

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

October 25, 2007

The Planning Commission of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building 18688 Royalton Road, on **Thursday, October 25, 2007 at 7:30 p.m.**

Present: Planning Commission Members: Jeffrey Ice, Charlene Barth, Mary Jane Walker, Thomas Stehman. Council Representative: Raymond Haseley. Administration: Mayor Thomas P. Perciak, Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley, Assistant Building Commissioner, Keith Foulkes, Fire Department Representative, Randy French.

The following was discussed:

ANTONIO'S PIZZA: Mrs. Daley stated that this proposal is in the plaza with First Federal and going between Niko's and Coldstone Creamery. It is to utilize 1,520 SF as a restaurant. From the City Planner the required parking is 94 spaces, they are providing 69 spaces. There is a deficit of 25 spaces. From Engineering there is no report. Mr. Foulkes stated that the Building Department would like the applicant to be aware that they are required to install an in-ground grease holding tank. Other than that it is in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that the only issue is parking. If the Commission is ok with that then if approved then it should be made subject to the report of the Building Department.

HUNTINGTON PARK ESTATES: Mrs. Daley stated that this application is the revised Preliminary Overall Development plan and incorporates 4.23 acres of land to be developed into 11 single family homes. They do have a letter from the homeowners association stating that they are going to accept them into their subdivision. From the City Planner, the Revised Preliminary Development Plan meets the standards and requirements of Section 1252.32 of the Zoning Code. The total development area is 189.41, Maximum Dwelling Units Permitted is 520, they will have 519. Maximum Cluster Units is 181, currently they have 221. They were granted a variance by the BZA on 3-8-88 to increase the cluster ratio from 35% to 44%. There is no increase in cluster numbers from the Bryn Mawr Subdivision. They do also have the open space as well. From Engineering, the Preliminary Overall Development Plan is in approvable form. Mr. Foulkes stated that the Building Department it is in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that on the Overall Development Plan that we need to receive that Covenants and Deed Restrictions, we have a letter but we will need the actual documents before we can join them in.

BRYN MAWR ESTATES: Mrs. Daley stated that this proposal is to develop approximately 4.2 acres of land into 11 single family homes located at the corner of

Albion Road and Bryn Mawr Boulevard. From the City Planner, preliminary plat meets the standards and requirements of Section 1252.32 of the Zoning Code. Maximum dwelling units is 11 and they are proposing 11 units. Total development area is 4.2 acres. Maximum cluster units is 3 and they are not proposing any cluster units. The maximum open space they do not have the required open space for this subdivision but since it is going to be part of the entire Huntington Park they are ok because they do have the open space there. Mrs. Barth asked if they are paying the funds to the Homeowners Association? Mr. Kolick answered yes. From Engineering, The proposed 11 lots will be split out of the rear portion of 395-27-001, owned by Ben Sprague. The existing house that will be left on the remaining land is currently on septic. With the development of this subdivision, a sanitary connection will be provided from the rear for him but there needs to be a deed restriction that when sanitary sewers are constructed down Albion, if there are any assessments, he would have to pay those assessments. Currently our overall plan takes the sanitary from far west. Mrs. Barth asked if he is tapping in but not paying the assessment now? Mr. Kolick stated that we are not putting the sewer in he is just going to sign the agreement and when the assessment comes in, if there is an assessment he would have to pick it up. Mrs. Daley asked Mr. Saylor if there was a wetlands study done on this. Mr. Saylor replied that he had not seen it yet. Mrs. Daley stated that the City would need a copy of it saying that there were no wetlands on it. All permits from outside agencies are needed prior to final Planning Commission Approval. This includes the Cleveland Water Department, the OEPA and the Army Corps of Engineers, if necessary. The preliminary plan shows a retention basin for storm water management that outlets to an existing storm sewer located on the Bryn Mawr Cluster Subdivision. The storm sewer will be running through a small parcel of land that is not owned by the applicant or the home owners association and also crosses over common property for the Bryn Mawr Cluster Subdivision. We will need an off-site easement on there since it is off this subdivision. Mrs. Barth asked what was going to be going through that cluster? Mrs. Daley replied the storm sewer; their outlet for the retention basin is going to tie into an existing storm sewer. It is all underground so the part that is outside of the right-of-way will just get our standard public storm sewer easement. There is an existing storm sewer easement here but it is just over the pipe. Mr. Saylor said that he thought that the City had an easement because it is in the common area. Mrs. Daley stated that was not the case with this subdivision. Mr. Saylor stated that until earlier this week the owner of the property was not confirmed. He stated that his client had gotten an agreement to purchase that property from Cleveland Stadium. Mr. Kolick stated that then that land could be joined into the subdivision. Mr. Ruggerio stated that it would be deeded to the Association. Mr. Foulkes stated that from the Building Department the plans are in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this could not be acted on because he did not have the covenant and deed restrictions but it could be sent to ARB he also stated that we had gotten letters from the residents and the

Commission should look at screening. He also stated that we would need the assessment and had a form that he could give the applicant to use. He stated that he would need a letter from the Association indicating their recreation plan and what they plan on doing with the \$800.00. Mr. Kolick asked the applicant to call him so that he could explain in more detail what the procedure was. Mrs. Barth asked where the residents wanted the trees. Mr. Saylor pointed out on the plat map where there were problems with tree removal and existing residents.

GLOBAL COUNTRY OF WORLD PEACE: Mrs. Daley stated that this proposal is to construct a 10,000 SF building to be used for exhibition, display, meetings, retail and office space. From the City Planner, the proposal meets the General Business zoning requirements. This lot does have a split zoning. Required lot width they meet. Land coverage, yard setback, parking required is 41 spaces and they are indicating 41 spaces. From Engineering, the pavement design must conform to the City's standards, including curbs and curb drains. The preliminary plans show some areas of the parking as having a gravel shoulder. These areas need to be curbed and have the necessary storm sewers constructed. The code requires sidewalks to be constructed along Pearl Road along the entire frontage of the applicant's parcel. A traffic study should be performed to determine if a turn lane is necessary for northbound traffic. There was a general discussion with the members on the specific location of this site. A detention basin will be used for storm water management. We might need to move this over a little bit just further to the south so that the outlet moves away from the property lines so we are not creating a concentrated flow onto the neighboring property. A number of drainage swales are shown on the site. As the final plans are developed, we will take a closer look at these swales and determine if they are the best way to handle the storm water because there are some that are located within the water flow area. There is an existing water circulation easement and we will have to take a look at that easement to see if there is any language on there that might restrict the parking and the retaining wall and the relocated fence. The applicant asked if there was a possibility of realignment of the easement. Mrs. Daley stated that we would have to deal with the owner because that is who the easement is to. The applicant asked if there were utilities occupying that easement. Mrs. Daley stated that there were no utilities currently located within that easement. She stated that the easement was placed there for future development. Mr. Kolick asked the applicant to get the City a copy of that easement for review. All permits from outside agencies are needed prior to Planning Commission Approval. This includes the Cleveland Water Department, the OEPA and the Army Corps of Engineers, if necessary. Mr. Foulkes stated that there was a CPTED report that stated that the only potential problem could be northbound traffic unable to stop on the steep downhill grade for left-turning traffic onto the site. The only feasible responses to

this situation would be the timely plowing and salting of this hill and the placement of a "Watch for Stopped Traffic" sign at the approach to this area. From Building there is an existing residence to the South that could be adversely affected by car headlights and site lighting, although it is zoned GB. He stated they should refer to Code section 1258.11 regarding screening and a masonry wall to separate residential from general business. The applicant has not submitted a lighting plan. Lt. French stated that the Fire Department would like this building fully sprinkler protected. Lt. French also requested that the driveways be stubbed for traffic flow with any future expansion. Mr. Kolick stated that they would need a traffic study and an Overall Concept Plan to indicate future expansion and uses. Mrs. Barth asked for clarification of the use versus the zoning of this property. Mr. Kolick stated that he would like to see a concept plan so the we can see for future use how the parking and traffic flow will work together. The use up front has been limited to General Business use. Mrs. Barth expressed her concern that this would become an assembly use and asked how the City would control that. Mr. Kolick stated that it would have to be policed by way of the administration and that if the use was improper it would be shut down. Mrs. Barth stated that the applicant should be told that on record. Mr. Kolick stated that the applicant was aware that this building would not be allowed to be used for recreation or public facility uses. Mr. Murach stated that they were considering a spa and a restaurant in the rear for the future building. Mrs. Barth asked if the additional right-of-way was being asked for on Pearl Road for this site. Mr. Kolick stated that we already had the additional right-of-way for this site. When they split this lot they gave the City the additional right-of-way. Lt. French stated that if there was future development that the applicant would also have to put in a vault for the Fire Department. The Mayor stated that this part of Pearl Road is not a part of the widening plans, those plans stop at Echo Hills, that will be about 1,000 feet south of Drake. He explained that the widening project will take approximately 18 months widening Pearl to 4 lanes, 2 north bound and 2 south bound. He also indicated that the Pearl Drake intersection would add a turning lane making that part of the road 5 lanes. He explained that the overall plan was necessary for the widening project as well as making sure that the parcel did not have mixed use and to also see what was planned for the site. The applicant stated that a restaurant and spa would be added in the back. He also stated that they were considering putting in a dedicated road and that would give them 300' frontage to enable them to ask for rezoning. He stated if there were problems with that they would just not build the Phase II. Mr. Kolick again stated that they would need to submit their conceptual plan.

WESTFIELD SOUTHPARK MALL: Mrs. Daley stated that this proposal is to add 9 new signs for the Key Bank. From the City Planner, there is no report. From Engineering, there is no report. Mr. Foulkes stated that from Building there is no report. Lt. French stated that the Fire Department had no report. Mr. Kolick stated this matter should be sent to ARB, back to Planning and then to City Council.

GEM CAR WASH: Mrs. Daley stated that this proposal is to construct a 300 SF addition to the existing wash and exterior renovations for property located at 8020 Pearl Road. From the City Planner, the rear and side yard abutting a non-residential zoning district, required is 25' and they are proposing 5'; they will need to go for a variance on that. From Engineering, a detailed site plan will be required for final approval. At the time of submittal the grading and drainage will be reviewed. Mr. Foulkes stated that the applicant must provide a survey from a Ohio Registered Surveyor locating the building on the property for potential side/rear yard variance. Soils investigations may be required for the footing bearing capacity on the northwest corner of the proposed extension. The Building Department has issued a temporary permit because the reason for this application is that the apparatus that they recently installed was bigger than the building. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this matter would need to be denied so that they could proceed to BZA for the necessary variances.

AT & T – 17056 FORESTWOOD: Mrs. Daley stated that this proposal is to install an above-ground cabinet and concrete pad within an existing utility easement. From the City Planner, there is no report. From Engineering, the site plan is in approvable form. The cabinet is located next to an existing cabinet in a utility easement. The proposed cabinet will not obstruct drainage or sight distance. Mr. Foulkes stated from Building it was in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this matter was ok to act on subject to the landscaping report from the City Forester.

AT & T – 20242 BIRCHWOOD: Mrs. Daley stated that this proposal is to install an above-ground cabinet and concrete pad located within an existing utility easement. From the City Planner, there is no report. From Engineering, the site plan is in approvable form. The cabinet is located next to an existing cabinet in a utility easement. The proposed cabinet will not obstruct drainage or sight distance. Mr. Foulkes stated that the plans are in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this one was ok also.

AT & T – 20815 DRAKE ROAD: Mrs. Daley stated this proposal is to install an above-ground cabinet and concrete pad within an existing private easement on common property. From the City Planner, there is no report. From Engineering, the site plan is in approvable form. The cabinet is located next to an existing cabinet in a private easement. The proposed cabinet will not obstruct drainage or sight distance. Mr. Foulkes stated that the plans were in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that this matter was ok.

AT & T – 12733 PEARL ROAD: Mrs. Daley stated this proposal is to install an above-ground cabinet and concrete pad located within the right-of-way. From the City Planner, there is no report. From Engineering, the site plan is in approvable form. The proposed cabinet will not obstruct drainage or sight distance. Mr. Foulkes stated that the site plan was in approvable form. Lt. French stated that there was no report from Fire. Mr. Kolick stated that if approved this matter would need to be sent to City Council.

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

Roll Call:

Members Present: Mr. Ice, Chairman
Mrs. Walker
Mr. Stehman
Mrs. Barth
Mr. Haseley, Council Rep.
Mayor Perciak

Also Present: Mr. Foulkes, Bldg. Com.
Mrs. Daley, Design Engineer
Mr. Kolick, Asst. Law Dir.
Lt. Randy French, Fire Dept
Carol Oprea, Recording Secy.

EXCUSE MR. MCDONALD

Mrs. Walker- Mr. Chairman.

Mr. Ice – Mrs. Walker.

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

Mrs. Barth– Second.

Mr. Ice – Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

REVISED AGENDA

Mrs. Walker– Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker– I move to use the Revised Agenda for this evening.

Mrs. Barth– Second.

Mr. Ice – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Approval of Minutes

Mr. Ice – You have had a chance to review the minutes of September 27, 2007. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

ANTONIO'S PIZZA/ Darrell Young, Agent

a) Approval of a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit 25 less parking spaces for property located at 14232 Pearl Road and where the Code requires 94 spaces and where only 69 spaces are intended, PPN 393-18-017 zoned General Business.

b) Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize 1,520 SF as a restaurant, located at 14232 Pearl Road, PPN 393-18-017 zoned General Business.

Mr. Ice – Item Number One, Antonio's Pizza. Anyone wishing to speak in favor please step forward and state your name and address for the record.

Mr. Young - Darrell Young, L & Y Properties, 4925 Galaxy Parkway, Suite O, Warrensville Heights, Ohio 44129. We own the building at 14232 Pearl Road. We are asking this evening for approval for Antonio's Pizza Conditional Use Permit as well as a parking variance of 25 spaces. I recognize that the request for 25 automobile spaces for a variance seems like a large number the restaurants in our property are take-out restaurants as is Antonio's Pizza and there are no servers or such so we have 69 spaces for a building that is a little over 10,000 square feet and we would ask that you would grant us this approval. Also here this evening is Fred Loschiavo who owns Antonio's Pizza and I would like to introduce him.

Mr. Loschiavo – Fred Loschiavo, 5387 Huntington Reserve, Parma, Ohio 44134.

Mr. Ice – Anyone else wishing to speak in favor or against? Seeing none I declare the Public Hearing closed and we will listen to the administration report. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the total required parking is 94 spaces and they have 69 so they will be deficit 25 spaces. From Engineering, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, these plans are in approvable form. We would like, for the record, to inform the applicant that a requirement to install an in-ground grease holding tank is required. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. The real issue here is the parking, if you are satisfied with that you could act on it. The Conditional Use should be made contingent on the in-ground grease holding tank which is part of the Building Department report. Thank you.

Mr. Ice - Thank you.

Mr. Ice – Are there any questions or comments from the members?

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth.

Mrs. Barth – I don't believe that the parking will be a problem. They had a similar facility on Drake Road and there was no parking issue there.

Mr. Ice – Thank you. Anyone else?

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mrs. Walker- I move to give favorable consideration for the Approval of a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit 25 less parking spaces for property located at 14232 Pearl Road and where the Code requires 94 spaces and where only 69 spaces are intended, PPN 393-18-017 zoned General Business.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for a Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize 1,520 SF as a carry-out restaurant, located at 14232 Pearl Road, PPN 393-18-017 zoned General Business, subject to the report of the Building Department.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

NEW APPLICATIONS/SUBDIVISIONS:

HUNTINGTON PARK ESTATES SFD & CD/ Joe Ruggiero, Agent

Revised Preliminary Development Plan approval to add 11 Single Family sublots for Bryn Mawr Estates to the Huntington Park Estates SFD & CD Subdivision, property located off Albion Road, PPN 395-27-001 zoned R1-75.

Mr. Ice - Item Number Two, Huntington Park Estates. Please state your name and address for the record.

Mr. Saylor – Stewart Saylor with Reitz Engineering, 4214 Rocky River Drive, Cleveland, Ohio 44135.

Mr. Ruggiero - Joe Ruggiero, 14379 Bagley Road, Middleburg Heights, Ohio 44130.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. This revision to the Huntington Park Overall Preliminary Plan is to incorporate the 11 single family sublots for the Bryn Mawr Subdivision which is Item 3 on the Agenda. From the City Planner, the total development area is 189.41 acres. Maximum dwelling units permitted is 520. They are proposing 519. Maximum cluster units is 181. Currently they have 221. They were granted a variance from the BZA on 3/2/88. Open space required is 37.88 acres and they are proposing 52.67 acres. The Revised Preliminary Development Plan meets the standards and requirements of Section 1252.32 of the Zoning Code. From Engineering the overall plan is in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Foulkes.

Mr. Foulkes - Thank you Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, we can't act on this until we get the Covenants and Deeds adding it to the overall Homeowners Association. I was told tonight that they are in the process so we can table this one and act on it the same time we act on the next one.

Mr. Ice - Thank you. Any other questions, or comments? Ok, that is what we will do.

BRYN MAWR ESTATES / Joe Ruggiero, Agent

Preliminary Plat approval for 11 Single Family Sublots for Bryn Mawr Estates, property located north off of Albion, east off of Bryn Mawr, PPN 395-27-001 zoned R1-75.

Mr. Ice – Item Number Three, Bryn Mawr Estates. Mr. Ruggiero and Mr. Saylor remain at the microphone.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the total developed area is 4.2 acres. Maximum dwelling units is 11. They are proposing 11. Cluster Units permitted are three. There are no cluster units in this subdivision. Minimum open space required is 0.84 acres. They are proposing .35 acres but since this is going to be part of the overall Huntington Park Association where they do have the needed open space, they are ok there. They meet the minimum lot size requirements. The Preliminary Development Plan meets the standards and requirements of Section 1252.32 of the Zoning Code. From Engineering, The proposed 11 lots will be split out of the rear portion of 395-27-001, owned by Ben Sprague. The existing house that will be left on the remaining land is currently on a septic system. With the development of this subdivision, a sanitary connection will be provided to the existing house. However, a restriction must be recorded with the deed stating when sanitary sewers are constructed down Albion Road, the homeowners will be required to pay their allotted assessment, if assessments are required at that time. We will need all permits from outside agencies prior to final Planning Commission Approval. This includes the Cleveland Water Department, the OEPA and the Army Corps of Engineers, if necessary.

Mr. Saylor – That is for final right?

Mrs. Daley – For final, correct. If there are no wetlands on the site we will just need a letter from the wetlands expert stating that there are no wetlands on the site. The preliminary plan shows a retention basin for storm water management that outlets to an existing storm sewer located on the Bryn Mawr Cluster Subdivision. The storm sewer crosses over common property. As discussed in caucus, if there is no blanket easement there now, we will just need a separate public storm sewer easement over the storm sewer but we can look into that and work with you. The storm water management calculations need to conform to the new City storm water ordinance adopted in April 2007, I believe that you have those, if you don't give me a call and I can give them to you, in addition to the Ohio EPA's requirements for storm water quality. The final plan must meet the requirements of the City's Tree Preservation Ordinance. Further comments will be furnished as the final plans are developed. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. At this time we need as I said for the former item, I need to receive the Covenants and Deed Restrictions. The second document is referred to by Engineering, the agreement on the assessments in lieu of having them pull the sewers all the way down Albion. That agreement on the assessment will be fine. If they are going to own that property that Cleveland Stadium currently owns then they just need to make that part of the subdivision and just show on the plat itself the public easement that is required there. If not then we would need a separate easement document across there. You are probably also going to need that document across Bryn Mawr. Normally in the common areas, the Homeowners Association reserves the right to grant and accept sewer easements but we don't have a blanket for the City to put them wherever we want to on a common area, so I would be surprised if it is there but we will look at that. If not you will need it to show that easement. We need to get a letter from the Homeowners Association on the recreation plan. They need to give us a plan indicating the capital improvements that they are going to put in equal to \$800.00 per unit. If your agreement is to pay them more, we don't need to see that aspect of it. That is up to the Homeowners Association but they need to indicate what they are going to do and a time period to do it in and get that to our City Planner. He will look and see that it is equivalent to \$800.00 a subplot. With that we can send them over to ARB to keep them moving, looking around the retention basin in that common block and they will be wanting to see what your plans are as to landscaping and mounding and so forth. Thank you.

Mayor Perciak – Mr. Chairman, Lori can you e-mail the applicant all your requirements here because I am not sure they have them all down and this way, we want to make sure all this gets done so that we can keep moving this for you.

Mrs. Daley – I can do that and Carol Oprea when she sends out the letters after the meeting will also include my reports in there.

Mr. Ice – Also do you want some clarification from Dan on the recreation fee issue?

Mr. Ruggiero – No, I'm ok.

Mr. Ice - Thank you. Any other questions, or comments? Ok then we will refer you over to the ARB for November 6, 2007. Thank you.

GLOBAL COUNTRY OF WORLD PEACE/ Thomas Murach, Agent

Site Plan approval of a 10,000 SF building to be used for Exhibition, Display, Meetings, Retail and Office Space for property located at 19386 Pearl Road, PPN 394-32-001 zoned General Business.

Mr. Ice – Item Number Four, Global Country of World Peace. Please state your name and address for the record.

Mr. Murach – Thomas Murach, I am the agent for Global Country, 3603 W. 128th Street, Cleveland, Ohio 44111.

Mr. Smoltzer – Mark Smoltzer, Engineer with the Manik and Smith Group, 4630 Richmond Road, Warrensville Heights, Ohio. We are here requesting a preliminary plat that we submitted before you, not in approvable format but for use to move us on to the following committees and to solicit City review comments and we appreciate your assistance that you provide for us in that manner.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, this portion of the site is zoned General Business. The main buildings and uses permitted in section 1258.03 and this does meet those which is office and retail facility requirements in the General Business zoning requirements. The lot width requirement is 200' and they have 330' indicated. They meet the land coverage which is 25' maximum. They are at a 5% maximum. The front yard setback, parking setbacks, building setback from the sideyard and rear yard. They meet and exceed all those requirements. The parking required is 41 and they are indicating 41 spaces. Therefore the proposal does meet the General Business zoning requirements. From Engineering, Pavement design must conform to the City's standards, including curbs and curb drains. The preliminary plans show some areas of the parking as having a gravel shoulder. These areas need to be curbed and have the necessary storm sewers constructed. The code requires sidewalks to be constructed on Pearl Road along the entire frontage of the applicant's parcel. A traffic study should be performed to determine if a turn lane is necessary for northbound traffic entering the site. The location of the drive coming in off of Pearl Road is located at the bottom of a very steep hill coming down from Boston so we should have that looked at there. A detention basin will be used for storm water management. This basin will outlet to the parcel to the north. The outlet pipe will need to be pulled back away from the property line so that they are not directing a concentrated flow on the neighboring property. A number of drainage swales are shown on the site. As the final plans are developed, we will take a closer look at these swales and determine if they are the best
Planning Commission Minutes

way to handle the storm water or if pipes will need to be installed instead. The storm water management calculations need to conform to the new City storm water ordinance adopted in April 2007, in addition to the Ohio EPA's requirements for storm water quality. The applicant is showing the proposed driveway, retaining wall and relocated fence within an existing water circulation easement. We will have to take a look at that easement document and see if these structures are allowed to be located within that easement. All permits from outside agencies are needed prior to Planning Commission Approval. This includes the Cleveland Water Department, the OEPA and the Army Corps of Engineers, if necessary. It does look like there are some wetlands on this site but you are avoiding them. There will be a checklist attached with your letter received from the Secretary and the report will be in there as well. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, This property abuts a residential district to the west and it also abuts a residential use to the south that could be adversely affected by car headlights and site lighting. I would like to bring to the attention of the Planning Commission *section 1258.11 (b) 4* which could require their discretion as far as yard screening and landscaping whenever a non-residential use is located or proposed to be located on a lot which adjoins or is contiguous to, or could affect a Residential District or a residential use, it is your discretion in those areas to require or possibly require a masonry wall not less than 6' in height above grade and/or landscaping mounds. The applicant has also not submitted a lighting plan with the application which we would anticipate. I also have a CPTED Report from Sgt. Hall, regarding Natural Surveillance, there will be good surveillance from Pearl Road. Regarding Territorial Reinforcement, there are no problems anticipated. Regarding Traffic Concerns, the only potential problem could be northbound traffic unable to stop on the steep downhill grade for left-turning traffic into the site. The only feasible responses to this situation would be the timely plowing and salting of this hill and the placement of a "Watch for Stopped Traffic" sign at the approach to this area. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, we would like to see this building full sprinkler protection incorporated into it. The applicant will have to consider that they would need a fire vault line if they plan on future development to the west of this lot because distances from the closest public hydrant. They will need their own private hydrant on this lot for future development. They would be best to put in a fire vault now and use the sprinkler system to tap off of it and have it for future use for further expansion on this lot. The other thing that the fire department would like to see is a stub
Planning Commission Minutes

off near the front drive area that would go to the lot to the north of this property for future consideration of a marginal road and attachment to that property to keep more traffic off Pearl Road. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We need to see a concept plan as we discussed in caucus, to show what the general plans are for at least the remainder of the currently zoned General Business portion of the lot. We need to see that the traffic, parking lot and everything going to tie in, how future detention will be just generally. Before we can do anything, we need that. As I mentioned in caucus, the waterline easement. We need to see if there are restrictions on building, parking, or whatever over that. If you get us those documents then after that you can come back and we can move you to the other boards but there is no use moving you there until we see how this may affect those items.

Mr. Murach – I am going to contact our people who are doing all this planning to see if they actually want to go forward with the Phase 2. When we did this design it was questionable whether or not we were going to do that depending on how much expense it would be and putting in a dedicated road what the requirements are and all that so I will just verify all that before we actually commit to doing a Phase 2 here.

Mr. Kolick – Understand what we would be looking for is a concept plan not detailed drawings showing what you are doing in the rear. We don't need detailed engineering drawings for that.

Mr. Murach – It just might not even be feasible for us to even consider it with what would be involved.

Mayor Perciak – We should get some letter if they don't want to do this. What is going to happen is two or three years from now when someone changes their mind, we are still going to be holding the bag. They are either going to do it or not going to do it. You are going to have to address it sometime.

Mr. Murach – Absolutely it is very understandable.

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth.

Mrs. Barth – I have a question, what does your organization do?

Mr. Murach – Among other things we teach the transcendental meditation program. We are a non-profit educational organization and we have fifty three products and services that we offer including organic whole foods, we have a diet and nutritional supplements, organic clothing. This is what is going to comprise our retail business in this building is mainly the organic foods and the supplements and the clothing.

Mrs. Barth – I saw in the letter dated October 3, 2007, the description of the first floor consisting of 5,000 SF will be designated to exhibition display areas, conference meeting rooms. The concern I have here is that if you are considering trade shows or any type of general assembly . . .

Mr. Murach – No, no.

Mrs. Barth – I am just stating that if there is any type of general assembly that this would be two uses, two major uses under this zoning and General Business does not permit general assembly.

Mr. Murach – Let me just clarify that, the conference rooms are for people who actually have offices there. Just like when you go to an office complex, when they want to meet with clients, sometimes they just want to take you out of their office where they can meet with maybe three or four clients at a time. That is what the conference rooms are for. We are not bringing 30 or 40 people in from the outside and meeting with them and doing things like that.

Mrs. Barth – It just seems like you have a big exhibition display area, it equals almost the size of your conference rooms.

Mr. Murach – It is and we do have a lot of things that we collect, displays and things that we have.

Mrs. Barth – Do you bring people in to see them? What are the displays there for?

Mr. Murach – For the retail part of it. When people come in they can see other programs and things that we offer.

Mayor Perciak – Is there any renderings that you can give us?

Mr. Murach – Sure, I can bring a whole package of all our products and services.

Mayor Perciak – That would be good.

Mr. Ice – Do you have another facility like this anywhere in the area?

Mr. Murach – Actually we are doing this in 3,000 locations throughout the world but we just started. It is a brand new thing that started 2 years ago. It is sort of our roll out. We have been teaching this out of individual centers scattered here and there and we would like to consolidate and put as much as we can in one building now. It is our roll out we really don't have any of these built yet.

Mr. Kolick – Just so the applicant is aware and one of the members made a good point here, sometimes they start at one thing and they develop into something else. We don't want to see that happen because this is not approved for a public assembly use so as long as you understand that, that is our fear when we see large conference rooms and this type of thing because your parking is not set for that, the traffic is not set for that, the building was not approved for that. We just don't want to see it develop over a period of time into something other than retail and office with meeting rooms for those that are officing in there.

Mr. Stehman – Is your primary retail, tofu over here and clothes over here or what?

Mr. Murach – We are not going to be selling food to eat, it is not like a restaurant. We have diet and nutritional supplements and things like teas and things like that. We have a little snack shop or something.

Mr. Stehman – This is a, I have never heard of this before. You are saying this is a very large organization.

Mr. Murach – We have been doing this since 1960, 50 years.

Mr. Kolick – Mr. Chairman, if there is going to be, again as you can hear what our concern was here tonight, if there is any other type of in house eating, snack shop or whatever, we need to see it. Our parking requirements are different for any in house as opposed to someone coming in and buying supplements.

Mr. Murach – That is what I am saying, we will be selling that stuff but it is not a sit down place where you would eat.

Mr. Kolick – Ok.

Mayor Perciak – As long as we keep our business lines clear and defined.

Mr. Ice – I think you have gotten some good feedback here so we will table this for this evening and see you in a few weeks. Thank you.

WESTFIELD/SOUTHPARK MALL/ John Slagter, Agent

Amendment to the Master Sign Program for Westfield Shoppingtown Southpark Mall adding (9) signs listed as numbers 43 thru 51 for Key Bank; property located at 500 SouthPark Center, PPN 396-20-001 zoned Shopping Center.

Mr. Ice – Item Number Four, Westfield Southpark Mall. Please state your name and address for the record.

Mr. Bicanti – Tony Bicanti, Buckingham, Doolittle & Burroughs LLP, 1375 E. 9th Street, Cleveland, Ohio. I am here representing Westfield SouthPark Mall and we are seeking to amend our Master Sign Program to allow for new signs for Key Bank.

Mr. Ice – We will listen to the administration reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering there is no report. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, there is no report. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. This matter will need to be referred over to the ARB, they would come back to Planning and after approved would need to be confirmed by City Council. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok then we will refer you over to the ARB on November 6, 2007. Thank you.

GEM CAR WASH/ Jeffrey Briggs, Principal

Site Plan approval of a 300 SF addition to the existing site as well as exterior renovations for property located at 8020 Pearl Road, PPN 395-05-016 zoned Motorist Service.

Mr. Ice – Item Number Six, GEM Car Wash. Please state your name and address for the record.

Mr. Briggs – Jeffrey Briggs, 507 Lafayette Road, Medina, Ohio 44256.

Mr. Geitz – Architect, working with Jeff.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. The site is zoned Motorist Service. From the City Planner, the rear and side yard abutting non-residential zoning district required is 25' and they are proposing 5' so they will need a variance for that setback there. From Engineering, a detailed site plan will be required for final approval. At the time of submittal, the grading and drainage will be reviewed. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the applicant must provide a survey from an Ohio Registered Surveyor, locating the building on the property for potential side/rear yard variance. Soils investigations may be required for the footing bearing capacity on the northwest corner of the proposed extension. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We will need to deny this tonight and send them over to the BZA for the necessary variances. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mrs. Walker– Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker– I move to give favorable consideration for Site Plan approval of a 300 SF addition to the existing site as well as exterior renovations for property located at 8020 Pearl Road, PPN 395-05-016 zoned Motorist Service.

Mrs. Barth– Second.

Mr. Ice – Secretary, please call the roll.

Roll Called	All Nays	DENIED
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Mr. Ice – You can proceed to the BZA. Thank you.

AT & T/ Thomas J. Fogarty, Agent

Site Plan approval of an above-ground cabinet and cement pad to be located within the utility easement for property located near 17056 Forestwood Drive, PPN 393-35-045 zoned R1-75.

Mr. Ice – Item Number Seven, AT & T. Please state your name and address for the record.

Mr. Williams – Mike Williams, AT & T, 13630 Lorain Ave., Cleveland, Ohio 44111.

Mr. Ice – We will listen to the administration reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering the site plan is in approvable form. The cabinet will be located next to an existing cabinet in a utility easement. The proposed cabinet will not obstruct drainage or sight distance. There was some discussion with the homeowners regarding existing landscaping that they had around the existing cabinet and we had met with AT & T on this one and our City Forester, Jennifer Milbrandt came up with a landscape plan that will need to be incorporated with the construction of this cabinet. It includes two Allegheny Serviceberry Trees and 3 Red Twig Dogwood Trees. We will include that with our reports for you. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Any approval should be made subject to the report of the City Forester. Thank you.

Mr. Ice - Thank you. Any other questions, or comments?

Mrs. Walker - Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for Site Plan approval of an above-ground cabinet and cement pad to be located within the utility easement for property located at near 17056 Forestwood Drive, PPN 393-35-045 zoned R1-75, subject to the report of the City Forester.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

AT & T/ Thomas J. Fogarty, Agent

Site Plan approval of an above-ground cabinet and cement pad to be located within the utility easement near property located at 20242 Birchwood Lane, PPN 393-25-046 zoned R1-75.

Mr. Ice – Item Number Eight, AT & T. Mr. Williams remains at the microphone.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering the site plan is in approvable form. The cabinet is located next to an

existing cabinet in a utility easement. The proposed cabinet will not obstruct drainage or sight distance. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. If we are satisfied as a Commission with no landscaping around the boxes then you can act on it.

Mr. Ice - Thank you. Any other questions, or comments?

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for Site Plan approval of an above-ground cabinet and cement pad to be located within the utility easement near property located at 20242 Birchwood Lane, PPN 393-25-046 zoned R1-75.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Thank you.

AT & T/ Thomas J. Fogarty, Agent

Site Plan approval of an above-ground cabinet and cement pad to be located within a private easement for property located near Sun Meadow Trail opposite 20815 Drake Road, PPN 393-35-111 zoned RT-C.

Mr. Ice – Item Number Nine, AT& T. Mr. Williams remains at the microphone.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering the site is in approvable form. The cabinet is located next to an existing cabinet in a private easement. The proposed cabinet will not obstruct drainage or sight distance. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Again Mr. Chairman, if we are not going to require any type of landscaping you would be in a position to act on it.

Mr. Ice - Thank you. Any other questions, or comments?

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for Site Plan approval of an above-ground cabinet and cement pad to be located within a private easement for property located near Sun Meadow Trail opposite 20815 Drake Road, PPN 393-35-111 zoned RT-C.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

Mr. Ice – Thank you.

AT & T/ Thomas J. Fogarty, Agent

Site Plan approval of an above-ground cabinet and cement pad to be located within the right-of-way near property located at 12733 Pearl Road, PPN 396-03-047 zoned General Business.

Mr. Ice – Item Number Ten, AT & T. Mr. Williams remains at the microphone.

Mr. Ice – We will listen to the administration reports, Mrs. Daley

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering this cabinet is to be located in the right-of-way at the Staples Plaza. The site plan is in approvable form. The proposed cabinet will not obstruct drainage or sight distance. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Lt. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Again Mr. Chairman if we are not requiring landscaping you are ok to act on this. This will need to be sent to City Council for confirmation.

Mr. Ice - Thank you. Any other questions, or comments?

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for Site Plan approval of an above-ground cabinet and cement pad to be located within the right-of-way near property located at 12733 Pearl Road, PPN 396-03-047 zoned General Business.

Mrs. Barth- Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok Mike you are all set and for the record, note that we have an e-mail from Mike Williams to Jennifer Milbrandt about the fact that the AT & T building on Pearl Road will have landscaping done by November 2 and we appreciate your efforts. Thank you.

Mr. Ice - 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 Chairman adjourned the meeting at 8:42 p.m.

Jeffrey A. Ice, Chairman