Mr. Mann replied that would be a driveway. Mrs. Barone asked whether there would be a way to get to the trail. Mr. King said that was part of the negotiations with that owner. Mrs. Barone asked whether at the entrance off Norton Road that street would be straight up rather than an offset driveway. Mr. Mann replied, yes.

Mrs. Barone asked about trash. Mr. Conwill said they would have a central location with the compactor. Mrs. Barone asked about lighting. Mr. Conwill said they would have street lights and coach lighting on the garages.

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

Mr. Cox asked whether their other projects require sidewalks on every street. Mr. Conwill replied, no. He said the streets are very low traffic and they define them as common driveways. Mr. Cox asked if they did have to put sidewalks on every street would that cut green space. Mr. Conwill replied absolutely.

Mr. Kagler suggested adding a condition about fee simple ownership and requiring the temporary road to be made permanent if phase 2 is not built. Mr. Drew suggested having a requirement to complete that road to a permanent state. Mr. King said staff would not object to that condition. There was brief discussion of how to provide a permanent connection.

Mr. Mulligan asked about the Lawnmark Drive extension with respect to the site plan and where the road would actually be located. Mr. Richardson said the applicant should address the recommended conditions and whether a variance was needed.

Mr. Cox asked about internal sidewalks. Mr. Conwill did not think it was a deal killer but said they could absorb only so many costs. He said it would mean they would have to cut out something from the project that might add value. Mr. Cox did not think it was necessary to impose that sidewalk requirement since the houses were close together and the main street went all the way through the development.

Mr. Kagler moved to approve the Conditional Use for multi-family residential for Case No. 2011-36 for the Trails of Hudson to be located northeast of the intersection of Norton and Darrow Roads according to plans dated October 3, 2011. Planning Commission further approves the Concept Plan for the Trails of Hudson. The applicant should address the following comments as final plans are developed.

1. An agreement must be executed between the owner and the City setting forth the terms requiring that this development is to be for persons 55 years of age and older as stated at Section 1205.11(f)(4)(A) in lieu of the homeowner's association

and covenants and restrictions. The agreement must contain a provision that requires the formation of a Homeowner's Association in the event the project is converted to condominiums or fee simple ownership.

2. A Wetland Delineation Report must be submitted.
3. The applicant must submit the fair market value of the land and an engineer's estimate of cost to install the trail head amenities to determine if public open space requirements have been met.
4. Plans must be revised to meet rear setback requirements.
5. Plans must be revised to show garage door openings single car width, not to exceed 12 feet.
6. Plans must be revised to show sidewalks, paths, and trails for exclusive pedestrian and bike use to address zoning district requirements and private open space requirements. Staff recommends that sidewalks be added to one side of all internal streets along with a trail or path connection to the trailhead.
7. The comments of City Engineer Thom Sheridan in his letter of October 25, 2011 must be addressed.
8. A Traffic Impact Study must be submitted that addresses the traffic impact of the development and the need for traffic improvements.
9. An agreement between the City and the developer must be executed that sets out terms for temporary access now and for permanent access in the future.
10. The site plan to be submitted shall include a provision that a permanent secondary means of access to Lawnmark Drive must be established if Phase 2 is not constructed and that the standards for and the timing of the subject loop road must be approved by the Planning Commission.

Mr. Drew seconded the motion.

Roll Call:

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

Nay: Mr. Cox

Motion carried.

#### **CASE NO. 2011-35, PRELIMINARY PLAN, LAWNMARK DRIVE**

Mr. Richardson reviewed the staff report. Mr. Conwill had nothing further to add.

Mr. Kagler asked about water, sewer, and street lighting. Mr. Richardson responded this would be a public right-of-way and would meet City standards. The utility lines would be installed as necessary.

Mr. Kagler asked whether the lines would extend to the property owners to the north. Mr. King said it was not contemplated that the right-of-way provide utilities. He said lines were available on Hudson Drive and Darrow Road and staff had not discussed this yet.

Mr. Kagler asked about the agreement. Mr. King said it was being discussed to extend that road to the north line of the property and he was convinced it could be worked out.

Mr. Drew asked the difference between a public right-of-way vs. a public access

easement. Mr. King said it was cost and meeting City standards. He said in this development a public street made more sense and would guarantee maintenance.

Mrs. Barone asked for the timeframe. Mr. Richardson said the agreements for The Trails and Lawnmark Drive provided for completing the improvements and there was potential for it to be built in stages.

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

Mr. Mulligan moved to approve the application for Preliminary Subdivision Plan approval for Case No. 2011-35 for Lawnmark Drive to be located north of Norton Road approximately 790 feet west of Darrow Road according to plans dated as received October 7, 2011 with the condition that the applicant must address the following points as the final plat and improvement plans are developed:

1. The terms of an agreement detailing a schedule to complete public improvements extending to the north property line of the subject parcels must be finalized before the final plat and improvement plans can be brought to Planning Commission. The agreement must be executed before a zoning certificate is issued for the project.
2. The comments of the City Engineer in his letter dated October 24, 2011 must be addressed including the requirement that a traffic impact study must be submitted with or prior to application for final plan and improvement plan approval.

Mr. Kagler seconded the motion.

Roll Call:

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

Nay: None

Motion unanimously carried.

### **CASE NO. 2011-38, 2085 MIDDLETON ROAD, AGRICULTURAL USE**

Mr. Richardson reviewed the staff report.

The applicant, Katherine Giorgi, 2085 Middleton Road, was present.

Mr. Mulligan asked about activity on the site. Ms. Giorgi replied they had added some trees and put in some drainage in the yard due to flooding issues.

Mr. Cox asked about the requirement to consolidate two parcels. Mr. Richardson replied it was one operation bridging two properties. He said there would be a house and a barn on a separate parcel with animals crossing a property line.

Mr. Cox asked what the barn was used for before. Ms. Giorgi replied horses.

Mr. O'Keefe asked what was directly to the north. Ms. Giorgi replied it was the woods to the Montessori School and tennis courts to the Country Club.

Mr. Kagler asked who arrived at the number of 15 head of alpaca. Mr. Richardson

replied the applicant asked for no more than 15. Ms. Giorgi said they plan to live there and could have 10 alpacas per acre, with about 3.4 acres that would be about 30 alpacas, so this is about half. Mr. Kagler said if successful the use could grow arbitrarily and thought it should be limited to 15. Mr. Richardson said staff would be fine with that number. Ms. Giorgi explained the industry standard was 33 for their property.

Mr. Kagler asked about condition 4. Mr. Richardson said it was approval for fencing and the barn. Any variance approval would be with the Board of Zoning and Building Appeals and it would not be necessary to go before for the Architectural and Historic Board of Review.

Mr. Drew inquired whether setting a limit as to the number of animals created an enforcement issue. Mr. King said this was a site plan for very specific activity and staff always has to make a determination and thought a number would provide better guidance.

Mr. Drew asked how many animals were raised for their wool. Ms. Giorgi replied that the alpaca were raised for their fleece which is made into yarn and sold and some were raised for breeding.

Mr. Drew asked about concern for waste and odor. Ms. Giorgi replied with this number of animals there would be minimal odor and waste would be picked up twice daily to minimize any impact on neighbors. Mr. Dostal asked whether alpacas made noise. Ms. Giorgi replied they could make a low hum sound but it was rare.

Mrs. Barone asked about the barn and fence. Ms. Giorgi said if need be they could pull the old fence down and just add some new fence dividing the two properties.

Mrs. Barone opened the public hearing.

Gregg Dahlby, 2069 Middleton Road, was not opposed to having the alpacas but was concerned how this conditional use could affect his property values in the future. He said there were four issues: the size of the operation, the number of alpacas in this residential zone so he would like to see a limit established, odor control, and fencing. He said it was an old wooden fence with rails to keep the animals in and he wanted to avoid a rural steel wire fence.

Mrs. Barone closed the public hearing.

Mr. Mulligan said there has been a proper analysis of this conditional use request. He said the applicant was not pushing the number of alpacas and believed they were quiet animals. He said the fencing was not a Commission issue and did not need to be incorporated into this approval. He was inclined to vote for this.

Mr. Cox encouraged more agricultural use along Middleton Road to keep the area as rural as possible.

Mr. O'Keefe asked whether a conditional use transferred to another seller. Mr. Richardson replied, yes it does if the use were the same.



Mr. O'Keefe thought neighbors would help enforce the conditions.

Mr. Kagler said although it was a three acre parcel the area in which the animals would be confined was less than one acre and the request was for 15 alpacas. Ms. Giorgi said they were going to ask for a variance on the fencing to increase the area of that pasture. She said the site plan showed the area allocated for the alpacas.

Mr. Kagler said the number requested was 15 but based on the size he asked whether they could live with 10 to start. Mr. Kagler said there could be a condition regarding the odor problem. Mr. Kagler recommended the fence be a rural and not industrial type. Mr. Richardson said he would rather leave that to the AHBR.

Mr. Drew thought it would be better if there was a limit of 10 rather than 15 alpacas.

Mr. Dostal asked whether the conditional use would carry through with the property unless the use is interrupted then it would become null and void. Mr. Richardson replied they had two years before it would become null and void.

Mr. Dostal asked about the site across from the country club which had alpacas. Mr. Richardson said he did not know whether they ever received conditional use approval.

Mr. Mulligan said if this a workable number to start it may be a good way to proceed and if it grows could come back to the Commission.

Mr. Dahlby asked for the landscaping between the yards to be agreeable between them.

Mr. Kagler moved to approve the Conditional Use for Case No. 2011-038 for general agricultural use at 2085 Middleton Road, specifically for ten (10) head of alpacas, according to information submitted by the applicant dated October 7, 19, and 24, and November 7, 2011 provided the following conditions are met:

1. The two parcels comprising the site must be consolidated under the City's administrative Minor Subdivision process.
2. The applicant must allow the City Arborist or landscape consultant to enter the property and determine if the existing and proposed plantings meet the City's buffer yard requirements and if they do not, the applicant must add plantings to meet those requirements.
3. If a variance from setback requirements for an accessory building used for agricultural purposes is not granted, the site plan must be revised to show the barn moved to a location that conforms to City standards.
4. Animal waste will be picked up twice daily, once in the morning and once at night. Waste will be put in a sealed waste container that will be located in the barn out of view and the contents will be disposed of weekly.
5. A zoning certificate shall not be issued unless and until the Board of Zoning and Building Appeals approves any necessary variances for the project and any conditions of the Planning Commission and the Board of Zoning and Building Appeals have been addressed.

Mr. O'Keefe seconded the motion.

Roll Call:

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

Nay: None

Motion unanimously carried.

**CASE NO. 2011-39, CHANGE OF USE, LEGACY BUILDERS, 5751 DARROW ROAD**

Mr. Richardson reviewed the staff report.

The applicant, Bill Young, owner of Legacy Builders, had nothing to add.

Mr. O'Keefe asked whether the Commission would see a parking layout. Mr. Richardson did not contemplate bringing a plan back.

Mr. O'Keefe asked whether there would be any additional lighting. Mr. Young replied there were light poles that may need to be replaced but nothing additional. He asked whether there was any problem with the light with the neighbors. Mr. Richardson said exterior light poles do need to show the illumination and will have to meet the City standards.

Mr. O'Keefe asked the hours of operation. Mr. Young replied it would probably be 9:00 a.m. to 7:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday.

Mr. Kagler believed a previous owner had an extensive outdoor speaker system and asked whether they were still there. Mr. Young did not know but would take them down.

Mr. Kagler asked whether a lot of asphalt was coming out. Mr. Richardson said a lot would be removed. Mr. Kagler asked whether there needed to be a condition about outdoor speakers. Mr. Drew asked whether the applicant owned this property. Mr. Young replied he did not. Mr. Drew asked about the issue of the cross access easement. Mr. Young said the owner stated they were willing to agree with that.

Mr. Drew asked about aligning the access to the easement. Mr. King said it would physically be difficult to put sidewalks on Barlow Road with the ditch there and the terrain. He said there was sidewalk on the north side.

Mr. Dostal said he was glad to see something happen there and thought the CVS plan came out nice. He said the vacant Clarke facility has been a blight so this was a good thing. He asked whether there were any environmental issues. He liked the curb cut and thought it was appropriate not to build a sidewalk there which would not function well.

Mr. Mulligan agreed with Mr. Dostal that this was a good use. He was glad there was cooperation with the owner. He recommended a breakdown of the former area office and retail but did not think it seemed tight. Mr. Richardson said there has been some confusion of square footage of this building but as long as it was less than 5,000 square feet it complies with the regulations.

Mr. Mulligan thought the cut-off on Route 91 was a great idea. He asked about signage proposed. Mr. Young replied he had not addressed it yet.

Mrs. Barone asked whether the applicant had seen the conditions. Mr. Young said they had a huge parking lot, as a general use 18 spaces were acceptable but on a special occasion there would be more. Mr. King said to indicate on the site plan the required parking and then the special use parking. Mr. Richardson said obviously there was plenty of space there.

Mrs. Barone opened the public hearing.

Hartford Harding, 1510 Barlow Road, said the neighbors were very concerned to maintain a residential atmosphere. He wanted to keep trucks off of Barlow Road and was concerned about no drive to Darrow Road into this retail use would increase traffic and trucks on Barlow Road. He was concerned to use this space as a retail facility only and to not have house trailers or construction equipment on this property. He asked whether the new parking lot lights could be faced down rather than up. He did not think there was a need for sidewalks on Barlow Road and would be very difficult to do so because of the terrain. He asked whether the pavement area in District 3 was going to be removed and a buffer added at the end of District 3.

Robert Schwieterman, 5732 Argyle Drive, was excited something was going in that space. He was concerned that the Route 91 curb cut being taken out would create more traffic on Barlow Road. He said the other two buildings were still vacant and if they were used there would be a lot of traffic through the neighborhoods. He thought a right turn only could instead help the traffic. He hoped no construction equipment would be parked on the property or that any trucks would cut through. He asked when the asphalt was removed what would go in and hoped more landscaping would be put in along the road. He asked the lights on the property be all pointing down and that the sidewalk was not needed on Barlow Road.

Larry Schmearsal, 1515 Barlow Road, supported everything he had seen and thought this was an excellent use. He was concerned about traffic and lighting. He suggested adding some type of physical barrier to prevent 18 wheelers going down Barlow Road.

Mrs. Barone closed the public hearing.

Mrs. Barone asked about the traffic concern. Mr. King explained they would need to have some access out onto Darrow Road through to the light but the curb cut was unsafe that close to the intersection. He said right only turns did not work.

Mrs. Barone asked whether there would be outdoor storage on this site. Mr. Young replied, no.

Mrs. Barone asked about light standards. Mr. King suggested a condition the lights installed be the shielded variety. Mr. Richardson said cut-off fixtures were required by the Code. He said this was a unique situation but new lighting would meet the City standards and would retrofit the remaining lighting. Mr. Young thought there were three lights by the building. Mrs. Barone asked whether lighting would be turned off when the building was closed. Mr. Young replied, yes.

Mr. Dostal asked whether the use was a private office to show clients and prospects

samples. Mr. Young said there would be a showroom and offices to sell the kitchens. Mrs. Barone asked about any deliveries. Mr. Young said they come to another facility.

Mrs. Barone asked whether any pavement in District 3 was coming out. Mr. Richardson replied, yes, he thought Bufferyard D was being installed.

Mrs. Barone asked if anyone else would be able to park there. Mr. Richardson said the Code encouraged shared parking and when the adjacent buildings are developed, since they have been vacant, shared parking will be encouraged with those properties.

Mrs. Barone asked whether the City was recommending that curb cut be removed from Darrow Road. Mr. Richardson said the City was asking this applicant for a cross access easement so when the adjacent development takes place the City would require them to use the curb cut further south on Darrow Road.

Mr. Kagler asked whether bufferyard D requirements were measured from the property line or district line. Mr. Richardson said from the property line.

Mr. Mulligan moved to approve the Change of Use for Case No. 2011-39 for an office-retail use to be located at 5751 Darrow Road according to plans dated as received October 20, 2011 provided the following conditions are met.

1. Submit a break-down of the floor area that will be devoted to each of the office and retail uses.
2. A cross-access easement must be provided to allow access from the south through this property to utilize Barlow Road and its traffic signal.
3. The site plan must be revised to show the parking layout and what will be done with paved areas where vehicles will not be parked.
4. Plans may be revised to eliminate the sidewalk on Barlow Road if the existing driveway is relocated to be opposite the CVS driveway.
5. Submit the net change in impervious surface coverage.
6. The site plan must be revised to show trees and shrubs that will be removed, trees and shrubs that will remain, and new materials to be planted. Plant species and planting details must be submitted for the new material to be installed. Parking in and around parking areas may be required pending receipt of the parking layout.
7. The site plan must be revised to show the location of exterior lighting poles and the location of new poles, their heights, and the illumination levels of the fixtures. The light fixtures should be of a cut-off design shielding the light source from the properties to the east.
8. The comments of City Engineer Thom Sheridan as written in his letter of October 31, 2011 must be addressed.
9. Any outdoor loud speakers must be removed.
10. The outdoor storage of any equipment or materials is not permitted; nor is overnight truck parking.
11. Satisfaction of the above conditions prior to the scheduling of a preconstruction meeting with City officials and no clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
12. Before scheduling a preconstruction meeting, the applicant shall install silt fencing, other storm water pollution prevention measures, and tree protection to

the satisfaction of the City Engineer which shall be maintained by the applicant.

Mr. Cox seconded the motion.

Roll Call:

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

Nay: None

Motion unanimously carried.

**APPROVAL OF MINUTES**

Mr. Cox moved to approve the minutes of the October 10, 2011 Regular Meeting, as submitted. Mr. Mulligan seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Kagler, Mr. Mulligan, Mrs. Barone

Nay: None

Abstain: Mr. Dostal, Mr. O'Keefe

Motion carried.

The Chair, Mrs. Barone, adjourned the meeting at 10:20 p.m.

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Jennifer Barone, Chair

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Nora La Lomia, PC Clerk