

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
June 16, 2020**

The regular meeting of the City Council Worksession was held Tuesday, June 16, 2020. President Rosso called the meeting to order at 7:01 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Kovach, Stark, Wtulich, Gee, Radeff, Erdei, Mayor Bring, Law Director Graves.
Excused: Cizl, Finance Director Smith, Superintendent Hastings.
Attending: Citizens.

PRESENTATIONS: None. See Communications.

*******COMMITTEES*******

ROADS & DRAINS: None. /SAFETY: None. /BUILDINGS, LANDS, VEHICLES & EQUIPMENT: None. /ORDINANCE: None. /FINANCE: Absent. /PARK BOARD: None.

*******ADMINISTRATIVE*******

MAYOR: Mayor Bring reports Shoreway Shopping Center has a signed agreement. We will send that back and once the money is deposited, we will move forward. Things have been pretty quiet in light of what is going on. Councilman Erdei asks did the drilling at the shopping center come back ok? Mayor Bring replies yes. **SUPERINTENDENT:** Absent. **FINANCE DIRECTOR:** Absent. **LAW DIRECTOR:** Law Director Graves has no report. **COMMUNICATIONS:** Paul Morrow, 5065 Cliff Dr. states I have lived here about 23 years and raised 5 kids here. In this time, we have bought multiple properties including Dock's Tavern. It's all an investment in the community. We are trying to now develop my property on the water. To do that, we need to get it rezoned. I would like Mr. Corna to present our plan. It includes building nine townhouses, another home and redoing the city street. Each townhouse will be 2-3 bedrooms, have rooftop patios, etc. Robert Corna, 261 Crocker Park, Ste. 308 Westlake, OH 44145 states in 1980 I did a project in Bay Village called Cashelmara. My original concept was to do a bunch of condominiums. They all would have a view. I started talking to people and showing them my model. I told him how it would increase existing values. Today, it has turned out to be an exceptional project and very successful. The corner of the

property is (inaudible) by two natural buffers. It has the Lake to the north and a creek with a lot of trees to the West. What I didn't put in the drawing, is the building to the right that would be about 3 shoeboxes high and about 3 long and the people have accepted it. We are calling this Buckeye Cove because there are buckeye trees that grow on the property and the history of the Buckeye Country Club. What's really great about the project is that it has the ability to give everyone a view. On the site plan you can see all the views. Not only a beautiful view of the lake, but also this enhanced creek. There is nothing like it that I know of on Lake Erie. There is also a beach. We call it a lakefront community because everyone will be able to experience the lake. I have been following a project in Rocky River where they are building 24 townhouses. They start at \$1.2 million and go to \$2.5. I understand they are doing very well. This is not to that scale, but what we think will fit into Sheffield. 2 bedrooms, 16-1800 sq. ft., rooftop deck with a view of the lake. We are talking about \$350-400,000 units. That's \$125,000+, almost 12 times the amount of taxes being generated. You are bringing in more people who are apt to be retirees and then you get the inheritance tax. This will be the first impression for people coming into the city off of Abbe. We are going with marine architecture to fit the waterfront character. This consists of 9 townhouses, an existing home here, which we have allowed her views to be maintained. We tried to incorporate it into the feeling of what the neighborhood is like. Our presentation is about us taking Buckeye. Whether we take it as a private street or whether we maintain it, we would like to make it better. We would like to enhance it with stamped concrete and make it fit with our development. Our neighbor is the Perch. We share Buckeye, but I believe a few years ago they abandoned it in exchange for a new entrance. President Rosso asks are you saying the city vacated Buckeye north of Lake Rd.? Mr. Corna replies we are suggesting that would be good for us and the city. We would at least take it over for snowplowing and fixing it up. Law Director Graves states to clarify, before it was The Perch it was called Lakeside Ten. Buckeye used to wrap around and continue on east and west. I believe when they built Lakeside Ten, that portion of Buckeye was vacated. The north/south portion we know as Cliff still has some ambiguity. Sometimes it is called Buckeye and sometimes Cliff, but it is still public street. Mr. Corna states we tried to get a variance for 5ft. and were denied. We started investigating the code. What we found that worked perfect, was R-2. Then we don't need any variances for this plan. Everything meets the setback ordinances, square footage coverages, etc. We aren't changing it to

build whatever we want; we are building what we are presenting. What you are approving is this plan before you. (inaudible, sidebar talking) We are trying to develop a small in scale development, 1600-1800 sq. ft., 2-bedroom homes, affordable. Paul had the model in his bar, and we started getting signatures of residents. So, we know the public would support it. It would improve the neighborhood and improve the value. The other house surrounded by this property will triple in value. No one is going to get affected other than positively. President Rosso asks what is the reason it has to go from an R-1 to R-2? Mr. Corna responds there are over 3300 non-conforming lots in the city that are unbuildable. There are only 107 lots that meet the present zoning in the city. Since they denied my variance, we had to find a way within the law (inaudible). Law Director Graves states it needs to be rezoned because of the nature of the structures they want to build. They want to build multi-family townhouses which are somewhat connected. The other thing is the somewhat lessened lot restrictions on R-2 than what you would find in R-1. I assume if this goes through, he will be looking for a similar split as what was already denied by the ZBA. He would argue that if it's rezoned to R-2, the variances necessary for the original proposed split would no longer be necessary. Mr. Corna states the reason we went to R-2 is that it allows us to develop the land. Councilman Radeff asks is the Perch R-1 or R-2? Law Director Graves replies R-3. Mr. Corna states unlike other developers, we are specifying this is what we are doing. President Rosso asks do you already have your funding in place? Mr. Corna replies yes. President Rosso states an area I'm always concerned about with rezoning is that you say you are going to build this, but then something happens with the funding and next thing I know it's sold to someone else and they do something entirely different, but we have already rezoned it. Mr. Corna responds we would have limited use rezoning. I found the best way to source financing when selling a condo is you let the buyer go get the loan. The buyer gets you the financing, he gives you 25% down for his lot. He goes to the bank and gets qualified and the bank gives him the construction loan. We then turn the lot over to the buyer and build off his construction loan which then automatically turns into his permanent loan. It's a failproof way of seeing a development like this happening. (inaudible). Mayor Bring asks how would you obtain parking? Mr. Corna responds our parking is designed so that every unit has a 2-car garage and there is 2-car parking in front of the garage. All parking would be confined in the courtyard space. Mayor Bring asks did you contact the EPA or ODNR about the watershed with the natural waterway

through there and is that ravine going to be shored up somehow? Are you intending on leaving it the way it is? Mr. Corna replies we have done extensive work with our engineers on the ravine. I ran into this same problem at Cashelmara. This creek is 17ft. from where it enters at Lake Rd. to get to the lake. That means the lake would have to go up 18ft. before it would ever effect anything. It is made out of shale, so the water runs down that and it's a quick release. In the federal floodplain maps we provided, you will see the floodplain is clearly defined and we are out of that. The question about who would maintain it, it would be private so we would maintain it. If the city ever wanted to get in there, we designed it with a 20ft. repairing rights easement. Mayor Bring state I just know all those homes at Redtail flooded. Paul has lived here 23 years and it hasn't flooded. Councilman Erdei states I don't see any swimming pools or tennis courts; those aren't going to be put there right? Mr. Corna replies no. Law Director Graves asks if I am correct and the rezoning goes through, you would be seeking essentially the same split that was applied for before? Mr. Corna replies we will not need the split, it would be one piece now. Law Director Graves asks the split would also include the existing residents of the Morrow's, that would now be rezoned as R-2 as well? Mr. Corna responds everything will be one parcel. Law Director Graves asks what is the purpose of rezoning that single family home? Mr. Corna replies because it will all be maintained by one association then, one ownership. Law Director Graves asks two of the parcels are owned by Equity Trust Company, are they involved in this? Is someone here from Equity Trust? Mr. Corna responds Paul owns it, that is his trust. Mr. Morrow states Equity Trust is a custodian. Law Director Graves asks is that a real estate IRA? Mr. Morrow replies yes. Law Director Graves asks wouldn't they have to be on board with any changes to that property? Mr. Morrow replies no. Law Director Graves states I would double check that. Isn't it true that parcel #008 would remain zoned R-1, where there is an existing home? Mr. Corna replies that is her option. If she wants to be included in the R-2, she can be. Law Director Graves asks if she chose not to, then you would be surrounding her single-family home with R-2? Mr. Corna replies yeah. I know she needs our help with some things. We of course would maintain the road and not charge her for that. She needs help with her sewer, and we will solve that issue. She would not have to contribute to our association. Law Director Graves asks are you familiar with the subdivision regulations of Sheffield Lake? Mr. Corna replies pretty much. Law Director Graves would you characterize this development as a subdivision? Mr. Corna replies I would

have to ask my attorney. I'm open to any suggestions you have. Law Director Graves states in 2018 the city adopted pretty significant regulations for proposed subdivisions. Councilwoman Stark asks is this an area where we have had flooding issues? Mr. Corna replies this property has never had flooding issues. Councilwoman Stark asks so you would not be required to have flood insurance? Mr. Corna replies you are required by any lending institution that you cannot build in a floodplain. (inaudible) We are not building in a floodplain or in that 20ft. easement. President Rosso states you talk about the increase in real estate tax, to me, the city does not get much of that. The schools will love you for it, but the city doesn't get much. Then you talk about retirees coming in. Again, very little income tax, then you mention an inheritance tax and I don't know about that. Law Director Graves states Ohio has done away with the estate tax. Mr. Corna states with developments like this, it will increase the potential for more people to improve their houses and do more with them. You plant a seed like this, and it can only make the city better. You will see growth in many different directions. President Rosso asks so the only thing you are asking for is the rezoning? Mr. Corna responds yes, and it can be restricted to what we are presenting. Councilman Radeff asks so if this becomes R-2, one side will be R-1 and one side will be R-3? Mr. Corna responds R-3 is the high rise. On the other side it will remain R-1. (inaudible). Councilwoman Gee asks have you contacted the residents in the R-1 and asked their opinion? Mr. Corna replies we went all the way down Buckeye, across the street, to the neighbor on the left and are in touch with the Perch. The neighbor on the left has no objections so far but has not seen the proposal. President Rosso states you only need to notify the adjacent, adjoining neighbors of which you have two. They will be notified with the hearing and can state any objections then. Christopher Mulvaney, attorney for Mr. Morrow states there have been concerns about whether neighbors were on board with the idea of rezoning. Our clients began circulating a letter in support of it and have already obtained about 37 signatures. Regarding Equity Trust being an owner of several parcels, it's a self-directed IRA. If needed, we can discuss removing them in order to put them all into one parcel. Potentially we could give them a condominium interest in the overall project which is then (inaudible). The issue of surrounding an R-1 property with R-2, it's currently already bordered by an R-3, we think this would help buffer. It would fit the plan overall, better. I do not think it is a spot zoning issue. We are creating on localized area. We look forward to working with the Planning Commission to come up with a plan that would fit well for the city of

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Sheffield Lake. Mayor Bring asks if the person in the R-1 happens to want to sell that property, and you acquire that, would that in the future change the way this looks? Mr. Corna replies no, it would remain open space.

Councilman Kovach asks in regard to the financing, the purchaser would buy your construction loan? Mr. Corna replies yes, I have done it that way before.

Councilman Kovach asks but then don't you have to build them all at the same time? Mr. Corna replies no, I built the ones at Cashelmara individually.

Law Director Graves states the next step then is to prepare two resolutions.

One setting the matter for a public hearing and one referring it to Planning Commission, giving them 60 days to consider it. I can prepare those for the next council meeting to move the project forward. President Rosso replies let's do that.

/OLD BUSINESS: None.

/NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

COUNCIL #019- TABLED- A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SHEFFIELD LAKE, THE CITY OF AVON, THE CITY OF AVON LAKE, THE CITY OF NORTH RIDGEVILLE AND THE VILLAGE OF SHEFFIELD TO ESTABLISH A 700 MHz 5-CITY REGIONAL RADIO SYSTEM AND THE DECLARING OF AN EMERGENCY.

COUNCIL #021 – THIRD READING - AN ORDINANCE ESTABLISHING CHAPTER 1123 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING WIRELESS TELECOMMUNICATIONS TOWERS AND FACILITIES REGULATIONS AND THE DECLARING OF AN EMERGENCY.

COUNCIL #022 – THIRD READING - AN ORDINANCE ESTABLISHING CHAPTER 1125 OF THE CODIFIED ORDINANCES OF SHEFFIELD LAKE REGARDING USE OF PUBLIC RIGHT OF WAY FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES AND THE DECLARING OF AN EMERGENCY.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach /Second by Erdei to adjourn at 7:57 pm. Yeas All.

CLERK OF COUNCIL AFFIRMATION: This Meeting Of The City Council Of The City Of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And

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Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council offices.

CLERK OF COUNCIL/COMMITTEES

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of WORKSESSION of June 16, 2020.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Rick Rosso