



# City of Hudson, Ohio

## Meeting Minutes - Final Planning Commission

*Ronald Stolle, Chair*

*David Lehman, Vice Chair*

*Andrew Furbee*

*Melissa Jones*

*Sarah Norman*

*David Nystrom*

*Erik Vaughan*

*Greg Hannan, Community Development Director*

*Nicholas Sugar, City Planner*

*R. Todd Hunt, Special Counsel*

*Marshal Pitchford, City Solicitor*

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Monday, December 12, 2022

7:30 PM

Town Hall  
27 East Main Street

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### I. Industrial Design Subcommittee (6:45 p.m.)

Industrial Design Subcommittee

Mr. Lehman called to order a scheduled meeting for the Industrial Design Subcommittee to review the design elevations with respect to the Standard Shop Company.

Present: Mr. Lehman, Ms. Marzulla, Mr. Workley

Mr. Sugar introduced the application by noting the Industrial Design Subcommittee previously examined this application, reviewed the proposed changes and staff comments.

Mr. Dave Pelligra, architect and Mr. Adam Stonetree, stated their agreement to follow the staff comments.

The Subcommittee, applicant and staff discussed the siding and overhead doors being a common color, the canopy sizes and positions, changing the water table height to 54-inches high, removing trees for the required sidewalk, the addition of dormers and overhangs above the rear, larger window openings along Terex Road, new details in the gables which were shown to the Subcommittee, the color of the center mass, bump-outs on various buildings, the colors used on the roofs, the wings now offset by two-feet and a composite board and batten material.

**Ms. Marzulla move to approve, seconded by Mr. Workley, with the following conditions: The water table around the center mass will be 54 inches high, the center mass will be a different color from the wings siding, larger window openings along Terex Road - as presented, round louvers to be utilized in the gables, the bump out mass replicated on Buildings B, D and E on the west sides and the corner detail removed from the plan. The motion was approved by the following vote:**

**Aye: Mr. Lehman, Mr. Marzulla and Mr. Workley**

### II. Call To Order

Chair Stolle called to order the meeting of the Planning Commission of the City of Hudson at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

### III. Roll Call

**Present:** 7 - Ms. Jones, Mr. Lehman, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Furbee

### IV. Swearing In

Chair Stolle placed everyone under oath who would be giving testimony during the meeting.

### V. Correspondence

**Correspondence:** Chair Stolle noted that the Commissioners and staff have received significant numbers of correspondence since the last meeting which will be entered into the record during the appropriate case.

### VI. Public Discussion

Chair Stolle opened the meeting for Public Discussion on any topic not on the agenda. There were no Public Comments.

### VII. Approval of Minutes

#### A. [PC 11-28-22](#) Minutes of Previous Planning Commission Meeting: November 28, 2022

Attachments: [PC Meeting Minutes November 28, 2022](#)

**A motion was made by Mr. Vaughan, seconded by Mr. Nystrom, that the November 28, 2022, Minutes be approved. The motion carried by the following vote:**

**Aye:** 7 - Ms. Jones, Mr. Lehman, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Furbee

#### B. [PC 11-14-22](#) Minutes of Previous Planning Commission Meeting: November 14, 2022

Attachments: [PC Meeting Minutes November 14, 2022](#)

**A motion was made by Mr. Lehman, seconded by Mr. Nystrom, that the November 14, 2022, Minutes be approved as submitted. The motion carried by the following vote:**

**Aye:** 6 - Ms. Jones, Mr. Lehman, Ms. Norman, Mr. Nystrom, Mr. Stolle and Mr. Furbee

**Abstain:** 1 - Mr. Vaughan

### VIII. Old Business

#### A. [PC 2022-822 co](#) Conditional Use and Site Plan review request for Hudson Community Living, from 11.14.22 an institutional residential use that would serve individuals with special needs. The request would include constructing six (6) residential buildings, a clubhouse building, and a private drive. The request was continued from the November 14th Planning Commission meeting.

Attachments:

- [Staff Report 2022-822 - Hudson Community Living](#)
- [Updated Submittal Documents For December 12 PC Meeting](#)
- [Public Comments - December PC Meeting](#)
- [Staff Report - November 14 PC Meeting](#)
- [Renderings - November 14 PC Meeting](#)
- [Trip Generation Report - November 14 PC Meeting](#)
- [Public Comments - November 14 PC Meeting](#)

Chair Stolle began by outlining procedures relating to review timelines and Public Comment.

Chair Stolle noted that as of 5:20 p.m., December 12, 2022, 1541 individual correspondence regarding HCL application were received with 1462 of the communications in support of HCL's application and 79 opposed. All correspondence will be turned over to staff for the official record.

Mr. Sugar introduced the application by noting at the November 14, 2022, PC meeting information was requested from the applicant, this information is included in the staff report.

City Solicitor Pitchford noted outside legal opinions do not have concerns regarding ADA or the Fair Housing Act and the application satisfies the determination of an Institutional Residential Use.

Mr. Gurreri addressed questions from the previous meeting: 1) The classification of HCL is to supply a supportive living environment for special needs adults. 2) The ability to satisfy Fair Housing regulations. 3) The landscaping plan has been submitted and is included in the staff report. 4) The wetlands variance will go before BZBA. 5) The site plan as submitted being the desired site plan.

Mr. Majeed Makhlof, of Berns, Ockner & Greenberger, LLC, discussed the Board's overall role in a zoning review and the professional legal opinions submitted for this request.

Mr. Greg Soltis, Cleveland State University and RDL Architects, presented a planning and zoning presentation.

Ms. Patti Gurreri, spoke to the needs of her son, his diagnosis and how Hudson has allowed her son to thrive. Ms. Gurreri also spoke to the concerns raised by those in opposition to HCL and the difficulty of the intended population to be welcomed in the proposed location.

The Commission members commenced with individual questions for staff and attendees regarding the density of the surrounding houses. Mr. Gurreri noted less density will mean less people being allowed to live in the development. Mr. Soltis noted the denser portion of the property being closer to the denser neighborhood. Mr. Makhlof noted the harmonious nature of the development with the surrounding neighborhood. The engineer's requirement of acquiring a utility easement was discussed with Mr. Gurreri noting the neighbor has given permission for the easement.

The Commission and applicant discussed the Institutional Residential classification and applicable requirements.

Mr. Matthew Weber, Weber Engineering Services, noted all submittals to the Army Corps of Engineers are completed and believes the variance will be granted and will work with the City Engineer regarding storm water.

Mr. Pitchford noted the revised deed restriction was submitted to staff but not to the Commissioners and addressed the concerns raised by residents and the City.

The Commission and staff discussed the walkway from the sidewalk to the City owned parking lot which would be decided by City Council.

Chair Stolle opened the meeting for Public Comment with a limit of three minutes per person.

Ms. Lauran Green Hall, Associate Director at Fair Housing Contact Services, noted her agency's experience with housing rights and a mission to eliminate housing discrimination. Ms. Hall stated her agency's pleasure with the HCL and her concern that if the property is restricted to the proposed population, there may be fair housing legal issues.

Ms. Amy Nichols, 7197 Valley View Road, noted she owns a shop downtown which employs special needs workers and described the daily life of families with special needs and encouraged those in attendance to come together for the good of the city.

Mr. Dan Wright, 83 South Hayden Parkway, stated objections to: The applicability of the Saunders vs. Clark case, the compatibility and density count, and the proposed text in the deed restriction.

Mr. Wellborn Jack, 28 Fox Trace Lane, read from the analysis of Reno & Cavanaugh, regarding discrimination in housing. Mr. Jack also requested the Commission describe any other attorneys consulted regarding Fair Housing requirements.

Mr. Dave Grunenwald, 1643 Barlow Road, real estate developer, spoke in support of HCL while noting from his professional experience, HCL is a harmonious use of the property and urged PC to support the project.

Ms. Mary Beth Miller, 68 Fox Trace, noted PC is to represent the entirety of Hudson citizens which were denied the opportunity to speak during the previous meeting and opposed the development because of the high density and scope of the project. Ms. Miller also spoke to the fast movement of this project, lack of rules to guide the project and the lack of a traffic study.

Ms. David Faiman, 7577 Hudson Park Drive, spoke regarding the continuing questions which seem like an attempt to stall the project and the not-in-my-backyard attitude displayed by speakers. Ms. Faiman also spoke regarding this segregated neighborhood which is needed for those with disabilities who desire this project.

Ms. Rene Comerriato, 35 Pinewood Lane, asked questions regarding water runoff and the potential for flooding of the surrounding neighborhoods.

Ms. Audren Susz, 6364 Canterbury Drive, spoke of her involvement in the disability's community including certifications by Summit County DD. Ms. Susz described this community's desire for independent living and that the residents of the community will make Hudson a better place to live.

Ms. Leslie Burke, 5876 Ogilby Drive, noted changes made in Hudson through the years, i.e., the Clocktower rebuilding and Yours Truly renovation which have made Hudson a better place to live, as will the development of HCL.

Mr. Dave Bateman, 7577 Hudson Park Drive, noted the support HCL has received over the last month, the planned success of HCL because of the successful leaders involved in the project, the experience and involvement of the leaders in the special needs community and HCL benefit to all of Hudson as a leader in the special needs community.

Ms. Venessa Bean, Fair Housing Agency, noted that the proposed community is not inclusive to all special needs persons and the community should be open to all those with needs.

Seeing no one else wishing to speak, Chair Stolle closed Public Comments.

Chair Stolle brought up the following questions from the Public Comments:

1. Regarding stormwater management, Mr. Hannan noted the existing requirements for the property and that HCL will be required to have retention basins. Mr. Dave Rapp, Hudson Assistant City Engineer, noted his work with Mr. Weber.
2. Chair Stolle noted the reason the meeting was not moved last month was because he was not aware of the number

of people who would attend and for this meeting other rooms were opened for citizen involvement.

The Commissioners further discussed the request as it would relate to a motion.

**Mr. Lehman made motion, seconded by Mr. Vaughn, based on the evidence and representations to the Commission according to plans received November 14, 2022 and November 28, 2022 as the Planning Commission finds the application is in compliance with the general conditional use standards of Section 1206.02(b) and the Special Conditions and Standards 1206.02(c)(4),(14),&(22) applicable to Institutional Residential Uses and subject to the following conditions:**

1. Site plan shall be revised to reposition the fencing in the northwest and southeast portions of the site so as to be located closer to the private drive on a higher slope.
2. The submitted deed restriction shall be reviewed and accepted by the City Solicitor and recorded prior to issuance of a zoning certificate.
3. A variance shall be obtained from the Board of Zoning and Building Appeals from Section 1207.03 Wetland/Stream Corridor Protection to fill the approximate 0.2 acres of delineated wetlands onsite.
4. The comments of Assistant City Engineer David Rapp shall be addressed per the December 5, 2022 correspondence.

**Ms. Norman made a motion, seconded by Ms. Jones, to amend Mr. Lehman's motion to include a condition that the site plan be revised to incorporate a maximum of sixteen units.**

**The amendment to the motion was approved by the following vote:**

**Aye: Ms. Jones, Ms. Norman, Mr. Furbee, Mr. Nystrom  
Nay: Mr. Lehman, Mr. Vaughan, Mr. Stolle**

**Mr. Lehman made a motion, seconded by Mr. Vaughn, to amend Ms. Norman's motion to say the following:**

5. That the site plan be revised to incorporate a maximum footprint of sixteen units, provided the total building footprint is not increased and the limits of disturbance and building setbacks are not decreased.

**The amendment to Ms. Norman's motion, and Mr. Lehman's motion as a whole were approved by the following vote.**

**Aye: 7 - Ms. Jones, Mr. Lehman, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Furbee**

**B. PC 2022-931 conA Site Plan request of an industrial business park at 5682 and 5698 Hudson from 10.10.22 Drive.**

Attachments:

- [Staff Report 2022-931 Standard Shop Co](#)
- [Use Letter](#)
- [Site Plans](#)
- [Elevations](#)
- [Engineering-Fire Review Letters](#)
- [Industrial Design Subcommittee Memo](#)

Mr. Sugar introduced the application by highlighting the revisions and updates from the previous application. Mr. Sugar then delineated the meaning of and examples of an Industrial Business Park and noted a change of use permit will be required when a business anticipates move in.

Mr. Lehman reported on the Industrial Design Subcommittee by describing the requested changes to the project .

Mr. Matthew Weber, Weber Engineering Services, stated the landscaping items noted by staff will be addressed, there are currently 50 parking spaces outside and 34 additional parking spaces inside which are subject to the building use, how the LDC and the actual need for parking may be interpreted, how angled parking may be utilized and photos of similar facilities showing the number of parked vehicles at various times of the day.

Regarding the defunct oil and gas well: As much information has been gathered as practical, prior to having to expend larger sums of money. If PC allows the project to move further along, more information will be gathered.

The Commissioners, staff and applicant discussed the thirty-to-forty-thousand-dollar expense to cap the oil well and the 4-weeks needed to accomplish the capping, the need for additional parking on site (depending how parking spaces are calculated) and how the applicant might satisfy the requirement, the possibility of using land banking, the need for a variance if the required parking is not planned, the possibility of including the interior parking spaces with the use of a HoA agreement, that the LDC will exclude metal work, vibrations, odors and poor air quality produced by tenants, snow removal, the photometrics and light style, the driving isle width which may be widened by using angled parking, alternatives to the designated sidewalks, the types of businesses allowed in the development by the LDC and the HoA, previous use of pavers in the grass, how additional parking spaces will impact the impervious surface requirements, the size of parking spaces and if additional space is needed for larger vehicles or trailers. The applicant state he will work with the City Arborist to determine which trees will be saved, the types of plantings, the location of the entry drive and that expansion of the development has been removed from consideration,

The Commission and staff discussed, the floor space to lot ratio meaning, the definition of 'the unmerged area', that both Terex Road and Hudson Drive are considered fronts for set-back purposes, the review of pedestrian amenities including internal sidewalks which are distinguishable from the driving surfaces, the landscaping requirements and the setback recommendations.

Chair Stolle opened the meeting to Public Comment, seeing no one come forward, Public Comments were closed .

The Commission, staff and the applicant discussed, the possibility of land banking, staff's recommendation regarding the buffer yard between the development and City Hall and the turning radius for fire trucks.

**Mr. Furbee called the question, seconded by Mr. Vaughn. The Call for the Question was approved unanimously.**

**Mr. Vaughn made a motion, seconded by Mr. Nystrom, based on the evidence and representations to the that the Planning Commission approve the Major Site Plan Request for Standard Shop Company, an Industrial Business Park, in Case 22-931 for 5698 and 5682 Hudson Drive according to plans received November 22, 2022 with the following conditions:**

- 1. A lot consolidation shall be recorded prior to the issuance of a zoning certificate.**

2. Each prospective tenant shall obtain a change of use certificate prior to occupancy.
3. The applicant shall submit confirmation from the Ohio Department of Natural Resources verifying the oil and gas well have been removed/plugged prior to the issuance of a zoning certificate.
4. The landscaping plan shall be revised as follows and approved by city staff prior to the issuance of a zoning certificate
  - a. Individual plantings shall be planted along Bufferyard E (40') at the south property line adjacent to the residential use.
  - b. Bufferyard C (15ft) shall be planted at the south property line adjacent to the City Hall property.
  - c. Street trees shall be proposed along both frontages in consultation with the City Arborist.
  - d. The proposed landscaping along Terex Road shall be distributed across a larger portion of the setback, closer to the buildings, and revised to incorporate evergreen trees to soften the presence of the building.
  - e. Revise the interior parking lot landscaping to incorporate a minimum of 800 square feet.
5. The site plan shall be revised to incorporate 10 additional parking spaces via land banking and revise the drive aisle widths to meet the minimum parking standards and dimensional requirements in Section 1207.12.
6. The Planning Commission accepts the final recommendation of the Industrial Design Subcommittee to include the following design revisions:
  - a. A masonry water table approximately 54" high shall be incorporated at the center masses of each building.
  - b. The center masses of each building shall be a different color than the wings.
  - c. Larger window openings along Terex Road shall be incorporated.
  - d. Round louvers shall be utilized in the gables.
  - e. The proposed bump out mass shall be applied to the east side of building B, the east side of building D, and the west side of building A.
7. The comments of Assistant City Engineer David Rapp review shall be addressed per the December 5, 2022 correspondence.
8. The comments of Fire Marshal Shawn Kasson shall be addressed per the September 6, 2022 correspondence.
9. Distinguishable internal sidewalks or paved paths shall be incorporated along the interior faces of the buildings to comply with Section 1205.11(e)(9)(B).

Aye: 7 - Ms. Jones, Mr. Lehman, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Furbee

## **IX. Public Hearings**

## **X. Other Business**

Chair Stolle briefly reviewed the first meeting of the Comprehensive Plan Review Commission.

## **XI. Staff Update**

Mr. Sugar noted there are two possible applications for the January meeting. The Commissioners were reminded the first order of business in January will be PC elections. The Commission discussed how recommendations to Chair Stolle are to be made regarding the Comprehensive Plan Review Commission.

**XII. Adjournment**

**A motion was made by Mr. Furbee, seconded by Ms. Jones, that the meeting be adjourned at 12:18 a.m., December 13, 2022.. The motion carried by an unanimous vote.**

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**Ronald H. Stolle, Chair**

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**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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