

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

January 14, 2016

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, January 14, 2016 at 7:30 p.m.***

Present: Planning Commission Members: Charlene Barth, Chairwoman, Gregory McDonald, Brian David; Mayor Thomas P. Perciak; City Council Representative, Michael Daymut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Assistant Building Commissioner, Keith Foulkes, and Fire Department Representative, Randy French.

The following was discussed:

SQUARE 22: Mrs. Daley stated that this application is for one of the restaurants going into the new Westwood I Commons. It is going to be the furthest tenant space to the south. This is the new building that they are putting in and they need a Conditional Use for the restaurant and then they are also going to be doing an outdoor patio. This little wrap around area is all going to be their outside patio. From the City Planner, he had no issues. They knew that they were going to make this a restaurant use and they accommodated for it in the parking so they have all the parking spaces that they need. There are no variances required. From Engineering there is no report. Mrs. Barth asked what direction this would be facing. Mr. Kolick stated that it would be facing the Architectural Justice site. Mr. Foulkes stated that from the Building Department the only thing we have is that the recycled grease must be inside or in-ground. The patio is substantially barricaded and I don't know if the bollards are necessary as long as that wall is reinforced. Mr. French stated the building is fully sprinkler suppressed. The kitchen will have a hood system and it will be fire alarmed. Mr. Kolick stated that there were no concerns for the usual issues, we are right on Pearl so you don't have to worry about noise or lighting so you are okay to act on it tonight.

PITA PIT: Mrs. Daley stated that this applicant is going in on the existing building, the northern most tenant space closest to the Historical Society. Again, they accommodated for their parking in the original development so they are good with that. The City Planner has no problems. From Engineering there is no report. Mr. Foulkes stated that from the Building Department it is the same thing on this one. The recycled grease has to be stored wholly within the building or in ground. They do not have a patio in there. Mr. French stated that from Fire, like the previous report this building will also be fully sprinklered and fire alarmed. The cooking process for this, is there a suppressed hood? The applicant stated that whoever has a cooking hood would require a fire suppression system. Mr. Kolick stated that one question that came up was the door to the east, is that a public entrance or an employee entrance. Are all the people coming from the west where the parking lot is; or will they also be entering through the east doors? There is a

hallway that leads in there. Mr. Dean stated that was just the back door, the west side will be the entrance. The east door is for deliveries and fire egress. Mr. Kolick stated, also on the deliveries to Square 22, I take it they would be in the front and they are going to have to haul it in by cart or something. Mr. Dean stated that was correct. Mr. Kolick stated that the Commission was in a position to act on this matter. There are no other conditions.

LIFE CHURCH STRONGSVILLE: Mrs. Daley stated that this applicant wants to occupy one of the tenant spaces in the Strongsville Plaza; that is the plaza where Elevated Fitness and the old theatre are. They are going in to the Old Alpha Graphics tenant space. With parking there are some deviations already that have been granted. The total number of parking space needed is 525; that is with the retail, the restaurants and the church use in there. They currently have 344 parking spaces which gives you a 181 deficit, however, in 2012 Planning Commission approved a modification of 148 spaces so if approved today you will be approving a modification of 33 parking spaces. Mayor asked if the representative was present. Mr. Martino stated that he was the pastor. Mayor Perciak asked what time the services would be because of the parking. Mr. Martino stated that the services are on Sunday mornings from 9:00 until approximately Noon. Service really starts at 10:30 a.m. Mayor Perciak asked if there was any other time that they would be holding services in the evening where the parking lot would be full. Mr. Martino stated that they would not be holding actual services but they might have a meeting. He stated that he counted the cars that had been previously in the parking spaces on Sunday mornings during that time and never saw more than 44 cars there. Mayor Perciak asked if they were going into the old theatre location. Mr. Martino stated that they were taking the old Alpha Graphics space. Mr. Kolick stated that we are not really concerned about the Sundays as much because a lot of the shopping center is down but I saw your application and it shows you are open 9 to 5 during the week too. What are you doing then? Mr. Martino stated that was just normal office hours for the church. Mr. Kolick asked is it just you and a couple of employees? Mr. Martino stated that he was the only employee of the church right now but there might be some volunteers, probably no more than 5, who would come in to cut papers or prepare materials or prepare children's lessons or things of that nature. Mr. Daymut asked where they were located right now. Mr. Martino stated that right now they were meeting at the World Champion Twi Kwan Do facility. Mr. McDonald asked if they were at the Recreation Center. Mr. Martino stated that they were not but that they were at the High School for the first year and then moved to the Byelorussian Community Center on Webster. Mr. McDonald asked how many parishioners there were. Mr. Martino stated that there were about 30 and that the church was 2 years old. Mr. Foulkes stated that from the Building Department he had spoken with the applicant earlier and wanted to make sure that he understands the occupant load for that space. Mr. French stated that from Fire the report is pretty much the same as the Building Department but that they would to see a floor plan and that will come with the

application. We want to see how it is laid out and how it is going to be broken out into rooms. Mr. Kolick stated the only issue is the parking and right now we have vacant units in there but we have a fitness center applied for one, don't we have a fitness center coming in Carol? Mrs. Oprea stated, yes they just applied for a 3,000 SF fitness center. Mr. Kolick stated that it is a large parking variance but probably in off hours which will help. If they are heaviest on Sundays we don't worry about it on Sundays because that lot is empty Sunday so that is not the time you need to worry about it. You must consider if there will be a problem during the week.

WILLIAM MATTHEWS: Mrs. Daley stated that the application is for a lot split and consolidation. The applicant owns two parcels on Shurmer Road, the one the house is in the back and then they purchased this house further down, renovated it and now they want to sell it. Currently this lot is one of the bowling alley lots that comes all the way back, so it has double frontage on Shurmer and Sunbury Drive. They are just going to continue this line, parcel off the front so that they can sell this house and connect the back piece onto their existing lot. From the City Planner both parcels will comply with the Zoning Code. I will defer to Dan on what needs to be done for the double frontage. From Engineering the plat is in approvable form. Mr. Foulkes stated that there was no report from the Building Department. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that we don't permit a double frontage lot but we can remedy this by letting them restrict this with Covenant and Deeds so that it wouldn't be used as an access point. If you, in the future, want to connect this and put in another subdivision, pick up those back lots we can always lift the Covenant and Deed Restrictions to give you that access but until that time we are going to need to get some Covenant and Deeds restricting access to avoid that double frontage or driveway coming off Sunbury. The applicant stated that it was not a problem and the idea of someone consolidating all of those bowling alley lots in the back there would be difficult.

VERIZON WIRELESS: Mrs. Daley stated that this application is for the addition of 12 antennas and equipment cabinets off 130th Street by the Turnpike. They had come in before to go onto this first tower here, that was closest to 130th and got turned down by the BZA and they asked them to move back to this one because of the proximity to the houses. The first application was right next to basically this house on 130th. There are five houses that are still going to be within that 500 foot radius that is required by our code. They are on the other side of the Turnpike and just a side note, next year the Turnpike is going to be installing the noise wall here on the south side of the Turnpike. The City Planner didn't seem to have any issues with that but it still has to go for a variance because of this but he did not see any problem with those houses being on the other side there. From Engineering, it is fine there shouldn't be any issues with drainage. Mr. Kolick stated that they have actually listened to BZA. The BZA asked them to move it away from

these homes within the immediate proximity and asked them to look at other poles. Even though there are houses within 500 feet, like there were in this one, it was right next to this lady's home so this makes a lot more sense and it is the direction that BZA was encouraging them to go into because they needed to fill a hole in their coverage area. BZA will take a look at it. The only other thing is that they will probably have you look again at, we have to run that access drive to get access to that pole back there. They will probably have you look at doing something there. From 130th to run it back there, probably some landscaping or something to protect the homes there. Mr. Foulkes stated that from the Building Department there was no report. Mr. French stated from the Fire Department there was no report. Mr. Kolick stated that this matter will need to be denied and sent to the BZA.

The meeting was called to order at 8:00 PM by the Chairman, Mrs. Barth.

Roll Call:	Members Present:	Mrs. Barth Mr. McDonald Mr. Daymut Mr. David Mayor Perciak
	Also Present:	Mr. Foulkes, Asst Bldg. Com. Mrs. Daley, Asst. Engineer Mr. Kolick, Asst. Law Dir. Mr. French, Fire Dept. Rep, Carol Oprea, Recording Secy.

MOTION TO EXCUSE:

Mr. McDonald - Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald - I move to excuse Mr. Stehman and Mrs. Walker for just cause.

Mr. Daymut – Second.

Mrs. Barth – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

ELECTION OF OFFICERS:

Mr. David – Mrs. Chairwoman.

Mrs. Barth – Mr. David.

Mr. David – I move to nominate **Charlene Barth** for Chairperson for the Planning Commission for the year 2016 and also request that the nominations for Chairwoman be closed and that this individual be unanimously elected.

Mr. McDonald – Second.

Mrs. Barth – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

Mr. David – Mrs. Chairwoman.

Mrs. Barth – Mr. David.

Mr. David – I move to nominate **Greg McDonald** for Secretary for the Planning Commission for the year 2016 and also request that the nominations for Secretary be closed and that this individual be unanimously elected.

Mr. Daymut – Second.

Mrs. Barth – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

APPROVAL OF MINUTES

Mrs. Barth – You have had a chance to review the minutes of December 3, 2015. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

SQUARE 22/ Thad C. Vasko, Agent

a) Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(A)(6) and 1242.07 to allow Square 22 to utilize approximately 4,535 SF of space in an approved, designated area for interior eating and having a

maximum seating capacity of 137 seats for property located at 13485 Pearl Road, PPN 396-10-003 zoned General Business.

b) Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 1,697 SF as an outdoor patio with **a maximum seating of 123** for property located at 13485 Pearl Road, PPN 396-10-003 zoned General Business.

Mrs. Barth – Item Number One, Square 22, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Vasko – Thad Vasko, 14445 Castlereagh Lane, Strongsville, Ohio.

Mrs. Barth – Thank you, is there anyone else who would like to speak in favor or against? Seeing and hearing none I declare the Public Hearing closed and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, there is adequate parking onsite to meet the minimum requirements of the Zoning Code with this restaurant use. There is no change to the proposed building footprint and no variances are required, therefore approval of the Conditional Use Permit is recommended. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, there is no report on Item “b” and Item “a” is approvable subject to any cooking recycled grease being stored wholly in the building or in the ground. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, this building will be fully sprinkler suppressed and fire alarmed and the kitchen will have a suppressed hood. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. We are in a position to act on these two items tonight. Thank you.

Mrs. Barth – Are there any questions or comments?

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – For the applicant, can you tell us a little bit about the restaurant?

Mr. Vasko – It is a place you are going to want to have dinner, it will compete with Don's Pomeroy and Rosewood.

Mr. McDonald – Are you going to own the restaurant?

Mr. Vasko – No, I forget the name of the ownership.

Mr. McDonald – Do they own other restaurants?

Mr. Vasko – I am not sure but it would be a name you would recognize.

Mrs. Barth – Are there any other questions or comments? Hearing none, I would entertain a motion for Square 22.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(A)(6) and 1242.07 to allow Square 22 to utilize approximately 4,535 SF of space in an approved, designated area for interior eating and having a maximum seating capacity of 137 seats for property located at 13485 Pearl Road, PPN 396-10-003 zoned General Business.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 1,697 SF as an outdoor patio with a maximum seating of 123 for property located at 13485 Pearl Road, PPN 396-10-003 zoned General Business.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

PITA PIT/ Ryan Pojman, Agent

Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(A)(6) and 1242.07 to allow Pita Pit to utilize approximately 1,843 SF of space in an approved, designated area for interior eating and having a maximum seating capacity of 36 seats for property located at 13309 Pearl Road, PPN 396-10-003 zoned General Business.

Mrs. Barth – Item Number Two, Pita Pit, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Vasko – Thad Vasko, 14445 Castlereagh Lane, Strongsville, Ohio. I am here to represent Pita Pit also.

Mrs. Barth – Thank you, is there anyone else who would like to speak in favor or against? Seeing and hearing none I declare the Public Hearing closed and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, again, there is adequate parking on-site and no variances are required, therefore, approval is recommended. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, also, this restaurant needs to have indoor or in the ground recycled grease storage as well. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, as in the previous report, this building is also sprinkler suppressed, fire alarmed and the kitchen hood will have a dedicated suppression system. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. You are also in a position to act on this item this evening.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Pita Pit.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(A)(6) and 1242.07 to allow Pita Pit to utilize approximately 1,843 SF of space in an approved, designated area for interior eating and having a maximum seating capacity of 36 seats for property located at 13309 Pearl Road, PPN 396-10-003 zoned General Business.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

LIFECHURCH STRONGSVILLE/ Demetrios Frangia, Agent

a) Approval of a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit an additional 33 parking space modification to the 148 parking space modification previously granted by the Planning Commission on 6-28-12 for property located at Strongsville Plaza at 14765 Pearl Road where the Code requires 525 spaces and where only 344 spaces are provided, PPN 396-19-001 zoned General Business.

b) Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(C) 1242.07, 1256 to allow LifeChurch Strongsville to utilize approximately 3,000 SF of space for church services and related activities for property located at 14765 Pearl Road, PPN 396-19-001 zoned General Business.

Mrs. Barth – Item Number Three, LifeChurch Strongsville, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Martino – Joshua Martino, 10097 Delsy Drive, North Royalton.

Mrs. Barth – Thank you, is there anyone else who would like to speak in favor or against? Seeing and hearing none I declare the Public Hearing closed and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, on the parking, there is a total of 525 parking spaces required on this plaza. There are 344 parking spaces indicated and in 2012 the Planning Commission did approve a parking modification of 148 parking spaces so that leaves 33 parking spaces that a modification would need to be granted for. The applicant notes that the services and many of their activities occur at times when the retail parking demand is lower. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, there is no report on Item “a” or Item “b”. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, it is approvable subject to a review of the submitted plans in accordance with the Ohio Fire Code and Strongsville Fire Code. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. The only issue that arose was on the parking. The applicant explained in the Caucus about their being open at hours that the other tenants are not typically on Sunday so you are in a position to act on these and would have to grant the modification of parking before you could approval the Conditional Use Permit. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for LifeChurch Strongsville.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Approval of a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit an additional 33 parking space modification to the 148 parking space modification previously granted by the Planning Commission on 6-28-12 for property located at Strongsville Plaza at

14765 Pearl Road where the Code requires 525 spaces and where only 344 spaces are provided, PPN 396-19-001 zoned General Business.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called All Ayes APPROVED

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Sections 1258.03(a)(3)(C) 1242.07, 1256 to allow LifeChurch Strongsville to utilize approximately 3,000 SF of space for church services and related activities for property located at 14765 Pearl Road, PPN 396-19-001 zoned General Business.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called All Ayes APPROVED

NEW APPLICATIONS:

WILLIAM MATTHEWS/ William Matthews, Principal

Parcel Split and Consolidation of PPN's 397-03-013 and 014.

Mrs. Barth – Item Number Four, William Matthews, please step forward and state your name and address for the record.

Mr. Grozan – George Grozan, 16461 Hampton Chase, Strongsville, Ohio. Representing the principal, Gino Investments who owns Shurmer and representing William Matthews who is my father in law.

Mrs. Barth – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, with the split and consolidation both parcels created will comply with the minimum lot requirements of the

Zoning Code and approval is recommended. I will defer to the Law Department for any requirement on the double frontage. From Engineering the plans are in approvable form. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, there is no report. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. As reported through Engineering, our subdivision ordinances do not permit double sided lots as this would be, because the one side would go up to Sunbury but you are permitted to do it if they are restricted in ingress and egress. So, if you are going to look favorably on this, it needs to be made subject to Covenants and Deed Restrictions in favor of the City which would prohibit ingress and egress to Sunbury Drive.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for William Matthews.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Parcel Split and Consolidation of PPN's 397-03-013 and 014, subject to the report of the Assistant Law Director as read this evening.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

VERIZON WIRELESS/ John Sindyla, Agent

Site Plan approval for the addition of 12 antennas on an existing First Energy high tension tower and 4 equipment cabinets on a 12 x 20 steel platform within the existing fenced compound located on West 130th Street PPN 398-24-037 zoned R1-75.

Mrs. Barth – Item Number Five, Verizon, please step forward and state your name and address for the record.

Mr. Sindyla – John Sindyla, 7425 Royalton Road, North Royalton, Ohio, representing Verizon Wireless.

Mrs. Barth – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, there is one area of nonconformance with the Zoning Code. That is the distance to the residential dwellings which required is 500' and there will be 5 houses on the opposite side of the Turnpike that will be within the 500', therefore a variance will be required. From Engineering aside from the setbacks, it is in approvable form, there should not be any issues with drainage over there. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, the plans are in approvable form subject to confirmation of the Law Department receiving a Removal Bond in the amount of \$25,000.00 and subject to a plan review in accordance with the Ohio Building Code. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. Since this Item does not comply with the Code, we would need to deny it and they need to proceed to the Board of Zoning Appeals. If approved there, they would come back and you could set it for a Conditional Use hearing. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Verizon Wireless.

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval for the addition of 12 antennas on an existing First Energy high tension tower and 4 equipment cabinets on a 12 x 20 steel platform within the existing fenced compound located on West 130th Street PPN 398-24-037 zoned R1-75.

Mr. David – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Nays

DENIED

Mrs. Barth - Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Hearing no other business to come before the Commission, the Chairwoman adjourned the meeting.

Charlene Barth, Chairwoman

Carol M. Oprea 
Carol M. Oprea, Recording Secretary

Approved