

CITY OF CHARDON PLANNING COMMISSION

Meeting Minutes

March 24, 2026

Members Present:

Andrew Blackley, Chairman
Richard Dietz
Robert Emmons
Lene Hill

Dan Meleski
Randy Sharpe
Mary Jo Stark, Vice-Chairman

Members Absent

Also Present:

Benjamin Chojnacki, Law Director
Doug Courtney, City Engineer
Jonathan Holody, Community Development
Administrator
Dennis Ibold
Karl Johnson, Amprop Ventures

Ken Pritt, Fire Marshall
Rebecca Repasky, Secretary
Ryan Schweissguth, Cochran
Collin Walsh
Allison Wilson, Geauga Maple Leaf
Ben Young, City Manager

Mr. Blackley called the meeting to order at 6:30p.m.

Mr. Blackley had a correction on page 2 – grasscrete. Mrs. Stark asked for clarification of what a static sign is. Mr. Courtney said an electronic sign that can display rotating messages. Mr. Meleski made a motion to approve the amended February 24, 2026, meeting minutes. It was seconded by Mr. Dietz. Roll was called. Mrs. Hill, Mr. Sharpe and Mrs. Stark abstained. The vote carried 4-0.

The Pledge of Allegiance was said. Attendance roll was called. Mr. Blackley reminded all that were present to sign in and swore in City Staff.

NEW BUSINESS –

Mr. Meleski made a motion to insert a new item A first on the agenda. The item is to discuss a privileged and confidential memorandum from Law Director Ben Chojnacki in regards to Planning Commission's authority for architectural qualities of developments in a residential area. It was seconded by Mrs. Stark. Roll was called. The vote carried 7-0.

Mr. Chojnacki explained Mr. Blackley asked him to provide guidance on Planning Commission's authority on regulating the design and aesthetics of buildings in various zoning districts in the community. The contents of the memorandum are privileged and confidential but Mr. Chojnacki said he will speak on the law. He said as a general principal, the Planning Commission does have the authority to regulate aesthetics. Mr. Chojnacki stated Ohio courts make it very clear when aesthetics are being regulated by a Planning Commission, it has to do so in definite and specific regulations. The Planning Commission's decision on aesthetics cannot be arbitrary, capricious, or not bearing a substantial relationship to health safety and welfare of the community. Mr. Chojnacki said typically communities do that and comply with that restriction and their authority is by having specific provisions in the codified ordinances that detail what is the purpose of the aesthetics regulation and what are the guidelines that the public can review to ensure that they are adhering to the regulations. In the City of Chardon's Planning and Zoning Code, Chapter 1155, are the guidelines for a number of different structures and design elements. This question came up recently for this Commission for a project planned in a residential district that is a non-commercial building. The issue in the residential district is that there is essentially no design criteria in that district. There is a small provision in 1155 which allows the City to regulate materials for non-residential buildings in the residential

district. Mr. Chojnacki said essentially concrete blocks, mirrored or reflective glass, un-traditional materials and bright or primary colors that are on awnings that are in stark contrast to the structures in the surrounding areas or design of the structure. Mr. Chojnacki said when Planning Commission is dealing with a non-residential structure in a residential district, the authority of Planning Commission to regulate the aesthetics is limited to what is specifically articulated in the code. The only thing that is articulated in the code is a very finite amount of building materials and colors. Mr. Chojnacki explained in the remaining chapters of 1155 there is a laundry list of code provisions that can and should be applied to regulate the aesthetics of buildings that are in the city. The City Architect's job is to look at those and provide an analysis and opinion so that the Commission is well apprised of the merits of the architectural design of the buildings that come before them. Regarding building location on a piece of property, that is not a true aesthetic question so that is a little outside the scope of what was discussed in the memorandum. All land use and zoning code restrictions are governed by the same court cases that say basically the authority of the Planning Commission when it is exercised cannot be arbitrary, capricious, and has to bear some substantial relationship to health safety and welfare of the community. (This planning and zoning code not in an aesthetic manner) but in a zoning district by zoning district manner establish various setbacks (front, rear and side) that dictate where on a parcel of land the proper building envelope can be situated. That is a clear guideline that the court would uphold as legal and justifiable use of your constitutional authority. In the absence of any other specific guidelines regarding building location, it's in an access of your authority to dictate where on the property a building can be sited. The Ohio EPA or the Army Corps of Engineers may have a say on a building location if it involves wetlands.

Mr. Dietz said the Planning Commission does have the ability to comment and give suggestions. Mr. Chojnacki said correct, as long as the comments are not made mandatory. He added hopefully the wisdom and experience of the Commission is taken into consideration by the applicant which in times it has been. Mr. Sharpe said the review letters from the City Architect and City Engineer should clearly state "you cannot do this because of this code" and list the section number and if one of them wants to make a recommendation go on record and say "I recommend" so it is clear to the applicant what they have to do versus what would be preferred. Mr. Chojnacki said correct. Mr. Sharpe said he was always under the impression if an applicant came in for a PRD or some kind of variance that the Board had more authority to trade and say "if you would like to see this variance, the city would like to see x, y and z". Mr. Chojnacki said kind-of. He said every piece would have to be taken separately and there are different standards to apply. Mrs. Stark asked if looking into the future, can the Planning Commission tighten up the residential zoning code to address non-residential uses in residential districts. Mr. Chojnacki said yes, but it does need to be tied to some health, safety and welfare issues.

PC Case #26-001: Mr. Holody explained the applicant, Ibold Investments, is requesting Final Development Plan approval for a proposed lot split at 409 Wilson Mills Road. Mr. Holody explained the lot is irregularly shaped. The Tax Map Department and City Engineer reviewed this and have no issues. This will allow for an additional single-family home. Staff have no objections.

Mr. Dennis Ibold was sworn in.

Mr. Ibold said there will be no adjoining property owner issues because he and Mr. Svete own the parcels surrounding this property.

Mr. Blackley asked where the existing water and sewer lines are. Mr. Ibold said on the parcel – no easement is required. Mr. Blackley asked if the two (2) lots would be larger than the proposed PRD. Mr. Ibold said yes.

Mr. Emmons asked if Mr. Ibold owns the property around this property. Mr. Ibold said yes.

Mrs. Stark said she is fine with the lot split. She said she is concerned the existing house will look into the back potentially of the proposed new house. Mr. Ibold said yes, because the existing house is set so far back. There will be a chance for screening and there is evergreens there currently.

Mr. Sharpe made a motion to grant the Announcement of Decision for the lot split. It was seconded by Mrs. Hill. Roll was called. The vote carried 7-0.

Mr. Blackley asked if there is any update on his development. Mr. Ibold said yes – on the Windmere Development, they have been working with the U.S. Army Corps of Engineers for many years and every time they come out, something changes and they are in the process of dealing with that. They are in the process of seeking removal from the Buffalo Army Corps of Engineers to a different location and they believe that will happen. The hope is to come before Planning Commission in 2027.

Mr. Meleski made a motion to approve the Announcement of Decision for the Final Development Plan. It was seconded by Mrs. Stark. Roll was called. The vote carried 7-0.

PC Case #26-002: Mr. Holody explained the applicant, Eric A. Schoessler, is requesting Final Development Plan approval and a Conditional Use Certificate for a proposed motor vehicle service station. Mr. Holody explained the existing curb apron will be used. The building will be single story, include a waiting area, office, display area, eight (8) service bays and tire storage area. All service will take place inside the building. No painting, body work or odor producing process will take place. The original plan was one (1) parking space short – there is a revised plan with an additional parking space. Minimum lot regulations are met. The sign will meet regulations. The City Arborist approves of the tree species. The Fire Inspector asked for an additional fire extinguisher between bays four (4) and five (5). The applicant agreed. The City Architect identified a number of issues of city standards not met. The City Engineer's comments will be met at construction document time. Staff has no issues with this proposal.

Mr. Ryan Schweissguth, from Cochran Engineering was sworn in and Karl Johnson of Amprop Ventures was sworn in.

Mr. Blackley asked if the storm water management was acceptable. Mr. Courtney said the size of the basins are large enough. Full calculations will be done at construction document time for verification. Mr. Courtney said the traffic signalization is already set up and there will be no issues/strain on the traffic pattern there at that intersection.

Mr. Blackley asked if there is any consideration for a sidewalk to be put in going to the building. Mr. Johnson said that is not an issue to put in.

Mr. Blackley asked if there is a trench drain across the apron. Mr. Schweissguth said it drains into the street. There is an overlay of existing sidewalk. He said there is an existing storm sewer. Mr. Courtney said he would like to see it captured before it exits into the public right-of-way. Mr. Blackley said trench drains would be the easiest. Mr. Schweissguth said there is no issue fixing.

Mrs. Stark said bugleweed is very invasive and spreads. She suggested putting it in a planter or replacing it. Mr. Schweissguth said they will replace it.

Mr. Emmons asked about the underground detention in the parking lot. Mr. Schweissguth said this was an early version and it will be above ground.

Mr. Dietz asked if there are truck deliveries and if there are, where is the truck turnaround. Mr. Johnson explained once the building is built, a semi-truck will deliver the tires. After that, it will be box trucks. The box trucks will use parking spaces to turn around. Deliveries are in the morning.

Mr. Blackley asked how many employees there will be. Mr. Schweissguth said between fourteen (14) and sixteen (16). Mr. Holody added the parking calculation was based off twenty (20) employees. Mr. Dietz asked if it is a single shift. Mr. Johnson said yes.

Mr. Emmons expressed concern the waiting room is in the back of the office area and no fire exit is there. Mr. Johnson said they are within code. There is no way to have a door there and most people drop their vehicle off and leave.

Mr. Blackley asked about the issues raised by the City Architect for the outside look of the building. Mr. Johnson explained he just took over the project a couple months ago and this look was to be more generic and economical to build. He said he spoke with Mr. Durante a few times and they will be switching the outside of the building to colonial red and all clear windows. Mr. Holody added he did not speak with Mr. Durante today. Mr. Johnson said they want to be a good neighbor and be able to submit plans for approval at the end of the month.

Mr. Blackley asked if a condition is added to the Announcement of Decision for Final Development Plan and Final Architectural Plan to be in conformance with the City's Architect comments, can it move forward. Mr. Holody and Mr. Chojnacki said yes. The applicant agreed.

Mr. Sharpe clarified the cornices and canopy will not be blue and yellow. Mr. Johnson said correct. Mr. Sharpe asked if Mr. Holody could send the Commission the revisions the applicant said they would do. Mr. Holody said yes.

Mr. Meleski made a motion to approve the amended Announcement of Decision with the following condition: the Final Development Plan be in compliance with comments made by the City Engineer and City Architect. Mr. Chojnacki approved the condition. It was seconded by Mrs. Stark. Roll was called. The vote carried 7-0.

OLD BUSINESS - none.

OTHER BUSINESS

The City is requesting review and recommendations for the new pickleball courts. Mr. Young explained this is a partnership with Chardon Schools. He explained it will be just about the same – no changes to the fence, pavement or lighting. It will have six (6) pickleball courts and one (1) tennis court. The current lighting system is on a timer and the city and school are open to the Commission's suggestions when the lights should be turned off.

Mrs. Hill said the current timing system does not work and when she calls the school, she is unsure if her message is delivered to the right person.

Mr. Sharpe suggested having the lights turned off and timing system locked at 10pm. Mrs. Hill agreed.

Mr. Blackley asked if the hours are posted. Mr. Young said general park times in the ordinance set the time.

Mr. Blackley asked if there is a noise issue. Mrs. Hill and Mrs. Stark said yes. Mr. Meleski said for noise issues after hours, noise complaints go to the Police Department.

Mrs. Stark asked who at the school is the contact person if there is an issue. Mr. Meleski suggested Steve Kofol. Mr. Blackley said there should be a city contact person. Mr. Young said people can still call the Parks and Recreation Department.

Mr. Blackley asked if there is an operating agreement. Mr. Young said there is a maintenance and upkeep agreement approved by City Council with Chardon Schools. The City only has programming in the summer months and nothing past 7pm.

Mr. Meleski made a motion that the Planning Commission recommends the operating hours of the pickleball courts to be limited to 8am – 10pm. The lights to the pickleball courts will shut off at 10pm. The City will monitor noise complaints arising from the pickleball courts and make a recommendation to the property owner the best way to mitigate noise. Under the operating agreement with Chardon Schools, have a sign posted with the hours of operating for the use of the courts.

COMMENTS

Mr. Holody explained the new CivicClerk Software will be used going forward. Hard copies of packets will still be delivered.

The Commission agreed to schedule a special meeting on Thursday, April 2. Mrs. Hill said she will need to recuse herself from the meeting.

Mr. Blackley raised the issue of plans being 11x17 hard to read. Mr. Dietz said the new CivicClerk digital packet allows members to zoom in on the screen.

ADJOURN

Mr. Meleski made a motion to adjourn the meeting. It was seconded by Mr. Sharpe. The meeting was adjourned at 7:52 p.m.

Respectfully Submitted:

ANDREW BLACKLEY, CHAIRMAN

Rebecca Repasky, Secretary