

**CITY OF AURORA
PLANNING COMMISSION
MEETING MINUTES
February 20, 2019**

The Aurora Planning Commission met in a regularly scheduled meeting on Wednesday, February 20, 2019, in the Council Chambers of Aurora City Hall. The Planning Commission Chairman Kathi Grandillo called the meeting to order at 6:41p.m., following the public hearing.

ROLL CALL:

Present: Laura Duguay
 Peter French
 Sarah Gilmore
 Kathi Grandillo
 Dixie Benshoff

Also Present: Denise Januska, Director, Planning, Zoning & Building Division
 Justin Czekaj, City Engineer
 Dean DePiero, Law Director
 Christine Gruttadauria, Secretary, Pro Tem
 Jack Burge, Economic & Entrepreneurial Development Director
 Ken Lahmers, Aurora Advocate

Dean DePiero, Law Director, swore in those in attendance who wished to speak.

ORGANIZATIONAL

The Board received a letter from Mayor Womer-Benjamin appointing Marie Lawrie to the position of Planning Commission Clerk.

MOTION: To elect Marie Lawrie as the 2019 Planning Commission Clerk

Ms. Gilmore moved; Mr. French seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Gilmore, Mr. French, Ms. Grandillo, Ms. Dugay, Dr. Benshoff

Nays: None

AMENDMENTS TO THE AGENDA

None

SUBMISSION OF SUPPLEMENTAL INFORMATION

None

APPROVAL OF MINUTES

MOTION: To adopt the minutes of the February 6, 2019 Public Hearing meeting, as submitted

Ms. Duguay moved; Ms. Gilmore seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Duguay, Ms. Gilmore, Ms. Grandillo, Mr. French, Dr. Benshoff

Nays: None

Amendment to the February 6, 2019 Planning Commission meeting minutes

Jim Vaca, 1101 Moneta Avenue made comments at the February 6, 2019 meeting. The minutes reflect that Mr. Vaca stated that 1/3 of the city rentals are located in the Geauga Lake area. Mr. Vaca requested his statement read that in the Geauga Lake area, 1/3 of properties are rentals.

MOTION: To adopt the revised language of the February 6, 2019 meeting minutes.

Ms. Gilmore moved; Ms. Duguay seconded, and the motion carried 5-0 on a roll call vote

Yeas: Ms. Gilmore, Ms. Duguay, Ms. Grandillo, Mr. French, Dr. Benshoff

Nays: None

MOTION: To adopt the amended minutes of the February 6, 2019 meeting.

Mr. French moved; Ms. Duguay seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Mr. French, Ms. Duguay, Ms. Grandillo, Ms. Gilmore, Dr. Benshoff

Nays: None

AGENDA ITEMS

DWGM LLC, 13 New Hudson Road, Conditional Zoning Certificate – Comparable Use Office (1901004)

DWGM LLC, 13 New Hudson Road, Preliminary and Final Site Plan – Addition (1902005)

Ms. Grandillo stated that the two items regarding 13 New Hudson Road, agenda items 8a and 8b, would be discussed together, and voted on separately.

Jack Burge, the Economic & Entrepreneurial Development Director for the City of Aurora requested permission to address the Board on behalf of the applicant. Mr. Burge stated that the applicant has been at the present location for about thirty-five years, and have been good stewards of the historic building. He further stated that the applicant has worked with both the Landmark Commission and the City to develop a plan for the proposed addition. Mr. Burge stated the applicant demonstrated a willingness to accept and adopt suggestions from the Landmark Commission. Mr. Burge requested the Commission consider his statements when reviewing the application.

George Clemens and Brian Kuck of 45 East Washington Street, Chagrin Falls, OH 44022, attended the meeting to present the project. Mr. Clemens gave an overview of the business located at the proposed project site. He stated that the proposed addition would accommodate the existing business and its employees. He stated that the applicant currently occupies a space that is twenty-two feet wide. Mr. Clemens discussed the property lines. He stated the property lines seem mismatched and the parcel is oddly shaped, sharing both residential and commercial zoning. Mr. Clemens stated that the current commercial use is the best use of this parcel, both for the City and the applicant.

Ms. Grandillo stated that she is aware of where the property is located and considers the plans very nice. She also stated she is thrilled the business is staying in its present location.

Ms. Grandillo asked the membership for questions or comments.

Ms. Duguay questioned the expansion and asked if the addition will accommodate a new group of staff, or if there were any plans at this time to rent the additional space. Mr. Clemens responded that the applicant has no plans at this time to add staff or rent the property. The proposed addition will accommodate the existing staff. It will remain a single office.

Mr. French thanked Mr. Clemens and Mr. Kuck for the detail in the presentation. He noted his questions were answered during the summary of the project. Mr. French asked for clarification on the zoning of the lot. He also asked if any part of the lot had recently been purchased to accommodate the addition. Ms. Januska stated that the legal descriptions used for zoning are from 1977. She stated that as far as she knows the property has not changed, and has always been one lot. Mr. French also asked if a row of Pine trees and full-grown arborvitae would be effected. Mr. Clemens stated that the existing vegetation would not be effected by the proposed addition.

Ms. Gilmore asked if the existing driveway would be changed. Mr. Clemens stated that the driveway would remain in its current location. Additional landscape will be added, access to the street will remain unchanged.

Dr. Benshoff commended the Demming family for their loyalty and service to Aurora. Dr. Benshoff asked why the addition could not look more like the train depot and less like a barn. Mr. Clemens explained that national historical regulations discourage a reproduction of an existing structure. The barn was designed to enhance the existing historic building. He also commented on Train Depots in general. Historically train stations run parallel to the tracks; they are not designed in the shape of a T. He would hesitate to propose a design that does not make historic sense. Lastly, he spoke about functionality of the addition. Mr. Clemens stated that the applicant explored the possibility of using a train car for the addition. However, it was noted that the train car would be too narrow and not a feasible working space for the applicant. Mr. Kuck noted that historically barns were typically located near Train Depots to house goods and materials that had been delivered. Dr. Benshoff also questioned the sight line of the roof, and how it would affect neighboring properties. Mr. Clemens stated that residents should not be adversely affected. Dr. Benshoff asked for clarification if the applicant would be removing existing trees. Mr. Kuck explained that some trees that are currently unhealthy would be removed, but would be replaced. Dr. Benshoff asked if the project had to go before the Architectural Board of Review for approval. Mr. Clemens stated that yes they will go before the Board in March. He also stated that they had to go before the Landmark Commission for final approval.

Ms. Grandillo asked for Public Comments. Seeing no comments, Ms. Grandillo closed public comment.

MOTION: To accept the conditional zoning certificate application for DWGM LLC, for study

Mr. French moved; Ms. Gilmore seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Mr. French, Ms. Gilmore, Ms. Grandillo, Ms. Duguay, Dr. Benshoff

Nays: None

MOTION: To accept the Preliminary and Final Site Plan regarding the addition application for DWGM LLC, 13 New Hudson Road, for study

Ms. Duguay moved; Ms. Gilmore seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Duguay, Ms. Gilmore, Ms. Grandillo, Mr. French, Dr. Benshoff

Nays: None

Baker Bensons Farms, LLC, 1001 N Chillicothe Road – Minor Subdivision (1901004)

Emil Fabrizi of Treat Road Properties LLC, 20389 First Avenue, Middleburgh Heights, 44130 attended the meeting to present the project. Mr. Fabrizi currently owns the property surrounding the subject property. Mr. Fabrizi

proposes to split the 20-acre parcel. His group would buy 14 acres; Baker Bensons Farms would keep approximately 6 acres where an existing structure sits.

Ms. Grandillo asked the membership for questions or comments. The Commission had no questions for the applicant.

Ms. Grandillo asked for Public Comments.

Deb Conti, 234 S. Chillicothe Road was on hand to offer public comment. Ms. Conti questioned the existence of a family gravesite located on the property. Ms. Conti asked where the gravesite was located in relation to the lot split. Mr. Fabrizi explained the gravesite is located on the 6 acres that would be retained by Baker Bensons Farms.

Hearing no additional comments, Ms. Grandillo closed public comment.

MOTION: To approve the Baker Bensons Farms LLC, 1001 N Chillicothe Rd application for a minor Subdivision

Mr. French moved; Ms. Duguay seconded and the motion carried 5-0 on a roll call vote.

Yeas: Mr. French, Ms. Duguay, Ms. Grandillo, Ms. Gilmore, Dr. Benshoff

Nays: None

Aurora Lake Road (Dideon) – Road Dedication Plat (1902007)

Dean DePiero spoke to the Commission regarding Aurora Lake Road. Mr. DePiero explained to the Commission that approximately two years ago, the City accepted a portion of Aurora Lake Road for dedication for public use. He explained that the City had been maintaining the road, although it was a private road. It was in the cities best interest to have the road dedicated for public use. Mr. DePiero reminded the Commission that they had recommended an agreement between the City and the Constantino family. The Constantino Family would in essence pay the city to take the road. The money would be used to continue to improve the road. Mr. DePiero stated that there was a small portion of the road that was owned by the Dideon family, Gerald and Lydia. The City will accept dedication of that property and will compensate the Dideon family \$2500.00.

Ms. Grandillo asked the membership for questions or comments. The Commission had no questions for Mr. Depiero.

MOTION: To approve the Aurora Lake Road, Road Dedication Plat as submitted.

Dr. Benshoff moved; Mr. French seconded and the motion carried 5-0 on a roll call vote.

Yeas: Dr. Benshoff, Mr. French, Ms. Grandillo, Ms. Duguay, Ms. Gilmore

Nays: None

Chapter 1317.01 Property Maintenance Standards (1901002)

Dean DePiero addressed the Commission regarding the Property Maintenance Standards. Mr. DePiero stated that after soliciting comments from the Commission, Council and the public, he and the Planning Director, Ms. Januska, revisited the document and made some changes to the language used in the document. Mr. DePiero would not ask for a vote tonight, he would like the Commission to review the proposed changes and revisit the issue at a later date. Mr. DePiero addressed one of the revisions made to the document, item (f), abatements. Mr. DePiero stated that there is a section in the Codified Ordinances regarding nuisance abatement. Item (f) is similar to the section in

the existing code. He stated the language in the proposed document was modified and reads the City may take action, rather than shall take action. Mr. DePiero also stated that the penalty section, item (g) was revisited and cleaned up, making the language consistent with the provisions of Chapter 165 of the Codified Ordinances. Chapter 165 is the enforcement chapter of the Codified Ordinances.

Ms. Grandillo asked the membership for questions or comments.

Dr. Benshoff asked for clarification as to the use of language regarding the abatement. Dr. Benshoff questions the use of the word may, not shall regarding the actions the City could take. Mr. DePiero stated the use of the word “shall” gives the city the option to not act, if no action was in the cities best interest. Dr. Benshoff asked for a hypothetical scenario where the City would not want to act. Mr. DePiero stated that one such instance would be if the City would have to take on a large liability, for example the removal of asbestos. Mr. DePiero stated the City would want the property owner to tackle that type of issue. The City could use the enforcement chapter of the Codified Ordinances to assist with these types of situations.

Ms. Grandillo asked for public comment.

Deb Conti, 234 S Chillicothe Road was on hand to comment. She questioned the use of the word adverse effects in item (a) Structural Soundness and Maintenance. Ms. Conti wanted to know if someone claimed that her property was adversely effecting someone else’s property, would she be notified as to how and when this conclusion was reached. Ms. Conti questioned Item (b) Landscaping; she stated that there is already an ordinance on file that addresses landscaping issues. She questioned if this was a duplicate of that ordinance. Ms. Conti asked for clarification of item (e) infestation. Ms. Conti inquired if this was something that would fall under the responsibilities of The Portage County Health Department. Lastly, Ms. Conti questioned item (f) abatements. She questioned the period for violations to be resolved. Ms. Conti also questioned the need for the 10% penalty.

Ms. Conti read a statement from her brother, an Aurora Resident, who also had concerns regarding the Property Maintenance Document. The statement included concerns regarding what percentage of homes are currently in violation of the proposed standards. How will the Maintenance Standards effect property sales. Ms. Conti stated that her brother was also concerned about the proposal being a deterrent for young people to purchase homes in Aurora, as well as forcing older residents who cannot comply out of the area. Lastly, Ms. Conti asked if the City has any resources to aid residents, such as short-term loans with low interest rates. Ms. Conti stated she thought that some type of assistance program was available in the past. Ms. Conti also questioned the language regarding item (2) in Structural Soundness and Maintenance. Ms. Conti is concerned that a property owner would take the statements regarding painting literally and only repair or paint the minimum of what was required. Ms. Conti stated she did not think this was the intention of the proposal and questioned the language used. MS. Conti fears the maintenance could increase the number of abandoned homes as well as foreclosures.

Hearing no further comment, Ms. Grandillo closed public comment.

MOTION: To hold Chapter 1317.01 Property Maintenance Standards for further review.

Ms. Gilmore moved; Ms. Duguay seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Gilmore, Ms. Duguay, Ms. Grandillo, Mr. French, Dr. Benshoff

Nays: None

Mr. DePiero stated that the Rental Registration Chapter was revisited. Mr. DePiero stated that some revisions were made to the ordinance. He noted that the thoughtful comments of the Commission, Council, and the public were helpful when considering the changes. Mr. DePiero states that additional input is needed before a final draft can be submitted. Mr. DePiero requested the Commission review the changes and offer comments and suggestions. He would recommend the Commission delay a vote until the additional feedback can be assessed.

Ms. Grandillo asked the membership for questions or comments.

Ms. Duguay stated that the move to reduce the amount of money per unit is a good move. She also stated that it would encourage people to continue to have rentals.

Mr. French questioned how it was decided to register rental units every 5 years. He also questioned if the City would be informed when a rental unit is sold. Mr. DePiero stated that the administration of this policy would be set up by the Planning Department. The seller would not be required to notify the City. Mr. DePiero stated that the 5 years was an arbitrary number that could be shortened. There was a consensus that one year was too short. Mr. DePiero stated that the two issues are being drafted to be user friendly, but cautions against watering down the proposals so much that they become ineffective.

Ms. Gilmore agrees with the change from one year. Ms. Gilmore thought registering every two or three years would be beneficial.

Dr. Benshoff agreed with Mr. French that five years is too long. She stated that the cities of Kent and Ravenna register their rentals every two years.

Ms. Grandillo asked for public comment.

Deb Conti, 234 S Chillicothe Road was on hand to comment. Ms. Conti questioned what kind of staffing would be needed to implement the registration mandate. She also questioned if the rental registration would transfer to a new buyer. Mr. DePiero stated it would not transfer.

MOTION: To hold Chapter 1319.01 Rental Registration (1901003) for further review

Ms. Gilmore moved; Ms. Duguay seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Ms. Gilmore, Ms. Duguay, Ms. Grandillo, Mr. French, Dr. Benshoff

Nays: None

MISCELLANEOUS

Justin Czekaj, City Engineer addressed the Commission. Mr. Czekaj informed the Commission that Biljani Sverko has left the employ of the City. Mr. Czekaj asked for public acknowledgement of her effort and work while she served the City. Mr. Czekaj introduced Sara Cooper. He stated Ms. Cooper has been with the City since August of 2017 in a part time capacity, and that she will fill the role that Ms. Sverko vacated. Mr. Czekaj further stated that Ms. Cooper would continue to be an asset to the City and an integral part of the Engineering Department. Ms. Cooper will provide backup to Mr. Czekaj if he is unavailable. Ms. Cooper addressed the Commission to introduce herself and provide a brief background.

ADJOURNMENT

MOTION: **To adjourn the meeting at 7:31 p.m.**

Dr. Benshoff moved; Mr. French seconded, and the motion carried 5-0 on a roll call vote.

Yeas: Dr. Benshoff, Mr. French, Ms. Grandillo, Ms. Duguay, Ms. Gilmore

Nays: None

Kathi Grandillo-Chairman

Christine Gruttadauria, Secretary Pro Tem