

**PLANNING AND ZONING
PUBLIC HEARING LIBRARY PROJECT & REGULAR MEETING MINUTES
Mayfield Village
Feb 6, 2012**

The Planning and Zoning Commission met in regular session on Mon Feb 6, 2012 at 7:00 p.m. at the Mayfield Village Civic Center, Civic Hall. Chairman Jim Farmer presided.

ROLL CALL

Present: Mr. Jim Farmer Chairman
Mr. Garry Regan Chairman Pro Tem
Mr. Bill Marquardt
Dr. Sue McGrath
Mr. Casey Kucharson (arrived 7:10 pm)
Mr. Paul Fikaris
Mr. Tom Marrie Council Alternate (Audience)

Absent: Mayor Rinker

Also Present: Ms. Diane Calta Law Dept.
Mr. Tom Cappello Village Engineer
Mr. David Hartt Planning Director
Mr. John Marrelli Building Commissioner
Ms. Deborah Garbo Secretary

Consideration of Meeting Minutes:

Dec 5, 2011

Dr. McGrath, seconded by Mr. Fikaris made a motion to approve the meeting minutes of Dec 5, 2011.

ROLL CALL

Ayes: Mr. Farmer, Mr. Marquardt, Dr. McGrath, Mr. Fikaris
Abstain: Mr. Regan
Nays: None

**Motion Carried.
Minutes Approved as written.**

PROPOSALS

1. **Library Project - Cuyahoga County Public Library Mayfield Branch**
 - Final Site Plan Approval
 - Special Use Permit500 SOM Ctr Rd.
Architect: URS Corporation

2. **Wildcat Park Project - Mayfield High School Athletic Area Additions & Renovations**
6116 Wilson Mills Rd.
TDA Architecture

3. **East Commons Office Complex**
East Commons, Ltd
PP # 831-05-007 & 831-05-015
Architect: Cawrse & Assoc, Inc

OPEN PORTION

Chairman Farmer called the meeting to order beginning with the 2012 Organizational Meeting portion.

ORGANIZATIONAL

- Election of Chairman
- Election of Chairman Pro-Tem
- Election of Board of Appeals Representative
- Election of Secretary

ELECTIONS

Chairman Farmer opened the floor to a motion for Election of Chairman, Chairman Pro Tem, Board of Appeals Representative, and Secretary for the P & Z 2012 nominations.

Mr. Regan, seconded by Mr. Marquardt made the motion to nominate Jim Farmer as Chairman, Garry Regan as Chairman Pro Tem, Paul Fikaris as Board of Appeals Representative & Deborah Garbo as Secretary.

The nominations were closed.

Chairman Farmer asked if there was any discussion. There was none.

Chairman Farmer asked for a Roll Call on the nominations as a whole.

ROLL CALL:

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Fikaris

Nays: None

Motion Carried

Jim Farmer to serve as 2012 Chairman

Garry Regan to serve as 2012 Chairman Pro Tem

Paul Fikaris to serve as 2012 Board of Appeals Representative

Deborah Garbo to serve as 2012 Secretary

Library Project

Cuyahoga County Public Library Mayfield Branch

500 SOM Ctr. Rd.

Final Site Plan Approval / Special Use Permit

Chairman Farmer said we discussed this project at our workshop meetings. John will catch us up to speed.

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Mr. Marrelli said everyone should have received a letter from David Hartt regarding the Special Use Permit application. A little recap, the library has finished with the Architectural Review Board. All of the details have been ironed out as far as colors, styles & materials. There's still some open ended items as to some legal issues, i.e. transfer of deeds, driveway & parking easements. Those items are being worked out in the legal arena. Last but not least, there're engineering details that are ongoing for Army Corps approval, paving and things of that nature.

Mr. Cappello notes it's storm water approvals that are needed and various plan issues, not Army Corps.

Ms. Calta comments on the easements. The easements are on the site plan. One is for the hike & bike trail. The other is for the parking, the storm water and the actual access to the library what I would refer to as the Village's roadway parcel, which would be the parcel to the north of the library parcel. We have the actual legals of those easements worked out. Obviously the site plan has already been prepared. The legal language of that easement which will be recorded is what we're working on. Pretty much the hike & bike is the standard hike & bike easement that we've used for all the properties in the Village. The access easement, we're working on a little more detail. That actual easement language and the legal descriptions and the renderings will go before Council for their review as part of all the details for the library project. The deeds will be down the road. Once Planning approves, it goes to Council and then after we have all of the approvals on the site plan and the easements, at that point, some point in March those deeds would actually be recorded. A deed will go to the library for the land for the library and then there are some other parcels that are coming to the Village. Those deeds will come back to the Village for those properties.

Mr. Kucharson arrives @ 7:10 p.m.

Chairman Farmer asked what kind of vote is being asked of the Commission tonight.

Mr. Marrelli replied, it'll be your recommendation to Council for final approval and your recommendation to issue a Special Use Permit which Council will have to act on.

Chairman Farmer is aware of the Special Use Permit but wasn't sure if the Commission has enough information for the rest at this time.

Mr. Marrelli doesn't know that the Planning Commission would have to wait on deeds to change hands or for easements to be drawn up. I don't know that that's part of the Commission's duties.

Ms. Calta said we do know where the easements for the trail and access roadway will be. Planning has that information before you.

Mr. Regan asked, anything we do is pending?

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Ms. Calta replied no, I wouldn't say that. You're looking at an approval for the site plan. For the easement component, those are depicted on the site plan. As far as the Special Use Permit, you'll want to approve that, it does require a Public Hearing. Tonight is marked down as the Public Hearing. You may want to invite any Public comment on the Special Use Permit. I wouldn't say 'pending' or 'contingency' or anything like that. It's making the Planning Commission aware of the bigger picture where this is going and what other items are being worked on.

DECISION

Mr. Regan, seconded by Dr. McGrath made a motion to approve the Site Plan and Special Use Permit for the Library Project as has been presented over the last several months.

Chairman Farmer opens up to any questions or comments from the Commission.

Mr. Regan thanked David Hartt for the statement supporting the request and has a request. Under item No. 1, I'd like to strike out the word successfully.

Dr. McGrath states it's too editorial.

Mr. Regan agreed:

In approving the development plan, the Planning and Zoning Commission finds and determines that:

1. The proposed library location and development plan is consistent with, and reinforces, the long standing objectives that the Village has been ~~sueessfully~~ pursuing and steadfastly implementing along the corridor between SOM Center Road and 1-271: economic development to the west; open space along the SOM corridor; and a ribbon of community facilities in a "central spine" between the two – recreation, natural areas and a connecting trail.

David Hartt replied, I have no problem doing that.

Chairman Farmer opens the floor up to the audience and if anyone is here from the library, if you'd like to comment.

Tracy Strobel, Deputy Director Cuyahoga County Public Library said I'm happy to have the opportunity to thank everyone for their consideration. The library is very proud of this site and to be offering Mayfield Village a top notch library facility in this beautiful building. We're very excited.

John Ranallo, 6768 Meadowood asked, is any of the land zoned residential?

Mr. Marrelli said yes.

John Ranallo asked, is that what the Special Use Permit is for?

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Mr. Marrelli said yes.

John Ranallo said I just want to make sure that's public knowledge. Thank you.

Mr. Marquardt said Jim, I will not be supporting this tonight pending determination of the Village's participation in this project.

Chairman Farmer asked, what do you mean, as far as what participation?

Mr. Marquardt replied, as far as total Village participation.

Chairman Farmer asked, is it something that you know that we don't know type of thing?

Mr. Marquardt said primarily it has to do with the roadway and the Village's commitment to the roadway or non-commitment to the roadway.

Chairman Farmer asked, when you say roadway, is it the one on the north entranceway?

Mr. Marquardt said yes.

Ms. Calta said I would just comment that that would be something Village Council will look at and go through a process of approvals through Council which would include authorizations to BID, the actual bidding, opening of BIDS and then awarding of the contract. That would go through a whole process with Village Council separate and apart from this approval for this site plan and would also include Planning being involved in seeing that layout and site plan for that roadway.

Chairman Farmer said that's really not something we're going to vote on anyway. That's up to Council.

Ms. Calta replied, they'll bring the site plan for the roadway to Planning, but as far as the expenditure of dollars for the project, that will be up to Council.

Mr. Regan said always has been. Am I not correct?

Ms. Calta replied, true.

Chairman Farmer asked if any other discussion. There was none.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: Mr. Marquardt

**Motion Carried
Recommendation to Council**

Wildcat Park Project

Mayfield High School Athletic Area Additions & Renovations
6116 Wilson Mills Rd.

Mr. Marrelli said plans were delivered today for construction. They're taking BIDS. No change on our end. Planning tonight would recommend approval to Council for the project as a whole.

DECISION

Mr. Regan, seconded by Mr. Fikaris made a motion to approve the Wildcat Park Project Mayfield High School athletic area additions and renovations.

Chairman Farmer opens up to any questions or comments from the Commission.

Mr. Cappello said there are some engineering issues that need to be addressed. Once they're addressed we can issue the permit, nothing to prevent Planning's approval tonight.

Chairman Farmer opens the floor up to any questions or comments from the audience.

Jeff Henderson, TDA Architecture representative on behalf of the School District. I'd just like to say that we're looking forward to your approval of the project tonight. Thank you.

Chairman Farmer asked if any other discussion. There was none.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: None

**Motion Carried
Recommendation to Council**

East Commons Office Complex

East Commons, Ltd
PP # 831-05-007 & 831-05-015

Mr. Marrelli defers to David Hartt who has been working with the applicant for an update.

David Hartt gives summary to date. Based on prior discussion and alternative development plans submitted, the request before the Commission tonight is two-fold. One is to recognize the uniqueness of this application and second, accepting the general direction that's being pursued.

The uniqueness is that the Village is agreeing there're two development options that are possible for this site. Secondly, that there are variances that are likely required for both. The applicant realistically needs more clarity on what the Village is likely to accept so they can, with few less impediments, go out to market the project and try to secure some tenants or buyers of component parts of the project.

The direction is that you understand they will go to the Board of Appeals to get the variances that are necessary for both of the options with conditions as appropriately imposed on those variances by the Board of Appeals. Then it would come back to the Planning & Zoning Commission for you to consider more formally the optional preliminary development plan and a development agreement. You've received from the applicant, the principals of the development agreement to give you some understanding of the direction that's being pursued. But you're not acting on that tonight. That was more for you to have the comfort in approving the uniqueness of the application and the direction being pursued.

It's a type of motion that you have typically not made or acted on before, but I think that's the type of motion that would be appropriate at this time.

Chairman Farmer said we're voting on a moving target.

David Hartt said you're voting on a moving target but you know it. You're basically telling the applicant the range of flexibility that he has to pursue. I think that's important in this case rather than they going off and getting something and coming back and you say "no, no, no". It's not overly binding but it's giving direction to the applicant to take the next steps.

Mr. Kucharson said the next steps will determine what variances?

David Hartt said right. With those variances in place and conditions on those variances, then you have the parameters to approve the optional preliminary development plan and a development agreement for recommendation to Council.

Sam Cannata, Developer for the East Commons Project introduces himself. What I presented to you tonight is a three page outline that's in detail from what we talked about last meeting that would put self imposed conditions on the property and the development. The two plans have been worked out in great detail to show the variances and the self imposed conditions. I might add that if we get a positive vote tonight, my next step is the Board of Appeals and I'm not going to change anything on these plans. The variances that I'm requesting are established. These two plans will be presented to the Board of Appeals with no changes on my part, unless the Village has some changes. Clarification on my part, is this a preliminary approval tonight?

David Hartt replied no. It can't be a preliminary approval because you don't have the variances in place upon which to approve a plan. That's why I phrased it the way I did.

Sam Cannata asked, so the next step would be the BZA, then come back here for a preliminary approval that would allow me to develop the plans in detail to get a final approval from Council and engineering?

Ms. Calta said correct.

David Hartt said sometimes you can approve a preliminary plan subject to variances being granted. But in those cases, the variances are relatively minor compared to the development

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plan. In this case, they're fundamental to the acceptance of the development plan. I'm a little hesitant to say you can approve a preliminary development plan subject to the variances because the variances are so central to this that I think you need those in hand before you take that next step.

Mr. Kucharson asked, the applicant will be securing tenants and based on the level of interest he gets will determine which of the two options to choose and then they go for the variances? Or are they going to pursue the variances on both?

David Hartt replied they're going to pursue the variances on both and then come back with the variances in hand presumably, and ask you to approve both preliminary development plans for marketing purposes.

Sam Cannata said if the BZA approves the variances as I have laid out, that will allow me to market and develop the engineering plans in detail. Once I secure a tenant, I intend to come back here and present the tenant and building. There'll always be a constant dialogue.

Mr. Regan asked for clarification from the Law Dept. They're going to get their variances, then work with the Village to come up with a formal development plan, and that's what we're going to be approving?

Ms. Calta said correct.

Mr. Regan asked from his recollection, the two buildings on North Commons Blvd is a starting point?

David Hartt replied yes, for both plans, that's a given.

Mr. Marrelli makes a suggestion to Sam that when he's goes to the Zoning Board, he clarify in his laundry list of variances that he needs, where exactly they are. For the layman to try and go through this list and figure out what part he's talking about is difficult. Try to get it clear and concise in your table, otherwise they'll be looking all over the map trying to figure out what sidewalk you're talking about in relation to a building or parking setback.

Sam Cannata agrees. I'll identify the variances so it's clear.

Chairman Farmer asked if any other questions or comments. There was none.

DECISION

Dr. McGrath, seconded by Mr. Regan made a motion to approve the following. The Planning and Zoning Commission understands the uniqueness of this particular site. We accept the general direction of the development of this site and procedures as has been presented to us.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: None

Motion Carried

- **Developer to apply to the Board of Zoning Appeals for variances on Plan P1 (dated 2-1-12) and Plan P2 (dated 1-31-12) to plan and develop the property.**
- **Developer to return to Planning and Zoning Commission for approval of both preliminary development plans.**

ADJOURNMENT

Mr. Regan, seconded by Mr. Kucharson made a motion to adjourn the meeting.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: None

Motion Carried.

Meeting adjourned at 7:33 p.m.

Chairman

Secretary