

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

April 12, 2017

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, April 12, 2018 at 7:45 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Brian David; Edward Pfahl and James Kaminski; Mayor Thomas P. Perciak; City Council Representative, Matthew Schonhut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Building Commissioner, Anthony Biondillo, and Fire Department Representative, Randy French.

The following was discussed:

SOUL FO REAL BBQ, LLC: Mrs. Daley stated this is going into the plaza on the corner of Sprague and Marks right next to Nichols Park up there in one of the end units that is vacant. Carry out, no tables inside. From the City Planner, he is good with the parking. Even with this going in there is more than enough parking there and from Engineering there is no report. Mr. Biondillo stated that we will have our report once we receive the drawings but for Planning it is in approvable form. The only item I want to bring to their attention is that they will either need an interior grease receptor or an underground grease receptor for the fryers. Mr. French stated that the plans are in approvable form subject to a final review of their submitted plans. Mr. Kolick stated that the Commission could act on this matter.

PINE LAKES CROSSING, PHASE 2: Mrs. Daley stated that this is Phase 2 of the Pine Lakes Crossing Subdivision. The first phase was Rosalee Lane, they came just pass Sycamore, 26 lots were in phase 1 and 16 of those houses are built right now. They are looking to extend the street straight out, cul de sac it with phase 2 so there are 30 single family houses going in with phase 2. This does comply with their original, I should mention that the first phase was back in 2005 when this first came through and their overall preliminary plan at that time. This is basically the same plan that we had seen. I think that they had lost one lot due to some wetlands there. Since this came through the first time, our Code has changed and has become a little more restrictive. The lot size has changed from 11,250 up to 12,750 and the front and rear yard setbacks have changed. They were 30 feet and now it is 50 feet for both the front and the rear. With those changes they really can't be in compliance with this phase 2 because of the width of this lot, they just can't meet those setbacks. What they are proposing are the original lot size, the 11,250 SF on the lot size and the front yard setback of 30 and rear yard of 30. It will be consistent with phase 1 but it will be in noncompliance with the current Code. From the City Planner he has 3 areas of noncompliance that will need to go to the BZA. Mayor Perciak asked where the project was with wetlands. Mrs. Daley stated that as far as she knew they had the walk thru on the wetlands but have not secured the

permit. Mr. Lipovits stated that the Army Corp. was coming back because they have to redo it because somebody from Brushwood took out some detention to our area so they made a mess so they have to come back out. Mayor Perciak asked about EPA. Mrs. Daley stated that they would have to go through the Army Corp. for these and before they come through if the BZA should grant their variances we will need all of that before we can act on it which is part of my report as well is that we do need all of those before they come back. Mayor Perciak asked when they applied for the Army Corp. Permit. Mr. Lipovits stated it was about 3 months ago. Mayor Perciak asked if they had heard anything yet. Mr. Lipovits stated that the delineation that was done is almost identical to the previous one. That being said, there is a very good possibility they will grant this because they have been out there multiple times already over the 10 plus year period. They have viewed the back part that it hasn't changed yet so we're as soon as today expecting information but with the Army Corp it is hard to get information. Mr. Schonhut stated that he understood that they could not meet the front and rear but they can meet the lot area requirement if they made the lots wider then what they are currently proposing which is a big sticking point for me to be honest with you. Mr. Kolick stated that they would be left with some weird shaped lots. You are right, if you took out some of the lots you would have some really short depth and real short frontage. Those lots would really look funny to make them wider though just from an aesthetic standpoint, they won't match up with the other ones in the area. Mr. McDonald stated that it is consistent with the existing lots and the original design. Mr. Schonhut stated that was why we changed that to address that. Mr. Kolick stated that if they had more depth it would make sense if they could do that but you are going to have wide really squatty lots that will look funny to try to develop that way. Mr. McDonald stated that tonight there is no choice but to say no because of the need for variances. We will see what BZA does with this. Mr. Biondillo stated that the only other issue, because of that change, just a reminder that all of those other existing lots are all nonconforming lots. Anything that those existing people want to come in for, they as well will have to go to the BZA for variances. Mayor Perciak stated that Mr. Kolick should give an interpretation to the Commission about what all that means because this is what happens every time we change the Code. Mr. Kolick stated that when we change the Code, we made all these lots that were completed before all nonconforming because they don't meet the Code. Not just these but everywhere we have lots that met the minimum size of the Code, they are all nonconforming now. People can use them as they are now but if they put on an addition, a shed in the back, they do anything on the lot, we can't just grant it anymore like we normally could, you have to go all the way through the BZA process. Mr. McDonald stated that he believed that there about 2,000 of lots like that. Mr. Biondillo stated that there were more than 2,000. He stated that he was working on compiling a list and posting that on the Building Department web page to at least keep people, especially this is like the pool, deck building season and every spring, just to give those people a heads up if they see that they are a part of that listing

they will at least be able to plan accordingly, because it does take an additional 2 month period to go through the whole process. Mr. Kolick stated that then it has to go through a 20 day waiting period to go through City Council so they are at least 2 months at a minimum. Mr. Biondillo stated that they were working on that list to get that posted. Mr. French stated that there was no report from Fire. Mr. Kolick stated that we have had a number of letters from the people on Juniper Court who are having problems with water in their yards now and I know that we will look at it from an Engineering standpoint but just be cognizant with that because obviously we hope that number one you don't create any more problems but we hope that some of your developing will help elevate some of their problems depending on how you engineer it. The other thing is that we have this one strange lot and I have talked with the applicants before, that goes about 20 feet short of Whitney Road, it's this lot here. Just this one strip, if you look on you map here it doesn't even go down to Whitney. That you are going to have to leave, you are going to "Z" out that line and make it Common Property and if you do something in the future with the people on Whitney to make lots or land or deed it off to others you will need to come back, but for now we can't create that as a separate lot because it doesn't have frontage on a dedicated right-of-way, just so you know. The other area to look at is, I know that you have that future cluster there on Brushwood. Have you given any thought to doing anything with that yet? Mr. Lipovits said he had not. Mr. Kolick stated that was something from a Planning standpoint, we just like to look at so we know how everything is going to fit in. Mr. Lipovits stated that they were going to put a cul de sac back in that section. Mr. Kolick stated that was this area that says future cluster lot. Mayor Perciak stated that tying it all with that subdivision that Emil did with Chandler on Brushwood. Mr. Kolick stated that it ties into Brushwood Lane, if you go down Maplebrook till it terminates and make a left onto Brushwood there are two sublots it would continue beyond that then. Mayor Perciak stated that we had problems back then, we had problems with sump pumps and no basements and basements. Mr. Kolick stated that there are some areas that we had problems with. There are issues in there with the water tables. Mr. Lipovits stated that he just wanted them to know that they would have a storm sewer going in from the proposed finishing up Phase 2 street to connect to that part there which will be deep enough to take anything. Mrs. Daley stated that they were not tying into any of the storm lines. Mr. Lipovits stated that he was going to run the sewer into Rosalee Lane and it will go into our retention. It is going to bypass them.

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

Roll Call:

Members Present: Mr. McDonald
Mrs. Walker
Mr. Pfahl
Mr. Kaminski
Mr. Schonhut

Mr. David
Mayor Perciak

Also Present:

Mr. Biondillo, Bldg. Com.
Mrs. Daley, Asst. Engineer
Mr. Kolick, Asst. Law Dir.
Mr. French, Fire Dept. Rep,

Carol Oprea, Recording Secy.

REVISED AGENDA

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to use the Revised Agenda for this evening.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

APPROVAL OF MINUTES

Mr. McDonald – You have had a chance to review the minutes of March 22, 2018. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

SOUL FO REAL BBQ, LLC/ Lennora Meadows, Principal

Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 and 1258.02(a)(2)(A)(5) to allow Soul Fo Real BBQ to occupy 1,072 SF of space as restaurant with no seating for property located at 22895 Sprague Road, PPN 391-01-001 zoned Local Business.

Mr. McDonald – Item Number One, Soul Fo Real BBQ, LLC, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Ms. Meadows – Lennora Meadows, 242 Best Drive, Berea, Ohio. I am looking to open a BBQ takeout restaurant that will be family owned and operated. The decision came about after being displaced from work with Health Span where I served with them for over 27 years and we just decided that we wanted to do something passionate not only to assist ourselves in building a business but also serving our community.

Mr. McDonald – 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 Mr. Chairman. From the City Planner, the required number of parking spaces is 54 and they are providing 68 spaces. They will have adequate parking to meet the requirements of our Zoning Code. From Engineering there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, for the applicant, as your architect is working his way through this design, we require either an above ground storage vessel for the waste oil from the fryers or in in-ground. As you see in a lot of the older areas, they have the dumpster style grease receptacles and those we no longer permit. So if he has any questions he can contact me directly at the Building Department and we will work our way through those. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, the plans are in approvable form pending review of submitted plans that conform to the Strongsville Fire Code and the Ohio Fire Code. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. For the applicant, so keep in touch with our Fire Department too so they will look at any issues involving fire suppression, hoods, that type of thing, so you can get in touch with them and they'll help you. We are in a position to act on the Conditional Use Permit Mr. Chairman. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Soul Fo Real BBQ.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 and 1258.02(a)(2)(A)(5) to allow Soul Fo Real BBQ to occupy 1,072 SF of space as restaurant with no seating for property located at 22895 Sprague Road, PPN 391-01-001 zoned Local Business.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

NEW APPLICATIONS:

PINE LAKES CROSSING, PHASE 2/ Joseph Lipovits, Agent

Final Subdivision Plan approval of Phase II of the proposed Pine Lakes SFD & CD Subdivision consisting of 30 Single Family Sublots located on Rosalee Lane, PPN 398-08-014 zoned R1-75.

Mr. McDonald – Item Number Two, Pine Lakes Crossing, Phase 2, please step forward and state your name and address for the record.

Mr. Lipovits – Paul Lipovits, 35620 Grafton Eastern Road, Grafton, Ohio.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the proposed layout conforms to the previously approved preliminary plan however, the Code has changed since the installation of Phase 1. The minimum lot area was increased from 11,250 SF to 12,750 SF. The front yard setback was increased from 35 feet to 50 feet and rear yard setback was increased from 30 feet to 50 feet. As a result, approval of the subdivision as submitted will require variances for those 3 items. From Engineering should the required variances be granted by the BZA we will need final engineering plans submitted for review and just a note to the applicant, you will need all of your outside agency permits before coming back for final approval, so, Cleveland Water Department, EPA and if you need and Army Corp. Also the plans must conform with the current storm water management ordinances which do include water quality. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, there is no report. Thank you.

Mr. McDonald – Mr. French.

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

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We will need to deny this tonight so that it can move to the Board of Zoning Appeals. As noted in Caucus, you will need to join that other lot into the Common Area for now. As I also noted, we have had some complaints about water, not necessarily about your project but we want to make sure it is taken care of at least on your land because there are some drainage issues back there that need to be addressed. We can't do anything but deny it tonight so that they can go over to the Board of Zoning Appeals. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Pine Lakes Crossing, Phase 2.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Final Subdivision Plan approval of Phase II of the proposed Pine Lakes SFD & CD Subdivision consisting of 30 Single Family Sublots located on Rosalee Lane, PPN 398-08-014 zoned R1-75.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Nays

DENIED

Mr. McDonald – You are all set. Fill in your BZA Application and get it to the City and you can be on the Agenda for April 25th. Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Greg McDonald, Chairman

Carol M. Oprea  _____
Carol M. Oprea, Recording Secretary

Approved