

MINUTES OF A SPECIAL COUNCIL MEETING
July 20, 2022 – 7:30p.m.

Council of the City of Berea, Ohio, met in special session in the Council Chamber on July 20, 2022 and the meeting was called to order by President of Council Jim Maxwell at 7:33p.m. Present: Mary K. Brown, Erika Coble, Leon Dozier, Chris McManis, Lisa Weaver and Gene Zacharyasz. Absent: Rick Skoczen. Also present: Mayor Cyril M. Kleem, Director of Public Works Tony Armagno, Director of Law and Public Safety Barb Jones and Director of Economic Development Matt Madzy.

The Pledge of Allegiance followed.

This meeting was held in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and Chapter 109 of the Codified Ordinances of the City of Berea. The certificate of compliance is on file in the Clerk's office.

LEGISLATION – FIRST READING:

ORDINANCE NO. 7-1: AN ORDINANCE APPROVING KNEZ HOMES', AUTHORIZED AGENT OF DMARK DEVELOPMENT, LLC, STAGE II PLANNED UNIT DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN AND AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING THE AREA OF LAND KNOWN AS PERMANENT PARCEL NUMBERS 362-02-003, 362-02-009, 362-02-012, 362-02-011, 362-02-014, 362-03-002, 362-03-013 AND 362-03-014, FROM UPTOWN (UT) DISTRICT TO PLANNED UNIT DEVELOPMENT / MULTIPLE FAMILY RESIDENTIAL (MFR) DISTRICT.

The Clerk read the title of the Ordinance.

Mr. Maxwell reminded everyone that this is the first reading of an Ordinance that will be considered at no fewer than 3 Council meetings, as well as a Planning Commission meeting and Public Hearing.

Mr. Madzy reminded Council that back in February, Planning Commission reviewed and approved the Stage I Preliminary Concept Plan for this Planned Unit Development (PUD) which proposes a 70 unit townhouse development on the North End. Stage II of the PUD was received on June 30, 2022, and this Special Meeting was determined to be necessary because the Code requires Planning Commission to act within 60 days and, since Council is on recess, if this Ordinance was not introduced until September, Planning Commission would be forced to forgo its review and the Preliminary Development Plan would have thus been conditionally approved. Instead, first reading is this evening and the Ordinance will then be referred to Planning Commission for review and recommendation.

The agent, Gillian Hall from Knez, was present this evening, along with Triban Investment's landscape architect, Jeff Markley, and Davey Services lead engineer, Chris Schmidt. Ms. Hall began by stating that the proposal is for a 69 unit, three-story townhouse development on 5.7 acres of land on the North End. Twelve buildings will make up the development, as will 1500 linear feet of roadway and 35 guest parking spaces. The soil overview map reflects a standard, mostly clay, soil composition that poses no problems and the landscape plan will include native plantings, forgoing trees and installing shrubs instead. The project has a more

modern feel, as was the preference of the City, and is inspired by an east coast product. Each unit will have a two car garage, as well as two driveway spaces, and floorplans will be customizable. The proposal meets or exceeds most Code requirements, and a final list of waivers will be presented to Council soon.

Ms. Hall continued by explaining that while Knez is the developer, they partnered with K. Hovnanian years ago, and K. Hovnanian is the builder on the project. This project is an appropriate use on the North End because it will utilize the space well and introduce a new housing concept to the area, while also creating a lot of outdoor greenspace, which will be maintained by the HOA. The proposal will act to bring life to an underutilized corner of the City, provide a lot of walkability and be a good transition between the commercial district and the residential/downtown district.

General discussion commenced concerning the HOA, and Mr. Armagno confirmed that there will be room for public trash collection, while Mr. Madzy noted that the streets are wide enough to accommodate safety vehicles.

Mr. Schmidt explained that the plan is to take sanitary west toward North Rocky River Drive and include a stormwater management basin on the western side of the property. The basin will be designed to meet all EPA and City requirements.

In response to a question from Mr. Maxwell, Mr. Schmidt stated that, from a phasing standpoint, it will be more convenient to take sanitary to the eastern portion of the site. The stormwater naturally drains east to west. It appears it may be difficult to take stormwater uphill to a shallow sewer. Mr. Armagno disagreed, stating that his recommendation is to send sanitary to Front Street. With regard to stormwater, the Code dictates that there can not be more runoff at the conclusion of the project than there is today, so draining downhill to the western portion and connecting to North Rocky River is appropriate. Mr. Madzy suggested the addition of a smaller detention basin on the north side of the property. Mr. Schmidt stated that they could take a look at these options.

With regard to pricing, Mr. Markley stated that the cost of each unit will be, on average, \$400,000, and they have not done any preliminary marketing thus far. Ms. Hall stated that while they can not legally prohibit rentals, they may be able to limit the time that a lease could be offered.

With regard to parking, Mr. Madzy explained that each unit will have 4 parking spaces, with an additional 35 guest parking spaces on site. This exceeds the Code requirement.

Mr. McManis stated that he is not confident that this will be a private street, because HOA fees would have to be significant in order to cover private maintenance. Mr. Markley responded that infrastructure is budgeted per year. Ms. Hall added that snow can be trucked out, if need be, but the HOA is used to clearing really tight sites, and this one is rather spacious from their perspective. Mr. McManis expressed concern that snow will be pushed in to parking spaces, thus eliminating some parking options, and since he knows how he uses his garage space, and some of these units have 3 or 4 bedrooms, he is not certain parking is adequate. He continued by noting that if visitors start parking in other neighborhoods or private business lots, this could translate

in to more Police calls and higher City expenses. He asked if there was any consideration to less units and more parking.

Ms. Hall responded that parking is always a concern, but having 35 guest spaces, as well as 4 per unit, should provide plenty of parking options, many of which will not be used often. Mr. Markley noted that young families are the target for this development, and they worked hard to balance parking with open greenspace. Mr. Madzy clarified that each unit will have double the amount of parking that is required by the Code.

Mr. McManis stated that while he feels like he has seen similar housing options in Tremont, the demographic is very different in Berea. He asked how many units are expected to be sold per year, and Mr. Markley stated that they will finish the outer shell first, and leave the interior.

Mr. Madzy noted that no tax abatement will be offered on this project, but Ms. Hall stated that they work with Key Bank, who will offer first time homebuyers some incentives. That method should help sell units.

Mrs. Weaver questioned the targeted demographic, as she was not confident that a young family would desire townhouse living. Mr. Markley stated that he has children who are looking for this type of housing in a beautiful up-and-coming place like Berea. Mr. Maxwell noted that he is astonished by the amount of money being spent on houses in Berea, which is a testament to the fact that people want to live here. This type of housing could, however, also be a way to draw a different crowd in to the City.

Mrs. Weaver expressed some concern with the amount of hard surface being proposed, especially in light of the flooding issues on the North End. Ms. Hall, Mr. Markley and Mr. Schmidt all concurred that the basin will meet or exceed Code requirements, and Mrs. Weaver responded that a bigger basin is better.

Mrs. Weaver inquired about the walkability of the area, stating that there is not much to walk to in that part of town. Mr. Markley responded that he has been a land planner for 30+ years and rooftops are a catalyst that encourage other entities to sprout up for development.

Mrs. Coble said that the future of housing is looking very different than it has in the past, and when she considers her children, they are more sensible with respect to the environment. Mrs. Coble asked about energy efficiencies, solar panels, and garage plug-ins for electric vehicles. Since the City is starting from a clean slate, she would like to do it right.

Mr. Markley explained that the units are built on site and added that plug-ins could be an additional add-on, if requested, although he is more old school. Mrs. Coble stated that builders can't be old school anymore, adding that there are concerns with noise, as bars exist across the street and the property is located near the train tracks. Mr. Markley said that, after a while, train noise becomes white noise, because people get used to it. Younger people are also comfortable with honking horns and outdoor noise, which elicits more of an urban vibe. In essence, the City comes in when the door is opened, and the targeted demographic will embrace this, desiring the outdoor decks and patios, and wanting the vibrancy and noise of City life. The business community should also welcome more patrons.

Mrs. Brown asked what amenities will be included on site, and Ms. Hall stated that benches are the only amenity.

Mrs. Brown questioned handicapped accessibility, and Mr. Markley responded that while handicapped parking spaces are provided, the building will not have an elevator, but will have chair lifts, where necessary, and ADA requirements will be considered when configuring floorplans and entryways. Mr. Maxwell confirmed that handicapped accessible features will be up to the buyer when the build out occurs, and Mrs. Brown stated that the developer is missing out on a group of people with disposable income.

General discussion commenced concerning whether the HOA could legally limit unit rentals, with Mrs. Brown and Mr. McManis both questioning lending availability, and Mr. Maxwell expressing concern for the long-term health of the neighborhood in question.

Mrs. Brown questioned the flat roofs, and Mr. Madzy stated that Planning Commission will consider the flat roof versus the pitched roof, as part of its review, as this will constitute an architectural design waiver.

Mr. McManis asked how the City is planning to take this development and run with it, with regard to the Master Plan specifically. The area is quite a distance from Coe Lake and there are not many businesses in the immediate vicinity, so he questioned how this fits in with the City's Master Plan. Mr. Maxwell noted that the City's Zoning Consultant will do a technical review of the project, and Mr. Madzy explained that a goal of the Master Plan is to develop the uptown district, transitioning it from auto facilities to more active uses. Rooftops lead to retail, and this project will act to spur additional development on the eastern side of Front Street, where the City does own property. Developers are interested, the owner of the Grindstone Tap House is excited about the project, as are the owners of Dunkin' Donuts and The Hydrant. This project fits within the Master Plan because it is a catalyst for property development on the North End.

Christina Bratsch, the owner of The Hydrant, was present this evening. She expressed concern regarding the capacity of City sewers to support this additional housing, the ability of her bar to remain accessible during construction and the likelihood that if residential properties move in across the street, her establishment will receive additional noise disturbance calls because of live music. She wants her business to thrive, as well as the North End, but has several concerns about this particular project.

Mr. Armagno confirmed that, due to the size of the site, most large vehicles will be on the property, and thus traffic will not be massively disturbed.

Mrs. Brown inquired about the timing of the project, and Ms. Hall stated that they hope to begin in the winter, have a road in by June and open models next summer.

Holly Porter said that Berea is nothing like Cleveland and expressed skepticism that young families will want to move to the townhouses when there are no amenities on site. She further encouraged the City to mandate that the builders use sandstone or other materials, common to the City, as a tribute to the community, and asked that green energy be considered. With regard to noise complaints, this issue needs to be taken in to consideration. Students living

in the Front Street residence hall call the Police about sounds from Front Street Social, and thus she is confident that residents in these townhouses will ask Police to address noise issues at nearby bars.

Mrs. Porter concluded by stating that everyone wants to see something on the North End, but that “something” should reflect the culture of Berea.

Dennis Knowles explained that his basement floods, thus flooding is his salient concern. North Rocky River floods, as well, and he wondered if anyone had shared these plans concerning water mitigation with the NEORS. He asked how the City can guarantee that runoff at the conclusion of the project will be less than or equal to what is there now.

Mr. Schmidt replied that the plans have not been shared with the NEORS, but added that they will do a plan review further in to the process. Mr. Armagno added that the City has jurisdiction, but the NEORS performs a cursory review of stormwater management and the City also hires the Soil and Water Conservation District to perform inspections on site.

Mr. Knowles said that the NEORS did not know about the Senior Housing project on the North End, but Mr. Armagno responded that they did know and performed their review on October 27, 2020.

Mr. Knowles asked how runoff is measured, and Mr. Schmidt replied that they analyze the predeveloped site with a hydro flow modeling system that looks at drainage area pre and post construction, and then use that to determine the necessary depths of retention basins so that flow will leave the site at a lesser rate than it does currently. Mr. Maxwell asked if this system is evaluated post construction, and Mr. Armagno explained that all drainage is analyzed during the plan review. Mr. Maxwell clarified that data is added to a model to stimulate what will occur post construction, to which Mr. Armagno responded in the affirmative.

Mr. McManis asked what value this project will bring to current residents. Ms. Hall responded that this type of product is not available in Berea and will attract millennials, college graduates, and be of benefit to people who are here and want to stay here, but do not have current options. Mr. Maxwell added that people who can afford this type of housing will likely pay higher income taxes, which will benefit the City budget.

Mayor Kleem noted that the City has changed over his tenure in office, and while several ideas have been explored for the North End, no idea is perfect. Every option brings with it challenges, but these developers have an interest in Berea because they study and know their product and their market and believe it will be successful in Berea. Mayor Kleem stated that he is happy that they are here and showing interest in our great community. People want to invest in the City and families want to live in the City, and this is a great opportunity to begin development on the North End and spur further steps.

Moved by Mr. Zacharyasz, seconded by Mr. Dozier, that Ordinance No. 7-1 be referred to the Municipal Planning Commission for report and recommendation. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Weaver and Zacharyasz. Nays: None. The motion carried.

OTHER BUSINESS: NONE

There being no further business before Council, it was moved by Mrs. Brown, and seconded by Mr. McManis, that the Special Council Meeting be adjourned. Vote on the motion was all ayes and no nays. The motion passed and President Maxwell declared the meeting adjourned at 9:26p.m.

Jim Maxwell
President of Council

Alycia Esson
Clerk of Council

CERTIFICATE OF COMPLIANCE

The special meeting of Council of the City of Berea, Ohio, held on the 20th day of July, 2022, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson, Clerk of Council