

CITY OF CHARDON PLANNING COMMISSION

Meeting Minutes

January 23, 2024

Members Present:

Andrew Blackley, Chairman
Dean Peska
Robert Emmons
Dan Meleski

Mary Jo Stark, Vice-Chairman
Colin Wantz

Members Absent

Lene Hill

Also Present:

Ben Chojnacki, Law Director
Rollin Cooke III
Doug Courtney, City Engineer
Mark Holz
John Kohr, Polaris Engineering
Amy Patterson, Geauga Maple Leaf

Rebecca Repasky, Secretary
Jeremy Rosen
Steve Yaney, Community Development
Administrator
Dan Zeline

Mr. Blackley called the meeting to order at 6:30p.m. The Pledge of Allegiance was said.

Mr. Blackley said he and Mr. Meleski were re-appointed by City Council to be on Planning Commission. Mr. Blackley swore in Mr. Meleski. Mr. Meleski swore in Mr. Blackley. Mr. Blackley swore in Mr. Wantz.

Mrs. Stark nominated Mr. Blackley for the Chairman position. It was seconded by Mr. Wantz. Mr. Meleski made a motion to close nominations. It was seconded by Mr. Emmons. Roll was called. The vote carried 6-0.

Mr. Blackley nominated Mrs. Stark for the Vice-Chairman position. It was seconded by Mr. Meleski. Mr. Meleski made a motion to close nominations. It was seconded by Mr. Emmons. Roll was called. The vote carried 6-0.

Attendance roll was called. Mr. Blackley reminded all that were present to sign in and swore in City Staff.

Mr. Meleski made a motion to approve amended the November 28, 2023 meeting minutes. It was seconded by Mr. Peska. Roll was called. Mr. Wantz abstained. The vote carried 5-0.

OLD BUSINESS - none

NEW BUSINESS

PC Case #24-006: Mr. Yaney explained the applicant, Frontier Land Group LLC, is requesting Record Document approval for Maple Trace Planned Residential subdivision Phase I. Mr. Yaney explained this will be the first of four phases. It will allow for the public improvements to be dedicated for public use. The lots will be recorded as buildable lots – which will allow the model home to be built. Mr. Yaney said there are a few minor punch list items that need to be complete – but that can only be done when the weather

allows. Mr. Yaney said all of those items will be bonded through the performance bond. Mr. Courtney added Staff will work with the developer and contractor to make sure those items are complete.

Mr. Emmons asked if there is any further construction until spring. Mr. Yaney said the model home will begin after the final punch list items are complete and then after spring the homes can begin to be built. Mr. Blackley asked once the plat is signed, the lots can be sold? Mr. Yaney said yes.

Mr. Mark Holz was sworn in.

Mr. Blackley asked if the model home is under construction. Mr. Holz said not yet; once approval from Planning Commission and City Council is given and the plat is signed, then it can begin. Mr. Blackley asked when the selling of lots can begin. Mr. Holz said approximately forty-five (45) days after May 1st, which is the grand opening date.

Mr. Peska made a motion to approve the Announcement of Decision for the Record Document approval. It was seconded by Mrs. Stark. Roll was called. The vote carried 6-0.

Mr. Blackley commented there is a special condition on the Announcement of Decision for the unfinished items which are bonded and are to be completed by June, 2024.

PC Case #24-007: Mr. Yaney explained the applicant, Willo Tree Development Inc. (Rollin Cooke III) is requesting Preliminary Plan approval for Willo Tree Phase 1 Planned Residential Development subdivision. Phase 1 consists of 49 of the 122 total homes in the proposed subdivision. Mr. Yaney said the first street will be the cul-de-sac off of Water Street. He explained these documents have more detail than the concept plan stage – the construction documents will follow. Mr. Yaney said all concerns and the concept plan stage were addressed – which included adding one (1) tree to front yards.

Mr. Blackley said on sheet 7, there was a previous discussion regarding Private Drive A, where it meets Water Street, he thought it was understood and the intention for the cul-de-sac paving would not be installed at this time. The only thing installed in this first phase would be the two-lane roadway. The whole point was the cul-de-sac paving would be confusing to people. Mr. Courtney said it could be; but the two-lane roadway alternative, driveways in subplot 17, 16, 15, 14 would all come out to the main roadway; and when the cul-de-sac pavement goes in, driveways would have to be torn out. Mr. Courtney said this configuration sets it up better for what will be in the future. All that would need to be done is remove the pavement from the center of the cul-de-sac and the connection to Water Street and then for the most part the work is done – no driveways or aprons would be torn out. Mr. Blackley asked why bother paving through the middle of the cul-de-sac. Mr. Courtney said he doesn't disagree with Mr. Blackley's point on giving people a straight shot to Water Street without having to go around the cul-de-sac, but the less work to do in the future to convert this to a cul-de-sac street the better.

Mrs. Stark asked what on page 29 and 33, is a header curb. Mr. Courtney said it is a curb and header section without a curb on it. Mrs. Stark clarified it will just have a gutter. Mr. Courtney said yes, just a header to hold back the asphalt. Mrs. Stark added that the extra pavement in the center will be confusing.

Mr. Wantz asked if it will function better for truck traffic or if a tractor trailer went through it for construction for better turning. Mr. Blackley agreed and said that was the original point of the initial

discussion – someone would have to make a sharp turn, an ‘S’ turn, to make it on the cul-de-sac. Mr. Meleski said he understands the apron point too because it would be a lot of extra work later. Mr. Blackley suggested temporary asphalt driveways for the approximate four (4) lots and do permanent concrete apron when the cul-de-sac is built. Mr. Blackley added it could be like this for any number of years – they don’t know how long until this gets built out; it could be in this condition for a long time. Mr. Blackley added this is a bizarre way of building a roadway.

Mr. John Kohr was sworn in.

Mr. Blackley asked for Mr. Kohr’s opinion. Mr. Kohr said it is a tough turn coming off the roadway. He explained he is covering for Dusty Keeney at the moment. Mr. Kohr said not only will the long driveways have to be removed, when they are hitting the right-of-way and the sidewalk, all of that will have to be at the particular grade that these curbs will be at in the future. He said there will be a lot of things that will look out of place without the pavement. Mr. Kohr agreed the traffic flow will be awkward. Mr. Blackley said one solution is to put up jersey barriers – standalone concrete or planter barriers on either side of the entrance road. Mr. Kohr asked how will they maintain access to those driveways. Mr. Blackley said build the cul-de-sac pavement as they are suggesting – just blocking off part of the entrance. Mrs. Stark asked when do the houses get built. Mr. Kohr said it depends on who buys the lots – they can be the first houses or last houses sold.

Mr. Rollin Cooke III was sworn in.

Mr. Cooke said he used to live in Burlington Oval and there was a planter that was used as a divider. He said it worked well because it advised motorists to stay right or left and has zero issues with putting in a planter. Mr. Courtney asked for clarifications for the planters. Mr. Blackley said Staff can work that out. Mrs. Stark said it could be moved to where a house isn’t built. Mr. Blackley said they would want to discourage people from not going straight trying to go around the cul-de-sac. Mr. Wantz added there will still be access. Mr. Blackley said clear signage would need to be installed. Mr. Wantz said keep the construction traffic moving straight through with the heavy trucks during construction – it will save money.

Mr. Blackley said on sheets 8 and 29, the stub streets meeting the future private roadway – on the approved concept plan it was shown to be a proposed temporary cul-de-sac.

Mr. Blackley asked if the Fire Department has reviewed the plans as the way it is configured right now. Mr. Courtney said the Fire Department had no comments on that when they reviewed the plans.

Mr. Blackley said when phases II and III go to be built, serious considering needs to be given by the City, and it may be a joint thing, to put in this connection between this phase and the other two phases, for a complete roadway. He said it is implied as a public roadway, the City will be maintaining it. Mr. Courtney said there is going to be significant cost associated with crossing that stream. He said there is probably a 100’ span that will need crossing to make that connection between the phases. Mr. Blackley said then the City needs to start capital planning. Mr. Meleski asked if there is enough space at the end of the street for a fire truck to around. Mr. Blackley asked if a truck turn analysis was done. Mr. Kohr said he is not sure. Mr. Blackley said to make sure there is adequate truck turn around at the end of Private Drive A. Mr. Yaney said this is similar to what was installed in the middle of Hidden Glen. Mr. Yaney added all private roads

will be built to public road standards. Mr. Courtney said Meadowlands Drive will be 9" of concrete and 2" of asphalt.

Mr. Blackley said on sheet 18, regarding the sanitary force main, it will be 900' of force main, and a duplex sanitary pump station. Mr. Blackley commented there is a sketchy detail on the pump station. He said discussion was held prior, on the gravity sewer down Water Street that could potential be tied into. Mr. Courtney said there is capacity issues with that sewer between this site and roughly Rite Aid because a lot of that sewer is 6" and is at or over capacity right now. He said they are not allowing any more flow to be added to that particular line. It is on the unfunded project list to replace it and is an approximate cost of \$800,000. Mr. Kohr added final costs numbers are being looked into. Mr. Blackley said he would like the City to maintain a dialogue with the developer for this pump station that it actually gets built and that a gravity sewer gets put in because the property across the street needs it as well. Mr. Blackley said there is nothing there about an access drive to the lift station. He asked if the lift station is going to be turned over to the City. Mr. Courtney said it will be a private lift station. Mr. Blackley asked how many private lift stations the City has. Mr. Courtney said a few are gone now because of the railroad trunk sewer project. Mr. Blackley asked about the lift stations at Bridgewater are private. Mr. Blackley said he thought all the private lift stations were dedicated to the City. Mr. Courtney said they are and now, the City does not want to take on anymore lift stations. Mr. Courtney said the timing of the City being able to build that sewer and this development do not line up. Mr. Blackley said this lift station still needs to have an access driveway, it needs to have a form of standby power. Mr. Courtney said details about the lift station will be in the construction documents. Mrs. Stark asked how often does a pump station need maintenance. Mr. Courtney said they run fairly efficiently but that would be a question for the Water/Sewer Superintendent Frank Taylor to get an idea how often the lift stations are maintained. Mr. Blackley asked who will maintain this lift station. Mr. Courtney said the HOA. Mr. Courtney said this is the solution if they want to build on their development schedule because the City is not in a position to get that sewer built before they are up and running. Mrs. Stark said she does not like the idea of a private pump station. Mr. Courtney said it was always understood to be a private temporary lift station until the City can get that sewer built. Mr. Courtney said the City has several other higher priority projects right now that are taking up a large portion of capital improvement budget which includes the state route resurfacing project and county court house project. Mr. Blackley said Mr. Cooke is going to be the HOA until the majority of the houses are built and the residents take over. He said Mr. Cooke would be responsible for maintaining the pump station. Mrs. Stark added also the storm water system. Mrs. Stark said there is a lot of maintenance in this development. Mr. Cooke said he will have it all checked and all hands on for maintenance work.

Mr. Blackley said on sheet 20, on the grading plan, the grading contour lines are showing going into the natural buffer area. He said he wants it clearly understood that the intention of the buffer area is that the clearing, is not to be cleared and not be graded into. Mrs. Stark asked if Mayor Grau talked to the neighbors to satisfy their concerns. Mr. Yaney said they came to Council and the buffer was agreed on to remain and drainage would be addressed. Mr. Yaney said there will be a 20' buffer area along the rear yards of sublots 38 – 42.

Mr. Blackley commented the swale mounds of sublots 38 – 34 needed to be seeded and covered so there is no erosion.

Mr. Kohr said Mr. Keeney would like brought up that while they are working on the construction documents, they would like to apply for clearing permits for the lots to make the November 1st deadline. He said no permitting is needed for this phase, but the consultants said to get the permits anyways as a kind gesture for the future federal permitting for future phases. He said he wanted to make the Commission aware of the filing – and submitted for Geauga Soil and Water for their review.

Mr. Blackley clarified Planning Commission has to give approval, then it will go to City Council for their approval. Mr. Yaney said yes. Mr. Blackley said once Council gives approval, then it will be up to Staff whether or not they have permission to do clearing. Mr. Blackley added under the new regulations, the tree clearing is considered earth disturbance. Mr. Courtney said that is what he understands as long as no earth is disturbed per say, they go into remove trees and not remove stumps and disturb the top layer of soil. Mr. Blackley said there can be a construction driveway. Mr. Courtney said it may not be considered earth removal for some regulatory agencies but we all understand what happens when you clear a property so it will require sediment erosion control. Mr. Blackley asked if there are trees there worth harvesting. Mr. Cooke said some in the southwest corner.

Mr. Peska made a motion to approval the Announcement of Decision for Preliminary Plan approval. It was seconded by Mr. Meleski. Mrs. Stark asked about the conditions that were discussed that will be made on construction documents. Mr. Blackley said Planning Commission is putting it on Staff to address at construction document time. Mr. Courtney clarified what Mrs. Stark was suggesting of some items at concept plan were not picked up by Staff at the preliminary plan. Mrs. Stark said correct. Mr. Courtney asked for specifics because he checked them all off, while reviewing the plans. Mrs. Stark said the cul-de-sac. Mr. Courtney said he thought that was just a misunderstanding what Mr. Blackley was envisioning of the cul-de-sac. Mrs. Stark said she misunderstood too. Mrs. Stark asked if the grading was a misunderstanding of the designer. Mr. Courtney said perhaps, but at construction documents Staff will make sure it gets pushed over and the 20' buffer isn't disturbed at all. Mrs. Stark said okay. Mr. Yaney said there still might be a 20' buffer in there because that dash line might be indicating a building setback line. Mr. Blackley said the buffer needs to appear on the plat and better be on the site plan.

Roll was called. The vote carried 6-0.

PC Case #24-008: Mr. Yaney explained the applicant, City of Chardon, has prepared the proposed text amendment to the Planning and Zoning Code. The text amendment is to amend in its entirety Part Eleven. Mr. Blackley said there are two (2) versions: a clean copy and a red line copy. Mr. Yaney said the last code re-write was back in 2008-2010. He said this has taken into account what Chris Hopkins and joint Council meetings said. Mr. Yaney said areas currently zoned C1 will now be C3 and CPE will have its own classification in this text. He added the rural conservation district, which is maybe three (3) parcels left in the City, will all be taken care of in a subsequent map.

Mr. Chojnacki said procedurally, we can't change the zoning of a parcel or land until we have created that district under that regime that's going to be existing. If this body decides to move forward with recommendation that Council adopts these changes, at this next meeting we will report the comprehensive zoning map amendment that will complement the text changes of the zoning code. And then Council will have the opportunity to adopt first the text amendments at the same meeting as the map and piece of legislation to make sure that everything is zoned appropriately as enacted by Council. Mr. Blackley clarified

that once Council formally approves it then the maps will be ready at the Council meeting. Mr. Yaney said yes; adding that now that the text has gone through Planning Commission the Map amendment to reflect that text will be at the Planning Commission meeting in February. Then both the text and map will be forwarded to City Council for their approval in March. Mr. Chojnacki said recommendation would be upon today's approval. Mr. Blackley said in other municipalities when they did the rezoning district change like this it ended up having quite a bit of very precise description along the parcel lines. He said it cannot just be a line on the map – it needs to be a little more precisely defined. Mr. Courtney asked if it can be by a list of parcel numbers. Mr. Blackley said it should say which side of the parcel it is talking about. He said he will let Mr. Courtney and Mr. Chojnacki figure it out. Mr. Blackley said his recommendation is that it be done with precision. Mr. Wantz asked if some of the parcels are split between zonings. Mr. Courtney said he is not aware of any split zoning in town.

Mr. Blackley clarified a public meeting would need to be set so the public can comment on the new district boundaries. Mr. Chojnacki said we would follow the protocol of the current zoning map amendment process. He said he believes we can do that consistent with the timeline laid out. Mr. Blackley asked if property owners need to be notified. Mr. Chojnacki said he is still looking into that to see how many parcels are going to be affected. He said if it is less than the number that is anticipated, yes, property owners will be notified, otherwise notification will be through newspaper publication.

Mr. Blackley said this was long overdue to get this worked out, get rid of redundancy and streamline the code.

Mr. Wantz made a motion to accepted the Announcement of Decision for the proposed text amendment to the Planning and Zoning Code Part Eleven. It was seconded by Mrs. Stark. Roll was called. The vote carried 6-0.

Mr. Peska asked if all of this gets approved and changed, will things in violation now, be grandfathered in. Mr. Chojnacki said ordinarily when there is a change in the law, which this is, in order to be entitled to continue to operate under the laws that were prior to the change, you have to have vested your rights. In order for your rights to have vested, Ohio code generally instructs you have to have either be engaged in meaningful use consistent with that or you would have had to take substantial steps to engage that use in condition.

EXECUTIVE SESSION – none.

OTHER BUSINESS - none.

ADJOURN

Mr. Meleski made a motion to adjourn the meeting. It was seconded by Mrs. Stark. The meeting adjourned at 7:30 p.m.

Respectfully Submitted:

ANDREW BLACKLEY, CHAIRMAN

Rebecca Repasky, Secretary