

**City of Aurora  
PLANNING COMMISSION  
MEETING MINUTES  
FEBRUARY 17, 2010**

The Aurora Planning Commission met in a regularly scheduled meeting on Wednesday, February 17, 2010, in Council Chambers of Aurora City Hall. The meeting was called to order at 7:00 p.m. by Planning Commission Chairman Roy Shafer.

**ROLL CALL:**

Present: Kathi Grandillo  
Ken Grohe  
Maria Hydell  
Joe Kastelic  
Roy Shafer  
Present: Thomas Reitz, Law Advisor  
Richard Wehrenberg, Planning, Zoning &  
Building Director  
Corinne Craine, Commission Clerk

Mr. Reitz swore in those in attendance who wished to speak this evening.

**AMENDMENTS TO AGENDA:**

**MOTION: To approve the meeting agenda of February 17, 2010, as written**

Mrs. Hydell moved; Mrs. Grandillo seconded; and the motion carried, 5-0, on a voice vote.

**APPROVAL OF MINUTES:**

**MOTION: To approve the meeting minutes of February 3, 2010, as submitted**

Mrs. Hydell moved; Mr. Kastelic seconded; and the motion carried, 5-0, on a voice vote.

**AGENDA ITEMS:**

Aurora Recreation LLC (Aurora Country Club), 50 Trails End – Zoning Amendment (0909016)

J. Hunter Banbury of Aurora Recreation LLC was in attendance. In response to Mr. Shafer's inquiry, he

stated that he has no additional information to submit. He commented that it has been 130 days since the application was submitted and then he politely asked the Commissioners for a decision.

Mr. Shafer asked if there were any questions for Mr. Banbury and the Commissioners had none.

George Mazzaro, 186 Eldridge Road, commented that the review time for this application has been too long. He wanted the Commissioners to make a decision and to vote no.

Mr. Shafer stated that the Planning Commission has a great responsibility to the community to review every application in a thorough manner. He commented that the staff reports have many references to the Master Plan which the Commission uses as a guideline in making a decision. The Commission takes its duties seriously and doesn't make quick decisions. Instead, the Commission takes enough time for a complete review in order to ensure that the wishes of the community and the objectives of the Master Plan are followed.

Mr. Shafer asked the members for their comments about the proposed application in reference to Code Section 1139.05(b). Mrs. Hydell stated that the first element of the code to be analyzed is whether or not the applicant provided "evidence that the existing zoning regulation is unreasonable." She said that she did not see any tangible evidence from the applicant that proves the current zoning is unreasonable. Mr. Grohe spoke about the Master Plan and why the property is a low-density area. He said that he did not see anything unreasonable about the current R-2 zoning. Mrs. Grandillo and Mr. Kastelic both agreed with those comments and said that high-density housing is not consistent with the Master Plan. Mr. Shafer said that the current R-2 zoning already allows for housing on three acre lots and he thought that was reasonable.

Mrs. Hydell said that the second element of the code states that the applicant must provide evidence that the existing zoning "deprives the property owner of the lawful and reasonable use of his land and/or evidence that the proposed amendment would materialize in an equal or better zoning regulation than that existing." In her opinion, the current golf course is a reasonable use and she has not seen evidence that the proposed R-4 zoning would be equal or better than the existing R-2. Mrs. Grandillo agreed with Mrs. Hydell and said that high density housing would have a negative impact to the area. Mr. Grohe said that the current R-2 zoning that allows housing on three acre lots is reasonable and a change in density would be a detriment to the environment. Mr. Kastelic and Mr. Shafer both agreed with the comments that the others made.

Mr. Reitz asked the members to state the facts with regard to the application that had been demonstrated or not demonstrated to their satisfaction. Mrs. Hydell stated that the burden of proof is on the applicant to prove that the current R-2 zoning is unreasonable and that the applicant did not provide that evidence. Mr. Grohe commented that the golf course is a great asset for the community. He was grateful that the applicant purchased the land and continued to operate the golf course, but he did not think that the applicant provided evidence that the current zoning is unreasonable. Mr. Shafer added that the study done by the applicant addressed site plan issues rather than provide evidence that the current zoning was unreasonable.

Mr. Reitz asked the members if there was persuasive testimony about the present environmental conditions that exist at the property. Mrs. Hydell lives near the property and has observed that

currently the drainage of storm water is not adequate. She then referred to the testimony of Mrs. Brennan, Director for the Chagrin River Watershed Partners, and said that more impervious cover would increase storm water runoff and negatively impact the Aurora branch of the Chagrin River. Also referring to Mrs. Brennan's testimony, Mrs. Grandillo stated that more impervious cover could require the need for costly capital improvements to the City's wastewater treatment facility. Mr. Kastelic said that there is no other outlet for the storm water and it will be a detriment to the Chagrin River.

Mr. Shafer reminded everyone that although the applicant's concept plan is for only 276 homes, the main focus should be on the potential 500 homes that R-4 zoning would allow and the impact on the environment and the community.

There was a brief discussion about the topography. The members all agreed that the land with the Chagrin River is scenic, but it would be a challenge for any developer to build homes.

**MOTION: To forward a positive recommendation to City Council for the rezoning request proposed by Aurora Recreation LLC**

Mr. Shafer moved; Mr. Kastelic seconded; and the motion was **DENIED, 0-5**, on a roll call vote.

Yeas: None

Nays: Mr. Shafer, Mr. Kastelic, Mrs. Grandillo, Mr. Grohe, Mrs. Hydell

Jon M. Statler, 432 Eggleston Road – Minor Subdivision/Lot Split (1002001)

Joe Gutoskey of Gutoskey & Associates was present to answer questions. He stated that they still need to do a soil test for the county health department but the weather hasn't been cooperating.

Mr. Wehrenberg said that the lot split complies with all the zoning requirements and the staff was waiting for an approval letter from the Portage County Health Department stating that the site would be acceptable for a septic system. Given the size of the lot, Mr. Wehrenberg did not foresee any problems with the applicant getting the approval but the code does require this septic approval.

Since the applicant still needs the county approval, Mr. Shafer suggested that the Commission accept the lot split for study and the members agreed.

George Mazzaro, 186 Eldridge Road, stated that the Commission should not delay action on the proposed lot split. He said that a motion could be approved pending the approval from the county health department.

**MOTION: To accept the minor subdivision/lot split for study**

Mr. Shafer moved; Mrs. Hydell seconded; and the motion carried, 5-0, on a roll call vote.

**PLANNING COMMISSION  
MEETING MINUTES**

**FEBRUARY 17, 2010  
PAGE 4**

Yeas: Mr. Shafer, Mrs. Hydell, Mrs. Grandillo, Mr. Grohe, Mr. Kastelic  
Nays: None

**MISCELLANEOUS:**

Sign Ordinance

Mr. Wehrenberg stated that the staff is working on revisions to the current sign ordinance and anticipated that it would be on the agenda in April. He suggested that the Commission review the current sign ordinance and make a list of questions to be discussed.

**ADJOURNMENT:**

Mrs. Hydell moved to adjourn at 7:39 p.m.; Mrs. Grandillo seconded, and the motion carried, 5-0, on a voice vote.

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Roy Shafer, Chairman

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Corinne Craine, Clerk