



CITY OF OLMSTED FALLS
PLANNING & ZONING COMMISSION
MINUTES
FEBRUARY 15, 2017
7:30 PM
COUNCIL CHAMBERS

Commission Members Present : Brett lafigliola, Bob Sculac, Michelle Hawkins, Gary Pehanic, and Tony Budak. Fran Migliorino was excused

Others Present: Santo Incorvaia, Asst. Law Director, George Smerigan, City Planner, Rosann Jones, Manager Business & Community Services; and Mike Cloud representing Sprenger Health Care. Audience: 8

Mr. lafigliola called the public hearing to order at 7:30 p.m.

Mr. lafigliola stated that the reason for this public hearing is to consider a recommendation from the Planning and Zoning Commission regarding the proposed change in zoning classification for pp#281-02-135, located on Elm Street, from D-3 "Single Family Dwelling District" to P-2 "Professional Office/Multi Family District."

Mike Cloud stated that he is with Northcoast Design Build and is representing Sprenger Health Care regarding the rezoning request on Elm Street. He stated that Village of the Falls is an existing assisted living center on Elm Street. He stated that Sprenger Health Care acquired the property last year. They completed a market study and determined that there is a deficiency in skilled care beds in the community and would like to move forward and file a Certificate of Need with the State of Ohio to obtain 30 beds and place on the campus. He stated that after reviewing the original design of the facility it was set up for a future addition to the west of the property. An analysis was completed on the site and in order to keep the front of the building in a mirror fashion an extension would be to the back of the building in order to get all the required space. Typically in a skilled care environment the common spaces, daytime activities, and dining room center with radiating corridors in order to prevent long walks for the residents to daily activities. He stated that a small portion of the addition will need to extend onto the parcel in the back of the property that is zoned D-3. This parcel would also be used for an emergency turn around as well in case fire equipment is needed. Also there will be landscape buffering around the new addition. He stated that the addition would match the existing facility. To the east of the property is a pump station and with the new landscaping that would be screened from the residents on the west. The houses to the west have fairly deep back yards and to the north there is woods. He believes this would be low impact on the neighborhood.

Ms. Amy Sanfillipo stated that she works for Sprenger. She stated that the addition would add 30 jobs to the community, and most of those would be nursing, housekeeping, and dietary, with six office jobs as well. The annual income tax to the city would be \$21,000 and the annual real estate tax would be \$170,000. These would be some of the benefits to the community. For the residents currently living in the facility if there is an illness they are transported to another nursing home and then return, which means they are removed from their home for three to six months if they cannot be cared for at the assisted living facility. This addition would provide a place for these residents and would still be in their own home. If there are two living in the assisted living facility, for example a husband and wife, if one is sick the other one

would not have to leave the community they would be able to visit their loved one in the same facility.

Alan Martin, 26115 Cook Road, stated that he owns the property to the east which is the dead end on Water Street. His concern is how far the addition would be on the new piece of property, what you are going to do with the water due to the property being low, if the building proceeds into the new parcel what will happen with the rest of the parcel, this piece of property is 170 to 180 feet deep, consequently that means a parking lot will be installed. These are his concerns. Mr. Cloud indicated that the parcel is 160 feet deep with a curved area as a cul-de-sac. The addition itself will extend approximately 40 feet onto the parcel in question. The added parking is allotted to the front of the property where it was originally master planned. The individuals in the facility do not drive. The only purpose of the drive is for emergency access for the fire department, which is a requirement. The deliveries will continue to be made at the current docks. Mr. Martin stated that again, a driveway will be installed and will be approximately 20 feet wide with a turnaround. Now, will another generator will be installed. Mr. Cloud stated that if another generator is added it would be tucked into the front portion. Mr. Martin indicated that the current generator is started every Wednesday to run. He then asked where the dumpster would be placed. Mr. Cloud indicated that the kitchen is not changing, all the services remain where they are located. With regard to the storm water question, since an acre of land will be disturbed an EPA permit will be required and all the storm water will be dealt with according to EPA requirements. He indicated that the storm situation will be helped since additional drains will be added. Mr. Martin stated that one of his concerns is that this piece of property is low and his property is low as well and if the property in question is developed and the grade is raised what will happen to the water. Mr. Cloud indicated that they will tie onto the existing first floor of the building, so the grade is not going to be any different. Mr. Martin indicated that he was referring to the finished grade so if the property is raised two feet water will be dumped onto neighboring properties. Mr. Cloud replied why would he go into green space and dump tens of thousands of dollars to dump dirt in an area that nothing will be built. Mr. Martin indicated that the grade will be raised for the driveway. Mr. Cloud replied not necessarily. He stated that all area will be treated and will be discharged out front in the storm system. Anything that hits impervious areas has to be taken off or treated in order to prevent water from flowing onto adjacent parcels, and legally not permitted to do that.

Mr. Smerigan indicated that he does understand Mr. Martin's concern but frankly, the issue in front of the Commission this evening is the zoning of the property and what is the appropriate use of the land. No matter what goes on the property there will be grading and drainage and the developer will have to meet the city standards and reviewed and approved by the city engineer. The issues being discussed in terms of swales and drainage are site plan issues which will be dealt with at a later time, if and when the property is developed. Mr. Martin indicated that he disagrees with Mr. Smerigan because the Planning and Zoning Commission will make a decision this evening. Mr. Smerigan indicated that the Commission will decide the appropriate zoning of the property, they are not approving a development plan this evening. He stated that Mr. Cloud is giving indications as to how he intends to utilize the property, which is for informational purposes only. The only item officially in front of this Commission is the question of what is the appropriate zoning classification of the land D-3 or P-2. Mr. Martin stated that he understands and is stating his concerns as to why he is opposed to this property

being rezoned. Mr. Smerigan indicated that Mr. Martin is free to express his concerns. Mr. Cloud indicated that he will be required to appear before the Commission again, if the addition moves forward. A fully designed site plan will be presented to the Commission for approval. He indicated to Mr. Martin that he would be happy to sit down with him and review the engineering of the plan prior to submitting to the Commission to set his mind at ease. Mr. Martin stated that he is opposed to this rezoning because his plan, if the city gets sewers, is to develop his property. If this property is rezoned to P-2 then maybe he could rezone his property to allow for condominiums.

Mr. Iafigliola closed the public hearing at 7:52 p.m.

Planning & Zoning Case # 03-2017: Ordinance 03-2017 referred by Council for a Recommendation from Planning and Zoning Commission regarding the proposed change in zoning classification for pp#281-02-135, located on Elm Street, from D-3 "Single Family Dwelling District" to P-2 "Professional Office/Multi Family District."

Mr. Iafigliola read into the record a memo from Mr. Don Sheehy, City Engineer, dated February 9, 2017 and read the last paragraph of Mr. Smerigan, the City Planner, memo dated January 30, 2017. (see attached).

Mr. Iafigliola indicated that Mr. Cloud previously indicated that he would consider an alternate material for the emergency access. Mr. Cloud indicated that would be a discussion with the fire department to determine what materials they would be comfortable with.

Mr. Sculac asked if the nursing facility currently owns the parcel in question, Mr. Cloud replied yes. Mr. Sculac stated that hypothetically, if this rezoning is not approved would the facility be able to build the addition. Mr. Cloud indicated that the question then becomes economics as there are requirements for staffing for the population. Obviously, we could build on the current land and obtain a variance to place parking in the front and have the addition offset from the current building, which would not be attractive to the community, which is the reason for the rezoning request. He stated that the new addition would only utilize approximately 30 to 40 feet of the parcel and would leave a large buffering between the facility and homes.

Mr. Iafigliola **moved** that the Planning & Zoning Commission make a favorable recommendation to City Council for the rezoning of the subject 0.49 acre parcel from D-3 to P-2; Mr. Pehanic **seconded**. Poll: 5 ayes; 0 nays. **Motion carried**.

PC 12-2016: Recommendation from Planning Commission regarding amendment to Chapter 1218, Tree Preservation and Management; and Section 1232.06(c)(5) of the City's Planning and Zoning Code to provide for landscaping and tree preservation and replacement requirements.

Mr. Iafigliola asked Mr. Smerigan to summarize the changes after his meeting with Shade Tree Commission. Mr. Smerigan stated that one of the issues was the necessity of completing tree surveys and tying the tree planting to trees that were removed. Based on his meetings with the Chairman of Shade Tree Commission is the concept of canopying replacement, where we are attempting to keep a certain amount of green area in the community, we are now breaking

down the requirement for tree planting based on the zoning classification and requiring that a certain percentage of canopy coverage be acquired in each different zoning district. The canopy coverage is calculated based on the maturity of trees, using the street tree fact sheet, and the calculation would be completed by the city arborist and Shade Tree Commission, they would then make a recommendation to the Planning & Zoning Commission. Removal of any tree greater than an 8" diameter would require a permit, the exemption would be dead, diseased, damaged trees, or being removed in a public right-of-way for utility purposes, trees removed due to danger, or trees removed on individual single family lot by the resident. The regulation for replacement trees is based on creating canopy coverage. He stated that his understanding from the Chairman of Shade Tree Commission is that the Commission does approve the revisions.

Tom Shepka, 9058 Columbia Road, thanked Mr. Smerigan for working with the Commission to revise the proposed Tree Preservation & Management Plan. He stated that with the revisions this is a good plan and will be a good benefit to the residents and the City.

Mr. Pehanic stated that it is good to hear that the Shade Tree Commission is endorsing the proposed plan, as it shows that the City and Commission members worked together to make revisions each party approves.

Mr. Iafigliola stated that under 1218.05(a)(2) under canopy replacement it states "all new development shall preserve relocate or plant" in other words the developer is given an option does this allow a developer to clear cut a property. Mr. Smerigan stated that theoretically they could, but, they would have to submit development plans to the Planning & Zoning Commission to approve. In other words the Commission would have to be comfortable with a plan that would allow that. The developer has to meet the canopy coverage requirement which can be done by preserving existing trees or planting new trees. This allows for a level planning whether the developer starts with a wooded lot or a corn field. Mr. Iafigliola stated that his only concern is if he was a developer that wanted to move quickly and determines that the fastest way is to cut everything down, which is what residents were concerned with, and there is no time table in the term "future." Mr. Smerigan indicated that there is a calculation based on the tree maturity at 30 years. In other words, the developer has to show that they will accomplish a certain percentage of canopy cover by a point in time. In order to clear cut a property a development plan has to be submitted that the Commission is willing to approve.

Mr. Iafigliola moved to **recommend** to City Council that Chapter 1218 Tree Preservation and Management and Section 1232.06(c)(5) of the City's Planning and Zoning Code as modified and dated February, 2017 be favorably received by Council for approval; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

COUNCIL LIAISON REPORT: Mr. Sculac indicated that Mr. Linn has resigned from City Council and Ms. Garrity has assumed the office of Council President. Ms. Garrity has appointed him to serve on the Commission as a voting member and he will also remain in the liaison position. He stated that Council has 30 days to fill the vacancy on Council.

OTHER BUSINESS: Mr. lafigliola asked that each member review the Planning & Zoning Policies and Procedures document that was distributed in order for the Commission to approve at an upcoming meeting. He also asked that this document be placed on the next agenda in order for the Commission to formally discuss and possibly approve.

APPROVAL OF MINUTES: Mr. Pehanic moved to **approve** the Board of Zoning Appeals minutes of November 16, 2016; Mr. Budak **seconded**. Poll: 4 ayes; 0 nays; 1 abstain (lafigliola). **Motion carried.**

Ms. Hawkins moved to **approve** the Environmental Protection Board minutes of December 8, 2016; Mr. Pehanic **seconded**. Poll: 1 aye; 0 nays; 4 abstains (Budak, Sculac, Pehanic, lafigliola). **Motion carried.**

Mr. Budak moved to **approve** the Planning & Zoning Commission minutes of January 25, 2017 as modified; Mr. Pehanic **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

OTHER BUSINESS: Mr. Stasko was present and indicated that when the Planning & Zoning Commission approved his variance at the last meeting the Commission discussed approving the two additional feet to the width of his existing driveway but inadvertently did not make that part of the motion. Mr. Stasko indicated that he would like to clarify that the request is from his garage to the sidewalk.

Mr. lafigliola **moved to clarify** a previous motion made during the January 25, 2017 meeting regarding Docket #01-2017 to allow an additional two feet of concrete pavement on each side of the existing driveway; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

ADJOURNMENT

Mr. Sculac moved to **adjourn**; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

Meeting adjourned at 8:56 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date

MEMO

To: Olmsted Falls Planning and Zoning Commission

From: Don Sheehy

Date: February 9, 2017

Project Number:

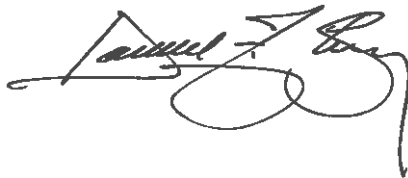
Regarding: Springer Health Care

Planning and Board Members,

I have no issue with the proposed re-zoning from an engineering perspective. If the proposed use will generate additional sanitary sewer flow in excess of an existing residential lot under the current zoning, a proportional tap-in fee should be considered to offset any additional flows generated from this parcel onto City infrastructure based on the final use of the proposed building.

Should you have any questions, please contact me at your earliest convenience.

Sincerely




Donald F. Sheehy, PE, PS
Olmsted Falls City Engineer

Tactical Planning, LLC

3297 Forestmeadow Drive,
Cuyahoga Falls, Ohio 44223
Ph: 440-725-1886
geosmerigan@gmail.com

TO: Olmsted Falls Planning And Zoning Commission

FROM: George Smerigan, City Planner 

DATE: January 30, 2017

RE: **North Coast Design Build, LLC**
Sprenger Health Care
Village Of The Falls
Rezoning of PP# 281-02-135

This request is to rezone approximately 0.49 acres of land located immediately north of the existing Village of the Falls nursing home facility from D-3 Single-Family Dwelling District to P-2 Professional Office / Multi-Family District. The subject site is identified as Permanent Parcel No. 281-02-135. The intent of the rezoning is to permit the expansion of the existing nursing facility with the addition of 30 skilled nursing beds.

The subject site is a rear parcel with little utility for development as single family residential. The parcel abuts the sanitary sewer pumping station. After rezoning, the applicant proposes to consolidate the parcel with the existing nursing home parcel to accommodate the proposed expansion.

This is an opportunity to convert what is currently a problematic rear parcel with little utility to an economic development asset that will permit the expansion of an existing business and increase both employment and assessed valuation in the City. It is recommended that the Planning and Zoning Commission make a favorable recommendation to City Council for the rezoning of the subject 0.49 acre parcel from D-3 Single-Family Dwelling District to P-2 Professional Office / Multi-Family District.