

Minutes of the Planning Commission Meeting

January 2, 2020

6:00 P.M.

Katie Gallagher called the meeting to order.

PRESENT: Katie Gallagher, Mayor
Jim Oper
Steven Coyle

ABSENT: Ron VanKirk, Council Representative

APPROVAL OF MINUTES:

Motion by Gallagher second by Oper to approve the minutes of December 5, 2019. **Vote Resulted:** *To approve:* YES: Gallagher, Oper, Coyle No: None. Abstain: None (**APPROVED**)

A request from Brilliant Electric Sign Co for aluminum lettering on the existing brick monument for Medical Mutual at 0 Tiedeman Rd PP# 432-02-007 Docket 1-2020-2. Commissioner Kulcsar explained the applicant's plans. Building Department has no issues with the plans. Bob Kunzen from Brilliant Electric Sign was present he explained their client has chosen to go with the second option which was the aluminum lettering on the brick wall at both locations. Mayor Gallagher asked if the Commission had any concerns or issues with the plans. No concerns brought forward. She then opened it up to the public. No concerns brought forward. After further discussion, **Motion** by Gallagher second by Coyle to **APPROVE** the request. **Vote Resulted:** *To APPROVE:* Gallagher, Oper, Coyle (**APPROVED**)

A request from Eugene Dietrich for a lot split and consolidation at 8686 and 8650 Brookpark Road PP# 433-19-002/433-19-003/433-19-007 Docket 1-2020-1. Commissioner Kulcsar explained the applicant's plans. Eugene Dietrich was present had nothing more to add Mayor Gallagher asked if the Commission had any concerns or issues with the plans. No concerns brought forward. She then opened it up to the public. No concerns brought forward. After further discussion, **Motion** by Gallagher second by Oper to **APPROVE** the request **PENDING CITY ENGINEER APPROVAL**. **Vote Resulted:** *To APPROVE:* Gallagher, Oper, Coyle (**APPROVED**)

A request from North Coast Architects for preliminary site approval for The Avenue at Brooklyn at 0 Idlewood Dr. PP# 433-14-076 Docket 1-2020-3. Commissioner Kulcsar explained the applicant's plans. Marc Cohen from North Coast Architects explained the plans in great detail. They have met or exceeded all the requirements of our code. They have also made the fire access road to the west of the build per the request of the Fire Department with the 2-foot variance the Fire Department approved. Mayor Gallagher stated that she appreciated that Mr. Cohen took all the concerns they had at the last meeting in to consideration and addressed them. Mayor Gallagher asked if the Commission had any concerns or issues with the plans. Oper asked if they were going to mound the dirt on the far west side, behind the resident on Elizabeth. Cohen

replied there will be screening with the shrubs and if necessary they will provide mounding. Commissioner Kulcsar explained that we only have 3 members here today so they would need a yes from all in order for this to pass. He offered Mr. Cohen the option to move forward or defer to next month. Mayor Gallagher then opened it up to the public. Kathleen Pucci of Biddulph Road asked if the drainage ditch will remain. Cohen replied yes it will. She then asked if it will be in addition to the detention. Cohen stated it will. She then asked if it will be maintained. Cohen stated yes. She then asked if once the work is completed if they would be open to added more screening if required by residents. Cohen stated yes they will. Mr. Cohen explained he would be ok to move forward with a vote. After further discussion, **Motion** by Gallagher second by Coyle to **APPROVE** the request. **Vote Resulted: To APPROVE:** Gallagher, Oper, Coyle **(APPROVED)**

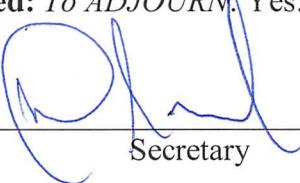
Mayor Gallagher went over the process of the Planning Commission and the reasoning for a Conditional Use as well as its process. She also explained the appeal process through the Board of Zoning Appeals.

A request from Circle K Great Lakes Region for a Conditional Use for a gas station and car wash in an R-B, Retail Business, District at 4630 Ridge Road PP# 432-23-014 Docket 1-2020-4. Commissioner Kulcsar explained the request. Savannah Peek from Circle K explained the details of the plans. Mayor Gallagher spoke of a similar request for a gas station in this area in the past and it was denied for safety reasons. She also expressed her concerns for this Conditional Use are safety. This is in a main school crossing point. Peek replied that they have modified the site per a meeting she had with someone from the City in the past to address some safety concerns. Peek explained the Circle K safety model and how they plan to address safety at this location with setback and exit/entrances. She had also mentioned this would be a 24 hour gas station. They will not increase traffic and would have just peak business times. Mayor Gallagher then what the peak hours are. Peek explained their peak hours are 7-8 am then 12-1 pm and then around 4-6 pm. Mayor Gallagher stated that is exactly during the school peak hours. Oper stated that the safety of the children is most paramount then asked what the criteria was they use for choosing a location. He continued that Peek had mentioned there was a need in this area. Peek explained that traffic count, the need, competition in the area, and a dense population are all considered in the criteria. She stated they are anticipating more foot traffic at this location, which is why they are putting in fewer gas pumps. Oper replied that he respectfully disagrees with that information as to the competitors in the area as well as the amount of foot traffic she thinks will be in the area. He continues even though we are a small community we are a car community. He continued most families drive to locations they need. He stated that this is all secondary to the safety concerns, their peak hours will be when our school children will be walking that way. Coyle stated that this would be a drastic change for the corner and he does not feel this is the right fit for this location. Peek explained they will be investing more than six million dollars on the project. Oper asked how many employees they will have. Peek stated around 25 jobs roughly 5 full time and 20 part-time positions. Mayor Gallagher opened it up to the public. Rob Slattery of Bucyrus asked when Peek has only spent 15 minutes doing a traffic count on this area when was there a traffic count done. He then asked what numbers they are using for comparing for traffic. Peek explained that they use a software program and ODOT to gather their information. Slattery then asked what their numbers were. Peek explained she does not have the numbers in front of her but off the top of her head is was in the area of 25,000 cars at that intersection.

Mayor Gallagher agreed that the ODOT numbers for that intersection exceeds 20,000. Slattery then stated he knows because he looked it up also and it stated 24,000 cars through that intersection. He feels that because this is in our safe route to school path it should be denied. Kathleen Pucci of Biddulph Road stated her concerns are also about safety because this is in the safe routes to school route also and this should be the key factor as to why this should be denied. She then read 1129.01c of the Codified Ordinances for the City of Brooklyn. She feels #4 would apply to this and based on this she also feels it is another reason it should be denied. She stated we had two precedences in the past set of denying a gas station in this area and that would be another reason to reject this Conditional Use application. Pat Tamburro of Traymore expressed that he feels the same about everything else that has been said and wanted to add more areas of concerns like gasoline and fluids leaking into the creek, the lighting from the lot flooding the neighborhood, the car wash flooding creek, destroying old trees, and underground storage tanks seeping into the ground. He then expressed he hopes the Commission denies this request. There was a discussion about storm water detention requirements and meeting the City requirement. Debbie Albany from Ira expressed her concerns about the children's safety, the lighting, the runoff, being next to the park and hopes that the Commission denies the request. John Slasha of Ridge road, right next door to the site, expressed his concerns of flooding, the driveway next to his yard, and the safety concerns. Trisha Schiel of Ridge stated she lives 3 house down and she has the same concerns of safety for her, the safety of the school children, concerns of flooding, and approving this will ruin her quiet neighborhood. Mayor Gallagher reminded her that Commissioner Kulcsar explained that we only have 3 members here today so they would need a yes from all in order for this to pass. After further discussion, **Motion** by Gallagher second by Coyle to **DENY** the request. **Vote Resulted: To DENY: Gallagher, Oper, Coyle (DENIED)**

A request from Circle K Great Lakes Region for preliminary site approval for a Circle K gas station, convenience store and car wash at 4630 Ridge Road PP# 432-23-014 Docket 1-2020-5 After further discussion, **Motion** by Gallagher second by Coyle to **DENY** the request. **Vote Resulted: To DENY: Gallagher, Oper, Coyle (DENIED)**

There being no further business, **Motion** by Gallagher second by Oper to adjourn. **Vote Resulted: To ADJOURN: Yes: Gallagher, Oper, Coyle (Meeting Adjourned)**



Secretary



Chairperson