

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

May 23, 2019

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, MAY 23, 2019 at 7:30 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Brian David; and Edward Pfahl; Mayor Thomas P. Perciak; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Assistant Building Commissioner, Michael Miller.

The following was discussed:

CULVER'S: Mrs. Daley stated that this application is where Jennifer's is on Pearl Road at the north end. They are going to demo the building and the pavement so everything will be brand new. They are keeping the two curb cuts generally in the same locations. Right now they almost take up the entire frontage so it makes sense and they are well defined. They are in the same areas there. There is a drive-thru, plenty of stacking distance, room for their drive-thru, they have their dumpster with the enclosure that matches their building and they are coming in for an outdoor patio out front and they have the fence and the bollards around that. For detention they are going to use underground and that is going to be located out front. From the City Planner, it does comply with all of the zoning requirements. They are showing the decorative fencing that goes along the front that is consistent with the rest of Pearl Road. From Engineering it is in approvable form subject to a review of the revised plans to be submitted but I do have a letter from the engineer that they are going to comply with everything that we have asked for, so we are good. Mr. Miller stated that they did submit a photometric report for the site lighting and it is in compliance with our ordinances. We did discuss with them the vehicle barrier requirements around this patio, they are aware of that and have agreed to comply with that. It is in approvable form pending the submission of construction plans. From the Fire Department, the fire hydrants can be no more than 300 feet from any point of the building and the knox box needs to be located, and otherwise, it is in approvable form pending the submittal of construction drawings that comply with the Ohio Fire Code and the Strongsville Fire Code. Mr. Kolick stated that the Commission could act on this matter. The first one is the only one that needs the Public Hearing but the second Item should be made subject to Building, Engineering and Fire. I know what Fire was concerned with was that all parts of the building have to be within 300 feet of the hydrant so you will have to look at that.

RICHARD SURVOY & GAYLE ZACHARYASZ: Mrs. Daley stated that this application is for a split and consolidation for residential property on Whitney Road. It's really just this 32 by 326 rectangle here, for whatever reason it was carved out at one time so now

they are just going to make it so that these are two rectangular pieces. They are just swapping that piece there. From the City Planner, it meets all the zoning requirements and from Engineering it's in approvable form. Mr. Miller stated that there was no report from Building or Fire. Mr. Kolick stated that the Commission could act on this matter. Mayor Perciak asked what they are doing with this. Mrs. Daley stated she thought it was just to clean it up, it makes sense.

FRANCES & WANDA MASLYK: Mrs. Daley stated that this application is for a lot split. It is one larger piece on the northwest corner of 130th and Whitney. They are going to split it into 3 parcels, one will have the house on it, they are calling it parcel "A" and then they will have 2 vacant parcels. They are all zoned residential and meet all the zoning requirements so they are good from the City Planner and from Engineering it is in approvable form. Mr. Miller stated that there was no report from Building or Fire. Mr. Kolick stated that there was no problem with the parcel split, they are all zoned residential, it is on the corner of W. 130th and Whitney and there may be some potential for some other uses in the future. Just want to see what their plans are. The split itself is fine and you can act on it.

ORDINANCE NO. 2019-092: Mr. Kolick stated that this is on the industrial area off Rt. 82. Mrs. Daley stated that this is their conceptual layout. This is on Rt. 82 just west of the Vitalia and they are building the second phase now in the back. This is an add on to that. This is the back of Siedel Farms, this is estate residential here and then you have a couple of houses but those are zoned Industrial. Mr. Kolick stated that they are asking to move this from General Industrial to Senior Residence so that they can put in these senior housing that will tie in with it. It would have to connect these lots eventually if the rezoning goes through to put in senior housing in these areas. It is going to back up to residential here and here. It probably makes sense because it would probably be difficult to put any type of industrial use here between all these residential areas now. Mayor Perciak stated that this area here where you see there are a couple of lakes there that will remain green space, they don't have a choice really. The question I have, are these going to be rentals or are you going to actually sell them? The representative stated that they are all rentals. Mayor Perciak stated that on the top page it shows all the amenities they are going to offer. The amenities were read to the Commission. Mr. Puzittelto has owned this property for many years and for whatever reason had not sold it. The representative stated that what he required is he wants a 150 foot setback from Siedel Farms. It is not a City requirement but we are going along with what he wants. Mayor Perciak stated that the land in the back cannot be developed. The representative stated that it was really an extension of the community. Some people don't want to move into an apartment. Mr. McDonald stated that it was a goofy piece of property. It is hard to rezone anything from GI but in this case I am not so sure that is the right thing to do. Mayor Perciak stated that it is a

concept that I believe works. Really it takes the villas to the assisted living to the actual nursing if you need it. The amazing part of this whole thing is it opened and it was completely occupied, so much so that they went ahead and did the second phase. This is a Findley project who I have known for decades and if anybody can do it, it is them. They have the wherewithal to do it. We just give it a recommendation, it has to go to Council to be set for a Public Hearing.

ORDINANCE NO. 2019-093: Mrs. Daley stated that this is the two parcels on Temple Drive, just west of Pearl that Masonic Temple was on at one time. It was zoned Public Facility and then rezoned to the Office Building. Mr. Kolick stated that we moved this from Public Facility where it was before over to Office Building for them to come in there and now a church is looking at taking it. They are asking us to zone it back again. The one thing we wanted to make them aware of, and I know that they are, is there needs to be some dollars put into the building to be able to use it for a church, into the parking lot, the driveway, they are not in the best of conditions. Mr. Miller stated that he spoke with the Pastor of the Church. I did speak with Pastor Joe Kaliney today. They are currently based in Old Brooklyn. He told me that the church is planning to move out here to expand its congregation. He did state that this is going to be a cash sale. The church has raised about \$60,000.00 towards the purchase price and the Pastor and his wife are going to be funding the rest of that purchase price. He has already contacted and is having plans drawn with an architect in Lakewood for the ADA updates that will be required there for restrooms and ADA compliant egress. He has a proposal in hand right now to repave the parking lot and asphalt and replace the driveway. He knows what needs to be done there. Mayor Perciak stated that his concern was that little congregations, do they have the ability and Mike appears to believe at least that they do have the wherewithall to make the necessary repairs to comply with all the Building Codes. Mr. Miller stated that the Pastor did state that two of the big issues for them was if they had to install drainage in the parking lot but there are currently 3 drains there so it is just a matter of resurfacing, taking out the gravel, putting down the sub base and laying the asphalt. The other big concern was whether the building code would require this to be sprinkled and due to the size and exceptions in the Ohio Building Code there is no requirement for suppression in this building. Mr. McDonald asked if the pictures were taken by Mr. Miller. Mr. Miller stated that the outside pictures were taken today and the inside pictures we took when Relentless was in there at their initial step when they were starting to go forward. Mr. McDonald asked if Mr. Miller felt that the Pastor knew what he was up against. Mr. Miller stated that he has been in there and I have discussed it with him and yes I do, I think he understands, he did state that they have tradesmen in their congregation that have already agreed to be the leads on these projects. They understand that they are going to have to have ADA Compliance. They have a pipefitter, electrician and a plumber. He sounded confident and not wishy washy about it, pretty straight forward. The realtor stated that he is an Optometrist so the

church is actually done gratis and they are funding it. Mr. Miller stated that they own some investment property that they use and are going to put forward into this property. The owners stated that Relentless has invested over \$100,000.00 in this property after we purchased it. We put on a new roof, new HVAC system, we have done most of the electrical updates, new lighting, we actually have the drywall on site, we were furring out the walls to put up the drywall so there has been a significant investment to this point. At this juncture the incorporation, the largest in Ohio for the repossession, 14 locations, it was our idea that we were going to move our corporate headquarters there, not operations and we changed direction on that and there is a reason why now that we have an opportunity to sell the building and put some good people in there for the community. Mayor Perciak stated that we usually don't do this. The owner stated that he understood, I would add though, that it was originally zoned as Public Facility and it is going back to Public Facility. Mayor Perciak stated that it was that for decades and that is why we took so much time with this to be very honest with you. We wanted to make sure, I don't know how the Commission is going to vote but until Mike did all the due diligence on this, I was going to vote "NO". I never argue with God because I never know when my day is up. On the other side, this was the old Masonic Temple so we go from one to the other and now we are going back. Are they going to stay there? The realtor stated that they were planning to stay there long term. He hired an architect, there is a list of what they are going to do. Mr. Miller stated that he did tell him that he had hired an architect and that if this did go forward they would be submitting plans for construction. The realtor stated that they would have done all this but he can't apply for an occupancy permit to get this officially until you guys approve the rezoning. Mayor Perciak stated that he wanted to be clear, should this Commission recommend approval and it goes to Council and Council approves it, our Building Department is going to be in that place so make your client aware that we are going to be watching this very carefully because even though all the things that you've said that you have done, it is a far cry from being ready to being used. The owner stated that they are making a significant investment in this property and for them to spend that kind of money and then not do anything would be reckless at best. Mr. Miller stated that there are some changes that are going to be needed to be made because it is going from an office use to an assembly use as a church so there will be some additional requirements under that. The realtor stated that the architect specializes in doing churches. Mr. Kolick stated that what was going to happen with this, regardless of how this Commission votes it will go back to Council. Council has to set 30 days for a Public Hearing. My suggestion is, because Council is going to be having a lot of concerns about, is this project going to go, they have 30 days to let them know what type of dollar investment they are going to have to make so that they know in advance because I don't see Council approving this unless they are sure that this is going to be a go because we can't be flipping this thing back and forth and back and forth and back and forth and have someone come back and say "we are not going in here, we want to back

off this building". The realtor wanted to apply for his occupancy permit so that he could officially get the list from you guys on what's going to be required and the City won't give him the list. Mr. Miller stated that the City can't design this project for them. Mr. Kaminski stated that it could not be presented that way, it has to be presented with a purchase agreement and conditioned on zoning. Mr. McDonald stated that he thought we are in pretty good stead, I think we needed to know that the applicant that is going to move into the property knows what they are up against and that they have a plan to do this so that we won't be rezoning this again a year from now or two years from now. I am reasonably convinced that you have good plan.

Mr. McDonald stated that there was one other item that I did want to talk about, the changing of the time of the meetings. I know Carol reached out and asked about 5:00 p.m. start and I talked to the administration about that a little bit this morning and a couple of the other members on the Planning. I like the idea of moving the meetings up but I am a little uncomfortable with starting at 5:00 p.m. because it is just pushing too much into the day but I would be more in favor if we started at 5:30 p.m. Caucus and a 6:00 p.m. meeting. Mr. Kolick stated that Mr. McDonald is okay, under the Codified Ordinances 1210.02, you can adopt your own rules and set you own meeting time. So you as a Commission have the ability to do it. Mr. McDonald asked if the Commission needed to vote on this. Mr. Kolick stated that you would need to vote and suggested that he wait until the next meeting when you have all the members here. Mr. McDonald stated that if there are any questions, think about it before the next meeting, we'll bring it on the floor as a voting item the next time and we will probably put ourselves in a position for June 27, 2019 to start the new time. Carol will need time to notify the applicants and update the website. We will look at it on June 13th. Mr. David stated that he would not be present on June 13th.

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. David
Mayor Perciak

Also Present: Mr. Miller, Asst. Bldg. Com.
Mrs. Daley, Asst. Engineer
Mr. Kolick, Asst. Law Dir.

Carol Brill, Recording Secy.

MOTION TO EXCUSE:

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mr. Kaminski and Mr. Schonhut for just cause.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

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 May 9, 2019. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

CULVER’S/ Joshua Clark

a) Conditional Use Permit pursuant to Codified Ordinance Sections 1258.06(a)(1) and 1242.07(b) to allow Culver’s to utilize approximately 617 SF as an outdoor patio with a maximum seating of 24 for property located at 8464 Pearl Road, PPN 395-05-019 zoned Restaurant Recreational Services.

(b) Site plan approval for a 4,330 SF Culver's Restaurant for property located at 8464 Pearl Road, PPN 395-05-019 zoned Restaurant Recreational Services.

Mr. McDonald – Item Number One, Culver's, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Lehar – Doug Lehar, Owner of Culver's in Avon, looking to build the one here in Strongsville, this is my youngest son Ryan Lehar, he is the General Manager in Avon right now and will be joining me down here in Strongsville when we open this one up.

Mr. Appell – Aaron Appell, Bramhal Engineering, 801 Moore Road, Avon, Ohio. We are the Civil Engineers for the project.

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 site plan provides for parking to meet the minimum Code requirement based upon seating capacity. There is adequate on-site stacking area for cars queuing for the drive-thru. The trash enclosure is behind the building and will match the building materials. The proposed site plan complies with all the zoning requirements for the R-RS zoning district with no variances and approval is recommended. From Engineering there is no report on Item A, and on Item B is in approvable form, subject to a review of the revised plans to be submitted. We did receive a notification from the applicant's engineer that they will comply with all of our requirements. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, on Item A, the applicant is aware of the vehicle barrier requirements established by the Ohio Fire Code and has agreed to abide by those. The plan is in approvable form pending on the submission of construction drawings for the building in accordance with the Ohio Building Code. There is no report on Item A from the Building Department. From Fire, on Item A there is no report. On Item B, a fire hydrant is to be no more than 300 feet from any portion of the building. There is a requirement for a knox box. It is in approvable form subject to the final review of submitted plans to conform with the Strongsville Fire Code and the Ohio Fire Code. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. You need to act on these separately. Under Item B, if approval is granted it needs to be made subject to Engineering, Building and Fire Department reports this evening. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Culver's

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Sections 1258.06(a)(1) and 1242.07(b) to allow Culver's to utilize approximately 617 SF as an outdoor patio with a maximum seating of 24 for property located at 8464 Pearl Road, PPN 395-05-019 zoned Restaurant Recreational Services.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called All Ayes APPROVED

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site plan approval for a 4,330 SF Culver's Restaurant for property located at 8464 Pearl Road, PPN 395-05-019 zoned Restaurant Recreational Services subject to the Engineering, Building and Fire Department reports.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called All Ayes APPROVED

NEW APPLICATIONS:

RICHARD SURVOY & GAYLE ZACHARYASZ/ Richard Survoy, Principal

Parcel Split and Consolidation of PPN's 398-06-002 and 398-06-003 for property located at 13340 and 13260 Whitney Road zoned R1-75.

Mr. McDonald – Item Number Two, Richard Survoy & Gayle Zacharyasz, there is no representation of this item.

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 subject properties are zoned R1-75. Both parcels will comply with the minimum lot requirements of the Zoning Code and approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

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

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. You are in a position to act on this matter.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Richard Survoy & Gayle Zacharyasz.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Split and Consolidation of PPN's 398-06-002 and 398-06-003 for property located at 13340 and 13260 Whitney Road zoned R1-75.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

FRANCES & WANDA MASLYK/ Wanda Maslyk, Principal

Parcel Split for PPN 398-06-004 for property located at 9030 W. 130th Street zoned R1-75.

Mr. McDonald – Item Number Three, Frances & Wanda Maslyk, please step forward and state your name and address for the record.

Ms. Maslyk – Wanda Maslyk, 9030 W. 130th Street.

Ms. Maslyk – Frances Maslyk, 9030 W. 130th Street.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, all three of the proposed parcels comply with the minimum lot requirements of the R1-75 Zoning District and approval is recommended. From Engineering the plat is in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, there is no report from the Fire Department there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We are in a position to act on this Mr. Chairman.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Frances & Wanda Maslyk.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Split for PPN 398-06-004 for property located at 9030 W. 130th Street zoned R1-75.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

REFERRALS FROM COUNCIL:

ORDINANCE NO. 2019-092:

An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to change the Zoning Classification of Certain Vacant Real Property Located on Royalton Road (PPN's 392-14-001 and 392-14-002) in the City of Strongsville from GI (General Industrial) Classification to SR-1 (Senior Residence) Classification.

Mr. McDonald – Mr. Kolick

Mr. Kolick – This is an Ordinance for the north side of Royalton Road. We have the Vitalia center there and they are asking to extend the zoning over two parcels going to the west and have them changed from General Industrial to Senior Residents classification. Council is looking for your recommendation on it.

Mr. McDonald – Thank you, we talked about this quite a bit in Caucus, are there any questions? ORDINANCE NO. 2019-092. An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to change the Zoning Classification of Certain Vacant Real Property Located on Royalton Road (PPN's 392-14-001 and 392-14-002) in the City of Strongsville from GI (General Industrial) Classification to SR-1 (Senior Residence) Classification.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

ORDINANCE NO. 2019-093:

An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Property Located at 19132 Temple Drive (PPN's 393-19-016 and 393-19-017) in the City of Strongsville from OB (Office Building) Classification to PF (Public Facilities) Classification.

Mr. McDonald – Mr. Kolick.

Mr. Kolick – These are two parcels on Temple Drive, the former Masonic Temple which at one time was zoned for Public Facility, the request came in to rezone it to Office Building and they are now requesting that we consider rezoning it back for a church. As we noted in Caucus, we instructed them to make sure that the church has a good idea about the cost on this because Council will ask that regardless of the recommendation from this body. With that they are looking for a recommendation.

Mr. McDonald – We also talked about this quite a bit in Caucus, are there any other questions from the members? ORDINANCE NO. 2019-093. An Ordinance Amending the Zoning Map of the City of Strongsville Adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Property Located at 19132 Temple Drive (PPN's 393-19-016 and 393-19-017) in the City of Strongsville from OB (Office Building) Classification to PF (Public Facilities) Classification.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald - 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