

## PLANNING COMMISSION MEETING

*March 11, 2010*

The Planning Commission convened in Courtroom No. 1 at City Hall for their regular meeting. Vice Chairman Komjati called the meeting to order. He asked the secretary to call the roll. Members in attendance were, Mr. Andrew Eade, Ms. Christine Shoop, and Vice Chairman David Komjati. Absent were Mr. Brian Temming and Chairman Thomas Fitzgerald. Also present were, City Manager Rita McMahon, Assistant City Manager/Community Development Director Douglas Lewis, City Planner Russ Schaedlich, Assistant Law Director James Lyons, and Secretary Lynn White.

**MINUTES:** Vice Chairman Komjati asked if there were any additions or corrections for the Planning Commission Meeting Minutes of February 11, 2010. There being none, he asked for a motion. Motion by Ms. Shoop, seconded by Mr. Eade to approve the Planning Commission Meeting Minutes from February 11, 2010 as submitted. All members present said "aye". Motion carried.

### **NEW BUSINESS:**

Vice Chairman Komjati asked the secretary to read the Notice for Refusal No. 2179.

### **REFUSAL NO. 2179 CONDITIONAL USE PERMIT REQUEST**

**Applicant:** Bruce C. Hanusosky  
J B H Properties, Inc.  
**Location:** One High Tech Avenue  
Permanent Parcel Number 15-B-014-0-00-001-0  
**District:** M-2 Heavy Manufacturing District  
**Section:** 1143.06

The City of Painesville has received an application from Bruce Hanusosky, J B H Properties, Inc., for a Conditional Use Permit. The applicant is proposing to provide related retail showroom for motorcycle and graphic display at One High Tech Avenue (Permanent Parcel Number 15-B-014-0-00-001-0). The property is located in the M-2 Heavy Manufacturing District. Section 1127.05 does not list related retail showrooms as a permitted use in the M-2 Heavy Manufacturing District. A conditional use permit for a Similar Use designation is requested.

Vice Chairman Komjati asked if there was anyone present to speak on behalf of this request. Mr. Bruce Hanusosky indicated that he did not have anything else to add and that he would answer any questions from the Commission on his request.

Vice Chairman Komjati inquired if members of the Commission had any comments or questions. There being none, he stated that the Staff Report submitted by the City Administration was very detailed. He questioned the parking situation and asked if that had been resolved.

Mr. Lewis stated that the applicant submitted a site plan prior to the meeting. The Commission has a copy of the site plan showing the parking spaces for the site. Mr. Schaedlich explained that the applicant was asked to show where additional spaces could be placed if they were necessary. The applicant has also provided on the site plan where additional parking spaces would be placed. Komjati inquired about the required number of spaces and the lack of need. Mr. Hanusosky explained that they had 55 employees at one time. Due to the fact they did not have much work, they have downsized to 24 employees. The current parking plan provides for plenty of space for their current needs.

Vice Chairman Komjati asked if Mr. Hanusosky had been doing any additional retail there already or is this a brand new venture. Mr. Hanusosky indicated he has been in retail for quite a while. The current store location is in Mentor. He stated they were going to close the doors eight weeks ago at High Tech. they decided to consolidate other companies and keep the Painesville location by utilizing the space in the front of the building. The front portion of the building has not been used in years. Mr. Hanusosky stated he would be bringing two companies into this location to keep them going. He stated he has been in business for over 41 years.

Vice Chairman Komjati asked if there were any other comments or questions. Councilman Hal Werner asked about the proposed operation of customizing motorcycles. Mr. Hanusosky stated they manufacture motorcycles from raw materials. They do not do repair work for motorcycles. This is the same as they currently do with the custom trailers they build. The raw materials are used to

create a custom product. Mr. Werner asked how the motorcycles would be tested to be sure they are running properly. Mr. Werner inquired if the city streets would be used; would the testing be monitored; would the customers be testing them out with heavy acceleration. Komjati commented that it seems the concern is that State Street would become a raceway. Mr. Hanusosky responded by explaining the type of motorcycles they build are not for racing. The people purchasing them are from all over the country. He stated they would be hopeful to sell 15 of them this year. The motorcycles they build are very expensive and sold to sports figures and movie stars; people that can afford them. He stated they have had a couple Cleveland Cavs wanting a bike designed for them. Mr. Hanusosky commented it is not like having a Harley Davidson dealership next-door where there are hundreds of people coming and going every day. Mr. Werner stated that is reassuring. Mr. Hanusosky added that most of the bikes are not even ridden; they are strictly for show or a collector's piece. There are only seven people in the United States that create this type of motorcycle.

Vice Chairman Komjati indicated there were four (4) stipulations written into the Staff Report. He asked Mr. Hanusosky if he was familiar with the stipulations and if he had any issues with them. Mr. Hanusosky replied that he is aware of the stipulations and comfortable with them.

There being no further questions or comments, Vice Chairman Komjati asked for a motion. Motion by Ms. Shoop, seconded by Mr. Eade to approve the Conditional Use Permit at One High Tech Avenue to provide a related retail showroom for motorcycle and graphic displays and sales with the following conditions: 1. There shall be no outside storage visible from State Street; 2. The applicant shall work with the City to obtain approval for any exterior building and property modifications, including landscaping; 3. Retail sales shall be limited to products associated with permitted industrial uses on the site; 4. The retail sales shall not occupy more than 5% of the total building square footage. There being no more discussion the secretary was asked to call the roll. On roll call, Mr. Eade, Ms. Shoop, and Vice Chairman Komjati answered "yes". Motion carried.

#### **ADMINISTRATIVE REPORT:**

**Shamrock Business Center PUD Amendment:** Planning Commission review of PUD to allow for multifamily development in the area designated for Office/Industrial Development on the Development Plan.

Vice Chairman Komjati indicated that he has reviewed the Administrative Report from the City regarding this amendment. He commented that it seems there is new information from the applicant on this matter. He asked if the representative would like to address the Commission.

Mr. Lance Osborne stated that he is representing Shamrock Business Center and he would like to go through the additional information that they have submitted. The issue brought up at the last meeting regarding the units being rental units. He indicated he would like to present what they have planned for the for-sale units. He stated the PUD overlay district was designed for live, work units (retail on the first floor/residential apartments on the upper floors) that they do not believe are feasible today. They were to be rental units as well. Mr. Osborne stated that since the City would like to see owner occupied housing they are planning to double the size of the boulevard townhouse development. Mr. Osborne added that the single-family residential subdivision shown on the overall plan would be submitted to the City next month.

Mr. Osborn explained that the development of the parcel for the senior development is restricted due to a conservation easement that has been filed in this area. This easement reduces the feasibility for a community building/office use for that site. This easement was not foreseen when the PUD concept plan was presented to the Commission. He added that they are planning to bring single-family homes to the site; and they are in preliminary discussions with a national builder on the boulevard townhouses. The total number of units will be 218 single-family houses, 140 proposed townhouses, 396 existing apartment units, and we are asking for an amendment to the PUD to allow for 50 senior living units on the proposed site.

Mr. Osborne introduced Mr. Aaron Pechota of NRP Group. He stated that Mr. Pechota could answer any questions regarding the senior development. Vice Chairman Komjati asked for clarification regarding the increase of the number of townhomes. Mr. Osborne replied that the original plan called for one row of boulevard townhomes and they are proposing an additional row. Vice Chairman Komjati referred back to the July 10, 2008 amendment. It was noted that the residential mix would be 150 boulevard homes and 150 single-family homes. Mr. Osborne stated that the area designated for residential would have 140 boulevard homes and 118 single-family

homes due to site feasibility. The PUD has always been evolving. They are now starting to hone in on the site plan and what is available out there. Obviously, they would like to have a higher density in the subdivision but they are unable to make that happen. There is capacity to do the proposed senior housing development and achieve a high density of owner-occupied portion on the property.

Mr. Aaron Pechota explained to the Commission the project they are proposing for the site. He apologized for not attending the last Commission meeting; it seems there were many questions about the proposal. Mr. Pechota stated the NRP is a national development company headquartered in Garfield Heights. They build approximately 1500 to 2000 housing units per year. He indicated he is part of the development team in charge of the mid-west, including Ohio and is excited since he is from the Cleveland area. This area was chosen in the PUD because of the walkability of the area. The concept of having this development in a town center makes the most sense for senior living. There is already some assisted living on a different portion of the site and they feel the location is ideal. We build senior independent living facilities. This is the 55+ age category; typically, the age of the residents is on average 75 years plus or minus. The population is mostly widowers and sometimes there are a few married couples. Mr. Pechota explained the resident that rent these units are typically homeowners that can no longer stay in their home but want to remain in the neighborhood or city they currently reside in. They have a desire to stay close to friends, family and community. Most people in this situation do not have the resources to reside in a full assisted living facility. There are very few options for this demographic especially when you get into the suburban areas like this. We bridge the gap from homeownership to independent senior living. They are apartments with enhanced services. Mr. Pechota presented the Commission with renderings of the apartments showing the floor plan and explained that also within the complex are a community space, fitness center and medical offices. There are also services available to the residents that NPR has contracted. They include visiting nurse association, wellness visits and wellness checks. The basic idea is to allow people to age with us for a longer period. Normally they provide a place for this stage of their life and help them to the next, whether it is a nursing home or full assisted living. There is a full time community manager on site; they also have service coordinators and maintenance staff. This type of facility is very well received by most communities. The units are rented within the first three to five months and they end up with a waiting list.

Mr. Pechota continued to explain the layout of the units and how they are constructed. He provided renderings of the outside of the building and explained the parking layout. He also explained how the conservation easement would provide a nice park-like setting for the complex. The units are to be two-bedroom, 876 square-foot apartments. The complex will be three stories with an elevator. There will be a drop off/pick up area in the front to allow for residents who do not have the ability to drive to have access to transportation. This development will be very compatible to the area in its design and feel.

Mr. Pechota indicated this building would be developed, constructed, owned and managed by NRP. He stated that this is not Section 8 Housing. This is senior independent living, funded by tax credits by the Ohio Public Financing Agency; there is no affiliation with HUD at all. That being said, while they are not section 8 housing, if someone does qualify with a voucher, Fair Housing dictates they cannot discriminate. He stated that there are minimal to no voucher holders statistically for these developments. Mr. Pechota explained that the income level for the population they serve in this age category is approximately \$20 to \$30 thousand dollars per year. The surrounding area has about 6,500 households that are 55+ and 33% of those people are in the \$30 thousand a year income bracket. He commented that there is a huge need for this type of development here. He stated that he would be happy to answer any questions for the Commission.

Ms. Shoop inquired about the rent cost for the units. Mr. Pechota indicated the majority of the rents are between 600 to 700 dollars per month. Ms. Shoop asked if leases are involved with the rents. Mr. Pechota indicated that typically the leases are for one-year. He indicated they find once people move in they are there for longer than the one-year. The management company has a very rigorous application process in terms of qualifications for tenants.

Ms. Shoop discussed another facility that is located off Route 84, which has dining facilities for the residents. She stated they have kitchen facilities and they can use the dining room as an option. She asked why the proposed development does not have this as an option. Mr. Pechota stated they have found that the cost for that service is not cost effective for their operations. They feel people like the independence of cooking for themselves. The nice thing about living in this development is there are many options that are available close by. He indicated they do have a service that provides meals to residents in the complex.

Ms. Shoop asked if the on-site management was provided 24-hours. Mr. Pechota indicated that it is

not a 24-hour service. She asked how the intercom call-service works. Mr. Pechota indicated that all of the units have the emergency call-outs. They are wired to the community management offices and transferred to 911 system if they are not there.

Vice Chairman Komjati asked Mr. Osborne to review with him the residential numbers that were originally submitted to the Commission for the PUD. Mr. Osborne indicated the original number of 150 single-family homes was not reduced to do this project. It was not feasible to get more than 118 single-family units on the site due to the infrastructure and wetland issues. There was discussion of what would be necessary to increase the single-family units to match the original proposal. The overall plan for the PUD would have to be modified since land would need to be taken from another portion of the site to meet that density. Ms. McMahon was asked to clarify for the Commission how the concept plan was designed. She stated it set out an up-to number. The 150 was the maximum single family that would be allowed for this site. The detailed engineering plan was never done. We have looked at these plans since January on the different designs. He is where he can be to meet all the other requirements of the code. The intent was not to make him have to build 150 homes. If you look at the PUD itself, it indicates up to 900,000 square feet of commercial space. That will not happen on this site. Vice Chairman Komjati indicated he understands what is being said, he was a little confused at the numbers that were set on the plan.

Ms. Shoop asked about the parcel that the proposed development is located and what the acreage is now that the easement is there. Mr. Osborne replied that the building site is approximately 4-acres with the easement. The conservation easement restricts development into that area. If the community building were to be built there, it would be limited to the area outside of the easement. Ms. Shoop stated the PUD showed that area with the community building and an office building. With this development going there neither of those two items will be placed on that site. Mr. Osborne indicated that is correct. He stated we are not going to build those two items; they will still be in the plan, just not in that area.

Ms. Shoop inquired about the parking spaces that are proposed for the development. She asked if there is one space per unit, where will the workers be parking. Mr. Pechota indicated there is plenty of room on the site to add another 10 to 15 spaces to accommodate the workers. Ms. Shoop asked Mr. Pechota how other communities look at their properties. The City has made the commitment to no more rental properties. Do other communities consider this project as apartments or are they viewed as a senior living community. Mr. Pechota commented that the folks that move into this type of housing are previous homeowners. These people are from the area and if this development were not available for them, they would be leaving the community to find something else.

There was continued discussion on why providing investment to the area is a good thing. By bringing in more development, it encourages the development of the rest of the project. The people moving into this development will be turning their homes over for-sale to provide available housing for younger, first-time homeowners to purchase. The development of the PUD will take a long time and quality investments provided to the site will help generate the future of the overall development. Mr. Osborne indicated they have analyzed the TIF and if all the residential development that is currently proposed they are very close to getting the money for the construction of the bridge. This has been the goal since day one.

Vice Chairman Komjati asked if the City had any comments to add to this discussion. Ms. McMahon commented that on the original map of the PUD that the Commission and City Council approved the area outlined for single-family homes only shows 62 lots. Obviously, that number has increased significantly. In addition, the number of townhomes has also increased. Ms. McMahon stated that what has decreased are the mixed-use buildings that have the retail and residential. This development was created to provide for a mixture of different development types.

Mr. Lyons asked if the development would be owned by a private developer that will pay property tax. Mr. Pechota responded yes, that is correct. The property tax will be used to help pay for the TIF. Mr. Pechota commented that they are a for-profit enterprise and they do not sell their properties. They manage 8,000 units nationally. Ms. Shoop asked where the closest property they have to here is. Mr. Pechota indicated the closest is in Saybrook Township that has 130 units in a campus type development.

Vice Chairman Komjati asked if there were any other comments or questions. There being none, he indicated that he had a couple comments. He stated that he appreciates the applicant appearing before the Commission again. He indicated that he realizes there is a need for this type of housing and for the record, he is not anti-senior housing. Vice Chairman Komjati stated that he keeps going back to the City's Comprehensive Plan. He was a part of the Committee that developed the plan. The Committee spent a lot of time discussing the number of rentals in the City and the need for

increased homeownership. He stated that his vision of the Commission is they need to be consistent with the City's Comprehensive Plan and uphold that vision.

Vice Chairman Komjati asked if there were any other comments. There being none, he asked if there was a motion. Mr. Pechota inquired if the Commission would entertain a request to table this item. He would like to provide additional information to the Commission. Vice Chairman Komjati indicated tabling the issue would only prolong the inevitable. Mr. Pechota stated that they would like to meet again with the property owner and try to come back with additional information to help their case. Vice Chairman Komjati asked if the Commission had an issue with allowing this item to be tabled. There were no comments. Mr. Pechota asked how the quorum of the Commission works. Ms. McMahon indicated that a quorum is three members and a simple majority is necessary to approve the request. Mr. Pechota asked that his request to table the item be withdrawn.

Vice Chairman Komjati asked for a motion on this matter. Motion by Mr. Eade, seconded by Ms. Shoop to approve the proposed Amendment No. 3 to allow for Shamrock Senior development as presented with the stipulation that Amendment No. 3 supersedes Amendment No. 2 as it relates to unit configuration for the Shamrock Business Center. On roll call, Ms. Shoop and Mr. Eade answered "yes"; Vice Chairman Komjati answered "no". Motion carried.

## **OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION**

### **ADJOURNMENT**

There being no other items to come before the Planning Commission the meeting was adjourned.

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Lynn M. White, Secretary

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David Komjati, Vice Chairman