

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 1

Council was **CALLED TO ORDER** in Regular Session by Council President **CALL TO ORDER**
Harwood at 8:00 P.M. in Ralph W. Biggs Council Chambers.

Following the **PLEDGE OF ALLEGIANCE**, members of Council answered to **PLEDGE OF ALLEGIANCE**
ROLL CALL as follows:

Members Present:	L. Carouse, Jr., D. Caruso, M. Harwood, D. Kingston, A. Koepke, L. Redinger, K. Veras.	ROLL CALL
Members Absent:	None.	
Others Present:	Mayor Jerry N. Hruby, Law Director D. Matty, Assistant Law Director DiGeronimo, Engineer G. Wise, Finance Director L. Starosta, Purchasing Director R. Riser, Fire Chief N. Zamiska, Service Director R. Weidig, Myles Rapkin, Council Clerk T. Tabor.	
Teleconference:	CBO S. Packard, Police Chief W. Goodrich, Recreation Director T. Tupa,	

MINUTES OF THE MAY 4, 2021 REGULAR MEETING: Motion by Carouse, **REGULAR MEETING**
seconded by Redinger, to dispense with the reading of the May 4, 2021 regular meeting **MINUTES OF**
minutes and to accept same as presented. **5-4-2021**
Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. **APPROVED**
Nays: None.
MOTION CARRIED 7-AYES, 0-NAYS.

RESOLUTION 5145 re: a Resolution commending Recreation Director Thomas Tupa upon his retirement from service to the City of Brecksville Recreation Department; and declaring an emergency, was read by title. Motion by Carouse, seconded by Redinger, to suspend the rules and place Resolution 5145 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Resolution 5145. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 5145 COMMEND THOMAS TUPA UPON HIS RETIREMENT FROM SERVICE AS THE RECREATION DIRECTOR
---	---

Mayor Hruby said Friday, May 7th will be Tom Tupa's last day as the Recreation **COMMENTS**
Director after 15 years of dedicated service to the City. Tm began his service to the City on
February 7, 2006 when he returned to Brecksville with his wife to raise their sons Tommy,
Timmy, Tyler and their daughter Emma. At that time he was a quarterback/punter for the
Washington Redskins and he commuted back & forth, for practice games and was the City's
Recreation Director. Tom brought a true sense of community to the City. Mayor Hruby said
Tom did not want recognition, however Mayor Hruby provided the following:
Ohio State Graduate, played football for (4) years at Ohio State. Graduated from Brecksville-
Broadview Heights High School. Tom played basketball, pitched baseball, quarterback for
the football team, the first to lead Brecksville to a State Championship. He went on to play
football at Ohio State and received many honors there. Tom was inducted into the Greater
Cleveland Sports Hall of Fame in 2018. Tupa was originally drafted by the St' Louis
Cardinals as a quarterback and punter before moving on to play back up quarterback for the
Indianapolis Colts. Tom also played for the Cleveland Browns, New York Jets, Tampa Bay
Buccaneers, and Washington Redskins. "Two Point Tupa" was a name given to Tom for
scoring three times in 1994 on (2) point conversions. Tom holds a spot in the Pro Football
Hall of Fame for being the first player to score a (2) point conversion. He was the punter for
the Super Bowl Champion Tampa Bay Buccaneers in Super Bowl XXXVII. During his years

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 2

at Ohio State Tom also played in the Hula Bowl, Cotton Bowl, and was named All-American and All-Big 10 punter in 1988.

Mayor Hruby said aside from his football career Tom Tupa is a fine man that grew up in this town. Tom has always been close to his family and those people that have worked with him will agree that he is a good man. Tom has ran the Community Center and guided many new projects and programs to the community

Tom Tupa introduced his wife Beth and his daughter Emma who were in attendance. Tom congratulated Chief Goodrich on his retirement and Stan Korinek on his appointment to Police Chief. Tom thanked Mayor Hruby and City Council for supporting him and the Recreation Department. Tom recognized the Department Directors and City staff for their help & support. Tom thanked the Community Center staff for working early mornings, late evenings, weekends and some holidays when needed.

RESOLUTION 5146 re: a Resolution promoting and appointing Stanton A. Korinek to the position of Chief of Police for the City of Brecksville; and declaring an emergency, was read by title.

Motion by Veras, seconded by Caruso, to suspend the rules and place Resolution 5145 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Resolution 4973.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

**RES. 5146
APPOINT
STANTON
KORINEK AS
POLICE
CHIEF FOR
THE CITY OF
BRECKSVILLE**

Mayor Hruby said Stanton Korinek will be the ninth Police Chief for the City of Brecksville. Present here tonight are former Brecksville Police Chiefs. The fifth Police Chief for the City Dennis Kancler, No. 6, Richard Marrino, No. 7, Michael Carlin, No. 8, William Goodrich and No. 9, Stanton Korinek.

Mayor Hruby said Stan has served our City for 27 years. He joined the force on August 23, 1993 as a Patrolman during which time his primary assignment during his career has been Uniform Road Patrol. On October 9, 2011 he was promoted to Sergeant. Stan has lead a shift platoon of 4 patrolmen, volunteered to supervise the K-9 Unit and was given the title of Training Coordinator and Field Training Officer Program Supervisor. Sergeant Korinek was promoted to Lieutenant on June 12, 2016. In his role as Lieutenant, he served as operations commander, where he oversaw the patrol division and detective bureau. Stan was a Swat team leader at the RNC Convention in downtown Cleveland in July 2016. Lt. Korinek has worked to update the policies and procedure manual for the Brecksville Police Department. Stan has been entrusted with many responsibilities and has excelled at all of them. He has worked with a lot of dignity and extreme integrity and has done an outstanding efficient job in becoming a Police Officer and serving the community. Mayor Hruby said Stanton Korinek will be an excellent as Police Chief and is proud to swear him in as the ninth Police Chief in the City of Brecksville.

Mayor Hruby administered the Oath of Office to Police Chief Stanton Korinek. Chief Korinek's wife had the honor of installing the badge of Police Chief to Stan Korinek as the 9th Police Chief in the City of Brecksville.

Police Chief Korinek introduced his wife of 32 years, Erin, son Kori and his wife Ellen and grandson Kolton and granddaughter Kennedy. Chief Korinek also has (3) three daughters - Morgan, Jordan, and Sydney. Stan's parents Carol and Al are also in attendance along with his Stan's sister Jojo and her sons Kevin and Konnor, his brother Tony and his wife Annette and their son AJ and his girlfriend Janet.

Police Chief Korinek thanked Mayor Hruby, City Council and the community members for allowing him the privledge to be Chief of Police of one of the finest law enforcement agencies in the area. Chief Korinek thanked family, friends, co-workers and

COMMENTS

**OATH OF
OFFICE**

COMMENTS

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 3

community members for being present, the support is greatly appreciated. Police Chief Korinek said he has worked for (4) Police Chiefs in his 27 years. He credits much of the success of the department to the newly appointed chief building upon the foundation the predecessor had built. Police Chief Korinek said he plans on continuing to build on that foundation as well. Police Chief Korinek said Chief Bill Goodrich brought the department through a difficult time the past year during the COVID-19 pandemic. Chief Goodrich also helped plan, build and staff the state of the art Police Station. Police Chief Korinek said he learned a lot from Sgt. Lodie as well. Stan said he wanted to mention Officer Dan Jereb. Dan Jereb was Acting Chief before Bill Goodrich was appointed. Officer Jereb was Chief Korinek's original training officer. Throughout the years, along with other officers, led, and mentored Stan through his career. Dan Jereb passed away in February 2021. His legacy and spirit lives on in every officer that he touched. The main priority at the Brecksville Police Department is to provide the best law enforcement service possible to the community. Mayor Hruby thanked all of the current and previous employees in attendance supporting members of the city family.

RESOLUTION 5147 re: a Resolution authorizing the Mayor to enter into a First Amendment to Joint Cooperative Agreement with the City of Broadview Heights; and declaring an emergency, was read by title. Motion by Caruso, seconded by Veras, to suspend the rules and place Resolution 5145 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Redinger, Veras. Nays: Koepke. MOTION CARRIED 6-AYES, 1-NAY. Motion by Redinger, seconded by Carouse, to pass Resolution 4973. Ayes: Carouse, Caruso, Harwood, Kingston, Redinger, Veras. Nays: Koepke. MOTION CARRIED 6-AYES, 1-NAYS. ORDINANCE 5407 re: an Ordinance authorizing the Mayor to enter into an agreement with Otero Homes for the 4900 Edgerton Road Storm Sewer Extension Project; and declaring an emergency, was read by title. Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5407 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Ordinance 5407. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. ORDINANCE 5408 re: an Ordinance authorizing the purchase of a 2021 Chevy Tahoe for use by the Fire Department from Ganley Chevrolet of Aurora LLC Through the State of Ohio Administrative Services Purchasing Program; and declaring an emergency, was read by title. Motion by Veras, seconded by Caruso, to suspend the rules and place Ordinance 5408 on third and final reading. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS. Motion by Redinger, seconded by Carouse, to pass Ordinance 5408. Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras. Nays: None. MOTION CARRIED 7-AYES, 0-NAYS.	RES. 5147 AUTH FIRST AMEND TO JOINT COOPERA- TIVE AGREEMENT WITH BROAD- VIEW HEIGHTS ORD. 5407 AUTH DEVELOPERS AGREEMENT FOR 4900 EDGERTON ROAD STORM SEWER CONNECTION ORD. 5408 AUTH PURCHASE OF A 2021 CHEVY TAHOE FOR USE BY THE FIRE DEPARTMENT
---	---

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 4

ORDINANCE 5409 re: an Ordinance authorizing the purchase of Safety Equipment for a 2021 Chevy Tahoe and Graphics for a 2018 Chevy Tahoe for the Fire Department From Hall Public Safety Upfitters in Accordance with the provisions of Ohio Revised Code Section 125.04(C); and declaring an emergency, was read by title.

Motion by Caruso, seconded by Veras, to suspend the rules and place Ordinance 5409 on third and final reading.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

Motion by Redinger, seconded by Carouse, to pass Ordinance 5409.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

BOARD OF ZONING APPEALS: Councilmember Caruso reported the next meeting of the Board of Zoning Appeals will be Monday, May 10th at 7:30 P.M.

**ORD. 5409
AUTH SAFETY
EQUIPMENT
FOR A 2021
CHEVY
TAHOE AND
GRAPHICS
FOR A 2018
CHEVY
TAHOE FOR
THE FIRE
DEPARTMENT**

**BD. OF
ZONING
APPEALS**

PLANNING COMMISSION: Councilmember Harwood reported the next meeting of the Planning Commission will be May 6th at 7:00 P.M. There were two (2) items recommending approval to City Council from the April 22nd meeting and one (1) item from the April 22, 2021 Planning Commission Meeting.

**PLANNING
COMMISSION**

GRAU FRONT YARD SETBACK – 6582 OLD ROYALTON ROAD - Accepting the Planning Commission recommendation to establish a Front Yard Setback of 0 feet at 6582 Old Royalton Road, Brecksville, Ohio, PP #601-28-011 as described in the application dated March 5, 2021 and shown on the two drawings titled G1 and G2,

**GRAU FRONT
YARD
SETBACK –
6582 OLD
ROYALTON
ROAD**

Motion by Harwood, seconded by Carouse, to pass Ordinance 5409.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

PALGUTA REVISED FRONT YARD SETBACK – 4900 EDGERTON ROAD - Accepting the recommendation of the Planning Commission to establish a Front Yard Setback of 165 feet at 4900 Edgerton Road, Brecksville, Ohio, PP #604-03-104 as described in the application dated March 8, 2021 and shown on the drawing titled Site Plan dated March 10, 2021, by Gutoskey & Associates Inc.

**PALGUTA
REVISED
FRONT YARD
SETBACK –
4900
EDGERTON
ROAD**

Motion by Harwood, seconded by Carouse, to pass Ordinance 5409.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021

Page 5

VALOR ACRES CONDITIONAL USE & RESIDENTIAL PLANNED DEVELOPMENT AREA REQUESTS – BRECKSVILLE ROAD AND MILLER ROAD - Accepting the Planning Commission recommendation from the Planning Commission recommend to City Council approval of:

1. Approval for R-A Conditional Use on parcel 603-21-088, subject to approval of City Council.

2. Preliminary approval of a Planned Development Area (PDA) as a Conditional Use on parcels 603-21-089 and 603-21-088, and preliminary approval of plans for the PDA, subject to approval by the City Engineer, City Law Director and City Council.

All as described in the application dated January 18, 2021, by DiGeronimo Companies, as part of the development of the Valor Acres site, on parcel 603-21-089 and 603-21-088, located north of Miller Road and west of Brecksville Road, in Brecksville, Ohio.

Incorporating by reference all items listed in the Planning Commission meeting minutes of April 29, 2021 attached as part of the City Council meeting minutes of May 4, 2021.

VALOR ACRES CONDITIONAL USE & RESIDENTIAL PLANNED DEVELOPMENT AREA REQUESTS – BRECKSVILLE ROAD AND MILLER ROAD

Richard Ochocki, 6738 Westview. The sheer amount of variances that this Planned Development Area is requiring should be alarming in itself. One example of something that could be easily fixed is the removal of an island on Parkview Drive. Dom Scaria was a champion on this issue. Yet the DiGeronimo company refused to remove it. The results of this island are this, according to the DiGeronimo Company it will make the road and development feel more upscale that island pushes the structures closer to the residents on Westview Drive which in fact is causing more variances with respect to DiGeronimo an island isn't going to make or break their development yet is going to intrude farther on the neighbors to the north and essentially giving the new homeowners a yard of (30) feet which is less than the length of a standard fire truck. We were told by members of City Leadership to wait until you see the landscape plans The DiGeronimo Company had for this development. I hope you had time to review them. because they are lackluster and provide no screening or bordering to the residents that live on Westview Drive. They show a bunch of existing trees most that will need to be now removed due to the construction. To summarize this development is not appropriate for Brecksville. Whether the Mayor claims it's a unique site or not the five-story apartment building is out of character and the tiny rentals inside do not provide long-term sustained success for our community. At the end of the day the DiGeronimo Company is not stuck with this development as they can sell. Residents on Westview and surrounding areas can move but the city is stuck with this. Moving forward I urge you to stand with your residents most affected by this development and vote no. Let's work with the DiGeronimo Company to build a less dense, less intrusive and more inviting development for this community to enjoy for years to come. Thank you.

Tracy Andich, 7022 Westview Drive. I'm nervous so I don't think I will be quite as elegant. I promised Kevin DiGeronimo that I would come and talk to you guys tonight. Because through this whole process I've been at almost every Planning meeting since we moved here. Kevin and I have developed a good working relationship and this was the notebook that I brought to my very first one when I was so scared and I had all these awful questions of what are you doing to my yard. The reason why I made Kevin a promise to come here, he asked me to go through my notes and talk about what we have been able to achieve together. So bear with me because my list was long the first time so it's going to be a little bit long this time. My first concern was the drainage as everybody was still really really concerned right and then in one of the meetings they had showed some plans and all of the red lines were like the drainage pipes and how they were going to handle moving all that water away from our property. There was a there was a problem with the map where it didn't show that they had put wastewater drains in the backyards of all the houses of the new ones and then that got fixed so like every time we came back we made those improvements and I want to see that that keeps happening and so does Kevin. So we wanted to just kind of make sure we keep that good

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021

Page 6

working relationship going. But on that note we have a couple of thing that we didn't address and so it was hard when the Planning Commission approved this because we did have some unanswered things. So we are hoping that the current wastewater system can handle the water. But we know that there is a pitch to the property so Valor Acre sits higher than Westview and so we do get a natural gravitational pull of the water. If it's not enough they might be able to add some more drainage but they're not really sure where or how to do that okay that's fair. but we need to know where does the liability fall so with the water that we had this last week I get a pretty much like a river that runs through my backyard I have about 50 feet to spare it's about 50 feet from the edge of my house okay if something doesn't work and that water then floods my house who is responsible how do I handle that those were some of the questions that are unanswered so that's where I need answers from you guys since this now got moved from Planning Commission to you guys. So before you make any approvals please answer that question. The other question that I had at the very beginning is you spray painted our trees orange. Are you cutting down all of our trees? Oh my god and they did a really good job of explaining how they map out the property how they mark trees that are not on their property but we're trying to save as much as we can and so the DiGeronimo almost did a really good job of just kind of calming my fear you wouldn't think it the way my voice is shaking they calmed my fears and let me know that they really did approach this thoughtfully but financially right I'm not naive enough to think that there wasn't a financial gain there. The other thing that Kevin and I were able to do together is we talked about the privacy factor and I know Ms. Redinger gave me a hard time because I kept mentioning it well I kept mentioning it because I still hadn't gotten an answer. So I'm going to keep mentioning it until I do get an answer. So Kevin said that he would make a deal with us and he's like I'm going to give you guys \$25,000 for planting trees on your property and I'm going to show the drawings of what we're going to put on our property to try to make sure we have that screening and the reason why that was so important for my family is we're on the end by where those town homes are at and so we have again that like height disadvantage and it kind of goes it's a little invasive for like my daughter's room. So again I feel like we're trying to tackle that right in the best way we can. I don't know how you plant trees in swampy waters but the Mayor said that we have an arborist so again I just want to make sure we stay with our commitments that we follow through with the things that we're saying that we're not just giving lip service in the middle of a meeting and then it just falls by the wayside. So I'm assuming because I'm at a Council meeting that like I'm on the record. I hope I don't sound too unprofessional here but so if we could continue to have our arborist involved and maybe help provide some guidance for us. I moved here from Phoenix, Arizona so trying to deal with water and green trees is a bit of a challenge and I've already made a few mistakes so I want to fix what I've got so far. Okay, my next topic another thing that the DiGeronimo's did with us after we talked in the hallway after some of our Planning Commission meetings is I said we have these developments all over the place in Arizona it's very much the west coast style of building housing developments. I said but Westview doesn't have that cool hip west coast feel. We're definitely not going for like California/ Arizona feel. So I asked them would you be willing to move the three-story town homes to the south side of Parkview so that where these guys live which is a little bit further down the street so that maybe they only have a two-story home in their backyard and they did accommodate that. They switched their plans around so again just another example of a concern I had and a concern that was addressed. Okay Kevin and I also worked with our real estate agents I was going to buy the property directly behind me because my yard is much shorter than everybody else's and I said okay I need to take one for the team and I told Kevin that I would not interfere that I would not buy that property so that he could have it and then in exchange he said that he was going to keep it green space and then he gets that nice little tax write off thing right and so it's just kind of one of those cordial deals of this is a give-and-take situation that we expect from everybody. So again I was quite proud of that one of the things I had brought up a couple of times but I still don't have an answer on is could we have a bulk buying agreement

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021

Page 7

for the trees Kevin donated \$25,000 dollars if you divide that amongst the number of houses that we have on Westview that's about one and a half to two trees per lot well our lots are 100 feet wide so that's not really going to give everybody quite the full privacy that we're looking for. So how can we maybe do that together. Again I just feel like if we pull together in community we might be able to do something. Maybe we could work with the arborist I don't know golf courses buy a hundred trees at once. Maybe we could do something to make it a little bit better because this is not currently included in the plans that the Planning Commission approved so that's why I'm mentioning in it again hoping that maybe we can make those changes. Okay I'm so sorry, the last thing that I had mentioned in my first Planning Commission meeting was the apartments and how much they scared me. Right and I was telling Kevin that you know what some days I love your project and some days I hate your project it all just kind of like depends on the day we were all really hoping for retail space with apartments above there were numerous Planning Commission members who also stated that this is not what we were promised when we started this project several years ago and so there were a couple of things that were promised to do that we have not completed yet there was supposed to be a sight line analysis so currently if you look at the plans that apartment building is five stories tall and it's on the top of the hill and we need to know what that sight line analysis is of how much are we going to see that from our low lying properties looking up that may have been completed but it was never included in the reports and it was never included in any of the plans so again I would need us to keep working together because this is unfinished and it needs to be included before we approve this because if we can see more than two stories above our property that's very invasive and it goes more for that urban feel I work, I used to work at University Hospitals in Shaker Heights and they just built a new kind of shopping area like this and they have like two or three stories of apartments above their retail and you would be amazed just how tall it is and just how far the eye can see it. So I'm going to ask that you please put some sort of stipulation that that the sight line analysis be completed before this is approved. There was also a lot of concerns from some other Planning Commission members Mr. Sciria was the one and Eric Lahrmer. They spoke very openly like we're really concerned we're talking about 160 units most of them are 600 square feet. That's really small but really that's a little bit bigger than my dorm room however many years ago back at Ohio State. So we had a concern with that does that really fit Brecksville? And so if you look at when the Planning Commission approved this last week there was a split vote this was not a hundred percent approved by the Planning Commission. Because there was enough people feeling that there's something not quite right here and again I feel like we can solve this together. Where I was thinking okay well what if you have all that property south of this, could you lower the building height and stretch the property out I have no idea. I'm not an architect I'm a nurse. That's out of my scope of practice. But nevertheless we have some really smart people here I feel like we can find a solution that keeps the DiGeronimo's happy. Keeps the city happy. And makes the residents a little bit more comfortable. Okay the Mayor had said in the last Planning Commission meeting that these apartments were specifically for Sherwin-Williams. Correct?

[Mayor Hruby] In part. I'll be happy to explain that for you.

[Tracy Andich] Okay so I was wondering is that something that we have in writing do we know like what their like specific demands are because that would help us figure out maybe we have do we have options like can we spread it out or are they specifically asking that they want a high rise I'm not sure what their what their demands are. But again we're jumping through a lot of hoops for Sherwin-Williams and I have to very carefully measure my words because my sister and my brother-in-law both work at Sherwin-Williams. And I don't want to burn any bridges.

[Mayor Hruby] I'll be happy to explain that for you.

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 8

[Tracy Andich] Okay that would be good so you know we're doing the apartments for them we're adding that entrance ramp to (Interstate) 77 we're rezoning you know on like the ballot today we're doing a lot to entice them we're wanting their business here we're wanting those tax dollars but we're also giving them a bit of a tax abatement. And I used to work in Warrensville Heights and I see Warrensville Heights losing those jobs losing that tax base and now having an empty Research and Development Facility. That they now then can't fill. So they're an inner ring suburb that is really be negatively impacted economically because this development is coming here. My concern for, I'm concerned for them please don't take that as arrogant. I'm concerned for them my concern for us is what's going to happen in 15 to 20 years? When they are no longer getting their tax breaks and the building shows a smidge of age and the next city 10 miles down says we'll give you 10 more years without taxes. What's going to keep Sherwin-Williams here. What's going to keep that tax revenue coming into our city for everything that we're sacrificing for them. I don't want us to be naive and say I want short-term gains instead of just long-term gains right. This is a basic business plan. And again there might be a plan for that. Maybe everybody had already considered the long-term life expectancy of this project in our city. But as a local resident just showing up to all the meetings I have not heard answers to those questions. And so I want to play by the rules. Right? I'm not here to irritate everybody I'm just trying to figure out how empowered are we to really make these projects work for us work for our cute little city because we moved here for the good schools and the really good police department. That's why we're here and we want to make sure we keep it that way because in addition to all of that money stuff if you look at 160 units times 2.3 people per occupancy you're talking about adding 10 percent to our total city population. And it's all on that south side. What is the city's plans for the fire department the police department the snow shoveling the garbage pickup the school? We're building a brand new elementary school. Do we have the capacity to increase our population by 10 percent? We might I don't know. I'm just saying I don't have those answers and I'm hoping that you guys could answer those for me or maybe we could continue to work on this project before we give the final gavel hit. Okay I'm gonna go sit down now. thank you.

Denise Paulson, 6834 Westview Drive I've been up here several times talking about this issue and I just want to I don't want to reiterate what Rich (Ochocki) has said but I agree with him. And I guess just to cut to the chase here is we're asking you to please delay final approval on this until more questions are answered until we feel more protected and advocated for on our street. With the concerns of water, I'm not going to reiterate those liability issues in terms of flooding, trees falling down I walked in the back of the property today and another tree had fallen down it's a fairly large tree. So we have a lot of issues that we have repeatedly brought up we do not feel that DiGeronimo has adequately addressed those and we are concerned that we will lose our leverage once this approval is given by you all. We know we're going to have to coexist with this development, we don't like it but we know we have to move forward but we want to do it in such a way that we our properties, our safety is protected. I'm very concerned I have so much standing water not only, I took pictures but of course. We know the point past where the black tube is and the orange fence it's standing water once the weather warms I'm very concerned about mosquito larvae and things like that and I see it only getting worse. And I know we're having the spring rains which we always have to deal with. But you know we not only hopefully this will all be remediated but this construction is going to as we all know will last for quite some time and how are how are we as citizens going to be protected. I had mentioned in another meeting my son almost died from west Nile this is a great concern of mine but please we're just asking you please just we know this is going to go through we're just asking for more time to get more answers and more compromises on the DiGeronimo part. Because there's things that the Planning Commission has brought up with them and they have not wavered on some of the issues. And I think that's to their credit they've been very tenacious about things and I think we

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____

May 4, 2021 _____

Page 9

have to, too. I think we you know we want to work with them we understand that they're going to be there but we want our properties our rights our safety protected thank you

[Mayor Hruby] Mr. President did you want me to make a couple comments.

[Council President Harwood] Yes.

[Mayor Hruby] First of all this is preliminary approval not final approval. Final approval will come down the road as they continue to work with city as far as some of the things that have been brought up you know I'd be happy to talk to each one of you individually about them but I will tell you that some of the claims that were made about flooding after the five point, no I'm sorry the 2.5 inches of rain are just not accurate. I was there we had people from city that that do this for living that their job to check retention basins and check the systems. We shared those reports today with the media that asked for them and the system that they put in is working perfectly. It is taking the water like it is supposed to now what the future will be that's all depending upon what the final design is going to be. I think that after 10 Planning Commission meetings I think we pretty much understand what the city's position is and what the DiGeronimo's position is. We are the final, Council is the final deciders and we'll make those decisions but I will tell you that the apartment building that is being proposed you asked if that was part of the agreement with the city. The agreement with the city begins back when we re-zoned the property. Years ago when we was put on the ballot and we had acquired the property. We indicated that there would be layered zoning and included that layered zoning was apartments. So it's not something that wasn't public it was passed overwhelmingly. Since that time we had entered into an agreement when we finally secured Sherwin-Williams to agree to develop here. And they're first of other corporations that are going to develop there. This is a small retail development. When you look at the overall development of that property. It's going to be primarily an office and research and development type. In the agreement between the city and Sherwin-Williams. we agreed that they would, we would, the city would in the proposal by the developer, consider apartments because they felt it was important for the young staff coming in new people moving people coming into this area that they have some apartment living. They didn't say it had to be this story didn't say. It had to be that many of this didn't have to be that many of that that piece of land was not rezoned it remains residential as it was. So it's not Sherwin-Williams that's driving what's happening in the residential. It's what the DiGeronimo company is proposing to the city. The other things you know I spoke at the last Commission meeting and one of you mentioned I said something about unique. It is unique there's no other place in Brecksville that this could happen again. No other place in Brecksville that we could have this development replicated we don't have the land and we don't have the zoning. And the people decide the zoning. So all I have to say is that I respect each and every one of your concerns. And we are doing the best that we believe we are in trying to address them and we'll continue to do that plain and simple. I did not at any point think that our Planning Commission would totally agree on this development like they haven't on other major developments at times. We didn't agree on the House of LaRose. We didn't agree on True North. They didn't agree on bringing BF Goodrich to Brecksville. We didn't agree on a variety of things in our history if you look at them. But we are what we are and I do not believe because this is isolated, and I know you're next door and yes you're in the backyard. But if you consider this development and where it is at the south end of town and what its surroundings are it's the ideal location. And the people who decided that back in the 30s were bright in in the way that they handled this town by keeping this here, this here, this here and kept to it and stuck to it all these years. We eventually knew that when the VA decided they were going to leave, and we didn't think they would leave, but they did. We knew that we were going to be faced with something to replace that income. We knew that we were going to be faced with something that was going to be developed there. And all we kept hearing from everyone was big box, big box, big box, movie theater, want this one, this

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021

Page 10

one, that. We went out and did our best to get the biggest largest anchor tenant Sherwin-Williams. The residential part they want to see there but they're not specifically as I said dictating it. So that that's all I really want to say at this point. Council will vote as Council votes. That's, you know, you all have a decision to make tonight. It is preliminary approval it moves them on. The good news is right now the zoning amendment is passing by 91% of the vote in favor of it. I think this town is looking forward to Valor Acres. Thank you.

[Council President Harwood] Thank you, does anybody want to make a comment in regards to the vote.

[Councilmember Carouse] Well, Mike you have been on Council and Planning Commission for quite some time, and you you've been a part of this. I guess just in general statement I would have to say that Council and having been on Council on the Planning Commission for quite a while the last thing we want to do is create problems. I mean we've dealt with water problems and things we certainly don't want to do it. So I think we're going to do our due diligence and anything that the Planning Commission considers to get the very best there's nothing in our interest to overlook something like that now only to have to deal with it down the road so I'm very confident that the Planning Commission and the engineers that are working on this are going to address those problems and you know Mike as our representative on the Planning Commission along with the Mayor I know that you're taking all of those considerations very seriously and trying to address them as best you can. [Council President Harwood] Correct.

[Councilmember Carouse] I just want to make sure you know that we're not taking this lightly we are hearing the issues and we certainly don't want to be creating problems that we're going to have to deal with later on so that's all.

[Council President Harwood] Anybody else.

[Councilmember Kingston] I was just going to say when I heard you up asking all those, bringing up all those points, those are conversations that I can tell you I've had personally with members of Planning, other members of Council I mean they are real. They're real questions but I think what I what I keep going back to is something that you mentioned is that I mean the DiGeronimos are willing to work. you give a lot of great examples I mean they are I mean they're from the city. I think they are going to do their part to make this right. And I have confidence in this city that we, they, us will do things right and I just wanted to say that. I hope you make you know I mean hope that puts you a little bit more at ease but this this is I mean those are very valid concerns and these are conversations that are being had constantly. So thank you.

[Councilmember Koepke] I would like to echo exactly what Daryl said. I think that there's been a lot of great strides and a lot of great effort on all parties and things are moving and shaping well. I personally am not convinced with the apartments and not the height it's the small space. I just I have a hard time with the sizes of them but I know that you guys are doing great and the Planning Commission and I know you will continue to.

Motion by Harwood to accept the Planning Commission recommendation as noted in the April 29, 2021 Planning Commission Minutes marked in the attached Exhibit "A", seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Redinger, Veras.

Nays: Koepke.

MOTION CARRIED 6-AYES, 1-NAYS.

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 11

RECREATION COMMISSION: Councilmember Redinger reported the next **RECREATION** meeting of the Recreation Commission will be May 24th. Councilmember Redinger thanked **COMMISSION** Tom Tupa for his service to the City and Council and Mayor Hruby for the recognition of Recreation Director Tupa on his retirement.

DEPARTMENT OF HUMAN SERVICES: Councilmember Veras reported the **DEPT. OF** next meeting of the Human Services Advisory Board will be May 11th at 3:00 P.M. The **HUMAN** Human Services Building opened with limited capacity and COVID-19 protocols in place. **SERVICES** The Kiwanis Empty Bowls Fundraiser is taking place today as a grab & go event.

TELECOMMUNICATIONS COMMISSION: Councilmember Carouse reported **TELEC. COM.** the committee met on April 26th. And has no items to report.

SAFETY-SERVICE COMMITTEE: Councilmember Caruso reported the **SAFETY-** committee met earlier today and thanked Council for the approval of vehicles and equipment **SERVICE** for the Fire Department.

STREETS & SIDEWALKS COMMITTEE: Councilmember Carouse reported **STREETS &** the committee met earlier today and has one item for Council consideration. **SIDEWALKS**

TANAGER TRAIL PAVEMENT REDUCTION PROJECT DEDUCT TANAGER
CHANGE ORDER -Consideration of a motion recommending to Council approval of a **TRAIL PAVE**
Deduct Change Order for the Tanager Trail Pavement reduction Improvement Plans. Carron **MENT**
Paving has offered a 25% cost reduction for the inadvertent omission of macro-fiber re- **REDUCTION**
inforcement during the installation of the curb. The project meets ODOT requirements **PROJECT**
without the macro-fiber. Acct. C480171 3501. Project #RD170001. **DEDUCT**

Motion by Carouse, seconded by Redinger.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

UTILITIES COMMITTEE: Councilmember Kingston reported the committee met **UTILITIES** earlier and has no additional item for consideration. **COMMITTEE**

BUILDINGS & GROUNDS COMMITTEE: Councilmember Veras reported the **BUILDINGS &** Buildings & Grounds Committee met earlier this evening and has one (1) item for Council **GROUNDS** consideration. **COMMITTEE**

SPRINKLER SYSTEM PIPING TESTING - Consideration of a motion **SPRINKLER** recommending to Council approval of a purchase Requisition in the aggregate amount of **SYSTEM** \$3,840.00 for the Sprinkler System Piping Testing on the Blossom Service Department **PIPING** Garage and Blossom Building #1 occupied by the Historical Society, and the Hydrostatic **TESTING** Testing of the Fire Department Connection Sprinkler System Pipe located on the exterior of these same two buildings, as well as the Horticulture Building and the Fire Station. These tests are required every five years. Account #110161 2603 Blossom Service Garage \$1,235.00, Account #110161 2603 Blossom Building #1 \$1,235.00, Account #290260 2603 Fire Station \$685.00, Account #110171 2603 Horticulture Building \$685.00

Motion by Veras, seconded by Caruso.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

LEGISLATION COMMITTEE: Councilmember Koepke reported the committee **LEGISLATION** met earlier today and has no items for Council consideration. **COMMITTEE**

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD _____ May 4, 2021 _____

Page 12

FINANCE COMMITTEE: Councilmember Redinger reported the committee met earlier and has five (5) items for Council consideration. **FINANCE COMMITTEE**

POLICE CHIEF ASSESSMENT RECOMMENDATION BOARD - POLICE CHIEF RECOMMENDATION BOARD
Consideration of a motion recommending to Council approval of a Blanket Vendor Purchase Requisition in the aggregate amount of \$4,500.00 for the Police Chief Assessment Recommendation Board consultant fees at \$1,500 each for (3) three board members. Account #110210 2101.

Motion by Redinger, seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

AUDIT SERVICES - Consideration of a motion recommending to Council approval of an increase to Purchase Order # CT214970 to James G. Zupka, CPA, Inc. in the amount of \$960.00 for a modification to the contract for the City's annual audit services due to additional testing procedures required. Account #110150 2101 **AUDIT SERVICES JAMES G. GUPTA CPA PO INCREASE**

Motion by Redinger, seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

WORKERS COMPENSATION CLAIM ADMINISTRATION - Consideration of a motion recommending to Council approval of a purchase order to Sedgwick in the amount of \$2,915.00 for the third party administration of all workers compensation claims in group rating year 2022. Account #110150 2103. **WORKERS COMPENSATION THIRD PARTY ADMINISTRATION**

Motion by Redinger, seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

CHAMBER OF COMMERCE - Consideration of a motion, recommending to Council, to waive lease payments on their space at The Old Town Hall Annex during the time of January 1, 2021 May 2021. The Chamber will be terminating the use of the City's facilities. **CHAMBER OF COMMERCE LEASE PAYMENT WAIVER**

Motion by Redinger, seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

PROFESSIONAL BILLS - Approve the payment of bills for professional services, as follows Professional Bills - Recommending to Council approval of the payment of monthly bills for professional services as follows: Matty, Henrikson and & Greve in the amount of \$8,583.70; Sergio I. DiGeronimo in the amount of \$3,960.00, Roger Wadsworth in the amount of \$350.00, Kulchytsky Architects, LLC in the amount of \$75.00; J Neusser, LLC in the amount of \$2,000.00; and Donald G. Bohning & Associates in the amount of \$21,208.50 and Sixmo in the amount of \$175.00. Total of all invoices \$36,352.20. **MONTHLY BILLS FOR PROFESSIONAL SERVICES**

Motion by Redinger, seconded by Carouse.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.

REPORT OF LAW DIRECTOR: No Report.

LAW

REPORT OF ENGINEER: No Report.

ENGINEER

REPORT OF FINANCE DIRECTOR: No Report

FINANCE

MINUTES OF A MEETING OF THE
COUNCIL OF THE CITY OF BRECKSVILLE

HELD May 4, 2021

Page 13

REPORT OF BUILDING DEPARTMENT: C.B.O. Packard reported in April the **BUILDING** Building Department issued 139 permits with a valuation of just under \$1.6 million and the **DEPT.** total receipts collected of \$55,569.58.

REPORT OF SERVICE DIRECTOR: No Report.

SERVICE

REPORT OF PURCHASING DIRECTOR: No Report.

PURCHASING

REPORT OF POLICE DEPARTMENT: No Report.

POLICE

REPORT OF FIRE DEPARTMENT: No Report.

FIRE

REPORT OF RECREATION DEPARTMENT: No Report.

RECREATION

REPORT OF THE MAYOR: Mayor Hruby reported the City Shredding Day will **MAYOR** be held on May 15th. Non-perishable food donations will be accepted at the shredding event. The Memorial Day Celebration will be a parade through the neighborhoods. Videos of previous Memorial Day events will be available on the website.

COMMENTS: Mr. Ochocki said negative comments were made by Mr. Roman on **COMMENTS** a "live" microphone during a Planning Commission meeting regarding Farinacci Pizza and the Sierra Group.

Motion by Harwood, seconded by Carouse, to adjourn the regular meeting at 9:18 **ADJOURN** P.M.

Ayes: Carouse, Caruso, Harwood, Kingston, Koepke, Redinger, Veras.

Nays: None.

MOTION CARRIED 7-AYES, 0-NAYS.



PRESIDENT OF COUNCIL



CLERK OF COUNCIL

MINUTES OF THE SPECIAL MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
April 29, 2021 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Others: Eric Hall, Gerald Wise, and approximately 16 guests

Present: Kevin DiGeronimo, DiGeronimo Properties
Joshua Decker, Project Executive
Scott Wallenhorst, Director of Design

Mr. Roman opened the Special Meeting of the Planning Commission at 7:00 p.m. Mr. Harwood attended via a teleconference call. The Agenda for this special meeting of the Planning Commission was limited to consideration of Preliminary Plan approval for the Valor Acres Conditional Use & Residential Planned Development Area Requests. Mr. Roman suggested the discussion begin with any changes, to the plan, since it was last discussed with the Commission at their April 8, 2021 meeting.

Mr. DeGeronimo provided a brief recap of changes made to their preliminary plan since it was first presented to the Commission on January 7, 2021:

- Widened buffering between the development and Westview Drive properties
- Moved townhouses from the North side of the road to the South side
- Eliminated some townhouses to improve setbacks
- Increased parking, including providing landbanked parking
- Increased green space
- Worked with Westview Drive residents on their concerns
- Will provide a fund to plant trees on Westview Drive residents' properties for additional screening

In addressing changes to the plan since April 8th, Mr. DiGeronimo began with a slide depiction of the far north side of the apartment building showing a step down from five to four stories of a portion of the building. The peak of the building would be 28 feet further from Westview Drive for a total of 552 feet from the nearest home. The roof stepdown resulted in the reconfiguration of five units and the loss of three apartment units.

Setbacks were increased for Units T3 and T4. A traffic study, of just the residential portion of the entire development, proposed no signal or changes on Brecksville Road. Mr. DiGeronimo expected the traffic study would be updated as other portions of the site develop. Mr. Wise had no new comments to add to those he has already made at past meetings.

Mr. Lahrmer acknowledged that he had asked for a stepdown reduction on the north side of the apartment building, but he didn't think it made the difference he had expected. Mr. DiGeronimo was willing to do some more tweaking, but felt they still needed to stay as close as possible to their 160 unit plan. Mr. Decker described how the stepdown, in that northern corner of the building, helped reduce the mass of the building and improved their plan. Mr. Sciria commented on some units being as small as 598 sq. ft. There were only three units at 598 sq. ft. in the area where the building was stepped back to four stories. The rest of the single units ran 614-650 sq. ft.

Mr. Bandsuh asked if the landbanked parking area would be developed if it was not needed for parking. Early on, there was consideration to having a small commercial building like a medical office. Current thinking was to share that area as a green space entrance with Sherwin Williams.

Mr. Sciria still had concerns about the view of townhouses T3 & T4 from Brecksville Road. He thought the rooftop terraces should be converted back to regular roofs. Mr. Sciria pointed out some setbacks at 30 feet and he would like to see all setbacks at a 50 foot minimum. Areas were pointed out that could be adjusted, like the removal of the calming island, to provide the extra space to increase setbacks. That would also reduce the number of deviations from the 30 now requested. Mr. Sciria read, from City Code, the purpose of a PDA which mentioned in a number of places the preservation of the natural setting. He recently walked along the rear properties of the Westview Drive residents and commented the difference from pre-tree clearing, until now, was startling.

Mr. DiGeronimo remarked that, after each of the last half dozen meetings on the proposed development, they have worked toward compromises that both improve the project, yet preserve their vision of a marketable and high quality product. They have been encouraged from the amount of outside interest expressed in the proposed project. The developer believed the success of the residential component of Valor Acres would stimulate the development of the remainder of the property, as well as surrounding properties.

Mr. DiGeronimo felt planning had reached the point where any changes had to be measured against their determination to provide quality. He was willing to consider eliminating the calming island, but felt it was an important element in providing a unique streetscape. Mr. DiGeronimo commented that with working within a bowling alley property, providing a 50 foot setback would not be workable. Working within three zoning areas has also complicated the planning process.

Mr. Bandsuh summarized his concerns as density, height of the apartment building, as well as townhouses T3 and T4. He was also concerned about the impact on Westview Drive residents.

Mr. Payto suggested some architectural intervention on the attached condos. He said it appeared all attention was given to the front façade, with the backs looking very monotonous. He felt an effort to individualize them with materials and roof pitches would improve the plan. Mr. DiGeronimo agreed that more detailing was needed on the condos. He said they were committed to four sided architecture.

Mayor Hruby spoke about the uniqueness of this development. He pointed out that it would not be setting a precedent and would never happen again in the City. The City entered into an agreement with Sherwin Williams to provide a campus for their R&D building, with the intention there would be a residential component along with a mixed use section, so people could live and work on the site. The Mayor noted the developer had presented a plan in keeping with the City's vision for that site. He felt the revisions, suggested by Commission Members to date, have only improved the plan. Mayor Hruby was supportive of preliminary plan approval.

Mr. Lahrmer wondered if a preliminary plan approval could be voted on and conditioned on a later agreement regarding roof level of the apartment building. Mr. Sciria responded that, typically, preliminary approval was approval of the entire plan and released the developer to proceed to engineering and construction drawings. If the Commission placed a condition on the plan it would hold up the plan.

Mr. DiGeronimo was willing to work with a conditional preliminary approval. The Mayor said that given some Commission suggestions that could be viewed by the developer as detrimental to the project. He asked if there were any further changes to the plan the developer would consider. Mr. DiGeronimo was willing to consider cosmetic changes, but felt they were at the limit of the slice and dice of the plan. Mr. Payto was comfortable moving forward with a motion and working on finessing the plan with the developer. Mr. Harwood felt the Commission should move forward with a motion including a five story apartment building.

The Mayor and Mr. Roman suggested that it was time to either accept or reject the plan.

VALOR ACRES CONDITIONAL USE & RESIDENTIAL PLANNED DEVELOPMENT AREA REQUESTS –
BRECKSVILLE ROAD AND MILLER ROAD

It was moved by Mr. Roman and seconded by Mayor Hruby that the Planning Commission recommend to City Council approval of:

1. Approval for R-A Conditional Use on parcel 603-21-088, subject to approval of City Council.
2. Preliminary approval of a Planned Development Area (PDA) as a Conditional Use on parcels 603-21-089 and 603-21-088, and preliminary approval of plans for the PDA, subject to approval by the City Engineer, City Law Director and City Council.

All as described in the application dated January 18, 2021, by DiGeronimo Companies, as part of the development of the Valor Acres site, on parcel 603-21-089 and 603-21-088, located north of Miller Road and west of Brecksville Road, in Brecksville, Ohio.

MINUTES OF THE SPECIAL MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
April 29, 2021 Page 3

Incorporating by reference:

Valor Acres PDP PDA Submission	DiGeronimo Vocon Neff	04/29/2021
Valor Acres Master Plan	Vocon	04/29/2021
C1.0 Existing Conditions Plan	Neff & Associates	04/16/2021
C3.0 Overall Site Mass Grading Plan	Neff & Associates	04/16/2021
C4.0 Overall Site Utility Plan	Neff & Associates	04/16/2021
C5.0 Overall Site Layout Plan	Neff & Associates	04/16/2021
3 of 4 East Preliminary Plat Details	Neff & Associates	04/16/2021
4 of 4 West Preliminary Plat Details	Neff & Associates	04/16/2021
L2.0 Site Landscape Plan	Neff & Associates	04/16/2021
L2.1 Landscape Enlargement Plan	Neff & Associates	04/16/2021
L2.2 Landscape Enlargement Plan	Neff & Associates	04/16/2021
Plant Palette - 5 Pages	Neff & Associates	04/16/2021
AS100 Multi Family Building	Vocon	04/21/2021
A101 Level 1 Overall Plan	Vocon	04/21/2021
A102 Level 2-4 Overall Plan	Vocon	04/21/2021
A103 Level 5 Overall Plan	Vocon	04/21/2021
A104 Roof Level Overall Plan	Vocon	03/25/2021
A201 Exterior Elevations	Vocon	04/21/2021
A202 Exterior Elevations	Vocon	04/21/2021
A203 Exterior Elevations	Vocon	04/21/2021
A204 Exterior Elevations	Vocon	04/21/2021
A210 Exterior Renderings	Vocon	04/21/2021
A211 Exterior Renderings	Vocon	04/21/2021
G102 Townhouses - Life Safety Code Plans	Vocon	04/29/2021
AS100 Architectural Site Plan	Vocon	04/29/2021
A200.T1 T1 Overall Plan	Vocon	04/29/2021
A201.T1 T1 Construction Plans	Vocon	04/29/2021
A202.T1 T1 Construction Plans	Vocon	04/29/2021
A201.T2 T2 Construction Plans	Vocon	04/29/2021
A200.T2 T2 Overall Plan	Vocon	04/29/2021
A202.T2 T2 Construction Plans	Vocon	04/29/2021
A201.T3 T3 Construction Plans	Vocon	04/29/2021
A201.T4 T4 Construction Plans	Vocon	04/29/2021
A201.T5 T5 Construction Plans	Vocon	04/29/2021
A201.T6 T6 Construction Plans	Vocon	04/29/2021
A201.T7 T7 Construction Plans	Vocon	04/29/2021
A201.T8 T8 Construction Plans	Vocon	04/29/2021
A401.T1 T1 Exterior Elevations	Vocon	04/29/2021
A401.T2 T2 Exterior Elevations	Vocon	04/29/2021
A401.T3 T3 Exterior Elevations	Vocon	04/29/2021
A401.T4 T4 Exterior Elevations	Vocon	04/29/2021

MINUTES OF THE SPECIAL MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers - Brecksville City Hall
April 29, 2021 Page 4

A401.T5	T5 Exterior Elevations	Vocon	04/29/2021
A401.T6	T6 Exterior Elevations	Vocon	04/29/2021
A401.T7	T7 Exterior Elevations	Vocon	04/29/2021
A401.T8	T8 Exterior Elevations	Vocon	04/29/2021
A410	Architectural Renderings	Vocon	03/25/2021
A101.A	Enlarged Plans Unit A	Vocon	04/29/2021
A101.C1	Enlarged Plans Unit C	Vocon	04/29/2021
A101.C2	Enlarged Plans Unit C2	Vocon	04/29/2021
A101.D	Enlarged Plans Unit D	Vocon	04/29/2021
A101.E1	Enlarged Plans Unit E1	Vocon	04/29/2021
A101.E2	Enlarged Plans Unit E2	Vocon	04/29/2021
A101.F1	Enlarged Plans Unit F1	Vocon	04/29/2021
A101.F2	Enlarged Plans Unit F2	Vocon	04/29/2021
A101.A	Attached Homes Construction Plans	Vocon	03/25/2021
A101.B	Construction Plans	Vocon	03/25/2021
A101.C	Construction Plans	Vocon	03/25/2021
A301.A	Construction Plans	Vocon	03/25/2021
A301.B	Enlarged Unit Plans	Vocon	03/25/2021
A301.C	Enlarged Unit Plans	Vocon	03/25/2021
A401.A	Exterior Elevations	Vocon	03/25/2021
A401.B	Exterior Elevations	Vocon	03/25/2021
A401.C	Exterior Elevations	Vocon	03/25/2021
A410.A	Exterior Renderings	Vocon	03/25/2021
A410.B	Exterior Renderings	Vocon	03/25/2021
A410.C	Exterior Renderings	Vocon	03/25/2021
PST-DA	Post Development Drainage Area Map	Neff & Associates	04/15/2021
Valor Acres Phase 1 Preliminary Traffic Impact Analysis		GPD Group	04/22/2021
Valor Acres Zoning Summary		DiGeronimo Vocon	04/16/2021
Valor Acres Homeowners Association Guidelines			02/16/2021

Specific deviations from the zoning code requested are as follows:

1. Section 1117.04(a) requirement of 60 feet minimum road right-of-way width to allow 50 feet.
2. Section 1117.04(e) requirement of 800 feet maximum permitted length of a cul-de-sac to allow 1700 feet.
3. Section 1117.09(d) requirement that side lot lines be radial from a curved street to allow non radial lot lines for sublots 9-13 and 40-46.
4. Section 1119.09(d) requirement that public sidewalks be placed on both sides of a roadway to allow no public sidewalks on the north side Road B.
5. Section 1151.14 required minimum one bedroom apartment area of 900 square feet to allow as low as 598 square feet.
6. Section 1151.22 requirement of 8,000 square feet of minimum lot area to allow a smaller area for lots 2-22 and 27-53 with the minimum area requested of 2,261 square feet.

7. Section 1151.22 requirement of 50 feet minimum lot width to allow widths as small as 21 feet.
8. Section 1151.22 requirement of 120 feet minimum lot depth to allow depths as short as 106 feet.
9. Section 1151.24 required minimum 50 foot front yard to allow as little as 25 feet.
10. Section 1151.24 requirement of 5 foot minimum side yard to allow 0 feet.
11. Section 1151.24 requirement of 125 minimum side yard on a corner lot fronting an arterial street to allow 100 feet.
12. Section 1151.24 requirement of 20 feet minimum combined side yards to allow as little as 18 feet.
13. Section 1151.24 requirement of a minimum 50 foot rear yard to allow 30 feet on lots 10-14 and 40 feet on other single family lots.
14. Section 1151.31(c) requirement of 10 maximum apartment dwelling units per acre to allow 15.7 units per acre.
15. Section 1179.04 gross maximum density requirement of 6 units per acre in a PDA to allow 10.1 units per acre.
16. Section 1179.05(c)(2) minimum 30 feet building spacing requirement for buildings with no primary living windows to allow 18 feet.
17. Section 1179.05(c)(3) requirement of 50 feet minimum building spacing for buildings with primary living space windows to allow 18 feet.
18. Section 1179.05(d) minimum 25 foot building setback from local streets in a PDA to allow 20 feet.
19. Section 1179.05(e) requirement of a maximum of 4 units attached to allow up to 10 units attached.
20. Section 1179.05(e)(1) requirement of 50 feet maximum horizontal length without 10 foot offset to allow offsets less than 10 feet.
21. Section 1179.05(e)(2) requirement of not less than 25 feet average width of each attached unit to allow 21 feet.
22. Section 1179.05(f) 125 foot minimum building setback requirement from an arterial street to allow 100 feet.
23. Section 1179.05(f) required minimum setback from R-8, R-A and other districts of which vary between 57.5 and 67.5 feet to allow a 5 foot parking setback and a minimum 40 foot building setback on buildings T-6, T-7, and T-8.
24. Section 1179.05(f) required minimum setback from R-20 districts of which vary between 44 and 138 feet to allow building setbacks of 86 feet for T-1, 30 feet for T-2, 63 feet for T-3, 54 feet for T-4, 105 feet for T-5 and as low as 33 feet for buildings C1 – C15.
25. Section 1179.05(f) required minimum setback from R-20 districts of which vary between 44 and 138 feet to allow parking setbacks of 135 feet for T-1, 41 feet for T-2 and T-3, 38 feet for T-4, and 75 feet for T-5.
26. Section 1181.11 Class 1 height district maximum height of 30 feet to allow up to 61 feet.
27. Section 1183.04(c) required 10 foot x 20 foot parking spaces to allow 9 feet x 18 feet.
28. Section 1183.05(a)(2) required minimum 353 parking spaces for apartments to allow 347 spaces – including 114 land banked spaces. (2.25 spaces per apartment required)
29. Section 1183.05(a)(2) required minimum 157 enclosed parking spaces for apartments to allow 76 spaces. (1 enclosed space per apartment required)

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman
Nays: Michael Bandsuh, Dominic Sciria

MOTION CARRIED

The Special Meeting closed at 8:15 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris