

PUBLIC HEARING - CONDITIONAL USE PERMIT-THE REDEMPTION CENTER
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 1

Present: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Harwood
Others: Eric Hall, Gerald Wise and approximately 22 guests

Mr. Roman opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the February 18, 2021 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing on Thursday, March 4, 2021 at 7:00 P.M. in the Ralph W. Biggs Council Chambers of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, to discuss a Conditional Use Permit for #605-14-014, The Redemption Center, 10217 Brecksville Road, Brecksville, Ohio 44141.

Messrs. John Bradley and Todd Mathews were present on behalf of consideration for a conditional use permit for an outpatient drug and alcohol counseling center on Brecksville Road close to the intersection of Snowville Road. Mr. Bradley explained that their center would be providing counseling services, only for clients who have successfully been treated medically at facilities providing inpatient detox and rehab services. They plan to have six counselors, licensed by the State of Ohio, to provide one-on-one counseling and group therapy. Hours of operation would be 8:00 a.m. through 6:00 p.m., Monday through Friday, with no weekend or evening hours anticipated. No medications would be dispensed. Mr. Bradley emphasized the importance of counseling in the recovery process.

Mr. Bradley commented that almost all communities, at some level, had drug and alcohol abuse problems. He described his recovery from alcohol abuse years ago and the intervention that saved his life and helped him to become a better person and achieve success in his career. He has made it his goal to help others through counseling.

The meeting was opened for comments from the public present. Ms. Nancy Woelfl, 10134 Village Lane, said she represented many of The Village residents in objecting to a conditional use permit being granted for a drug and alcohol treatment center located adjacent to their residential community. Many of The Village residents were seniors who had concerns for their personal safety and that of their property. Ms. Woelfl remarked that statistics show that up to 60% of alcohol addicts relapse during their first year of recovery. She wondered why Brecksville would want, knowingly, to increase the instances of DUI in the community. Ms. Woelfl also spoke about all the good qualities of Brecksville that lead The Village residents to make a considerable investment to live here, and now have to worry about their safety and property values. Ms. Woelfl pointed out that the proposed counseling center would be a tenant in the community that could just walk away, while she and her neighbors were invested in the community. She commented that if the center was permitted they should supply their own security and should also be required to erect board-on-board fencing around the perimeter.

Mr. Sal Manacore, who expected in June to move into his Covington Court new home, wondered if the center's clients would come from the court system. Mr. Mathews said clients would have successfully been medically treated and dealt with any court issues before they seek counseling services. Mr. Manacore said he could understand the need for counseling services, but he was not happy about having it on his doorstep.

Ms. Stephanie Papp, 11034 Snowville Road, asked what the difference would be between the proposed counseling center and Alanon or Alcoholics Anonymous. Mr. Matthews responded that AA has no counselors and is self-supporting. The Redemption Center would have licensed counselors, many with a masters degree, to provide a more clinical approach to recovery.

Mr. John Woelfl, 10134 Village Lane, inquired whether the center would be a "for profit" business. Mr. Bradley responded that he was financially funding the business and hoped they could realize a profit. They planned to accept insurance payments, but realized that some of the clients treated would not be able to pay. Mr. Woelfl noted the many "For Lease" signs advertising vacancies at the southern edge of town. He feared that granting a conditional use permit for the drug & alcohol center would set a precedent that would encourage other similar businesses to locate in that area. Mr. Woelfl suggested the Redemption Center might better be located next to

PUBLIC HEARING - CONDITIONAL USE PERMIT-THE REDEMPTION CENTER
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 2

medical facilities such as those located on Rt. 82 at the I-77 interchange. Mr. Mathews responded that they preferred a free standing building to satisfy their clients' preference for some confidentiality as they come and go from the center.

Planning Commission members and the public present had no further questions. Mr. Roman noted that this matter would be considered at the Work Session later in the evening. The Public Hearing closed at 7:24 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 1

Present: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Harwood
Others: Eric Hall, Gerald Wise and approximately 22 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:24 P.M. Mr. Sciria attended the meeting via conference call.

APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 18, 2021

It was moved by Mr. Roman and seconded by Mr. Lahrmer that the Planning Commission Regular Meeting Minutes of February 18, 2021 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF FEBRUARY 18, 2021

It was moved by Mr. Roman and seconded by Mayor Hruby that the Planning Commission Work Session Meeting Minutes of February 18, 2021 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

REPORT OF MAYOR HRUBY

In Mr. Harwood's absence, the Mayor reported that at their last meeting City Council passed a sign for Juice Lab and the Tree Savings Plan for Sherwin-Williams.

REPORT OF CITY ENGINEER - No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

THE REDEMPTION CENTER FOR DRUG & ALCOHOL TREATMENT – 10217 BRECKSVILLE RD.

It was moved by Mr. Roman and seconded by Mr. Lahrmer that the Planning Commission recommend to City Council a Conditional Use Permit for The Redemption Center at 10217 Brecksville Road, Brecksville, Ohio, PP #605-14-014, as described in the application dated January 18, 2021 by Jeffrey Rhodes and attached documentation.

ROLL CALL: Ayes: None
Nays: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
MOTION FAILED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

CAMBRIDGE VILLAGE LOT SPLIT & FRONTYARD SETBACK – 7757 CAMBRIDGE DRIVE

It was moved by Mr. Roman and seconded by Mr. Roman that the Planning Commission will hold a Public Hearing on Thursday, March 25, 2021, at 7:00 p.m. at Brecksville City Hall, 9069 Brecksville Road, Brecksville,

MINUTES OF THE REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 2

Ohio, to establish a Frontyard Setback of 75 feet for a proposed lot split of Permanent Parcel #601-02-041, 7757 Cambridge Drive, Brecksville, Ohio 44141.

ROLL CALL: Ayes: Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Abstain: Michael Bandsuh
Nays: None
MOTION CARRIED

The Regular Meeting closed at 8:12 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 1

Present: Michael Bandsuh, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Harwood
Others: Eric Hall, Gerald Wise and approximately 22 guests

Mr. Roman opened the Work Session at 7:28 P.M.

THE REDEMPTION CENTER FOR DRUG & ALCOHOL TREATMENT – 10217 BRECKSVILLE RD.

Messrs. John Bradley and Todd Mathews were present on behalf of consideration for a conditional use permit for an outpatient drug and alcohol counseling center on Brecksville Road close to the intersection with Snowville Rd. This topic was also addressed earlier at a public hearing. Mr. Bradley said that too often people associated only chaos and problems with drug and alcohol recovery. He had no expectation of anyone actively using alcohol or drugs on the site. His intention was to provide an essential service to clients who were voluntarily seeking the counseling as the final step in their recovery to integrate them back into a normal life. He anticipated only about a half dozen cars at the center at any time. Their hours of operation would not involve nights or weekends, and at a peak perhaps ten clients at the center.

Mayor Hruby applauded Mr. Bradley for his commitment and passion to help people. The Mayor provided a little history on Brecksville's zoning code. Years ago, the City's manufacturing/distribution section of the code would not have permitted consideration of the counseling center. A few years back property owners, in the southern edge of town in the manufacturing/distribution zoned area, complained they were not able to rent out their mostly warehouse spaces because of code restrictions. They asked for some relief from the City. A stipulation was made in the manufacturing/distribution district that the Planning Commission could, upon special petition, grant conditional use permits for such uses that they deemed appropriate for that zoning class. The conditional use zoning change was approved by voters based on their faith that the Planning Commission's deliberations were focused on the best interests of the community. The Mayor stressed that the Planning Commission would not be determining the worthiness or need of the service. The Commission's consideration was based totally on the appropriateness of the use. The Mayor mentioned the several drug and alcohol recovery services operating in the City years ago at the V.A. Hospital and on the Blossom site that caused problems for the City. Mayor Hruby thought the drug and alcohol counseling center was an inappropriate use considering the surrounding businesses, as well as the residential neighborhood directly behind it. He commented that had Mr. Rhodes, their real estate agent, been more accurate about the proposed use for the property, they would have been discouraged before going any further.

Mr. Roman noted, for the record, that the City had received about a dozen e-mails from residents, all against the issuance of a conditional use for The Redemption Center. With no further comments from the public present or Planning Commission members the Work Session recessed into the Regular Meeting for a motion.

CAMBRIDGE VILLAGE LOT SPLIT & FRONTYARD SETBACK – 7757 CAMBRIDGE DRIVE

Mr. Matthew Mau, Cambridge Village HOA President, was present requesting a lot split of PP #601-02-041 to create a new Cambridge Village lot fronting on Brecksville Road. They were also requesting a frontyard setback of 75 ft. be established for that new lot. A lot depth variance from the Code's 250 ft. minimum to allow 216.3 feet was requested. This issue was discussed at three previous Planning Commission meetings and the current submission was consistent with the recommendations of the Planning Commission and City Engineer.

Mr. Wise's review included the following requirements.

1. As it becomes available, forward the Cuyahoga County's approval, including a) Plat of reference for subject parcel being split, and b) Tie-in to centerline monumentation along Brecksville Road and Sprague Road.
2. Provide approval clauses per City standards
3. Verify ownership is presented correctly. Per deed (AFN201908210482), ownership is "Cambridge Village Association LLC".

Mr. Mau anticipated no problem in complying with Mr Wise's requests. There was no further discussion and the Work Session recessed into the Regular Meeting to set a Public Hearing.

KULIE SOLAR PANEL INSTALLATION – 11435 CHIPPEWA RD

Mr. Brian Handelsman, of Moxie Solar, and Ms. Diana Kulle, the applicant, were virtually present for a solar panel installation request. Mr. Handelsman acknowledged the City's Code restriction on front roof mounted and ground mounted solar panels. His request included rear roof and ground mounted solar panels. He commented that there was no way the homeowner could achieve the energy savings and backup power requirement she wanted with just a rear roof application. An application, solely on the rear roof, would reduce energy savings by 35% and make the installation impractical.

Mr. Roman quoted Code Section 1186.03(c)(2) which did not permit ground mounted solar panels. Ms. Kulle, asked why the City was not being more progressive in encouraging the use of solar energy which was better for the environment. The point was made that the City worked with an interested citizens group in 2019 to revise the City's Code expanding the opportunities for solar installations. The Mayor commented that permitting ground panels was still not permitted, however the Commission had considered on a very limited, individual basis some front facing roof panel installations based on location and house orientation. Mr. Payto reviewed the history of the solar portion of the code which was written based on the visual impact of the panels to the surrounding area, not on the efficiency of the installation. He commented he would be surprised if the adjacent neighbors didn't object to the ground panels.

Mr. Handelsman reviewed, for the Commission, the statistics that supported his claim that Ms. Kulle could not achieve the battery backup and energy savings she needed with only a rear roof installation. He pointed out the ground panels would be 300 ft. from the closest neighbor. The panels would have a rock base, eliminating any grass mowing problem. He asked for the opportunity to ask the neighboring property owners for letters of support for the proposed panels.

Mr. Bandsuh said the Commission was guided by the Code regulations. He acknowledged the Commission tried to work with residents, if possible, always with a concern of setting a precedent. He personally didn't see why the Commission should not consider an inconspicuous ground installation that was agreeable with the neighbors, not seen from the street and located at least ten feet off the rear property line. Mr. Bandsuh wondered why panels should not be allowed subject to the restrictions of any accessory structure on a property. Mr Bandsuh felt if some minor changes were made to address the deviations requested, and the neighbors had no objection, he would be willing to consider the application.

In regard to the ground panels, Mr. Roman quoted from the Code "shall not be utilized" and he felt bound to uphold that restriction. Messrs. Lahrmer and Payto both felt the Code was clear on ground panels so they could not support their use. Mr. Lahrmer mentioned the Commission's practice of not setting public hearings for applications they could not support.

Ms. Kulle said she would prefer some panels on the south facing, front of her home rather than the ground panels. She asked if the Commission would consider some front facing panels instead of the ground panels. The Mayor suggested she speak with Eric Hall, at the Building Department, about the specifics that would be required to submit a proposal with variances for limited front panels. He advised her that suggestion did not imply any guarantee of support by the Commission. Mrs. Kulle intended to work with Mr. Handelsman on a revised plan with no ground mounted panels to present to the Commission.

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
March 4, 2021 Page 3

The Work Session closed at 8:12 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris