



# City of Hudson, Ohio

## Meeting Minutes - Final

### Planning Commission

*Jennifer Barone, Chair*  
*Robert Kagler, Vice Chair*  
*Gregory Anglewicz*  
*Michael Chuparkoff*  
*Erica Deutsch*  
*Thomas Harvie*  
*Mark Stratis*

*Mark Richardson, Community Development Director*  
*Greg Hannan, City Planner*  
*Aimee Lane, Assistant City Solicitor*

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Monday, June 13, 2016

7:30 PM

Town Hall

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#### **I. Call To Order**

The Chair, Mrs. Barone, called to order the regular monthly meeting of the Planning Commission of the City of Hudson at 7:30 p.m. in Town Hall, 27 East Main Street, Hudson, Ohio.

#### **II. Roll Call**

**Present:** 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

**Absent:** 2 - Mr. Harvie and Mr. Stratis

Staff in attendance: Mr. Richardson, Community Development Department Director; Mr. Hannan, City Planner; Mrs. Westfall, Account Clerk II; and Mrs. Lane, Assistant City Solicitor.

#### **III. Swearing In**

Mrs. Barone, Chair, placed everyone under oath who would be giving any testimony during the meeting.

#### **IV. Correspondence**

Mrs. Barone noted the receipt of an e-mail from Sue Swidarski regarding the Lake Christine development.

#### **V. Public Discussion**

There was no public discussion.

**VI. Public Hearings**

- A. [PC 2016-07](#) **Final Plat and Improvement plans for Lake Christine, an eleven (11) subplot subdivision proposed for Parcel #3004050 on Darrow Road, District 1 - Suburban Residential Neighborhood; Submitted by LDA Land Group, LLC**

Attachments: [PC 2016-07 Staff report \(1 of 2\)](#)  
[PC 2016-07 Staff Report \(2 of 2\)](#)

**A public hearing was held regarding PC Case No. 2016-07.**

Mr. Hannan reviewed the history of this project which was presented for Compatibility Review at the May 12, 2014 meeting and Preliminary Plan approval on February 8, 2016.

Mr. John Carse, 7339 Darrow Road, Hudson, Ohio 44236, representing the applicant, LDA Land Group, LLC, 6683 Old Eight Road, Peninsula, Ohio 44264, and the property owner, Christine Driver, 7738 Darrow Road, Hudson, Ohio 44236, said that all previously stated requirements are under completion.

The Commission considered the staff report and applicant testimony.

Mrs. Barone opened the public hearing.

Sue Swidarski, 7574 Elderkin Court, Hudson, Ohio 44236, noted the Army Corps of Engineer's Report which states that trees cannot be cut between March 15 and November 15 of any given year due to the presence of the Indiana bat. Mrs. Swidarski also referred to the memorandum from Brad Kosco, Assistant City Engineer, City of Hudson, regarding fifty-five comments that still need to be resolved.

Mrs. Barone closed the public hearing.

The Commission further discussed the application with the staff and applicant.

Mr. Carse said that all approvals have been received from the City of Akron for the water line. Mr. Carse also stated that the majority of remaining items from the Engineering Department are not relevant to the approval being requested at this meeting.

Mr. Hannan said that the final plat and improvement plan approvals are conditioned upon final engineering approval, and the remaining engineering items are not within Planning Commission's scope of review.

Mr. Kagler made a motion seconded by Mrs. Deutsch that the Planning Commission approve the Final Plat and Improvement Plans for Case No. 2016-07 for the Lake Christine Subdivision according to plans dated as received May 23, 2016 subject to the following conditions:

1. The Final Subdivision Improvement Agreement must be accepted and signed by the City and Developer.
2. The concept house layouts must be revised per the following:
  - a. Sublots 8 and 10 must be adjusted to demonstrate compliance with the applicable 15 foot side yard setback requirement.
  - b. Sublots 1-8 must be adjusted to depict the concept house footprints as parallel to the street or perpendicular to the radius of the curve of a street.
3. The applicant must demonstrate compliance with the applicable conditions of the ACOE permit prior to authorization to commence construction.
4. A revised landscape plan depicting the street trees and the proposed bufferyard plantings along the western development boundary must be submitted. The final landscape plan must be accepted by City Arborist Tom Munn and include applicable notes, specifications, details, and plant lists.
5. Payment of funds in lieu of open space for the required 0.64 acres of public open space must be submitted. The amount must be based on a per acre value determined by a recent appraisal of the subject property.
6. Plans are subject to the review and approval of the Engineering Department and all requirements as outlined in the memo from Assistant City Engineer Brad Kosco dated June 8, 2016 shall be met prior to the commencement of construction.
7. Plans must be revised to address the comments of Asst. Solicitor Aimee Lane as attached to the staff report dated June 8, 2016.
8. Access for maintenance purposes shall be provided to Open Space 1 between Sublots 4 and 5 or such other location that will be determined by staff.
9. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of improvements at or before a time the Final Subdivision Improvement Agreement is executed.
10. No clearing or grading of any kind shall commence prior to the issuance of a zoning certificate.

The motion carried with the following vote:

Aye: 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

- B. [PC 2016-13](#) Site Plan Review for the Norton Road Trailhead Park; Permanent Parcel #3009954 on Norton Road; District 8 - HB Senior Housing Overlay; Submitted by Redwood Management
- Attachments: [PC 2016-13 Staff report](#)

A public hearing was held regarding PC Case No. 2016-13.

Mr. Hannan reviewed this proposed project which includes a 15 space parking lot, landscaping, and a trail connection between the Summit County Hike and Bike Trail and Lawnmark Drive.

Christopher Schmidt, TGC Engineering, LLC, 1310 Sharon Copley Road, P.O. Box 37, Sharon Center, Ohio 44274, representing the applicant, Redwood Management, 387 Medina Road, Ste. 600, Medina, Ohio 44256 and property owner, Summit Metro Parks, 975 Treaty Line Road, Akron, Ohio 44313, property owner, said that he had no objections to conditions stated in the staff report.

There being no additional questions from the Commission, Mrs. Barone opened the public hearing. There were no comments. Mrs. Barone then closed the public hearing.

Mr. Richardson noted the request by Mr. Drew, a former Commission member, that the Metro Parks consider the installation of a water fountain at the trailhead because there is limited access to water.

**Mr. Chuparkoff made a motion seconded by Mr. Anglewicz that the Planning Commission approve the site plan in Case No. 2016-13 for the Norton Road Trailhead Park for Summit Metro Parks, Permanent Parcel #3009954, according to plans received June 2, 2016 with the following conditions:**

- 1. Confirm the open space dedication obligations have been met by submitting an updated cost estimate for the proposed improvements.**
- 2. Incorporate a sidewalk connection along Hudson Drive between Redwood Blvd. and the Hike and Bike Trail.**
- 3. Subject to the review and approval of City Engineer Thom Sheridan.**
- 4. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.**
- 5. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.**

**The motion passed with the following vote:**

**Aye:** 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

- C. [PC 2016-14](#) **Site Plan Review for an enclosed patio at 88 N. Main Street, Kepners Tavern, Permanent Parcel No. 3201390, District 5 - Village Core District; Submitted by Justin Kapela**  
**Attachments:** [PC 2016-14 Staff report](#)

**PC Case No. 2016-14 was discussed.**

Mr. Hannan introduced this proposal for the enclosure of the existing patio at Kepners Tavern and stated the proposed scope. Included is a pitched roof structure over the existing outdoor patio, bar, and walk-in cooler.

Justin Kapela, J. Kapela Designs, 44 Clinton Street, Hudson, Ohio 44236, applicant and representing property owner, Chris Capese, Devalex Enterprises LLC, 88 N. Main Street, Hudson, Ohio 44236, said that the enclosed patio will add a new architectural feature to the rear of the First and Main buildings. Mr. Kapela indicated that the patio will be used year-round.

The Commission considered the staff report and applicant testimony.

Mrs. Barone opened the public hearing.

Mr. Phil Bearden, 98 N. Main Street, Hudson, Ohio 44236, stated several concerns including the economic impact of the project on his business, parking, completion of all phases of construction, occupancy levels, and patron behavior.

Mr. Mike Pavlantos, 80 N. Main Street, Hudson, Ohio 44236 , adjacent property owner, submitted a copy of an Easement and Boundary Line Agreement dated August 3, 1982. Some of the concerns cited by Mr. Pavlantos include the property easement, the parapet wall, the removal of the planter, encroachment of the patio on his property and that the alley way is on the property of 80 N. Main Street.

Mr. Kevin Altomare, Hudsons Restaurant, 80 N. Main Street, Hudson, Ohio 44236, cited concerns regarding the visibility of Hudsons Restaurant signage from the parking terrace, the obstruction of the alleyway, the completion and integrity of construction, and restricted parking.

Mrs. Barone closed the public portion of the meeting.

The Commission continued the discussion with the staff and applicant. Mr. Kapela addressed concerns raised by the public comments. Mr. Hannan indicated that parking would not be permitted behind the shed.

The Commission discussed continuing this case to the August 8, 2016 meeting, requesting additional information not limited to but including records of prior zoning approvals, records of any property easements, the amount of additional square footage added and an opinion from the Solicitor's office regarding "party wall" building improvements on Main Street.

**Mr. Anglewicz made a motion seconded by Mr. Chuparkoff that the Planning Commission continue PC Case No. 2016-14 to the August 8, 2016 meeting.**

**The motion passed with the following vote:**

**Aye:** 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

**D. [PC 2016-16](#) LDC Text Amendment - Ordinance No. 16-87, Repealing Special Events Regulations; Submitted by the City of Hudson**

**Attachments:** 2016-16 Staff report

**A public hearing was held regarding PC Case No. 2016-16.**

Mr. Richardson introduced the Land Development Code Text Amendment which would repeal administration of special events in the Land Development Code. He stated that the repeal would remove confusion about the approving authority of temporary special events.

There were no questions regarding the text amendment from Commission members.

Mrs. Barone opened the public hearing.

There being no comments, Mrs. Barone closed the public hearing.

There was no additional discussion.

**Mr. Chuparkoff made a motion seconded by Mrs. Deutsch that Planning Commission recommends that City Council adopt Ordinance No. 16-87, An Ordinance Repealing Section 1206.04(b)(3), "Special Events", of the Land Development Code.**

**The motion passed with the following vote:**

**Aye:** 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

## **VII. Old Business**

- A. [PC 2016-10](#) Land Development Code Text Amendment - Amendments to the Charter of the City of Hudson, Adopted in 2015; Submitted by the City of Hudson**  
**Attachments:** [PC 2016-10 Staff Report for 7-11-16](#)

Mr. Richardson reviewed the history of the text amendment, referencing a comparison of current and proposed review processes, the markup of proposed amendments and amendments concerning impervious surface coverage.

Commission members considered the staff report.

Mrs. Barone opened the public hearing.

Douglass Strickland, 164 Elm Street, Hudson, Ohio 44236, requested that grounded and best practice requirements as well as landscape plans and drawings be included in the final approval documents for any new residential construction and/or remodeling.

Steve Church, 144 Elm Street, Hudson, Ohio 44236, spoke in support of Douglass Strickland's comments. Mr. Church also stated his support of the effort to improve the impervious surfaces and storm water management issues. Mr. Church suggested both landscape and architectural drawings depicting both present and projected states of the landscaping be required for review.

Allyn Marzulla, 5381 Brooklands Drive, Hudson, Ohio 44236, asked that any proposed amendments are presented with sensitivity and concern so as not to dissolve or diminish the appropriate oversight of the Architectural and Historic Board of Review in order to maintain a consistency of the Board's application of the Land Development Code and Hudson's Design Standards. She asked that the Board and the City present a cohesive message of expectations, interpretation and enforcement of the Land Development Code and Design Standards so that there is the clear understanding and expectation by the property owners and applicants to be visible to all as a total community and level of excellence.

Mrs. Barone closed the public hearing.

The Commission discussed the comments raised in the public testimony and further discussed the application with staff.

**Mr. Chuparkoff made a motion seconded by Mr. Anglewicz that Planning Commission continue PC Case No. 2016-10 to the July 11, 2016 regular meeting of the Planning Commission.**

**The motion passed with the following vote:**

**Aye:** 5 - Mr. Anglewicz, Mrs. Barone, Mr. Chuparkoff, Mrs. Deutsch and Mr. Kagler

## **VIII. Other Business**

There was no other business for discussion.

## **IX. Adjournment**

The Chair, Mrs. Barone, adjourned the meeting at 10:35 p.m.

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**Jennifer Barone, Chair**

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**Judy Westfall, Account Clerk II**

*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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