

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

April 11, 2024

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, April 11, 2024 at 5:45 p.m.***

Present: Planning Commission Members: Michael Polo, Vice-Chairman, Brian David, Kim Veris and Terry Toth; Mayor Thomas Perciak; City Council Representative Kelly Kosek; Administration: Assistant Law Director, Daniel Kolick; Building Commissioner, Ted Hurst; Assistant City Engineer, Lori Daley, Fire Department Captain, Andrew Green

The following was discussed:

CHARLENE BEDFORD: Mrs. Daley stated this request is for a parcel split and consolidation, the applicant owns three parcels on the north side of Drake Road. She is going to reconfigure the line, where there are still three parcels when completed but different sizes than what they are right now. Two of the parcels will have houses on them and the third parcel has a barn located on it but the applicant is going to remove the barn and it will be vacant land. From the City Planner, he had no issues, it meets all of the zoning requirements. From Engineering Department, the plans are in approvable form. Mr. Hurst stated the Building Department has no report and no objection to the lot split. Captain Green stated the Fire Department has no report. Mr. Kolick stated we talked with the applicant and there is one technical code deviation and this should be subject to the removal of the barn and we will work with her. She said that nine months should give her sufficient time to remove the barn and this should be made contingent on the barn being removed within the nine months.

DISH WIRELESS: Mrs. Daley stated this request is to add new antennas and equipment to the existing tower on Drake Road. This is on City owned property, behind where the old Recreation Center use to be. From the City Planner, he had no issues because it is being located on an existing tower and compound, there are no setback issues. From the Engineering Department, the plans are in approvable form. Mr. Hurst stated this did go through the Architectural Review Board (ARB) and everything was approved there. They made some changes upon ARB's request and they did meet those requirements. The Building Department has no report and no objection to the addition of the antennas. Captain Green stated the Fire Department, has no report on the site plan approval. Mr. Kolick stated we have received the sub-lease agreement on the City property and according to the master lease agreement we will get additional dollars from the sub-lease. We are ready to go and this will need to be forwarded to City Council because it is zoned Public Facility, presuming it gets approved here. We are ready to act on it.

BRIGHTPATH KIDS: Mrs. Daley stated there are two items with this application and the first is for a lot split. This is the Heinen's parcel located on Pearl Road just north of the Get Go. They are going to split this into two separate parcels both fronting on Pearl Road and they are split zoned now and will be split zone later. The front portion is general business and the back is zoned R1-75 and the plan is after they split it the Brightpath Kids facility will be located on the northern parcel, which is the newly created parcel. From the City Planner, he had no issues with the parcel split. From Engineering Department, it is in approvable form. From the City Planner, he had no issues with the site plan and this meets all of the zoning requirements and they are building this up front along Pearl within the General Business portion of that parcel. From Engineering Department, we did have comments that were given to the applicants engineer, they did respond yesterday in an email and said that they would comply with all of the comments that were given to them. I will make sure that Mitzi has a copy of those comments. The only thing I would like to note to the Planning Commission is that the applicant's engineer has requested that the Planning Commission waive the requirement for the installation of the masonry wall between their property and the residentially zoned portion of their property. It is a requirement but they would like to use the existing trees that they are leaving as screening in lieu of putting up a wall. Mr. Kolick stated we can waive the masonry wall but we can not waive the entire requirement for screening because that area is zoned residential and it may never get developed because there are wetlands back there; however, it may get developed and we can't go back and ask them to do something on their property. The recommendation from the Administration is to put a vinyl fence in for some screening in the rear. You can waive the requirement of the masonry wall as long as you require some type of landscape screening and that would be one of the contingencies to any approval of the site plan, tonight. Mayor Perciak stated let's make sure that it is something that is sturdy because the residents came the last time objecting to this and the residents back there become very vocal so let's make sure that we have some type of barrier that does protect them. I do not object to what you are trying to do but at the end of the day we all live here and you don't. Mr. Hurst stated the Building Department, has no report and no objections to the day care, it follows the zoning code and no variances are required. We did discuss the barrier in the back whether it would be a fence or a wall. The building itself is about 700' from the residential backyards so there is some buffer but I do believe that some type of wall needs to be installed; whether it is a fence, I don't necessarily think

it needs to be a masonry wall. Captain Green stated the Fire Department has no report on the parcel split but the site plan we did speak with the contractor and the building will be fully suppressed with a sprinkler system and the Fire Prevention Officer is working with Engineering with the placement of the FDC. There will be a private hydrant added on the property and we are also working on the final placement of the hydrant and there will be a Knox Box added with the location to be determined by the Fire Department, upon completion. Mr. Kolick stated there are no conditions on the parcel split; however, the site plan will be subject to four conditions; 1) Engineer's Report; 2) Fire Department's Report; 3) Easement requirement because, they are splitting the parcels and putting in an entrance way onto two parcels. I have gone through and approved that easement agreement which will be filed after they take ownership so, it has to be made subject to the restrictive easement requirement; 4) Vinyl Fencing or whatever this Commission determines they can use on the rear property line because the problem is there is going to be a large space that has trees now because they are not going to touch the residential area but we do not know if it will ever be developed for residential in the future. Mayor Perciak stated there is a precedent on Pearl Road with the Ukraine Day Care Center, they put up a 6' white vinyl fence and that would probably blend perfectly there. Mr. Kolick stated we would need a 6' vinyl fence at a minimum there, which will also help with lighting from cars. Mr. David stated that would serve as a noise and a visual buffer. Mr. Kolick stated you need that buffer there because we don't know if it will ever be developed, for now the residents will be protected because there is still a lot of residential area and it is still wooded back there but we don't know how long it will stay there. The condition of a 6' vinyl fence as approved by the Building Department would be an appropriate condition to add to it. Ms. Kosek questioned how much distance is between where they are developing and where the property line ends? Mr. Hurst stated I believe that from the actual building to the back side of the residential property that exist on that back street is almost 700' and there is probably 400' - 500' that will not be developed at all. Mrs. Daley stated they are not building up to the zoning line and there is roughly 400' that is residential and 200' – 300' of business that is going to be left. Ms. Kosek asked are there any water issues? Mrs. Daley replied they are going to be putting in a new detention basin that will collect their water, which will go to a catch basin on their property that picks up all of the overland flow, right now. Ms. Kosek questioned is there any concern about having a basin with the child care, will there be any sort of divider? Mrs. Daley stated the area where the children are is fenced in and the detention basin is outside of the fence. Mr. Kolick stated they are required by the State to keep it fenced in.

The meeting was called to order at 6:00 PM by the Chairman, Mr. Polo.

Roll Call:

Members Present:

Mr. David
Mr. Veris
Ms. Kosek
Mr. Toth
Mr. Polo
Mayor Perciak

Also Present:

Mr. Kolick, Asst. Law Dir.
Mr. Hurst, Bldg. Commissioner
Mrs. Daley, Asst. Engineer
Captain Green, Fire Dept.
Mrs. Anderson, Recording Sec.

MOTION TO EXCUSE:

Mr. Veris – Mr. Chairman.

Mr. Polo – Mr. Veris

Mr. Veris - I move to excuse Mr. McDonald for just cause.

Mr. David – Second.

Mr. Polo – Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

APPROVAL OF MINUTES

Mr. Polo – You have had a chance to review the minutes for the meeting on March 21, 2024. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

1) **CHARLENE BEDFORD, APPLICANT**

Parcel Split and Consolidation of PPN.'s 399-17-001, 399-17-003 and 399-17-020, located on Drake Road, zoned R1-75.

Mr. Polo – Item number one is for Charlene Bedford, please step forward and state your name and address for the record. Please give us a brief description of the project

CHARLENE BEDFORD, 14350 DRAKE RD, STRONGSVILLE, OHIO

Ms. Bedford - I would like to split and consolidate some of my empty land.

Mr. Polo – Thank you, we will go to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you, Mr. Chairman. From the City Planner, the applicant proposes to reconfigure the three lots that they currently own by splitting and consolidating them to create three new lots. All three lots will conform to the minimum standards of the R1-75 zoning district and approval is recommended. From the Engineering Department the plat is in approvable form

Mr. Polo – Thank you, Mr. Hurst.

Mr. Hurst – Thank you, Mr. Chairman. From the Building Department, it is my understanding that the existing barn that will remain on the vacant parcel, will be demolished. We do have an ordinance in the City that doesn't allow a vacant parcel to have an accessory structure without a main structure. It is my understanding that the barn will be demolished. Correct?

Mr. Kolick – You are going to demolish the barn within 9 months, is that correct?

MATTHEW BEDFORD – 14350 DRAKE RD, STRONGSVILLE, OHIO

Mr. Bedford – The intention is to demolish the barn, we have made inquiries; however, we have not heard back as far as pricing and what not.

Mr. Kolick - We can work with you; however, before we file the split we need to put an end date on it. Will nine months give you sufficient time to do it?

Ms. Bedford – Yes.

Mayor Perciak – If you need help you can talk to our Building Commissioner, there are people who are licensed here in town and he can give you some names. We cannot refer you to one but we can provide you a list of licensed contractors.

Mr. Polo – Thank you, Captain Green.

Captain Green - From the Fire Department, we have no report on the parcel split.

Mr. Polo – Thank you, Mr. Kolick

Mr. Kolick – Thank you, Mr. Chairman. You can act on this, just make it subject to the barn being removed in nine months.

Mr. Polo – Are there any questions or comments?

Mr. Veris – Mr. Chairman

Mr. Polo – Mr. Veris.

Mr. Veris – I move to give favorable consideration for the Parcel Split and Consolidation of PPN.'s 399-17-001, 399-17-003 and 399-17-020, located on Drake Road, zoned R1-75, subject to the removal of the barn within nine months. Charlene Bedford, Applicant.

Mr. David– Second.

Mr. Polo – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

2) DISH WIRELESS, Sindyla Consulting Group, Agent

Site Plan approval to install (3) antennas onto the existing telecommunications tower and (1) equipment cabinet onto a steel platform within the existing compound for Dish Wireless, located at 21275 Drake Road, PPN 394-12-008, zoned PF – Public Facility

Mr. Polo – Item number two is for Dish Wireless, please step forward and state your name and address for the record. Please give us a brief description of the project.

JOHN SINDYLA, 5546 PEARL ROAD, PARMA, OHIO 44129

Mr. Sindyla – The proposal before you tonight is to locate three new antennas on an existing tower, located at 21211 Drake Road, within the existing compound. We are locating a cabinet on a platform and we are not expanding the compound nor are we increasing the height of the tower. I was at the site earlier this week and all of the original landscaping is still in place and this is at your recreation park off of Drake Road.

Mr. Kolick – John, please note that the address changed, when they split the parcel, the correct address is 21275 Drake Road, which is on the agenda for tonight.

Mr. Polo – Thank you, we will go to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you, Mr. Chairman. From the City Planner all of the new equipment is being placed either on the existing tower or within the existing compound; therefore, no zoning setback issues are associated with this request. There will be minimal visual impact and approval is recommended. From the Engineering Department it is in approvable form, thank you.

Mr. Polo – Thank you, Mr. Hurst.

Mr. Hurst – Thank you, Mr. Chairman. From the Building Department, I have no report it is in recommendable form. They are not changing anything but adding some towers and equipment within the confines of the complex.

Mr. Polo – Thank you, Captain Green.

Captain Green – Thank you, Mr. Chairman. From the Fire Department, we have no report on the site plan approval.

Mr. Polo – Thank you, Mr. Kolick.

Mr. Kolick – We received the sub-lease agreement and the City will received additional dollars for the location on the City tower. If the request is approved it will need to go to City Council for final approval.

Mr. Polo – Are there any questions or comments?

Mr. Veris – Mr. Chairman

Mr. Polo – Mr. Veris.

Mr. Veris – I move to give Site Plan approval to install (3) antennas onto the existing telecommunications tower and (1) equipment cabinet onto a steel platform within the existing compound for Dish Wireless, located at 21275 Drake Road, PPN 394-12-008, zoned PF – Public Facility. Dish Wireless, Sindyla Consulting Group, Agent.

Mr. David– Second.

Mr. Polo – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

3) BRIGHTPATH KIDS, EIG14T Services LLC, Agent

- a) Parcel Split of PPN 397-10-005, property located on Pearl Road (adjacent to 17573 Pearl Road), zoned GB – General Business
- b) Site Plan approval to construct a 13,582 SF new building as a child care facility on approximately two (2) acres on property located on Pearl Road (adjacent to 17573 Pearl Road), PPN 397-10-005, zoned GB - General Business. * *ARB Favorable Recommendation 3-12-2024*

Mr. Polo –Items number 3a and 3b on the agenda is for Brightpath Kids, please step forward and state your name and address for the record. Please give us a brief description of the project.

MEAGHAN O’CONNOR, 1695 TWELVE MILE ROAD, BERKELY, MI

Ms. O’Connor – We are here before you seeking approval for both a lot split and site plan approval. The lot split would be to create two lots out of the existing single lot, which will be split down the middle. In the drawing before you it shows a north parcel and south parcel, both parcels would maintain the split zoning that currently exist with a shared access drive that would be on the deed and would run with the land. The second request is for a site plan approval for the proposed day care facility, which would be on parcel

one, the northern parcel which has already received a Conditional Use Permit approval as well as Architectural Review Board approval. We have adjusted the site plan slightly to meet all City requirements with the one subject discussion I would like to ask for an exemption from, which would be the fencing. We can have that conversation and that is what I am here requesting.

Mr. Kolick – There are no plans to develop the rear lot for residential use at this time?

Ms. O'Connor – Correct, that is why we split it north and south, we did not split that rear lot into anything else, it is encompassed into the existing commercial lot. The reason is because it is a wetland, it would be expensive and we are not multi-family developers, that is not what we do so we have no intention of doing that. I think that is evidence by the fact that we did not create a commercial drive for the entrance, it is a private drive that would not give that rear portion proper access. We could not at this point split off that rear parcel and develop it as anything without coming before you and asking for a redevelopment of the driveway.

Mr. Kolick – That is why I raised the question so that you know, if you don't put that driveway into City road specifications you are not going to be able to run a road to get through to that back parcel, you would have to access it some way else. The second thing is that this Commission does not have the authority to waive the rear property line buffer requirement, we can waive the solid masonry wall but we can't waive the fencing or other landscape features, so that you understand. The recommendation from the Administration is for a 6' vinyl fence and I think that they talked with the representative and they said they would be willing to do that.

Ms. O'Connor – We will do what is requested or required of us; however, the code does permit the Planning Commission to put in place instead of a fence or instead of a wall additional plantings, the concept here is that we are not going to have residents in the rear, there are residents further in the rear and those residents have actually come before you during our Conditional Use application and they did request that we maintain as many trees as we can to increase any sort of screening. Putting up a wall does require us to knock down some trees but of course we will do what you request of us. Our thought process is keeping as many trees as possible between us and the neighbors as well as disturbing the least amount of ground is the best plan forward. As I said we are not going to be developing that rear portion but should there ever be an interest in that the concept would be that we would have to come before you for a lot split and for a redevelopment of the driveway. In order to do that we would actually be subject to this requirement for a fence or a wall again because the way that your code is written it does state "current

non-residential uses, which are substantially modified”. If we came before you requesting an adjustment to our driveway that would be considered substantially modified and at that point our requirement for a wall, fence, and additional plantings, whatever was deemed appropriate at that time could be instituted at that point.

Mr. Kolick – Normally, whenever it is developed for commercial we require the screening to go in now, so that you understand.

Ms. O’Connor – I do understand but there is not a residence in the rear. Is it screening from ourselves?

Mr. Kolick - It will be but at some point, and I know you are saying it is encumbered by wetland, it could be developed for residential use, either by accessing from the north or somewhere so we have to protect from that now. This will also give the residents to the rear, who came during the Conditional Use Permit and were concerned about it that will give them some additional safety from lights and car lights by putting a 6’ vinyl fence there, it is for both purposes.

Mr. Polo - Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you, Mr. Chairman. From the City Planner, for the parcel split their proposal is to split the parcel into two lots they will both conform to the minimum requirements of the General Business Zoning District, approval is recommended. For the site plan, they are building within the General Business area of their property and the proposed site plan conforms to all of the required building, parking setback and lot coverage standards, approval is recommended. From the Engineering Department, the parcel split is in approvable form and the plans are in approvable form subject to a review of revised plans to be submitted. The applicant’s engineer did respond to the Engineering Department’s initial review comments on April 10, 2024. I will supply the Commission with a copy of the comments. I will defer to the Commission’s decision on the screening and we will make sure those are included on the site plan as well. Thank you.

Mr. Polo – Thank you, Mr. Hurst.

Mr. Hurst – From the Building Department, I concur with the City Planner and City Engineer, everything is correct and they need no variances. I will defer to the Commission on their decision for the screening in the back.

Planning Commission Minutes

April 11, 2024

Page 11 of 12

Mr. Polo – Thank you, Captain Green.

Captain Green – From the Fire Department, on the parcel split we have no report. On the site plan approval, the proposed building is going to be fully sprinklered and we are still working on the placement of the Fire Department Connection (FDC) with engineering. We are also still working on some movement on the private hydrant that they have agreed to put in and they have agreed to put in a Knox Box for emergency access by the Fire Department and that location will be determined once the building is complete.

Mr. Polo – Thank you, Mr. Kolick

Mr. Kolick – Thank you, Mr. Chairman. If you recall we have already granted the Conditional Use Permit for a day care on this parcel that they are proposing to construct on. For the applicant, do you have any user or are you talking to anyone for the parcel to the south?

Ms. O'Connor - No.

Mr. Kolick – Whoever you end up dealing with, let them know that they will need to have some type of landscape buffer across the back, maybe it will be a continuation of the fencing you will be putting in. There are no conditions on Parcel A, you can act on that. Parcel B should be subject to 1) 6' vinyl fence to be located in the location to be determined by the Engineer and Building Department, which should be done in an area removing as little trees as possible, 2) Fire Department Report; 3) Engineer's Report; 4) Restrictive Covenant for the easement and I have approved their format, I have received the original and we will file that once you let us know the parcel has transferred to you as the owner.

Mr. Polo – Are there any questions from the Members? I will entertain a motion for the lot split approval.

Mr. Veris – Mr. Chairman

Mr. Polo – Mr. Veris.

Mr. Veris - I move to give favorable consideration for Parcel Split of PPN 397-10-005, property located on Pearl Road (adjacent to 17573 Pearl Road), zoned GB – General Business. Brightpath Kids, EIG14T Services LLC, Agent

Mr. David – Second.

Mr. Polo – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Mr. Polo – I will entertain a motion for the site plan approval.

Mr. Veris – I move to give favorable consideration for Site Plan approval to construct a 13,582 SF new building as a child care facility on approximately two (2) acres on property located on Pearl Road (adjacent to 17573 Pearl Road), PPN 397-10-005, zoned GB - General Business. Subject to the terms and conditions stated in the following: 1) Engineering Report; 2) Fire Department Report; 3) Law Department Report; 4) Installation of 6' Vinyl Fence Across the Rear of the Parcel Being Developed.

Mr. David – Second.

Mr. Polo – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Mr. Polo – Is there any other business to come before this Commission this evening? Seeing and hearing none, we are adjourned.

Michael Polo III, Vice-Chairman

Mitzi Anderson, Recording Secretary

Approved