

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

January 23, 2020

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, January 23, 2020 at 5:45 p.m.**

Present: Planning Commission Members: Brian David, Acting Chairman; Edward Pfahl and Robert Powell; 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, Captain Matthew Tilbert.

The following was discussed:

SCOTT BREDENBECK: Mrs. Daley stated that this application is for a lot split and consolidation. This is on Prospect just south of Kylemore. Right now there is a parcel, the flag shaped lot. Parcel 5 out front wants to acquire what is behind their lot basically right now. So cut off that 1.1 acres and attach it onto their property. From the City Planner it meets all of the zoning requirements for R1-75 and is approvable and from Engineering the plat is in approvable form but a couple of things to point out to the Planning Commission; these are split zoned, right now here is the zoning line that runs parallel to Prospect. The front 300 is R1-75 and the back portion is General Industrial so the new Parcel A will be a split zoned and Parcel B is already split zoned right now. There are no sewers on Prospect, no sanitary sewers but we are not creating any new frontage so there is no deviation needed for that. There is this drainage course that runs through the properties that might limit their access, just want the applicant to know that. Mr. Bredenbeck stated that was already on his present property. The creek cuts through my back yard cuts it right in half. Mrs. Daley stated that she just wanted to make him aware, if you plan to culvert that or bridge it or something. Mr. Bredenbeck stated that he has a wooden bridge over it right now, I have access to the other side. Mr. Schonhut asked if Parcel A was currently split zoned. Mrs. Daley stated that Parcel A is not. Mr. Schonhut stated that we would be creating a second split zoned parcel by doing this. Mr. Kolick stated that was correct. Mr. Biondillo stated that there was no objection from Building. Mr. Kolick stated that there were three problems with this. One, we don't like the create split zoned lots. We have some in the City that were established when we laid it out but we don't normally create a split zoned lot. The second problem is, you can't use that, if you added that to your property you can't use it for residential use. You can't put an accessory structure or anything else back there, number one and number two you can't use it for Industrial because it doesn't meet the industrial acreage requirement so you are creating a dead parcel if we do this. The third thing is, a legal matter, you can't create an industrial parcel that is less than 2 acres because it doesn't meet the zoning code. Honestly you just can't do this. It doesn't

meet the Code requirements and it's not a good idea because you just killed the usefulness of that parcel. It can't be used for industrial because it doesn't meet the 2 acres and it can't be used for residential because it is zoned industrial. Mr. David asked the applicant if he had any intentions for that property. Mr. Bredenbeck stated that he did not, that he was just acquiring it because he had talked to the previous owner, her husband bought the property between my house the neighbors and the only reason he bought it is because he didn't want anybody building there. We had talked about him selling me that back piece of property and he said that would be fine but he passed away and now she is going to sell it to me. The seller stated that all its going to do is my property is an L shape so it just going to make his property straight back. Mr. Bredenbeck stated that there are 4 other properties that way on Prospect with the back being split. Mr. Kolick stated that there are other parcels that are split zoned but we don't create them, they were created when the zoning map was laid out. We don't like to create a split zoned parcel particularly residential and industrial that just doesn't make any sense. Like I said, you would just kill all usefulness of that parcel. Mrs. Bredenbeck asked if she still owns it wasn't that the same thing? Mr. Kolick stated no because her parcel would equal the two acres. Isn't her parcel equal to 2 acres Lori between what she has and what is there? Mrs. Bredenbeck stated that was not a buildable property because the creek runs through there. Mr. Kolick stated that from a zoning standpoint it can be done. Would it be expensive, yes, it is one thing practically building and we understand that but it could be culverted and it can be used for industrial as it is but you would be losing that buildability by doing this. Mr. Bredenbeck stated that in order of any of it to be industrial they would have to buy the back property because the people on Prospect own 800 feet back. That is the minimum. Mr. Kolick stated that it was always laid out to come to be built from the west going to the east. I realize that these are long term plans and you are not going to see this overnight but that was how it was always laid out. That is how the original framers of the zoning code laid it out, to come from Foltz to come off of Drake because we have always prohibited truck traffic on Prospect and that is what this is and this area was left residential on Prospect to protect all those residences up and down Prospect instead of taking the industrial all the way down there, that is what they wanted to do. This just doesn't make sense because you've now got a dead piece of property that can't be used for anything. The seller stated that the frontage that she has, the 131 feet frontage that I have has a fire hydrant, it has a guardrail, it has a creek. Mr. Kolick stated that there are physical things that would have to be overcome to do it, I understand that. This whole area, we have this problem with this whole area down here. We understand and I am not saying it is easily developable but at least it is not killed, this would kill the development of that parcel. Mr. Bredenbeck stated that he did want to consolidate, I was told that I had to consolidate it with mine because they don't split lots any more even though there are several on Prospect that are split. She has one lot behind here and one neighbor that kept it split so that he doesn't pay the tax for frontage on it. Mr. Kolick stated that we

can't keep it separate either, you are right and they give you the right advice at the City because we can't have a landlocked lot. If you didn't consolidate it you would not have access to that lot. So we can't do that, we are just not in a position to grant this because of the difference in the zoning. If this was all residential fine, if it was all industrial you might be able to do it, well you still would need to get 2 acres and I don't know if they have 2 acres. The seller stated that it is a 3 ½ acre parcel that she owns and I was just giving him 1 acre. Mr. Kolick stated that is the problem, you can't give him just an acre, we have minimum acreage requirements for industrial and that is 2 acres. Mr. Bredenbeck stated that he was just going by the precedent that was down the street. Like I said she has a lot next to me and her lot is split, the lot next to that is split, the lot next to that is split, Jim Spickler's lot is split, he does not own the back. Mr. Kolick stated that there are areas like I said, we acknowledge there are areas that have the split zoning, it is just not good and we don't create them, they were there when they laid out the zoning. Mr. Bredenbeck stated that he did not think it was. Mr. Kolick stated that all he can say is each situation is different, I don't know how many acres Spickler has or whatever. Mr. Bredenbeck stated that he has about the same, he goes back about 400 feet. Mr. Kolick stated that there may be different acreage and again I am not saying what happened there I can only tell you what this one is and that is the one we are involved with, this one. You would be creating a split lot zoning which does not make good sense number one, number two you would be killing the utility of that lot it would never be used for anything. It is not big enough for industrial and you can't put anything residential on a industrial lot. Number three you would be creating an industrial lot with less than 2 acres so you have 3 violations on that property. The seller asked what kind of industry is going to come through on my parcel? Mr. Kolick stated that we would love to see industrial come from over on all these back properties. Is that going to be tomorrow, next year or 10 years, I don't know but that is what it is zoned and until it gets changed to something else that is what we have. The seller stated that the letter that she got from Northcoast wants me to change my industrial. Mr. Bredenbeck stated that the letter was from Chris Bender and that it said that they want us to come to the City and ask to rezone from General Industrial to Residential so that they can build back there. The seller stated that they are going to propose to change all industrial to residential so they can go back there. Mayor Perciak asked what she thought about that. The seller stated that she did not like it. Foltz is already coming through about a mile down before Marks. The reason my husband bought the property . . . Mr. Bredenbeck stated that they sent that letter to all the residents on Prospect Road. Mr. Kolick stated that we could go on the floor unless there are any questions from the Commission members.

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

Roll Call:

Members Present: Mr. David
Mr. Pfahl

Mr. Powell
Mr. Schonhut
Mayor Perciak

Also Present:

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

Carol Brill, Recording Secy.

MOTION TO EXCUSE:

Mr. Pfahl - Mr. Chairman.

Mr. David – Mr. Pfahl.

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

Mr. Powell – Second.

Mr. David – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

APPROVAL OF MINUTES

Mr. David – You have had a chance to review the minutes of January 9, 2020. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

SCOTT BREDENBECK, Scott Bredenbeck Principal

Parcel split and consolidation of PPN's 394-19-005 and 004 located at 19252 Prospect Road zoned R1-75 and General Industrial.

Mr. David – Item Number One, Scott Bredenbeck, please step forward and state your name and address for the record.

Mr. Bredenbeck – Scott Bredenbeck, 19252 Prospect Road, Strongsville.

Mr. Kolick – Mr. Bredenbeck what do you want to do with this back parcel? What are your intentions?

Mr. Bredenbeck – Actually nothing I just want to acquire it because if something happens with the neighbor then that is going to be gone again just like when her husband died. I knew it was up in the air and I just basically want it for the buffer zone, plant trees.

Mr. Kolick – Understand being zoned industrial and I know we talked a little bit in Caucus about it but we are on the record now. Being Industrial you can't use it for residential.

Mr. Bredenbeck – Yes, I knew that since I have been here.

Mr. Kolick – You can't put a storage building or anything else on it.

Mr. Bredenbeck – Right, everyone on Prospect knows that. You can't build anything on anything less than 250 feet from the center of the street and we would be closer than that.

Mr. Kolick – I am not even talking about the setbacks I am talking about the zoning district, it is in Industrial.

Mr. Bredenbeck – You can't put anything back there.

Mr. Kolick – I just wanted to advise you.

Mr. David – We will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, both parcels will comply with the minimum lot requirements for the R1-75 Single Family Zoning District. There are no impacts on building setbacks and approval is recommended. From Engineering the plats in approvable form. Just a couple of notes for the Planning Commission, there is currently no sanitary sewers along the frontage on Prospect Road however, no new frontages are being created with this request. Also the newly created Parcel A will be split zoned with the front 300 feet being zoned residential and the rear being industrial. Parcel B is currently split zoned. Thank you.

Mr. David – Thank you, Mr. Biondillo.

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

Mr. David – Cpt. Tilbert.

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

Mr. David – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. As discussed in Caucus, there are really three impediments to this; the first one is that this would create a split zoned parcel. We don't like split zoned parcels. The ones that are we try to bring into conformity to correct those situations. Here because of what he is asking you, he is asking you to create a situation we don't even have now. The second thing as I explained to the applicant here, you are going to be killing any development on this land because you can't use it for residential because it is zoned industrial and you can't use it for industrial because it does not meet the industrial acreage requirement. That land will have to be left vacant forever so to speak unless something happens with the zoning but the third thing is and the legal reason you can't grant it is, you can't create an industrial parcel with less than 2 acres and this parcel is less than 2 acres so for those reasons you are not in a position to approve this. Thank you.

Mr. David – Are there any questions or comments? Hearing none, I would entertain a motion for Scott Bredenbeck.

Mr. Pfahl– Mr. Chairman.

Mr. David – Mr. David.

Mr. Pfahl– I move to give favorable consideration for Parcel split and consolidation of PPN's 394-19-005 and 004 located at 19252 Prospect Road zoned R1-75 and General Industrial.

Mr. Powell– Second.

Mr. David – Secretary please call the roll.

Roll Called

All Nays

DENIED

Mr. Bredenbeck – Okay when Chris Bender comes through and comes through with zoning it residential then I can do it? That is what that letter says. I know it has to go through this procedure.

Mayor Perciak – This is the first that we have seen that letter so let's see what he submits to us before we can answer that question.

Mr. Bredenbeck – He has not submitted anything yet?

Mayor Perciak – Not currently.

Mr. Bredenbeck – Okay, thank you.

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

Brian David, Acting Chairman

Carol M. Oprea

Carol M. Oprea, Recording Secretary

Approved