

MINUTES OF THE REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
May 20, 2021 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman,
Dominic Sciria

Others: Eric Hall and approximately 3 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:00 p.m. Messrs. Harwood and Sciria attended the meeting via conference call.

APPROVAL OF THE REGULAR MEETING MINUTES OF MAY 6, 2021

It was moved by Mr. Roman and seconded by Mayor Hruby, that the Planning Commission Regular Meeting Minutes of May 6, 2021 be approved.

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

APPROVAL OF THE WORK SESSION MEETING MINUTES OF MAY 6, 2021

It was moved by Mr. Roman and seconded by Mayor Hruby that the Planning Commission Work Session Meeting Minutes of May 6, 2021 be approved.

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

SIGNS:

HIGHER HEIGHTS FITNESS – 8251 CHIPPEWA ROAD (CC Action)

Mr. Bob Kunzen, of Brilliant Electric Sign Company, was present on behalf of a request by Higher Heights Fitness for an externally illuminated wall sign for their new business. Mr. Roman asked if the sign was approved by the shopping center landlord. Mr. Kunzen offered to provide a copy of the landlord's written approval of the proposed sign. To a question on the request for a sign area deviation, Mr. Kunzen said there was a certain amount of dead space because the lettering was on two lines. He felt the sign lettering was in good proportion.

It was moved by Mr. Roman and seconded by Mr. Lahrmer that the Planning Commission approve a 16.9 square foot permanent, externally illuminated, wall identification sign for Higher Heights Fitness, 8251 Chippewa Road, PP #601-35-002, as described in the application dated April 29, 2021 and attached rendering by Brilliant Electric Sign Company dated April 26, 2021, subject to approval by City Council and including the following deviation:

- Section 1187.09(c) required maximum single face sign area requirement of 11.4 square feet to allow 16.9 square feet.

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

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that City Council, at their last meeting, approved the Gajkowski Lot Consolidation on Hilton Road.

REPORT OF MAYOR HRUBY

Mayor Hruby said the City would still require masks and social distancing through June 3rd at which time those restrictions would be lifted, however caution was still advised.

Memorial Day would feature a drive through from 9:00 a.m. through 11:00 a.m. On Facebook the City's Website would have a ceremony honoring veterans. The cemetery observance would return next year. A special observance was planned during Home Days this year, scheduled for July 16-18th.

The two new swimming facilities at the Recreation Center are planned to be dedicated on the Sunday of Memorial Day weekend. There will be speeches and refreshments will be served. The 1,300 residents who participated in an early signup for the Rec Center will have first crack at the new pools according to a schedule in two hour increments on Memorial Day. On June 3rd the pools will be opened to Rec Center members without restrictions.

The Regular Meeting closed at 7:40 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

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Mr. Roman opened the Work Session at 7:13 p.m.

PROPOSED REVISIONS, SECTION 1187, BRECKSVILLE SIGN REGULATIONS

Sergio DiGeronimo, from the Law Department, was present to discuss proposed revisions to Section 1187 of the City Ordinances relating to Brecksville Sign Regulations. He cited a number of Ohio district court cases since the 1980's relating to local city signage ordinances that weren't content neutral. Issues of Constitutionality and freedom of speech were being challenged. Municipalities were being forced to eliminate signage content specifications to focus on sign placement and materials.

Signage regulations involve permanent and temporary signs. Permanent signage tended to be commercial and not problematic. Most revisions would be focused to temporary signage in regard to materials used and method of temporary placement. The decision was made to no longer permit the posting of temporary signage on City property unless initiated by the City. Those currently permitted very common temporary sign postings by residents and community groups often referred to such things as an upcoming event, local athletes and award recognitions.

Mr. Lahrmer asked for the definition between a permanent and a temporary sign. Mr. DiGeronimo responded that a temporary sign was not designed to be a permanent installation. When the purpose of the sign was no longer relevant, or the condition of the sign was deteriorated, it could be expected to be removed or replaced. He noted though that in the courts challenges to sign posting limits have been successful. The Mayor gave as an example the political signs for both Trump and Biden that are still posted on private property and protected by freedom of speech regulations. The Mayor expected the impact of the changes to the sign ordinance to be minimal. He knew there were citizens who expected the City to be infringing on their rights, but the intent of the proposed changes was only to bring the sign ordinance into compliance with current laws.

Commission members planned to review the proposed changes in more detail. Mr. Roman would notify Mr. Hall at the Building Department when the Commission was prepared to put that subject back on the agenda for further action.

The Work Session closed at 7:40 p.m.

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