



City of Hudson, Ohio

Meeting Minutes - Final-revised

Planning Commission

Ronald Stolle, Chair
David Lehman, Vice Chair
Gregory Anglewicz
Michael Chuparkoff
Melissa Jones
David Nystrom
Erik Vaughan

Greg Hannan, Community Development Director
Nicholas Sugar, City Planner
Matthew Vazzana, City Solicitor

Monday, March 8, 2021

7:30 PM

Via Video-Conference & Live-Stream

I. 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.

II. Roll Call

Mr. Chuparkoff arrived at the beginning of PC 2021-107.

Present: 7 - Mr. Anglewicz, Mr. Chuparkoff, Ms. Jones, Mr. Lehman, Mr. Nystrom, Mr. Stolle and Mr. Vaughan

III. Swearing In

Chair Stolle swore in Mr. Hannan and Mr. Sugar.

IV. Correspondence

Mr. Sugar noted those who submitted correspondence and stated he would summarize their comments when the applicable application is reviewed.

V. Public Discussion

There was no public discussion.

VI. Approval of Minutes

[PC 1-25-21](#) Minutes of Previous Planning Commission Meeting: January 25, 2021

Attachments: [Minutes January 25, 2021](#)

A motion was made by Mr. Lehman, seconded by Mr. Anglewicz, that the January 25, 2021 Minutes be approved as corrected. The motion carried by the following vote:

Aye: 6 - Mr. Chuparkoff, Ms. Jones, Mr. Lehman, Mr. Nystrom, Mr. Stolle and Mr. Vaughan

Recused: 1 - Mr. Anglewicz

VII. Old Business

There was no old business.

VIII. Public Hearings

[PC 2021-107](#) **A Conditional Use request of a boarding kennel at 2461 Barlow Road (Parcel #3001097), located in Zoning District 2 (Rural Residential Conservation).**

Attachments: [Staff Report 2021-107](#)
[Applicant Responses](#)
[Letters From Neighbors 3-8-21](#)
[Site Photos](#)

Mr. Stolle swore in all who planned to speak during this application.

Mr. Ethan Milsaps and Ms. Amy Milsaps were present for the meeting

Mr. Sugar introduced the application for a conditional use of a 2.9-acre property that previously had a boarding kennel for which no permits are on file. Mr. Sugar noted the conditional use of boarding kennels in District 2 is being reviewed as well as the use standards for the review. The property and surrounding properties were described as well as staff comments, staff suggestions and recommendations.

Mr. Milsaps described the planned grooming and boarding facility as a standard setup for this type of business with Ms. Milsaps as the sole employee and a maximum of 12 dogs overnight and four dogs on the premises for grooming. The previous owner had a maximum of 25 dogs for overnight boarding. Mr. Milsaps noted the building has been professionally soundproofed and the outdoor kennel will be for only one dog at a time with the last dog out at 9 p.m. and no changes to the existing lighting.

Mr. Stolle summarized two communications regarding this application:

Mr. Joe Alexander Sr, 2591 Barlow Road, noted the previous owner let many dogs out at a time and was not responsive to requests for less noise. Mr. Alexander also noted he is not opposed to the business but would like to enjoy peace and quiet in his backyard.

Mr. Roger Bourgeois, 2466 Barlow Road, concerns are noted in his letter. Regarding Mr. Bourgeois question regarding EPA approval, Mr. Sugar is not aware of any EPA approval needed.

Mr. Sugar noted an email from Mr. Sam Shilling, 2512 Barlow Road, with concerns regarding traffic, noise, property value and EPA approval.

Commission members, staff and Mr. Milsaps discussed the previous business being in the Township when originated and discussed the proposed hours of operation. Mr. Milsaps stated hours are intended to accommodate the work/life balance of the Milsaps. Mr. Sugar noted that because no official approvals are on record regarding the previous business, a break in use is causing this application. Mr. Milsaps also noted improvements to the facility will include a paved sidewalk for customers and fenced in kennels for all boarding dogs. Mr. Milsaps said the sound insulation will reduce the noise heard

by the neighbors and a new door installed between the boarding and grooming areas will limit the number of door openings to the boarding area resulting in less barking. Ms. Milsaps described her professional and personal experience with dogs. The Board and Mr. Milsaps discussed trimming trees along Barlow Road and lighting around the property.

The Commission and staff discussed conditions being part of the Conditional Use for boarding and grooming and noted there has been one official police complaint since 2008 regarding the previous facility.

Ms. Bonie and Mr. Scott Kerr, 2421 Barlow Road, described the former business, the lack of permits for the business and how the LDC applies to this situation. Mr. Hannan referenced the special conditions as they relate to boarding kennels in the LDC. Ms. Kerr also discussed the well and septic system, the Ohio EPA brief regarding boarding kennels in relation to Powers Brook which runs close to the boarding facility and the Ohio Revised Code regarding boarding kennels.

Mr. Milsaps commented on the septic and well system, waste disposal as well as contacts with the EPA. Regarding the Ohio Revised Code regarding kennels, Mr. Milsaps found no specific licensing needed for keeping a pet overnight.

Mr. Sugar described Buffer Yard D and the parking lot area as an LDC requirement for which a landscaping plan would be required. Staff and Commission members described the former use as not tied into the current application.

Commission members discussed how waste disposal will be regulated and the possibility of including a condition regarding waste disposal. Mr. Milsaps described a contract with Republic for disposal of solid waste.

Commission members discussed additional conditions to the staff report.

Mr. Chuparkoff made a motion, seconded by Mr. Angelwicz, based on the evidence and representations to the Commission by Ethan and Amy Millsaps and City staff the Planning Commission approved the Conditional Use Request for a Boarding Kennel in Case 21-107 for 2461 Barlow Road according to plans received February 12, 2021 with the following conditions:

1. Signage associated with the business shall meet the requirements of the City of Hudson Land Development Code.
2. Lighting associated with the business shall meet the requirements of the City of Hudson Land Development Code.
3. Applicant/Owner to provide documentation the outbuilding is drained into the septic system and not directly into the ground.
4. Applicant/Owner to provide documentation the proposal complies with all regulations pursuant to the Ohio Revised Code and EPA.
5. Hours of operation shall be limited to:
 - Grooming activities
 - Monday: Closed
 - Tuesday - Friday: 9am - 5pm
 - Saturday: 9am - 2pm
 - Sunday: Closed
 - Boarding activities:
 - Monday - Sunday: 7am - 7pm
6. Bufferyard D shall be applied along the property boundary at the thirty (30) foot open area between the subject property and 2421 Barlow Road. Additionally, applicable parking lot buffering shall be applied between the subject parcel and 2471 Barlow Road per Section 1207.04 of the Land Development Code.
7. Trees and vegetation immediately adjacent to the entryway drive shall be trimmed to improve sight distances.

The motion was approved by the following vote:

Aye: 7 - Mr. Anglewicz, Mr. Chuparkoff, Ms. Jones, Mr. Lehman, Mr. Nystrom, Mr. Stolle and Mr. Vaughan

[PC 2020-914](#) **Preliminary Subdivision request of an 11-lot, single family subdivision including multiple parcels along Norton Road, located in Zoning District 1 (Suburban Residential Neighborhood).**

Attachments: [Staff Report 2020-914](#)
[Site Photos](#)

Mr. Dennis Stouffer, Spagnuolo and Associates, and Mr. Tony Lunardi, LDA Builders, were sworn in by Chair Stolle.

Mr. Sugar introduced the application by displaying photos of the parcels to be combined and describing the 11 sub-lots and the cul-de-sac street. Mr. Sugar also reviewed the variances the applicant has received, the staff comments and recommendations.

Mr. Lunardi stated the proposed subdivision meets the LDC regulations aside from the variances which were granted. Mr. Lunardi also discussed the wetlands, open spaces, deed restrictions on the homes, his desire to keep the lot sizes as proposed and the orientation and difficulties of any other placement for the house on lot one.

Mr. Dennis Stouffer stated the preliminary stormwater analysis has determined the plans as presented meet the city criterion. These will be adjusted as required by the City Engineer.

The Commission and Mr. Lunardi discussed the price point of the homes, how the plans have changed from the previous Planning Commission application, the City criterion for the ponds and that they are designed to flow from one to another using an easement along the side of the property with the resulting water flowing under Norton Road, the ownership of the adjoining two lots on Norton Road, the pond near lot one flooding onto lot one, the use of the private open land in the rear of the property, the sidewalks along both sides of the street and Norton Road.

Mr. Sugar noted the staff recommendation of an additional buffer.

Mr. Lehman made a motion, seconded by Mr. Vaughn, based on the evidence and representations to the Commission by Tony Lunardi and City staff the Planning Commission approved the Preliminary Subdivision request for Hudson Preserve in Case 20-914 for an 11-lot subdivision at Norton Road according to plans received February 8, 2021 with the following conditions:

1. The following must be incorporated as part of the final subdivision application:
 - a. Plans must address the preliminary fire department comments noted within the February 18, 2021 letter requesting final improvement plans to identify locations of fire hydrants meeting City of Hudson nozzle thread specifications.
 - b. Plans must address the preliminary engineering comments noted within the February 25, 2021 letter including:
 - i. Other agency approvals including: Summit Soil and Water, Summit County Building Standards, Summit County DSSS, Ohio EPA, U.S. Army Corp of Engineers and City of Akron Water. Approvals to be submitted prior to final subdivision review.
 - ii. Improvement plans to conform to the City of Hudson Engineering Standards.
 - iii. Street signage provided by developer.
 - iv. Appropriate bonds and fees paid when identified through the improvement plan submittal
 - c. Final landscaping plan depicting all proposed plantings; including street trees, landscaping around stormwater ponds and established Bufferyard B where ponds are adjacent to property boundaries.
 - d. Final grading plans to depict all construction activity within the limits of disturbance boundary.
 - e. Revise the Private Open Space area to include additional protected wetland areas.
 - f. Establish a Public Open Space dedication or applicable funds in lieu of dedication in connection with guidance from the City of Hudson Park Board.
 - g. Improvement plans to depict sidewalks along both sides of the proposed road in addition to property frontage along Norton Road.

- h. **Revise the Orientation of Lot #1 or revise the design to Lot #1 pond to provide increased separation between the two.**

The motion was approved by the following vote:

Aye: 7 - Mr. Anglewicz, Mr. Chuparkoff, Ms. Jones, Mr. Lehman, Mr. Nystrom, Mr. Stolle and Mr. Vaughan

[PC 2021-106](#) A text amendment request to Section 1205.10(a), 1205.10(d)(1), and 1206.01 of the Land Development Code to allow residential planned developments as a permitted use in the District 7 Office Overlay Zone

Attachments: [Staff Report - April 12th Meeting](#)
[Staff Report - March 8th Meeting](#)
[Letters from residents](#)

Mr. Mitchell and Mr. Rice were sworn in by Chair Stolle.

Mr. Sugar introduced the application by displaying a map of zoning districts seven and three and noted the District 7 overlay that has 9 properties. Mr. Sugar also explained the requested text amendment is to allow residential developments as a permitted overlay in the District 7. Mr. Sugar also noted the proposed properties now have dual zoning with the purpose of the overlay area being a transition area from District 3 residential to the more commercial areas to the north. Mr. Sugar then reviewed the proposed text changes to the purpose statement.

Mr. Sugar described the review process for a text change which includes: 1) The alignment with the Comprehensive Plan and long-range goals of the City which do include duplexes and townhomes in appropriate areas. 2) The proposed changes to the text and special conditions, which may be too limiting in that it applies to only a few parcels. 3) Revising the Use Tables to include the overall goals of the development. 4) The need for the applicant to bring in the standards for building in the proposed overlay district.

Mr. David Mitchell, attorney, noted the official applicant is PHN Reality, LLC. Mr. Mitchell described the 12.8-acre property and its zoning by explaining that residential units are currently allowed as a special condition on the rear of the property. This application is to allow the residences to begin at the road and that District 3 standards will be used throughout the development.

Mr. Jason Rice, PHN Reality, discussed the 48 proposed townhomes, retention pond, trees, boulevard entrance and the need for a development like this in Hudson which he stated will be a good transition area from the residential to the commercial areas.

Mr. Mitchell noted the proposed property is one of two undeveloped properties in the District 7 overlay area and explained the proposed text was developed in an effort to make this proposal fit the Comprehensive Plan. Mr. Mitchell also reviewed Section 1204.01 to analyze a text amendment and provided comments on how the requested text amendment answers those questions. Mr. Mitchell stated the applicant is willing to adjust the language of the requested text amendment to allow other types of homes, should the Commission so desire.

Chair Stolle explained the duty of the Commission is to focus on the proposed text amendment.

The Commission, applicant and staff discussed: 1) A text amendment was determined to be the best avenue to meet the desire of the Comprehensive Plan. 2) The effect on density requirements which Mr. Mitchell stated will be the same as District 3 requirements. 3) The overlay district will have the same requirements as other District 3 residences with the flexibility of the residential plan development. 4) If only the requested property had a map change, it would leave this area surrounded by other zoning districts.

Mr. Mike Wohlwend, Wohlwend Engineering Group, was sworn in by Chair Stolle. Mr. Wohlwend stated the proposed development will meet the City density standards and noted the development cannot be moved back because of wetlands setbacks and maximum cul-de-sac length of 900 feet.

The Commission discussed traffic with Mr. Wohlwend who noted senior townhomes will not have the early morning and evening traffic rushes of traffic. Mr. Sugar noted the Comprehensive Plan encourages multi-family homes in this area.

Mr. Robert Steward was sworn in by Chair Stolle and stated if single family homes were built on the property it would be about the same number of units. Mr. Mitchell noted the multi-story townhouses are a fitting transition from commercial building to residential.

The Commission expressed concern on dividing District 7 commercial areas with the proposed residences and questioned why notices were not sent to adjacent property owners. The Commission also discussed the standards for District 7 overlays need to be developed with the possibility of using District 3 standards and broadening the language to the entire area referenced in District 7. This would have the effect of including the adjacent property owners in the allowed uses.

The Commission discussed the need for a traffic study which staff explained will be done if the application continues. The Commission and staff discussed the possibility of a trail extending along the rail line. The applicants noted that attempts have been made to discuss various projects with other property owners without success.

The Commission and applicants discussed using the front properties for office space. Mr. Stewart stated offices would decrease the value of the off-street property and homes which will be valued at approximately \$250 per square foot.

The Commission requested that staff and the applicants bring back a proposal for the April meeting with District 3 regulations integrated into the proposed text and the surrounding property owners notified. Mr. Hannan noted the Commission has up to 120 days to consider a map amendment.

Mr. Lehman made a motion to table the application to the April 12, 2021 Planning Commission meeting, Mr. Chuparkoff seconded the motion.

The motion to table was approved by the following vote:

Aye: 7 - Mr. Anglewicz, Mr. Chuparkoff, Ms. Jones, Mr. Lehman, Mr. Nystrom,
Mr. Stolle and Mr. Vaughan

IX. Other Business

X. Staff Update

Commission members determined to continue holding meetings using Zoom for the coming months.

XI. Adjournment

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

Ronald H. Stolle, 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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