

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

SEPTEMBER 28, 2023

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, September 28, 2023 at 5:45 p.m.***

Present: Planning Commission Members: Gregory McDonald, Chairman; Brian David, Terry Toth and Kim Veris; Mayor Thomas Perciak; Council Representative, James Kaminski; Administration: Assistant Law Director, Daniel Kolick; Assistant City Engineer, Lori Daley; Building Commissioner, Ted Hurst and Fire Department Representative, Captain, Matt Tilbert.

The following was discussed:

DUNKIN': Mrs. Daley stated the first item is Dunkin', they are going in on the northwest corner of Pearl and Broxton Road, which is currently the Village Motel. This is new construction with one drive on Pearl Road, that will be right in and right out only with full access on Broxton Road. They are putting in a double drive thru to alleviate stacking on to Pearl Road and installing outdoor seating, accommodating eight people. This parcel is currently four separate parcels, which will need to be consolidated. From George, he had no issues on any of the three items. From Engineering, it is in approvable form. Mr. Hurst stated the Building Department has no issue with any of the three items and gives this a favorable recommendation. Captain Tilbert stated because this is new construction we will require a commercial Knox Box, other than that it is in approvable form. Mr. Kolick stated that the Commission could act on this. Mayor Perciak stated I am glad to see this happening and the removal of the motel.

ORDINANCE NO. 2023-121: Mr. Kolick stated the first ordinance is Ordinance 2023-121 and it is regarding the regulations for solar panels for commercial, residential, and industrial use. Residential and business solar panels will be permitted only on the roof, and all of the regulations are contained within the ordinance. The only freestanding solar panels permitted are with a Conditional Use Permit, which would be allowed in Public Facility Districts such as schools and City owned land and those types of areas. Industrial is limited to what is specified in the ordinance, which explains everything that is required and they are permitted in the rear of the property. Mayor Perciak asked Mr. Hurst, has the City received a lot of request for solar panels? Mr. Hurst responded we are receiving approximately 1 or 2 requests per month. Mayor Perciak asked have we received any commercial request? Mr. Hurst replied no commercial request have been received since I have been here. Captain Tilbert stated we have one commercial business that has solar panels in the City, which is Kohls.

ORDINANCE NO. 2023-131: Mr. Kolick stated this ordinance would prohibit short term rentals in residential districts. I don't believe we have had a lot of problems here; however, other cities have experienced problems where properties have been rented out and huge parties have been thrown. I am aware that in Bay Village they almost burned down a house so, we are trying to be proactive with this ordinance. This would prohibit the use of an Airbnb within residential districts in the City. We did make exceptions; community rooms and apartment complexes may have rooms that they rent out but that would be the only place where it would be permitted. Mayor Perciak stated this is good because what will eventually happen is that someone will see this as another enterprise that they can enter into and before you know it they will buy lots and homes and we would have these issues. This is something that we really have to keep our nose to the ground on because some of the municipalities have real trouble with this and it invites trouble. Mr. McDonald stated not all of these rentals have that type of behavior and I am naturally resistant to put more restrictions on homeowners but I also understand when things go awry we don't have the ability to do anything about it and this will give us the opportunity to do that. Mayor Perciak stated that is correct but the homeowners are the very people that we are trying to protect.

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

Roll Call:	Members Present:	Mr. McDonald Mr. David Mr. Veris Mr. Toth Mr. Kaminski Mayor Perciak
	Also Present:	Mr. Hurst, Bldg. Com. Mrs. Daley, Asst. Engineer Mr. Kolick, Asst. Law Dir. Cpt. Tilbert, Fire Dept. Rep. Mitzi Anderson, Record. Secy.

MOTION TO EXCUSE

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mr. Polo for just cause.

Mr. Veris - 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 July 20, 2023 and July 27, 2023. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

DUNKIN' / Elizabeth Eaken, Agent

- a) Parcel Consolidation of PPN.'s 395-06-009, 395-06-010, 395-06-011 and 395-06-012 and
- b) Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 to allow Dunkin' to construct an Outdoor Dining Area with seating for eight (8) people consisting of two 4-person round tables and
- c) Site Plan approval of an 1,860 SF Restaurant with an Outdoor Dining Area, for property located at 8810 Pearl Road, PPN 395-06-009, 395-06-010, 395-06-011 and 395-06-012, zoned R-RS * *Architectural Review Board Favorable Recommendation 09-05-23*

Mr. McDonald – Item Number Two, Dunkin', please step forward and state your name and address for the record.

Ms. Elizabeth Eaken, Metis Design Services, 175 East Erie St. #303, Kent, Ohio 44240

Mr. McDonald – Please describe your project.

Ms. Eaken – I am here to answer any questions you may have regarding the project. We are tearing down the existing Village Motel and building a new ground up Dunkin'. The Dunkin' will have a double drive thru and that will make things a lot faster and everything will be new. We have received our administrative approvals from the Board of Zoning Appeals and the Architectural Review Board.

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Mr. McDonald – Is there anyone else wishing to speak in favor? Is there anyone who wishes to speak against it? Seeing none we will consider the Public Hearing closed and we will go to our Administrative reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the first request is for the lot consolidation plat and there are no zoning issues and approval is recommended. The second request is for the Conditional Use Permit for the outdoor dining area to accommodate 8 patrons and approval is recommended. The third request is for the site development plan and the site, lighting and landscaping have been approved by the Architectural Review Board and the site plan conforms to all the requirements of the R-RS zoning district and approval is recommended. From Engineering, Items A, B and C are in approvable form, Thank you.

Mr. McDonald – Thank you, Mr. Hurst.

Mr. Hurst – Thank you, Mr. Chairman. From the Building Department, Items A, B and C are in approvable form and we recommend approval.

Mr. McDonald – Thank you, Captain Tilbert.

Captain Tilbert – Thank you, Mr. Chairman. From the Fire Department, the only requirement will be for the installation of a commercial Knox Box, other than that it is in approvable form.

Mr. McDonald – Thank you, Mr. Kolick

Mr. Kolick – Thank you, Mr. Chairman. You are in a position to act on these items and they should be acted upon separately and Item C can be conditioned on the Fire Department's report from tonight.

Mr. McDonald – Are there any questions?

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Consolidation of PPN.'s 395-06-009, 395-06-010, 395-06-011 and 395-06-012, Dunkin', Elizabeth Eaken, Agent

Mr. Veris – Second.

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Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for a Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 to allow Dunkin' to construct an Outdoor Dining Area with seating for eight (8) people consisting of two 4-person round tables, Dunkin', Elizabeth Eaken, Agent

Mr. Veris – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Mr. David – I move to give favorable consideration for Site Plan approval of an 1,860 SF Restaurant with an Outdoor Dining Area, for property located at 8810 Pearl Road, PPN 395-06-009, 395-06-010, 395-06-011 and 395-06-012, zoned R-RS, subject to the Fire Department's report read this evening, Dunkin', Elizabeth Eaken, Agent

Mr. Veris – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald – Elizabeth, you are all set. When would you expect to open?

Ms. Eaken – Construction on this project will not begin until Spring 2024.

REFERRALS FROM COUNCIL:

ORDINANCE NO. 2023-121

An Ordinance Enacting a New Chapter 1476 of Title Six of Part Fourteen of the Building and Housing Code of the City's Codified Ordinances Concerning Solar Energy Facilities, and Declaring an Emergency.

Mr. McDonald – Mr. Kolick.

Mr. Kolick – Ordinance No. 2023-121 will govern solar panels within the City. Roof mounts for solar panels will be allowed in residential areas and also allowed in a General Business District. There are certain areas where they will be permitted on the ground but they will need a Conditional Use Permit and all of the requirements are within the ordinance and a recommendation is needed for Council.

Mr. McDonald – Are there any questions?

Mr. McDonald – Ordinance No. 2023-121. An Ordinance Enacting a New Chapter 1476 of Title Six of Part Fourteen of the Building and Housing Code of the City's Codified Ordinances Concerning Solar Energy Facilities, and Declaring an Emergency.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable recommendation for Ordinance No. 20231-121.

Mr. Veris – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call:

All Ayes

APPROVED

ORDINANCE NO. 2023-131

An Ordinance Enacting a New Section 1252.38 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in Connection with Short-Term Rentals in Residential Districts, and Declaring an Emergency.

