

PUBLIC HEARING

September 22, 2016

The Public Hearing of September 22, 2016 was called to order at 6:45pm by presiding officer, Mayor Joseph Migliorini.

Present: Council members' Kevin Bilkie, David Engle, Sylvia Hanneken, Nicholas Molnar and Janet Tulley; Law Director Mark V. Guidetti and Council Clerk Josephine Arceci

Purpose of Public Hearing: **ORD. NO. 34-2016:** AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MACEDONIA TO REZONE CERTAIN LAND FROM BUSINESS OFFICE DISTRICT (B-O) TO THE CONVENIENT BUSINESS DISTRICT (B-1) [First reading, April 28; Second readings May 12; May 26; June 9; July 28; August 25; September 8]

Prior to hearing comments~ Mayor Migliorini explained that this hearing is the second being held being held due to a procedural issue regarding the posting the first hearing on June 9, 2016.

Representing Proposed Development

~**Jordon Berns**, legal counsel for the Osborn Capital Group emphasized on behalf of developer Lance Osborn, principal of the Osborn Group that the current proposal is preliminary in nature; that Mr. Osborn is sensitive to the lengthy approval process, the numerous matters which need to be resolved including the need of a variance.

~ **Lance Osborn**, the applicant explained that the development design has been changed since the first public hearing. More mounding, better lightening and better parking has been added. Parking was changed to 8 spaces per 1000osf compared to the 4 to 1 ratio that exists in the Marketplace. This change is considered expansive parking for retail development Mr. Osborn added. Continuing, Mr. Osborn said the second phase will include one 6,000sf building containing two fast casual tenants. The second smaller building, 2,000 sf., will also have two tenants. The exterior of each building will "rhyme" in appearance with the architecture of Marketplace. Mr. Osborne mentioned that a variance will be required at the north end of the site and he is willing to work with the neighbors regarding this matter.

~ **David Hartt, land planner for CT Consultants of Mentor Ohio** explained that he has been a practicing, certified planner for almost 50-years. Two-thirds of his business has been in the public sector. Mr. Hartt has represented over 250 communities throughout his career, including Macedonia and was a member of the Planning Commission where he lives for 20-years. Mr. Hartt explained that the current B-O allows for 3-story office buildings. The requested change to B-1 is more limiting zoning and zoning that is consistent with the zoning pattern along the north side of SR82. Macedonia City Planner Brian Frantz recommends changing the zoning from B-O zoning to B-1 as it is appropriate. Macedonia's Planning Commission also recommends the change Mr. Hartt stated. One reason for changing the zoning Mr. Hartt stated is the demand for office buildings has become very limited. Mr. Hartt provided estimates of the amount of income

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and property tax dollars that would be generated when property is developed. Mr. Hartt also provided building dimensions under B-1 zoning compared to B-O zoning.

Against Proposed Development

Terry and Michael Repak, 8250 Harmon Drive; Holly Gulfain, 8259 Fairlane; Alex Semon, 8247 Fairlane; Bob Gaydos, 8241 Harmon Drive; Doug Hauser, 8251 Harmon Drive; Pat Hebebrand, 8298 Harmon Drive; and all of whom live contiguous to, across from or near the proposed rezoning and project strongly and vehemently expressed opposition to the rezoning. These property owners previously expressed their opposition to the rezoning and proposed project during the first public hearing held June 9, 2016. Complaints heard this evening included but were not limited to exposure to the commercial dumpster, the smell and noise associated with the large receptacle, hardship created by additional traffic, motorists using Harmon and Fairlane as a cut-through because of difficulty exiting Harmon particularly during certain times of the day, excessive illumination and brightness from commercial parking lot lightening, disruptive to the neighborhood caused by extended hours of operation compared to hours of operation of an office building as well as a devaluation of property value. All the property owners expressed their disappointment in Mr. Osborn's disregard as well as the City's disregard for the residents and their neighborhood.

There being no further comments, the public hearing adjourned at 7:40pm