

MINUTES

Orange Village Planning & Zoning Commission
Architectural Board of Review
Tuesday, December 17, 2024 - 6:30 pm

Members Present: April Skurka, Kathy Moran, Anthony Lazar, Scott Lewis, Brian Hitt, and Mayor Kline

Absent: Staci Vincent

Others Present: Steve Byron, Law Director
Robert McLaughlin, Chief Building Official
Brandon Hughes, Building Inspector
Danette Gembarski, PZ/ABR Secretary
Mark Majewski, Village Planner

Prior to the start of the meeting Mayor Kline swore in Commissioner Brian Hitt for a new three year term.

Mayor Kline called the meeting to order at 6:35 p.m.

#1 29425 HIDDEN VALLY DRIVE – ADDITION

Present: Lee Pozek – Architect

PZ/ABR Discussion:

Mr. McLaughlin stated this was approved by the Village Architect and approved as noted by the Village Engineer.

Mr. Pozek stated the addition will consist of two bedrooms, a sitting room and a bathroom. The plans submitted showed a full basement addition but it has been changed to a crawl space instead due to the cost. This change will not affect the elevation. Mr. Pozek confirmed that all exterior materials will match the existing home.

A joint motion was made by Mr. Hitt approving the addition at 29425 Hidden Valley Drive subject to the Village Engineer's notes.

Seconded by Mr. Lewis

Ayes: Ms. Skurka, Ms. Moran, Mr. Lazar, Mr. Lewis, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 6-0

Present: Keith Filipkowski – Pulte Homes

PZ/ABR Discussion:

Mr. McLaughlin stated the Village Planner’s review is pending. Phase I improvement plan is not approved by the Village Engineer. The offsite utilities improvement plan and plat are approved as noted by the Village Engineer.

Mr. Filipkowski showed a presentation to the Commission of the Canyons. During the presentation the following were discussed:

- The overall development consisting of 45.6 acres with 117 townhomes, and the residents will be 55 years and older.
- Phase 1 will consist of tree clearing and grading, installation of sanitary sewer lines, and the construction of 1-40 units.
- Private roads, storm water easements, and the wetlands,
- A time line was presented. Tree clearing in January, utilities in March, construction of model home in August and first closing in December.

The discussion turned to the tree preservation code. Mr. Filipkowski gave an example of 19.87% of tree canopy versus 25%. The Commission and Mr. Filipkowski proceeded to debate on the location of the trees, tree maturity, safety issues, 37 acres becoming a park, the percentage of trees located by Jackson Road, individual landscaping plans, and the cost associated with planting trees.

Ms. Moran expressed her feelings concerning the 20% tree canopy versus the 25%. She feels the development is able to obtain the 25% of tree canopy. She pointed out areas on the slide presentation where trees were not present and could be added.

Mr. Hitt agreed that 25% was sustainable in this development.

Mr. Filipkowski proposed the entrance sign of the development but Mr. McLaughlin stated this will be addressed separately because signage is not part of the final development plan just the placement of the sign should be referenced.

Mr. Filipkowski showed the front and rear elevations for the Modern style home, the Mountain Modern style, the American Farmhouse style, and the Euro Country style. The floor plans will be similar to Lakes of Orange Phase 7 with the master bedroom and laundry on the first floor. He also went over the color schemes, streetscape, diverse street design, the amenities, and the HOA.

Mayor Kline made a motion to approve The Canyons final development plan subject to the following conditions:

- The plan does not include signage this will be presented separately.
- Both the Village Planner’s and Village Engineer’s comments will either be incorporated in the plans or submitted by a letter.
- The approval of the tree preservation plan that is proposed with the 19.87% tree coverage as depicted in the presentation.
- The submission of the Home Owners Association’s documents.

Seconded by Mr. Lewis

Ayes: Mr. Lazar, Mr. Lewis, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 4-0

#3

Ordinance No. 2024-32

PZ/ABR Discussion:

Mayor Kline stated Ordinance number 2024-32 is an ordinance authorizing the certain parcels of property in Orange Village which are owned by several owners to obtain sanitary sewer treatment services from the City of Bedford Heights via the City of Warrensville Heights, requiring that the property owners maintain all sewer facilities constructed pursuant to this authority, and requiring the payment of all costs and expenses incurred by the Village in inspecting and permitting the proposed sewer improvement. This was referred to Planning and Zoning Commission by Council. Mayor Kline stated this is the connection of the sewer for The Canyons.

Mr. Byron stated the Village Council has to authorize the provision of utilities in the Village. He remarked this is just a technical approval as the plan was already approved.

Mr. Hitt made a motion to recommend to Council to approve Ordinance 2024-32.

Seconded by Mr. Lewis

Ayes: Mr. Lazar, Mr. Lewis, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 4-0

#4

Tree Preservation Code Revision 1375

PZ/ABR Discussion:

Mr. McLaughlin gave the Commission the latest revision of the tree preservation code. He stated there were some minor changes on page 8 and 9.

Mr. Majewski stated all the changes have been made that were requested.

The Commission discussed the required percentage of tree canopy, landscaping, street trees, how the original 20% was calculated, the difference between reasonable and appropriate, setting a standard, open spaces, the tree fee and the ability to waive it, and the ability to modify the required tree canopy percentage per the development plan.

Ms. Skurka read Section E and suggested that the word "or" should be changed to the word "and" in that section.

Mayor Kline pointed out in section 1375.06, section E it states the Planning and Zoning Commission may modify the requirements for the tree canopy upon certain factors and he proceeded to list them. He concluded that this gives the Commission the ability to reduce the requirement of 25% tree canopy.

Mr. Lewis commented that given some of the developer's remarks concerning the 25% tree canopy he thinks this number is too high. He also feels the Commission should evaluate each plan on a site specific basis.

Ms. Moran feels that 25% is better than what was required in the past. She feels this percentage is a good standard to set and is doable.

Mayor Kline agreed that we need a benchmark for developers to work towards but the Commission needs the discretion to consider the project under its own site conditions and the limitations of that site. We do not want to create a code that would require a variance every time. He also mentioned that the developer would need to prove that the 25% does not work for their site and the Commission can evaluate and then make recommendations at that time.

Mayor Kline made a motion to recommend to Council the approval of Ordinance 2024-22 with the insertion of adding the word "and" under section 1375.06 (a)(3)(E)(i) and with the modification of clarifying the fee amount.

Seconded by Mr. Hitt

Ayes: Mr. Lazar, Mr. Lewis, Mr. Hitt and Mayor Kline

No: None

The motion was approved 4-0

#5 **Ordinance NO. 2024-30**

PZ/ABR Discussion:

Mayor Kline stated Ordinance number 2024-30 is an Ordinance amending certain sections of Chapter 1143, Development Plan Review, of the Codified Ordinances of Orange Village, Ohio with regard to the preliminary and final development plans of real property.

Mr. Byron stated that Ordinance No. 2024-30 incorporates the newly revised tree code (Chapter 1375) into the zoning code as a part of the plan approval process.

Mr. Lewis made a motion to recommend that Council approves Ordinance number 2024-30.

Seconded by Mr. Hitt

Ayes: Mr. Lazar, Mr. Lewis, Mr. Hitt and Mayor Kline

No: None

The motion was approved 4-0

#6 **Chief Building Official's Report**

Mr. McLaughlin stated nothing has been submitted for the January 7th meeting.

#7 Any other topic for discussion

Mayor Kline thanked Mr. Lewis for his commitment to the Commission and stated it will be difficult to replace him. All the Board members thanked him and wished him well.

#8 Minutes from December 3, 2024 to be approved

A joint motion was made by Mr. Hitt to approve the minutes from the December 3rd meeting.

Seconded by Mr. Lazar

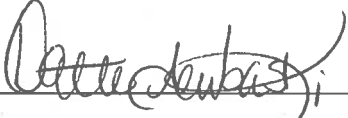
Ayes: Ms. Skurka, Mr. Lazar, Mr. Lewis, Mr. Hitt, and Mayor Kline

Abstained: Ms. Moran

No: None

The motion was approved 5-0.

There was no further business and the meeting was adjourned at 9:07 PM.

Danette Gembariski  Date: 1-22-2025