



City of Hudson, Ohio

Meeting Minutes - Final Planning Commission

Robert S. Kagler, Chair
Thomas Harvie, Vice Chair
Gregory Anglewicz
Michael Chuparkoff
David Lehman
Ron Stolle
James Vitale

Greg Hannan, Community Development Director
Kris McMaster, City Planner
Matthew Vazzana, City Solicitor

Monday, August 26, 2019

7:30 PM

Town Hall

SPECIAL MEETING

I. Call To Order

Chair Kagler called to order the meeting of the Planning Commission of the City of Hudson at 7:32 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

II. Roll Call

Present: 7 - Mr. Anglewicz, Mr. Chuparkoff, Mr. Harvie, Mr. Kagler, Mr. Lehman, Mr. Stolle and Mr. Vitale

III. Swearing In

Mr. Vazzana placed everyone under oath who anticipated giving testimony during the meeting.

IV. Correspondence

There was no correspondence.

V. Public Discussion

Chair Kagler invited anyone who would like to make public comment on any topic that is not on the agenda to come forward. There were no public comments.

VI. Approval of Minutes

There were no minutes to approve.

VII. Old Business

There was no old business.

VIII. Public Hearings

- A. [PC 2019-673](#) A continuation of the Planned Development Final Plan from Robert Warner of Environmental Design Group, 450 Grant Street, Akron, OH as applicant and City of Hudson, 115 Executive Parkway, Suite 400, Hudson Ohio as property owner, for approval of a Final Plan for Phase A of a Planned Development for the mixed use Downtown Phase II Development Project located on the following Permanent Parcels located west of Morse Road and north of Owen Brown Street: No. 3204149, 3200185, 3200186, 3200823, 3204148, 3201855, 3203132, 3203716 and 3203648.

Attachments: [DTPH2 - Final Plan Phase A August 26 PC SR](#)
[DTPH2 Final Plan Overview](#)
[DTPH2 Final Plan IIA Plat 8.23.19](#)
[DTPH2 Final Plan IIA Public Improvements 8.23.19 File 1 of 2](#)
[DTPH2 Final Plan IIA Public Improvements 8.23.19 File 2 of 2](#)
[DTPH2 Final Plan IIA Private Improvement Plans 8.23.19 File 1 of 2](#)
[DTPH2 Final Plan IIA Private Improvement Plans 8.23.19 File 2 of 2](#)

Mr. Hannan updated the Commission regarding the changes to the DTP2A plan that included: The street plan, marked parking stalls, trip generation report, negotiations on the purchase of the Windstream property, the layout of Owen Brown Street, open spaces and the Fire Marshal's report.

Mr. Bob Warner, Environmental Design Group, noted changes to the Final Plan including: Bump out parking spaces and widening the right-of-way from 50 to 60 feet resulting in smaller home sizes; Mr. Warner also detailed the location of the 272 parking spaces including the additional guest parking spaces in Blocks D, F and H. He also noted about half to three-quarters of the living units have the potential for a basement.

Mr. Hannan showed Block K which is noted as open space and noted that on page 2 of the staff report the condominium units are listed as part of Phase A, but are not part of this application.

The TMS updated traffic study was discussed including a report to Mr. Thomas Sheridan, Assistant City Manager, comparing previous traffic including Windstream, city employees and school employees to predicted traffic after the build-out of DTP2A. The result of the study shows much less traffic after build-out. The use of traffic restrictors on Owen Brown Street was discussed with the possibility using batons to control access around the boulevard after buildout for all phases.

A reference was made in the staff report on page 4 regarding an additional unit, totaling 10 units, on Block G. The plugging and capping of the gas and oil well was discussed in relation to the extra unit on Block G.

Fire Marshal Kasson's preliminary review letter was noted.

The Commission, staff and Mr. Warner discussed the ADA accessible mail kiosks, the added descriptor for the green space across from Morris Road, the ten-foot wide trail that will connect to Veterans Trail and the storm water retention system.

Mr. Hannan explained the master plan pages of the staff report that show the orientation of houses and the future phase, DTP2B. Mr. Testa explained that he would prefer to do all the work in the phases at one time to avoid building and then tearing out parts of the project. Mr. Hannan noted there is no traffic mitigation in Phase A, this was put in report to show

what may come in a future DTP2B.

The housing mix will be determined by the builder and buyer with square footages unknown at this time.

Mr. Testa noted that page 17, 18, 19 and 20 of the staff report are not planned for the Hudson development. These photographs were included to convey the sense of zero lot lines, spacing between houses, green space and potential housing types. The houses themselves will be custom designed with Mota Group assisting the builder in planning.

Chair Kagler described to the public the information regarding the house types and prices that are in the staff report.

The last page of the staff report is a support document by TMS and provided as a possibility of how a traffic restrictor might work. This example was done in response to a request by the PC and is not part of the present plans.

The Commission noted concern about the perception of approving DTP2B in the approval of DTP2A and confirmed that Phase B is not being considered at this time.

Platting and the use of deed restrictions for the gas well was discussed.

It was noted that the Passive Park should have shown the red line around it to show it is part of DTP2A.

The Commission noted that if DTP2B is not developed, DTP2A will stand on its own as shown in the plan in the staff report.

Mr. Hannan noted the city could do traffic counts after build-out and if traffic is greater than anticipated, restrictors could be implemented. Mr. Hannan also noted The Improvement Plan will be approved by the City of Hudson Engineering Department, the Improvement Plan was included in the staff report for reference.

The landscaping plan was discussed. Mr. Hannan noted the location of the buffer areas as required by the LDC and stated staff proposes to address landscaping and street trees through the City Arborist and Tree Commission.

Chair Kagler opened the meeting for public comment.

Ms. Nicole, Kowalski, 276 Atterbury Boulevard, read a statement from Mr. Joe Creehan , 7 Morningsong Lane, that supported the plan. Ms. Kowalski herself noted the reduction in the size of the plan and stated she believes it is the correct plan and should not be delayed.

Mr. Todd Zedak, 7706 Oxgate, stated he does not believe this Final Plan matches the Preliminary Plan and should not be considered. Mr. Zedak also believes this is a haphazard design and there will be a negative traffic impact on Owen Brown Street and the City. Mr. Zedak stated the developer will not be able to move forward on capping the gas well and requested a no vote on this plan.

Ms. Celeste Bland, 131 Clairhaven Drive, noted PC is considering a plan that does not know the size of the houses and is not focused on the houses.

Ms. Jessie Obert, 76 Parmelee Drive, noted the Passive Park that is not circled on the plan as being included in DTP2A and that a misrepresentation of the development will be given to buyers because of the uncertainty of DTP2B. Ms. Obert also stated that Mr. Testa's development in Ellet has decreased in value. She urged the Commission to vote no because there are too many questions without answers.

Ms. Rebecca Leiter, 134 Aurora Street, questioned if breaking the plan into two phases is a significant departure from the Preliminary Plan.

Mr. Bob Drew, 66 East Streetsboro Street, thanked the Commission, staff and Mr. Testa for the work done to date and stated he believes people want a place to live downtown and while he realizes this plan is not perfect, it is a good plan for

downtown.

Seeing no one else wishing to speak, Chair Kagler closed the meeting for public comments.

To answer to questions from the public, the Commission, staff, Mr. Testa and Mr. Warner stated:

1. Phasing of the development was anticipated from the beginning.
2. Mr. Testa and Chair Kagler noted the design of housing is not determined by the PC, this will be done by AHBR. The role of PC is to approve the street and lot design, when this is done, housing designs will come before the AHBR. Chair Kagler stated this plan shows more than a typical Final Plan would show at a PC meeting.
3. Mr. Testa noted housing types and price points are based on market studies and he believes there is a demand for what is being proposed.
4. Mr. Hannan noted the Preliminary and Final Plans are within one year, as required.
5. Chair Kagler stated the City and Developer do have the ability to negotiate with the owner of the oil and gas well and the resolution may depend on the amount of money offered.
6. Regarding misrepresenting the future development of DTP2A & B, it has been clearly presented in plans and discussion that this will be done in phases and that DTP2B may or may not happen.

The Commission discussed the passive park, the open space required by the plan, the retention basin, and required setbacks from the gas/oil well.

Mr. Sheridan explained the reason for an asphalt trail path is that asphalt trails are funded by ODNR. He also noted the retention basin will be funded by the Western Reserve Land Conservancy. Mr. Sheridan explained the storm water retention basins will be four and one-half feet deep (relative to the sidewalk) and the sediment traps are designed to drain over 48 hours while filtering the water. These basins will be maintained by the home owner's association.

Mr. Sheridan discussed the width of Owen Brown Street and noted it is a public street.

The Commission discussed the Fire Marshal's letter dated August 22. Mr. Hannan reviewed the Fire Marshal's involvement and noted the Fire Marshal is comfortable with this plan, pending final review.

The Commission discussed possible conditions for a motion and conducted a straw poll on the inclusion of the Boulevard on "C" which resulted in a divided Commission.

Mr. Vitale made a motion, seconded by Mr. Harvie that, based on the evidence and representations to the Planning Commission by the applicants Robert Warner of Environmental Design Group, 450 Grant Street, Akron, OH and Joel Testa, 2335 Second Street, Cuyahoga Falls, Ohio and City of Hudson, 115 Executive Parkway, Suite 400, Hudson Ohio as property owner and City staff at public meetings of the Planning Commission held at its regular meeting on August 12, 2019 and a special meeting on August 26, 2019, the Planning Commission approves the Final Planned Development Phase A application for Parcel Numbers: 3203132, 3200823, 3201855, 3203716, and 3203648 in Case No. 2019-673 according to the plans received August 22, 2019 and subject to the following conditions:

1. **Accept the proposed Land Development Code modifications regarding minimum lot width, setback, orientation, wetland impact and lot frontage as proposed in the August 23, 2019 staff report.**
2. **Species and placement of street tree landscaping shall be subject to approval by the City Arborist in consultation with the Hudson Tree Commission.**
3. **An exterior lighting plan, including photometrics, shall be submitted to verify compliance with the applicable standards of Section 1207.18(g).**
4. **A performance guarantee of 110% of the City Engineer's estimate of the cost of public improvements for Phase A shall be submitted to the City.**
5. **To the satisfaction of the City Engineer, the comments of the Asst. City Engineer shall be addressed per the August 23, 2019 correspondence.**
6. **Subject to acceptance by the Fire Department per the comments of the Fire Marshal dated August 22, 2019.**

7. The open space at the northeast corner of Owen Brown Street and Morse Road shall be included within the approved Final Plan area for Phase A.
8. A post development traffic study shall be completed to determine if additional traffic control measures are needed to maintain traffic counts on the Historic Block of Owen Brown Street at or below pre-development levels. If additional traffic control measures are needed, then they shall be in conformance with the recommendations of Section 5.5 of the March 13, 2019 Traffic Impact Study for Downtown Phase II prepared by TMS Engineers.
9. The center median on Roadway C may be administratively removed by the City of Hudson if the City Engineer, based on traffic control and/or engineering reasons, decides removal is necessary.
10. The Phase A plat shall be revised to identify and depict the ten proposed housing units at Block G and the existing gas well adjacent to said housing units along with the applicable setback from the gas well.
11. The Final Plan approval is limited to Blocks D, E, F, G, & H (including associated green/open space) and does not include final plan approvals for Blocks A, B, or C.

The motion was approved by the following vote:

Aye: 7 - Mr. Anglewicz, Mr. Chuparkoff, Mr. Harvie, Mr. Kagler, Mr. Lehman,
Mr. Stolle and Mr. Vitale

IX. Other Business

X. Staff Update

Mrs. McMaster informed the Commission there is one case for the September meeting.

XI. Adjournment

Mr. Stolle made a motion, seconded by Mr. Angelwicz that the meeting be adjourned. The motion carried unanimously.

Seeing no other business, Chair Kagler adjourned the meeting at 9:41 p.m.

Robert S. Kagler, Chair

Joe Campbell, Executive Assistant

Upon approval by the Planning Commission, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording, excluding executive sessions, in accordance with Codified Ordinances, Section 252.04, Minutes of Architectural and Historic Board of Review, Board of Zoning and Building Appeals, and Planning Commission.

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