VILLAGE OF BRATENAHL
10300 BRIGHTON ROAD
BRATENAHL, OHIO  44108

PLANNING COMMISSION MEETING
March 23, 2022
5:30 p.m.

MAYOR JOHN LICASTRO, CHAIR
JOYCE BURKE-JONES
RUSSELL O’ROURKE
NANCY L. MOLNAR, RPR, CLR

MAYOR LICASTRO:  It's 5:30.  We're going
to start the meeting.  Please take your seats.

I'll call the meeting to order.  We have a new
participant.  Russell O'Rourke is here as an
alternate and today he's a seated member of the
Commission.

Calling the roll will be easy.  Ms.
Burke-Jones?

MS. BURKE-JONES:  Here.

MAYOR LICASTRO:  She's here.  Mr.
O'Rourke?

MR. O'ROURKE:  Here.

MAYOR LICASTRO:  And I'm here as well.

This body cannot approve minutes since we didn't
have the same people in the seats as we did last
month, so we'll forego that.  There's nothing
under old business.  Any comments on the agenda
from the public?

Two items on the agenda, the first of
which is 12611 Lake Shore Boulevard.  And for the
record, Ms. Broer, of course, has been the chair
of this body for a long time.  And Mr. Negrelli
is a recent member.  Neither is here in their
capacity as a commission member.  They are here
to present their projects.

So Ms. Broer, you are first on the
agenda.  Please.

MS. BROER:  So I was also expecting my
architect, David Ellison to be here, but he chose
not to be here, so I will proceed in his absence.

You all, I think, have copies of our
application.  What Peter and myself are hoping is
that the Planning Commission will make a positive
recommendation to the BZA.  We're clear after
Kris's review that we do have to go to the BZA
for both our side yard and our garage facing the
street.  We hope that you will find it -- you
will be able to give us a positive reference for
the BZA.  We're also asking after review, of
course, that you all approve it contingent on BZA
and ARB approval.

MAYOR LICASTRO:  Okay.

MS. BROER:  So we are adding a garage.

Long time coming.  The far side, the western side
of the house is this (indicating), and the garage
will attach here (indicating.)  It will be
three-car and it will bump up against the -- this
is looking at it from the lake.  It will butt up
against the wall that is currently -- the
courtyard that currently exists.

MAYOR LICASTRO:  So you're basically
filling the courtyard with garage.

MS. BROER:  One side of it, yes.  And we
are taking down the garage that exists in an
interior courtyard that was put up in the '60s.
They just dropped it on top of some of the fence
columns, put up a brick, small brick wall to hold
up that side.  And it has done its duty.  Nobody
even walks in there anymore.

MAYOR LICASTRO:  She didn't show us that
picture, but we have it though.

MS. BROER:  You all have those pictures.

So again, the connectivity to the house will be
somewhat open.  I do have an e-mail, which I have
forwarded to the building commission that I'd
like to read into the record from Lucy Weller.

"Vikki, thank you for showing Chuck and
me the plans for your new garage.  Simply
elegant.  I approve you moving ahead with the
construction with the understanding there's a
large tree just within your property line will be
your responsibility.  All the best.  Lucy."

"So we did meet with the neighbors.  It
doesn't show exactly on -- yes, it doesn't show
on this picture, because the renderings aren't
1 quite exact, but along with this tree, there's a
2 very large tree right here at the corner. We are
3 going to attempt to save it, as it creates more
4 boundary between the two properties, but if it
5 cannot be saved, we will take it down and we will
6 take responsibility for that. It kind of sits
7 right -- straddles the property line.
8 MAYOR LICASTRO: Anything else? All
9 right. Let's hear from Kris who has reviewed
10 this project and has some comments to share with
11 us. Ms. Hopkins.
12 MS. HOPKINS: Certainly. So as Vikki
13 said, the proposed garage is going in the
14 courtyard area. The courtyard does, along the
15 side and in the rear, have a short wall. So it
16 is, as a one-story building, will be more visible
17 from the adjoining property owner.
18 It requires a side yard setback. The
19 minimum is 30 feet. The proposed garage will be
20 about 11 and some feet off of the side lot.
21 However, in looking at where the house on the
22 adjacent lot, it's significantly far enough away.
23 So it, in essence, meets -- with the two side
24 lots together, they meet what would have been at
25 least a 60, if not a 70-foot minimum setback

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1 separation.
2 So with that, and the other requirement
3 that is mentioned is garages, the garage doors
4 are not to face the street, unless the majority
5 of the existing garages along the, quote, block
6 also face the street. For this purpose, I looked
7 at the average length required for a block with
8 1,500 lineal feet and looked at the houses that
9 are east and west. And there are some, but it's
10 not the majority. So in accordance with the
11 Section 1155.08A, then Vikki would need to get
12 some relief.
13 The Zoning Code is not specific. It
14 says either from the Architectural Review Board
15 or the Board of Zoning Appeals. It doesn't
16 specify which is which with a variety of design
17 requirements that are for garages in that
18 section. But since you're already going to the
19 BZA, it makes sense to go to the Board of Zoning
20 Appeals, too, to weigh in on that.
21 MS. BROER: Yes. And I'd like to point
22 out that the wall in front of the garage is
23 slightly higher than the wall surrounding the
24 garage. And there's also significant
25 landscaping. So even though the garage doors

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1 face the street, they will probably be very
2 difficult to see from the street.
3 MS. HOPKINS: And I did observe that as
4 well. There is a lot of landscaping along the
5 entire front of her parcel.
6 MS. BROER: So there's landscaping near
7 the fence. There's also landscaping in front
8 closer to the house.
9 MS. BURKE-JONES: I was going to ask
10 about the height of that wall. That's great.
11 MAYOR LICASTRO: Are there questions
12 from the Commissioners? Yes, Ms. Burke-Jones.
13 MS. BURKE-JONES: Now, will building
14 this garage affect any ability for the property
15 owner next to you to add on anything in the
16 future? You know what I'm saying, because you
17 were talking about the difference between the
18 two.
19 MS. BROER: So that was -- I don't know
20 what -- that would probably be up to the Board of
21 Zoning Appeals at that time, but in talking to
22 Lucy and Chuck, that's why we came to them and
23 said do you have any issue with that?
24 They added on about 10 years ago. And
25 as far as I know, they have no current plans to

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MAYOR LICASTRO: So before we entertain a motion, let me just make something clear. So a recommendation from this Board for approval does not imply approval by the Board of Zoning Appeals.

MS. BROER: Correct.

MAYOR LICASTRO: That really deals with a zoning issue, which is separate to the overall merit of the submission and project itself.

Given the fact that I chair the BZA, I want to make certain people are clear that if I move this for recommendation, that does not assume anything with the BZA process.

So is there a motion to approve as offered?

MS. BURKE-JONES: So move.

MR. O’ROURKE: Second.

MAYOR LICASTRO: Further discussion?

There being none, all in favor?

MR. O’ROURKE: Aye.

MS. BURKE-JONES: Aye.

MAYOR LICASTRO: Aye. We already have a BZA for the 11th. You are on the agenda. I think it's the only thing we have on the agenda.

And with that process we will notify all homeowners within 300 feet via Registered Mail, so the other neighbors can weigh in if they've not had an opportunity to do so.

MS. BURKE-JONES: It's just beautiful.

MS. BROER: Thank you.

MAYOR LICASTRO: We rarely see you on this sides of the table. Thank you. We'll make this part of the record.

Next item on the agenda is subplot number 3 at Hamlet Court. We have presenters for that purpose. You're Mr. Halpern.

MR. HALPERN: Correct. Good evening. I am Jeff Halpern from Kingdom Home Builders. This is Rick Siegfried from RSA Architects.

So we are here tonight or this evening on behalf of Ray Negrelli and myself. Ray and I have been friends for a long time. And Ray and I have gotten together to present to you sort of our idea of what we're looking to do here in Hamlet Court. I am partnering with Ray on building out the last four remaining lots and four remaining houses at Hamlet Court.

As you may all be aware, Hamlet Court has been there for quite sometime. It was developed back in the mid '90s, I believe, '95, 96 originally by a particular developer. It then changed hands. Unfortunately, the next developer went out of business as well and it's sort of been out there for quite sometime.

So Ray came to me and said, hey, can we do something together to try to finish the project up, as a homeowner there, the residents would like to complete the last four remaining lots and how do we do that? So we put together a plan and I engaged Rick.

Rick and I have got a 30 some year relationship together designing and building houses. Designing, building, and I thought Rick was the natural fit for us to do this project.

And so we are here tonight presenting what will be our first house and asking for the modification or what we're presenting as our site plan, which we understand is preliminary.

And what we plan on doing is building for now one house at a time. If this particular house sells, then we'll build another and keep going until we finish. We have created an envelope, a building envelope for the two floor plans that we essentially will be planning on building, which by the way, our version and variants of two of the floor plans that we've been very successful with in one of my projects in Mayfield Heights.

So we've modified them to fit the topography. And those houses were a little narrower, a little deeper, so we turned them to put the garage sideways and such, but they're basically the same successful floor plans so we're confident in that.

MAYOR LICASTRO: They will be single-family homes, right?

MR. HALPERN: Single-family homes, correct. So the intent is they will be fee simple ownership. You'll own your own building inside and out. The property it sits on is five feet around it and rest is common area property.

And we've done a number of developments over the years with the same concept in hand. So that's fitting within what Hamlet Court had originally.

Our intent is just fast forwarding now to 2002, just more today floor plans and elevations and things that are happening, open floor plans and such, which is why we presented the homes that we have.
That being said, taking into account the neighbors, the surrounding, the area that's there, the houses that are there, and trying to fit each of the four houses as seamlessly as we possibly can and as least obstructive to any of the existing homes as best as we possibly can.

MAYOR LICASTRO: Thank you.

MR. HALPERN: And that's why we're here.

MAYOR LICASTRO: Before we turn to Ms. Hopkins, there's an interesting contrast between a single-family home private lot as opposed to an HOA, which is a PRD-driven project. And I know that Ms. Hopkins has worked with you and Mr. Negrelli to address some of the initial concerns we had, but let's have her summarize her comments, if you would, for the record.

MS. HOPKINS: Certainly. So in looking at this, it's important to point out, it's important to note that the last time approval was granted for a new structure in this development was back in 2006. And I have the plat from 2006, which I did not include in your report, but what is common is that every time a new structure is built, it gets platted. So similar to how they have shown these footprint lots, that's how each was back in 2006. And I have the plat from 2006, which I did not include in your report, but what is common is that every time a new structure is built, it gets platted. So similar to how they have shown these footprint lots, that's how each one would be built in 2006.

As I also found some of the original requirements for this project. One of them is a landscape plan that showed the foundation plantings. Unfortunately, the records aren't always easily accessible, so I don't have what those foundation planting or other landscaping plan is. There was a grading plan required for the development as part of the final development plan.

There's some slight changes in the proposed development now. What was approved in 1995, as the overall development plan, these last four units were going to be two single-family buildings and one attached two-family structure.

So with the rearrangement, it makes sense, I think, to get an overall general grading plan, which is required for the preliminary development plan. So in essence, what I am suggesting is that we have updated documents for a preliminary development plan.

The condominium two-family units were platted. They were approved -- the last time they were four units approved in two structures, but that's 12 years ago if my math is correct, 16, my math is not correct. 16 years ago.

So I also found some of the original requirements for this project. One of them is a landscape plan that showed the foundation plantings. Unfortunately, the records aren't always easily accessible, so I don't have what those foundation planting or other landscaping plan is. There was a grading plan required for the development as part of the final development plan.

There's some slight changes in the proposed development now. What was approved in 1995, as the overall development plan, these last four units were going to be two single-family buildings and one attached two-family structure. So with the rearrangement, it makes sense, I think, to get an overall general grading plan, which is required for the preliminary development plan. So in essence, what I am suggesting is that we have updated documents for a preliminary development plan.

The other thing to point out is that we have updated documents for the one structure that was going to have two units, it looks like now they are less than 40 feet apart between these units, which in some respects complies with the current PRD standards that says if your garage is adjacent to a house wall, the wall of the house, I think it's 20 or 25 feet.

And then at that time, if the parameters that have been laid out today are agreeable, I think you could get both your preliminary development plan documents updated and sublot three building --

MR. HALPERN: Site plan.

MS. HOPKINS: -- site plan approved at the same time. I think that would make sense.

MR. HALPERN: I have engaged a surveyor and Rick Stone, who was involved with this to begin with for Ray. So I've engaged them to begin site plan and topo and all that for Sublot 3. I've also spoken to them about the necessity to do the rest of the sites one, two, three and four for us, so we can do that at all once.

I've also preliminarily spoke to my landscaper. And he sent over a preliminary landscape plan in black and white right now for Sublot 3, but what happens with these floor plans is if somebody -- if we decide to do the other floor plan, you know, so I would certainly submit the landscape plan with each house.

And then, again, right now it's a spec home, but if we get one for sale, then obviously that may become even more extensive, because that's sort of our experience is that when we're building, say building sold homes, people tend to ask for a few more things landscape-wise. Being we're a custom builder, we're certainly more than willing to do those kinds of things.

MS. HOPKINS: I would say that it's appropriate to add on, that the average homeowner
MR. HALPERN: Usually we'll do an overlay onto our site plan for a tree plan, per se, so that you can kind of see it together with the grading plan and the house and such. And we'll identify anything that's either, you know, either will be bubbled around that will show what we have to clear. On these particular sites, there's not a lot there. There are some over the hillsides and we'll see where we get in terms of needing to remove a couple for equipment and grading and those kind of things, but there's not a ton of them, but we'll certainly identify those on each one of our site plans for sure.

MAYOR LICASTRO: So understand before the commission today we are considering whether or not to let this development do a transition from attached homes that are two-family, to single-family homes. So really it's conceptual, if you will, in concept, but there are many more hoops to go through, not to mention grading and landscaping plans.

When you come up with the design for the house, we'll review that. You have to go before Architectural Review Board as well as for materials and design, so there's many steps you have to come in this process, but the question asked of this body is whether or not we approve conceptually the four lots being built with single-family homes.

Is that your understanding, Ms. Hopkins?

MS. HOPKINS: Yes.

important to keep the ones that are there.

MR. HALPERN: Yes.

MAYOR LICASTRO: Does that address your concern?

MS. BURKE-JONES: I wasn't sure how much grading you were going to have to change in order to fit those buildings on there.

MR. HALPERN: The existing topography of the site, there's essentially a building pad, but it does drop off relatively quickly toward the back. So the exposure of the foundation will be, of course, and for the most part will either be daylight or walkout type of sites, but it does continue down to the drainage area, let's call it, sort of naturally.

Of course, on our site plan with river stone, any on site and off-site drainage will be adhered to any silk fencing and haystack and all the different things, kind of common practice for us, so we'll do that.

MS. BURKE-JONES: You used the exact words I was thinking. Watershed, are there any watershed responsibilities we have to keep, maintain something there?
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<td>in mind as well that your property is contingent on conserved lands as well. There are rules and regulations which you can and can't do with conserved land. It shouldn't impact it at all.</td>
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<td>Makes sure it doesn't, because if it does, it opens up a whole other can of worms with Village owned property under the auspice of Western Reserve Land Conservancy. So my recommendation is don't go there.</td>
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<td>MR. HALPERN: I got you.</td>
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<td>MAYOR LICASTRO: Mr. O'Rourke, do you have a question?</td>
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<td>MR. O'ROURKE: I do. The existing homes that are there, are they fee simple with -- is there a lot line? How do you do they work.</td>
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<td>MR. NEGRELLI: Each home site there's a property line five feet around the foundation that goes to the street. That's what's fee simple. All of the land surrounding that to the property boundaries to the north, west and east are common and will be dedicated to the HOA once the four final sites are established and sold.</td>
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<td>MR. O'ROURKE: Okay. So it's going to be exactly the same. It's just not two homes together with a common wall.</td>
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<td>So we're targeting an upper seven to middle eight price point. And at least from what our marketing, which we do a lot of work with, some marketing. And I hired the Young Team to do what do you anticipate the asking price to be?</td>
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<td>They'll be very specific and adamant in what they think is appropriate for Bratenahl. I'm sure you'll find it an exciting experience. But we like the fact that they are just that. So did</td>
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<td>for private properties. And I think you've addressed most of Ms. Hopkins' concerns. Please be aware of these as well, the landscaping, the grading, et cetera.</td>
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<td>MS. HOPKINS: And the updated HOA documents as well. So similar to how the plat itself was updated, every time something new was built, those units were also then added to the HOA documents.</td>
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<td>MR. HALPERN: Okay. Ray and I have certainly spoken about it, so he'll handle that part of it. We'll handle building, selling, and presenting. We have begun -- we do have designs in place we're planning on going to Architectural Review Board and presenting with colors and our designs and floor plans so that we can sort of in parallel and tandem provide you all the information and move forward with all those approvals so we can hopefully get started and get going.</td>
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<td>MAYOR LICASTRO: That's a big hurdle. They'll be very specific and adamant in what they think is appropriate for Bratenahl. I'm sure you'll find it an exciting experience. But we like the fact that they are just that. So did</td>
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<td>you have a question?</td>
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<td>MS. BURKE-JONES: No.</td>
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<td>MAYOR LICASTRO: Mr. O'Rourke?</td>
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<td>MR. O'ROURKE: Nothing further.</td>
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<td>MAYOR LICASTRO: So, again, the motion for the Planning Commission to consider is changing the concept of these last four lots from attached, one of which was attached, three of which were single-family to each single-family homes, understanding there's a process that yet remains. So do we understand the motion?</td>
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<td>MR. O'ROURKE: Yes.</td>
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<td>MAYOR LICASTRO: Is there a motion to approve?</td>
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<td>MR. O'ROURKE: So move.</td>
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<td>MS. BURKE-JONES: Second.</td>
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<td>MAYOR LICASTRO: Discussion? Mr. Orel.</td>
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<td>MR. OREL: Yeah, just as a curiosity, what do you anticipate the asking price to be?</td>
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<td>MR. HALPERN: We have some designs and some marketing. And I hired the Young Team to do our marketing, which we do a lot of work with. So we're targeting an upper seven to middle eight I think price point. And at least from what we're doing and my expectation is that folks may</td>
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1. finish lower levels and things like that.
2. MAYOR LICASTRO: So you might have a
3. potential buyer right there.
4. MR. HALPERN: Happy to do that.
5. MAYOR LICASTRO: Any other comments?
6. All right. All in favor of the motion?
7. MS. BURKE-JONES: Aye.
8. MR. O'ROURKE: Aye.
9. MAYOR LICASTRO: Anyone opposed? Thank
10. you. Any comments from the public?
11. All right. Then I'll entertain a motion
12. to adjourn.
13. MS. BURKE-JONES: I so move.
14. MAYOR LICASTRO: All in favor?
15. MR. O'ROURKE: Aye.
17. MAYOR LICASTRO: Aye. We're adjourned.
18. (Meeting adjourned at 6:00 p.m.)
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CERTIFICATE

1. I, Nancy L. Molnar, do hereby certify that
2. as such Reporter I took down in Stenotypy all of
3. the proceedings had in the foregoing transcript;
4. that I have transcribed my said Stenotype notes
5. into typewritten form as appears in the foregoing
6. transcript; that said transcript is the complete
7. form of the proceedings had in said cause and
8. constitutes a true and correct transcript therein.

Nancy L. Molnar
Nancy L. Molnar, Notary Public
within and for the State of Ohio