



City of Hudson, Ohio

Meeting Minutes - Final

Planning Commission

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

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

Monday, December 10, 2018

7:30 PM

Town Hall

I. Call To Order

Chair Kagler called to order the meeting of the Planning Commission of the City of Hudson at 7:31 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

Staff in attendance: Mr. Greg Hannan, Community Development Director; Mrs. Kris McMaster, City Planner; Mr. Matthew Vazzana, City Solicitor.

II. Roll Call

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

III. Swearing In

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

IV. Correspondence

There was no correspondence.

V. Public Discussion

Chair Kagler invited anyone wishing to speak on any issue that is not on the agenda, to come forward to speak.

Mr. Michael Flynn, 5835 Martin Drive, requested the Commission consider extending Martin Drive to Terex Road.

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

VI. Old Business

There was no old business.

VII. Public Hearings

- A.** [PC 2018-5260](#) A right-of-way vacation fronting Morse Road and right-of-way dedication fronting Clinton Street located at 44 Clinton Street, in District 5-Village Core District.

Attachments: [PC 2018-5260 Staff Report December 10, 2018](#)

Mrs. McMaster introduced this application to replat the Permanent Parcel #32-02053 (44 Clinton Street) owned by JMS Property Group, LTD. Mrs. McMaster stated City Council has conducted a preliminary review of the request to discuss the proposed straightening of the existing right-of-way and existing sidewalk on Clinton Street to match the existing right-of-way on Clinton Street. Council also discussed the cost of the project, utilities and additional parking spaces to be located in the front of the proposed new building that would be a continuation of the street scape that currently exists east on Clinton Street.

Mr. Dennis Stoffer, Spagnuolo and Associates, stated the owner intends to develop this property, the requested replat allows a better right-of-way for future use.

Mr. Russ Marchetta, architect for the project, stated the owner intends to use the second floor for his current design company and the first floor will be for a retail business.

The Commission discussed parking on and around the property as well as incorporating this project into the Downtown Phase 2 plans.

Chair Kagler opened the meeting for public comments. There were no public comments.

Mr. Harvey made a motion, seconded by Mr. Vitale to approved the Replat of Hudson Crossing Parkway Industrial Subdivision for Case 2018-5260 involving the right-of-way vacation of 1,229 square feet fronting Morse Road and right-of-way dedication of 1,938 square feet fronting Clinton Street according to the Replat dated as received October 25, 2018. Further Planning Commission recommends that Council approve the right-of-way vacation of 1,229 square feet fronting Morse Road and right-of-way dedication of 1,938 square feet fronting Clinton Street and authorize the City Manager to deed these lands to the property owner at 44 Clinton Street and the City of Hudson. The following conditions must be met in conjunction with the requested Replat:

- 1. Council must approve the right-of-way vacation of 1,229 square feet fronting Morse Road and right-of-way dedication of 1,938 square feet fronting Clinton Street and authorize the City Manager to deed over the lands to be vacated and dedicated.**
- 2. Applicant shall provide to the city information describing the proposed terms or rights associated with the easement and to whom it shall benefit.**

The motion was recommended for approval and referred to City Council by the following vote:

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

- B.** [PC 2018-5349](#) Revised preliminary subdivision plan approval for the single-family residential Open Space Conservation Subdivision known as the Reserve at River Oaks, Phases 1-5.

Attachments: [PC 2018-5349 Staff Report December 10, 2018](#)

Mrs. McMaster introduced the application for the Revised Subdivision Plan approved for the single family residential Open Space Conservation subdivision known as the Reserve at River Oak Phase I-V. The applicant's request is to revise the previously approved public open space requirement and to relocate the pedestrian path and water main link that connected Phase 4 to Phase 5. After a detailed review of the wetland conditions with respect the feasibility to install the path and water main line, it was determined that the installation of the path and water main and future maintenance was not advisable. Pulte Homes is requesting to submit a payment in-lieu to allow the city to install, as part of upcoming trail projects along Boston Mills Road, and to revise the water main to connect to Hudson Industrial Parkway. Mrs. McMaster also stated that the utilities between Boston Mills Road and West Streetsboro Street have been rerouted and the eight-foot pedestrian path has been eliminated.

Mr. Brad Piroli, Pulte Homes, stated that the reason the path is being eliminated is that the wetlands are now a high quality category III wetlands that would be difficult for the development to maintain and it is believed that the Army Corp of Engineers, will not give approval for this project in a category III wetlands.

The Commission discussed the \$625,610.94 payment to be shared by Pulte and Prestige Homes, of which \$390,000 is for utility work with the balance used for new paths.

Commission members expressed appreciation to the developer and City staff for the ideas presented.

Mr. Piroli stated his agreement with the conditions and comments made by staff.

Chair Kagler opened the meeting for public comment.

Ms. Kristina Marino, 5661 Timberline Trail, stated she would like a sidewalk that would connect the Timberline Trail and Majestic Oaks entrances to the development. Mr. Piroli stated this connector is the intention of Pulte Homes in the spring of 2019.

Seeing no other persons wishing to comment Chair Kagler closed the public comments.

Mr. Vitale made a motion, seconded by Mr. Chuparkoff, that the Planning Commission approve the Revised Preliminary Subdivision Plan approval, Case Number 2018 - 5349, for the single family residential open space conservation subdivision known as Reserve at River Oaks Phases I - V, according to plans dated as received November 2, 2018, with the condition that the applicant must address the following as part of the final plat and improvement plan submissions.

- 1. Submit final subdivision plans for future phases.**
- 2. Verify the wetland documentation is still valid.**
- 3. Indicate how the existing widened 8-foot walkway will transition to a 5-foot sidewalk for Phase IV.**
- 4. Applicant to submit a cash amount of \$625,610.94 as payment in lieu to comply with the required public open space and utility requirement. City of Hudson will utilize the submitted funds to compete the utility installation and to apply the trail funds toward a larger trail development project along Boston Mills Road.**

The motion was approved by the following vote:

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

VIII. Other Business

- A. [PC 2018-4811](#) **Notice of Public Meeting:** Approval of a Final Subdivision Plan to establish a 499-foot length street, north of Barlow Road to establish two (2) sublots to be located at 1221 Barlow Road, Permanent Parcel #30-10196 in District 8-Industrial/Business.

Attachments: [PC 2018-4811 Staff Report December 10, 2018](#)
[Public Road Improvement Plans](#)

Mrs. McMaster introduced this application that was initially approved on December 11, 2017 for a continuing care retirement community to be accessed from a private driveway. The property owner has requested to revise the private driveway to a public street. As the request involved the acceptance of public infrastructure, a major subdivision application has been submitted. Mrs. McMaster stated that the Preliminary Subdivision Plan was granted on November 5, 2018.

Mrs. Jennifer Schumacher, Hammontree Engineering, has submitted revised information regarding the landscaping and lighting.

Mr. Vazzana stated that the request of Planning Commission at the Preliminary Subdivision Plan hearing to examine the covenant led to a much larger examination of documents to confirm that the city will not incur liability for the proposed public road. The Commission and Mr. Vazzana discussed the possibility of a conditional approval at this meeting, based on his future decision regarding the environmental restrictions. Mr. Vazzana was agreeable to the conditional approval.

The Commission and Mr. Mitchell discussed the improved quality of a public road as compared to a private drive and that the developer will pay the full cost of the road. Discussion also took place regarding the restrictions on the deed, the quantity of environmental information and the two separate sets of restrictions on the property. Mr. Mitchell stated that the total impact of the restrictions involves 1.1 acres with the remaining acres being approved for residential use.

Mr. Vazzana noted that part of the restricted area will be under the proposed road which may expose the city to liability.

Mr. Kagler opened the meeting for public comments. there were no public comments.

Mrs. McMaster stated that staff recommends approval based on the conditions in the staff report and Mr. Vazzana's recommendation.

Mr. Vitale made a motion, seconded by Mr. Angelwicz, that the Planning Commission approve the Final Subdivision Plan Case Number 2018-4811, to establish a 499-foot length street, north of Barlow Road to establish two (2) sublots to be located at 1221 Barlow Road, Permanent Parcel #3010196, according to the plans and information submitted with the following conditions:

1. **Comments of Assistant City Engineer Nathan Wonsick must be addressed per the November 27, 2018 correspondence.**
2. **Final Subdivision Improvement Agreement must be accepted and signed by the City and Developer.**
3. **Environment Covenants contained in the deed restrictions to be reviewed by the City Law Director to provide an opinion that the public road can be dedicated subject to those conditions.**

This matter was approved by the following vote:

Aye: 6 - Mr. Anglewicz, Mrs. Deutsch, Mr. Harvie, Mr. Kagler, Mr. Stolle and Mr. Vitale

Nay: 1 - Mr. Chuparkoff

- B.** [PC 2018-5029](#) Preliminary review to amend the official zoning district map to rezone parcel numbers 30-01071, 30-01072 and 30-01155 located on Martin Drive from District 6 - “Western Hudson Gateway” to District 1 - “Suburban Residential Neighborhood”.

Attachments: [PC 2018-5029 Staff Report January 14, 2019 Meeting](#)

Mrs. McMaster introduced an application for an amendment to the official zoning map to rezone the subject parcels from District 6 to District 1. The subject properties were rezoned from residential to District 6 when the Land Development Code was adopted in 1999. Staff recommends that the Planning Commission forward the application to City Council for a first reading. Mrs. McMaster noted that if the applicant locates the homes facing Terex Road, the parcels would require a 100- foot front yard setback as they are located on an arterial road.

Chair Kagler noted that the purpose tonight is to hear from the applicant and public and for the Commission to give preliminary comments.

Mr. John Carse, 7339 Darrow Road, stated that he is a majority partner in ownership of the parcels which were acquired in 1990 and 1995 and were zoned as residential. Mr. Carse would like to return the parcels to the former status which were changed at the merger. Mr. Carse agreed to the required 100 foot setbacks.

Chair Kagler opened the meeting for public comments.

Mr. Mark Crites, 5784 Martin Drive, stated that his property was also affected by the rezoning in 1999 and would like his property rezoned as residential which would give flexibility to improvements and purchasing additional properties. Mr. Crites feels like the entire street would like this rezoning and supports Mr. Carse's request.

Ms. Tammy Holliday, 5775 Martin Drive, stated she is not opposed to the requested zoning change.

Seeing no one else wishing to speak, Chair Kagler closed the Public comments. Mr. Kagler noted it may be appropriate for City Council to study a map amendment for a larger portion of Martin Drive.

Mr. Chuparkoff made a motion, seconded by Mr. Stolle to forward this application to Council for first reading and formal referral back to Planning Commission for conducting of a public hearing regarding the zoning map amendment request for Parcel No. 30-01071, 30-01072, and 30-01155 from District 6 Western Hudson Gateway to District 1 Suburban Residential Neighborhood.

The motion was approved by the following vote:

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

IX. Approval of Minutes

A. [PC 11-26-2018](#) **Minutes of Previous Planning Commission Special Meeting:
November 26, 2018**

Attachments: [PC Special Minutes November 26, 2018 - Final](#)

Mr. Chuparkoff made a motion, seconded by Mr. Stolle that the minutes of November 26, 2018, be approved with one edit.

The motion carried by the following vote:

Aye: 4 - Mr. Chuparkoff, Mrs. Deutsch, Mr. Kagler and Mr. Stolle

Abstain: 3 - Mr. Anglewicz, Mr. Harvie and Mr. Vitale

X. **Adjournment**

A motion was made by Mr. Anglewicz, seconded by Mr. Harvie, that the meeting be adjourned. The motion carried by an unanimous vote.

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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