

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

JULY 26, 2007

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

Present: Planning Commission Members: Jeffrey Ice, Chairman, Charlene Barth, Gregory McDonald, Mary Jane Walker, Thomas Stehman. Council Representative: Raymond Haseley. Administration: Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley, Building Commissioner, Anthony Biondillo, Fire Department Representative, Lt. Randy French.

The following was discussed:

BUCCI'S J. BELLA: Mrs. Daley stated that the proposal is to utilize 800 s.f. as an outdoor eating area for Bucci's J. Bella Restaurant located at 12201 Pearl Road, P.P.N. 396-03-048. The site is zoned General Business. Mr. Hill's report stated that the proposed patio will not impact the parking between the restaurant and Pearl Road which currently included 17 spaces. From Engineering, it is in approvable form. Mr. Biondillo stated, it is basically in approvable form. We have some details that will be submitted when they submit their architectural drawings. Lt. French stated, there was no report from Fire. Mr. Kolick stated, that they should ask the applicant to work with us if there was any complaint about noise. The other thing that the Commission might want to consider is doing something about the hours of operation. The applicant had stated that they would stop serving at midnight but that they did not want to remove anybody who was already seated on the patio. Mr. Kolick stated that the Assisted Living Center might be disturbed by the late hours.

CLEARWIRE: Mrs. Daley stated that the proposal is to co-locate 3 antennas and 3 microwave dishes on an existing telecommunications tower and construct 2 new equipment cabinets at the base of the tower located within an existing fence. The property is located at 12609 Alameda Drive, P.P.N. 392-23-024. The site is zoned General Industrial. Mr. Kolick stated that this item would not be acted on because the applicant had requested removal from the Agenda. He stated that they were in a merger with Sprint. We will do the reports and then Table it. Mr. Hill had no report on the Conditional Use or Site Plan. From Engineering the plans are in approvable form. Mr. Biondillo stated, they were in approvable form but we still need the removal bond. Lt. French stated that from Fire there was no report. Mr. Kolick stated that we were not in receipt of any other paperwork yet. He suggested just doing the Public Hearing on the floor.

VAN DORN DEMAG: Mrs. Daley stated The proposal is to split approximately 4.3 acres from the southerly portion of P.P.N. 392-18-008, zoned General Industrial, to

create the following parcels: Lot A: 4.2810 acres with 241.61' frontage on Alameda Drive and Lot B: 14.0577 acres with 1131.96' frontage on Alameda Drive. Mr. Hill's report stated that it does meet the General Industrial Zoning requirements for lot area and lot width. From Engineering, it is in approvable form. Mrs. Daley stated that the only thing that she asked them was, there is a swale and catch basin that the existing Van Dorn building drains into, so we just want an easement drawn up that would be between these two property owners so that they both have rights to use it. Mrs. Daley explained the recording process to Mrs. Barth. Mr. Biondillo stated that it was in approvable form. Lt. French stated that the Fire Department had no report. Mr. Kolick stated that the Commission could act on this item subject to the receipt of the easement as called out in the Engineering report. Lt. French asked when an address would be assigned to this property. Mrs. Daley stated that would not happen until a building was constructed on this property.

KEY BANK: Mrs. Daley stated this was for exterior renovations to the bank at the Mall. There was some landscaping, they planned on extending the canopy over the ATM or drive-thru window. Mr. Hill had no report and there was no report from Engineering. Mr. Biondillo stated that they need to update their lighting plan and make sure that it complies with the ATM requirements. Lt. French stated that there was no report from Fire. Mr. Kolick stated they needed to be referred to ARB and the Lighting Consultant.

BANNER SERVICE CORP: Mrs. Daley stated that this building was located on the west side of Foltz at the termination of Drake. The proposal is to construct a 19,500 s.f. building addition. Mrs. Barth asked what type of business this was. Lt. French stated that there was a lot of steel stock. Mrs. Daley stated from Mr. Hill that it does meet the General Industrial zoning requirements and that coverage is at 26%. From Engineering, they need their outside agency approvals, there is no detention now but they probably will need detention for this small addition but calculations would need to be run. Mr. Biondillo stated that they are in approvable form but that they would need a lighting plan to show lighting for security and traffic purposes. Mrs. Barth asked if the detention basin should be addressed now. Mrs. Daley stated that our Code does not address existing buildings that went up before the detention basins were required. Mrs. Barth asked if that was true if the buildings were added too or changed. Mrs. Daley stated that you would only have to detain the impervious area that you are putting in. Mr. Kolick stated that there was nothing back behind this site. Lt. French stated that the Fire Department would like to see them extend their sprinkler coverage into the new addition. Their building is currently fully sprinklered now. They also would like to see a knox box on the building for emergency access. Mr. Kolick stated that this would need to be sent to the Lighting Consultant and ARB.

K & F PROPERTIES STRONGSVILLE LLC: Mrs. Daley stated that from Mr. Hill, they did pick up the required parking spaces which is 357. She showed the original parking

layout and the revision. She stated that the parking lot would now require restriping. From Engineering, revisions since the last submittal to Planning Commission, the drop off area has been moved to the southwest corner of the building on the original plans it was back here, it is now out front. They added a small island with a raised curb to channel the traffic past the proposed overhead garage door, which is where items are to be dropped off. The cars will then be directed around the building to the rear by the Kartel's side to exit. They have added some additional signs for traffic control. It would have to be one-way, there is only clearance for one vehicle. Mrs. Barth asked if there were another truck at another building making a deliver back there what would happen. Mr. Kolick stated that those cars should not be parked except for unloading. Mrs. Daley stated they were showing a parking area for the semi-truck which is not shown now. So we presume that there would not be any trucks parked there. There was Board discussion on the flow of traffic as shown on the plans. Mr. Biondillo stated that with Engineering and Sgt. Hall from the Police Department there were discussions on the traffic configuration. There were some concerns. Whenever there are signs in a parking area there is no guarantee that people would follow the signage. There were concerns with the blind corner and traffic restriction. There are issues with the tenant doorways from the other tenant spaces needing to be protected somehow from traffic. Normally on new buildings the curb is raised and the sidewalk is elevated so that there is a rise from the parking area so that even when they are plowing snow they can't get up along side of the building and have somebody open a door into the path of a vehicle. I am worried about the clearance. The parking area comes right up against the building. We still have some concerns and with the Fire Department they did indicate a truck parking along here, with the overhead door not being installed we have to assume that they are not bringing trucks in any longer and I find that hard to believe. I don't know how you would stock it, so it would have to be parked somewhere and you have your overhead door access here. We will need a revised lighting plan that will illuminate this area to meet our standards. One suggestion that was discussed was the possibility of having this area used as a drive-thru with storage and warehousing being brought to the internal floor plan. From a Building Code standpoint it could be done. It is a matter of whether you would have adequate space left over for retail and stock. Where the overhead door was you would bring in your truck and go right through the building and the same thing with the traffic that would come through and would eliminate the traffic concerns that we have trying to weave in and around that building. I do have a CPTED report from the Police Department that I will read into the minutes. Lt. French stated this area is a concern for us too because we have our main sprinkler control here for this section of the plaza right on that corner. We would require some bollard protection there to protect it from the traffic. They have a bollard to protect that corner but not to protect the wall valve or the Siamese connection so we need at least 2 bollards there sticking out to protect those areas. As the plan is right now we do have clearance to come around here. The Fire Marshall will issue a letter saying that there is to be no

truck parking or containers to be up against the building. We are going to want a striped zone back here along side of the building that says, "Fire Lane, Keep Clear". We won't allow any parking up against the building. Mr. Kolick stated that the signage would have to be posted on this side too because you could not park a truck there either. Lt. French agreed. He stated that they had just enough clearance to get through and make the turn. The applicant stated that the thinking on the truck was that it was a short term parking for pick-up and delivery just like any other tenant. A truck would not be there all day, it was just going to come in, drop stuff off and leave. Mr. Kolick asked how long typically the truck would be parked there. The applicant responded that it would be only for 1 to 1 ½ hours. The sooner they get them in and out the better. Mr. Biondillo asked if this was a tractor trailer rig. The applicant responded that they also have a box truck that would be used periodically. They stated that they had made the whole roadway wider. In the existing building there were 3 doors there with bollards along side the building to protect those doors. The doors and bollards have been removed. That will all be a brick wall now with no access into the building. Lt. French asked if the trucks would always be attended. The applicant responded yes and added that when they were not open the truck would not be there. Mrs. Barth asked if a tractor trailer was parked there would there be enough room for a car to get around. The applicant stated that there would be about 12'. He also stated that the truck would always be manned. Lt. French asked if they were stopped in that area were they unloading to the new overhead door that was being installed. The applicant stated yes. Lt. French asked if there would be any drop offs after hours. The applicant stated that they prohibit drop-offs after hours. She said that they post signage to that effect and that they would be putting security cameras on site to monitor that. If there was a problem they would provide the Police Department with the video. The applicant stated that this facility is open 7 days a week and if something was left there overnight it would be removed first thing in the morning. Mr. Kolick stated that they would need to be moved to ARB and the Lighting Consultant and have them come in administratively and explore all options with this site.

AT & T – 13672 ROYALTON: Mrs. Daley stated that the proposal is to install an above-ground Electrical Cabinet and Cement Pad and Underground Conduit located within the public right of way actually on Webster Road just north of Rt. 82. The parcel number that they gave is the corner parcel but from scaling off what they submitted it is actually going to be in front of 007 right now, which is all vacant and zoned Local Business. This is access to Webster Road so where they are going to be placing this could be an obstruction if and when this gets developed. I doubt this is going to remain vacant. If there are any access drives out to Webster Road that would be a problem and also it is right where our sidewalks would go. We hope that they would look at some other options. Mr. Biondillo stated that he would bring up the discussions that

they had at ARB on the floor. Mr. Kolick stated that they needed to find another location for this box. He stated that this could be discussed on the floor.

AT & T 16272 HOWE ROAD: Mrs. Daley stated that the proposal is to install an above-ground Cabinet and Concrete Pad located within the public right of way at Howe Road and Canterbury Drive. She also stated that this one as well poses a sight line problem to this house that is located on the corner. Using ODOT standards it is within the sight triangle and since these are 63" tall it would be a site obstruction. Mr. Kolick stated that this one could not be approved at this location either.

ORDINANCE NO. 2007-134: Mr. Haseley stated that he was not going to ask for any action on this one and that the developer was here and he would like the Commission to hear him.

ORDINANCE NO. 2007-135: Mr. Haseley stated that he was not going to ask for any action on this one tonight.

ORDINANCE NO. 2007-136: Mr. Haseley stated that he was going to ask for a favorable recommendation to take back to City Council. This one is just a housekeeping issue that they want to clean up.

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. McDonald
Mr. Stehman
Mrs. Barth
Mr. Haseley, Council Rep.

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

Mr. Ice – Item Number One, Bucci’s J. Bella. Anyone wishing to speak in favor please step forward and state your name and address for the record.

Mr. Bucci – Joe Bucci, 10364 Pineneedle Trail. We are in front of Bucci’s J. Bella, we want to put in an outdoor patio and we are looking for approval to do that.

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, there is no report on the Conditional Use Permit and on the Site Plan, the proposed patio will not impact the parking between the restaurant and Pearl Road which currently included 17 spaces. From Engineering, there is no report on the Conditional Use Permit and on the Site Plan, the plans are in approvable form.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, the plans are in approvable form. They met with the ARB and the issues that they agreed to correct and provide on the architectural drawings dealt with the egress lighting for the patio, accessible hardware for the gates leading to and from the patio area, architectural details on the pergola and an additional isle width and curb where the masonry wall is constructed. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report on the Conditional Use or the Site Plan. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. The only thing we need from the applicant is to work with us if there is any noise complaint or anything particularly in late hours and if the Commission wants to consider anything as far as hours of operation in that outside area, those are the only two items we have. Thank you.

Mr. Ice - Thank you. Any questions or comments from the members.

Mr. Haseley – Mr. Chairman.

Mr. Ice – Mr. Haseley.

Mr. Haseley – Joe, do you expect to stay open as late as you do in the inside restaurant?

Mr. Bucci – Yes.

Mr. Ice – Any other questions from the members?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - 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 800 SF as an outdoor patio for Bucci's J. Bella Restaurant located at 12201 Pearl Road, PPN 396-03-048 zoned General Business.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval for an 800 SF outdoor patio for Bucci's J. Bella Restaurant located at 12201 Pearl Road, PPN 396-03-048 zoned General Business. *ARB Favorable Recommendation 7-24-07*

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – You are all set Joe.

Mr. Bucci – Thank you very much.

CLEARWIRE/ John Sindyla, Agent

- a) Conditional Use to permit the installation of three (3) antennas and three (3) microwave dishes to co-locate on the existing tower;
- b) Site plan approval of two (2) above-ground cabinets to be located on a 49 SF cement pad to be located at the base of the existing tower at 12609 Alameda Drive, PPN 392-23-024 zoned General Industrial. *ARB Favorable Recommendation 7-24-07.*

Mr. Ice – Item Number Two, Clearwire. Anyone wishing to speak in favor or against please step forward and state your name and address for the record. Seeing none I declare the Public Hearing closed. The applicant is not here tonight and as requested in correspondence received by the City today, we will Table this matter per the applicant's request.

NEW APPLICATIONS:

VAN DORN DEMAG/ Christopher Dempsey, Agent

Parcel Split of PPN 392-18-008 to create Lot A with 4.2810 acres and Lot B of 14.0577 acres, property located at 11792 Alameda Drive, zoned General Industrial.

Mr. Ice - Item Number Three, Van Dorn Demag. Please state your name and address for the record.

Mr. Dempsey – Chris Dempsey, Dempsey Surveying, 12815 Detroit Ave., Lakewood, Ohio 44107. I prepared the lot split and am here to answer any questions you may have.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the request is to split PPN 392-18-008 and create the following; Lot A which has a lot width of 241.6' and an area of 4.281 acres. Lot B which has a width of 1,132' and an area of 14 acres. Both Lot A & B will exceed the required minimum lot width (200') and lot area (2 acres) in a General Industrial (GI) zoning district. After the split the building coverage on Lot B will be 37%, maximum building coverage in a GI zoning district is 40%. From Engineering, the plat is in approvable form. Alameda Drive is fully improved. I did speak with Mr. Dempsey earlier regarding the need for an easement on Lot A. There is an existing swale and catch basin that benefits both Lots A and B. We will need an easement over that granting both properties access to that. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - 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, if you act on this it should be made subject to the receipt and approval of that easement referred to in the Engineering report. Thank you.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for a Parcel Split of PPN 392-18-008 to create Lot A with 4.2810 acres and Lot B of 14.0577 acres, property located at 11792 Alameda Drive, zoned General Industrial, subject to the Engineering reporting the swale easement being delivered to the Law Director's office.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – You are all set Chris.

Mr. Dempsey – Thank you.

KEY BANK/ Jim Pinter, Agent

Site Plan approval for exterior renovations including extension to the exterior canopy for property located at 17333 Southpark Center, PPN 396-22-001 zoned Shopping Center.

Mr. Ice – Item Number Four, Key Bank . Please state your name and address for the record.

Ms. Rao – Suprea Rao, 1250 Old River Road, Cleveland, Ohio 44113.

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. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, they will have to provide documentation for the ARB and Lighting Consultant showing that they are in compliance with the lighting requirements for ATM's. 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. They will need to be referred over to the ARB and to our Lighting Consultant. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok, we will refer you over to the ARB and our Lighting Consultant.

Ms. Rao – Thank you.

BANNER SERVICE CORP./ Joseph Campbell, Agent

Site Plan approval for a 19,500 SF building addition for the existing Banner Service Corp. building located at 17382 Foltz Parkway, PPN 394-04-002 zoned General Industrial.

Mr. Ice - Item Number Five, Banner Service Corp. Please state your name and address for the record.

Mr. Fawinski – Bill Fawinski, Engineer with Campbell Construction, 1159 Blachleyville Road, Wooster, Ohio 44691.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the proposal meets the General Industrial zoning requirements. The parking required is 15 and they have 47. Building coverage maximum is 40%, they have 26%. The side yard setback is 25' and they have 43'. From Engineering the pavement design must conform to the City's standards, including curb and curb drains. The applicant will need to run calculations to see if detention is needed for the storm water. As outlined in Section 1058.06(h)1 of the codified ordinances, detention measures may not be required if the post-development peak discharge for a 100 year storm causes no increase to the existing peak discharge. Attached is a checklist for the applicant to use when developing the final plans. Additional comments will be furnished to the applicant after the final plans have been submitted for review. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, they will submit a lighting plan to the City and to our Lighting Consultant showing compliance with our lighting requirements. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire for the applicant, is it your intent to extend the sprinkler protection into this new addition?

Mr. Fawinski - We will.

Lt. French - The new addition will be sprinkler protected and we will need a knox box on the exterior mounted for emergency access keys for the Fire Department. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, just a question for the applicant. Is this going to be for storage purposes or will they be continuing manufacturing in this portion of the building too?

Mr. Fawinski – It is going to be both storage and manufacturing. We will have two more interior docks in the new addition.

Mr. Kolick – Ok, what type of use do they manufacture?

Mr. Fawinski – They refine metal. Its polishing metals, more like a seal service type shop.

Mr. Kolick – What type of metals do they work with?

Mr. Fawinski - Different forms of steel. They polish them and ship them back out.

Mr. Kolick – Mr. Chairman, we will also need to refer this over to ARB and to the Lighting Consultant. In the mean time they can work on the engineering plans with our Engineering Department. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok, we will send you to ARB and the lighting consultant as well.

K & F PROPERTIES STRONGSVILLE, LLC/ John Picard, Agent

Site plan approval for the renovations to the existing Strongsville Theatre site and parking lot configuration for a future retail tenant (Good Will) to be located at 14767 Pearl Road, part of PPN 396-19-001 zoned General Business.

Mr. Ice - Item Number Six, K & F Properties Strongsville, LLC. Please state your name and address for the record.

Mr. Pickard - John Picard, Architect for the project, 720 McKinley Avenue, Canton, Ohio.

Ms. Morardy – Mary Morardy from Good Will Industries, 408 9th Street, Canton, Ohio.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the parking required is 357 spaces and they indicate 357 spaces. They were able to pick up some additional spaces that they were previously deficit by restriping the existing parking lot that is out there now. From Engineering, revisions since the last submittal to Planning Commission, the drop off area has been moved to the southwest corner of the building. They added a small island to channel the traffic past the proposed overhead garage door, which is where items are to be dropped off. The cars will then be directed around the rear of the building to exit. They have added some additional signs for traffic control. They were showing a parking area for the semi-truck which is not shown now. We discussed in caucus that there will be a truck there for approximately 1 to 1 ½ hrs to

make drop-offs or pick-ups. I will let the Building Commissioner add to some of the safety issues. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, as discussed in caucus, this was discussed with the Police Department as well as the Engineering and Building Department. We still have some concerns with the way traffic flows around that site, given the type of use and activity that is going to take place there with drop-offs and pick-ups. Circulating around that building with a blind corner as the traffic comes and maintains a one-way route around the building. We are also concerned with the protection of the existing egress doors on the existing tenant spaces and proper protection of those spaces. It was discussed in our morning caucus and also with engineering about the possibility of eliminating the parking, the employee parking along the south side of the building at the existing tenant spaces and possibly reducing the isle width so that it would in effect, force one-way traffic and two-way traffic would not be possible from that site. We also discussed the possibility of eliminating the circle drop-off and actually bringing the traffic through the building itself. From a building standpoint it could be protected to eliminate some of the concerns that may be involved with bringing vehicles into the building and actually creating a drive-thru going inside the proposed retail space and possibly moving their storage and warehousing area. Again, as discussed in caucus this evening there is going to be an indication of a tractor trailer rig parked adjacent to the new proposed overhead doors, significantly reducing the width of that traffic isle. We do need a lighting plan submitted showing the lighting around the rear of that building where it is impacted by this proposed use. The CPTED report states; under Traffic Concerns, the new traffic plan dated 7-9-07 shows the suggested changes, including one-way signage and traffic island removal. What has been removed is the designated truck parking area. Without the previously designed bump out, parking a truck along the southern property line would cause a major constriction for traffic between the building and the southern driveway edge. If trucks are to be parked on the rear (east) side, then a designated truck parking area would need to be established that meets fire code regulations and does not restrict traffic and does not generate complaints from the abutting residential area to the east. Curbing or bumpers would be needed to protect pedestrians accessing the man doors on the south side of the building. Pavement markings for channeling vehicles to the drop-off location are not shown on the plan. A plan for snow removal and snow storage must be considered to insure a safe and unrestricted flow of traffic in winter conditions. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire, we will need some bollard protection to be added to the southwest corner of the building, next to the over head door that they are proposing to protect our Fire Department Siamese connection and the wall valve control. The Fire Marshall states that no containers or trucks are to be placed and left against or along the building at any time and "No Parking, Fire Lane Zone" to be designated with signage added and be striped off along the east which is the back and the south side of the building. We realize that there is going to be a truck there for delivery as you explained but with that we would need to maintain a minimum of 12' clearance around that truck at all times. As you stated, while that truck is there it would never be unattended. That truck would have a driver there that could move it when necessary. There would be signage as you stated earlier but we want to really enforce that there is no unattended after hour drop-off of material around this building. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, with the application, of course, it would take some restriping of the parking lot to pick up those additional space that they are talking about. We would be looking for the restriping indicating one-way. It would have to be maintained as well as signage showing the same. We would require that the signage about no truck parking around that building so that we ensure it. What are the operating hours, I know that you said 7 days a week, what are your hours of operation?

Mrs. Morardy – We come in at 8:00 a.m., the store hours are 9:00 a.m. to 8:00 p.m. and Sunday from 11:00 a.m. to 6:00 p.m.

Mr. Kolick – Ok, would you have any problem then limiting those hours to 8:00 p.m., that would be consistent with your hours? One of our concerns has always been the residential area behind there and it is one thing to have cars going around that building during the day but we certainly don't want to see them going in any type of volume there in the evening hours. Do you have any problems limiting your hours to the 8:00 p.m. which is your operating hours.

Mrs. Morardy – No, that is fine.

Mr. Kolick – Ok, that is something that we may want to consider as a Commission because we were getting a lot of complaints, not from their use but from other uses from those residents to the rear. At this point though, we would like them to come in and talk with us administratively, I think the Commission might be more apt to give a small modification to parking if we can make that whole area safer back there and if that means eliminating some of the parking spaces on the south side of the building, I think

that would be preferable in at least making it safe. I think a small modification might be something that the Commission might consider. We would also like to talk to them about the other idea of possibly going through the building as well. At any rate, they need to be referred as the other ones did here this evening to ARB and to the Lighting Consultant. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will send you over to ARB and the Lighting Consultant and you should come in and talk with the administration, talk over some of these issues.

Mr. Picard – Thank you.

AT & T/ Thomas J. Fogarty, Agent

Site Plan approval for an above ground cabinet and cement pad to be located within the public right-of-way at 13672 Royalton Road, PPN 398-28-006 zoned Motorist Service.

Mr. Ice - Item Number Seven, AT& T. Since there is no representation here tonight, this Item will be Tabled.

AT & T/ Thomas J. Fogarty, Agent

Site & Landscaping approval of an above-ground cabinet and cement pad to be located in the public right-of-way for property located at Canterbury & 16272 Howe Road, PPN 397-08-021 zoned R1-75.

Mr. Ice - Item Number Eight, AT & T. Since there is no representation here tonight, this Item will be Tabled as well.

REFERRALS FROM COUNCIL:

Ordinance No. 2007-134

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 REAL ESTATE LOCATED ON THE NORTH SIDE OF ROYALTON ROAD (SR 82) 1,400 FEET WEST OF MILL HOLLOW LAND (PPN 399-03-001) IN THE CITY OF STRONGSVILLE FROM OB (OFFICE BUILDING) CLASSIFICATION TO MS (MOTORIST SERVICE) CLASSIFICATION.

Mr. Haseley – Item Nine, Ordinance No. 2007-134. In as much as this is the first time we have seen this at Planning Commission. I am not going to ask for any action however the developer is here this evening and I would like to call him to the microphone to explain what he is doing and if there was any other options that might be available here.

Mr. Ice – We will Table this item. Go ahead Mr. Ritley.

Mr. Ritley – Good to see some familiar faces. We are trying to bring a new project to the City. We have had some conversations over the past 12 months with some of the City administration for property that is located across from Serpentine Chevrolet. The situation and the reason that this has been drawn out somewhat is because there were some title issues that we were working through and making sure that we had a good understanding of all the entitlements that we had with respect to our ownership. I think you can tell from some of the information that has been provided to the City that we have some right-of-way, abandoned right-of-ways that are in the peripheral of the property. The property that we are talking about is about 9/10th of an acre approximately and that includes some public right-of-way that is part of the new Royalton Road, at least from the legal description that I have. That is a fragment of the total holding that we have there and the only reason that we are coming before Council and Planning Commission with respect to zoning is because we want to bring back the zoning that was on the property. A little bit of the history on this parcel, somebody owned it separately, we bought that and put it together with this larger parcel so that this will only be 15 to 18% of the total size of the parcel when the two are put together and there has been a consolidation plat filed for that. The zoning is still up in the air, we need to get that back to the Motorist Service District that it was in before because the City has requested that we do that as opposed to getting a variance or something, a use variance for that parcel so that operates as a whole. Part of the process of going through this development proposal, I received a phone call from our neighbor behind us and I wanted to make a statement about our willingness to cooperate with our neighbors. I think there has been some approaches to the City, trying to sensitize the City to some of the neighbor's concern which is Camp Cheerful, right behind us. We are trying to extend a hand to them to make sure that we can deal with any of those issues but we are very premature because we haven't gone through any site planning and so on and we will be going through all that with you in the future. The only reason we are here now is to try to get the zoning in alignment with everything else that is in the area. Kind of strange that office zoning, I realize there was a gentleman that had a proposal to build a little office building on that site, very small one but, I guess I'm really not sure if he is even in Cleveland anymore. He could not do that project, wasn't appropriate, couldn't find the market support for it. The property was put back on the market and that is when we bought it. We have a big hill on one half of the property and

a low spot on the other half of the property and we are going to level it out so we will be at more or less grade with Serpentine. When we do that, we have to be conscious of the folks that are behind us. We have a much better plan in mind and that would be for us to try to push a little bit further down the road toward the interchange. There is some topography and acreage there that would accommodate us. The Park Board controls it. We don't care whether we build on this site or we build a little bit to the west, same side of the street. We would like to get out of the way of Camp Cheerful if they feel it would be any kind of an impediment to what their goal is. They have a great riding program for children that are physically disabled. My wife is a volunteer at Fieldstone Farms on the east side of Cleveland which has the exact same mission. I am very heartened by the stories that she brings me about what kind of therapeutic programs they have for these children so we want to make sure that they can continue that. I think that is a very valuable multi-community resource and having it centered in the Strongsville area is a credit to the community. I brought my business cards so if there is anybody in the audience that wants to get in touch with me about any concerns they might have, I would be very happy to provide them with my business card and they can call me at any time. We will have more to say on this when we get into the site planning itself and we will be interfacing with those folks at that time.

Mr. Kolick – Mr. Chairman, for the applicant, Mr. Ritley, do you own parcel 6 too?

Mr. Ritley – Yes.

Mr. Kolick – So you own this parcel, the small one and you own the parcel going to the west then.

Mr. Ritley – East.

Mr. Kolick – I'm sorry, east. Are there any other parcels that you own in there?

Mr. Ritley – No, that is it.

Mr. Kolick – What would be the total site in acreage?

Mr. Ritley – When all is said and done, I think we will have about 5.5 acres there.

Mr. Kolick – Ok, and have you approached the Park Board at all about possibly obtaining any of their property to the west so that this could be moved down?

Mr. Ritley – We did.

Mr. Kolick – Did you get any type of reception, negative, positive, or whatever?

Mr. Ritley – Frankly we, with all due respect to their mission and I don't want this to be mischaracterized but they covet their land. Their mission is to protect the open space and use it for the purpose to fulfill their mission. We had a good conversation but I don't think what we told them was properly interpreted. We think there is no net loss, we think there is a gain if there is a shift that occurs. I would invite anybody that has anything to say or good influence that they can use, let's get out of the way of Camp Cheerful. We have a right to use our land. We don't want to do anything in any way shape or form that would infringe upon their operations. I am going to have more conversations with them. I talked to Camp Cheerful which has a long term lease with the Park Board for their facilities and they have invested more money. In fact Mr. Catan made some very nice donations to them to put in some more equipment to help their children achieve higher levels of performance and capture as much ability as they can. We intend to continue to work with them if we go ahead and develop this piece. If the Park Board in their wisdom says, "yes, we can accommodate you", then we will just shift over here, they continue to fulfill their mission and we believe that we are going to give them something that is even better because we are going to push further away from the entrance which is down by the pumping station. It will give them more privacy that will be park land from near the interchange all the way down on the north side of the street. I think that would be a good solution. The Park Board at our meeting told us that they hang on to every bit of land. They have had people contact them before that want to get some of the land that they have. We don't want to get some of the land, we just want to trade this piece for that piece in the same location. That is the story about our property and I'm sure that there are other things that we can talk about relative to the negotiations and so on and the conversations that I have had but the meetings were very short with the Park Board. They were more lengthy with Camp Cheerful. They will continue I hope in the future, keep that dialogue going.

Mr. Kolick – Mr. Chairman, so you would be looking at obtaining park land to the west but you would be giving them park land to the east?

Mr. Ritley – One for one.

Mr. Kolick – Right, but what land would you be giving up to the Park?

Mr. Ritley – All of this land, we would give every bit of that to them and we would just move down. There is a little, I don't have a large topographic map but there is a smaller plated area that is closer to the freeway. Most of that land drops off sharply but there is a piece there that is just about the same size, maybe just a tad smaller but it will still

accommodate what we what to do with it. So there would be as I say, no net loss to the Park Board.

Mr. Kolick – Have your engineers gotten far enough along to identify the roadway, I know that the recorded roadway may not be improved but the recorded roadway, at this point?

Mr. Ritley – You are talking about the old Royalton Road?

Mr. Kolick – Yes. The road that comes into Route 82.

Mr. Ritley – It comes back around, it was Royalton Road at one time. There are two old Royalton Roads believe it or not. One of which was never developed but it was laid out, I think in the 1930's but back about the very late 1890's or the early 1900's there was a typical old farm type road down there that was used and sort of serpentine, taken the least path of resistance through there. That was the one that eventually got recognized as a right of way and used as such and showed up on a lot of drawings. Later on they tried to smooth it out, you can see the smooth curve versus the abrupt change in the property. I am not a good enough expert at this sort of thing to really explain to you what happened with all this different rights-of-way but ultimately Royalton Road as we know it today, but in a narrower form came through and straightened all that out. Of course it has been widened as we all know.

Mr. Kolick – We may need to take some official actions here by way of vacation so all I am going to ask is put your engineers in touch with our engineers so that they can look at that issue.

Mr. Ritley – Glad to do it.

Mr. Haseley – I am going to ask that you continue with the dialog with Camp Cheerful to try to get to this end.

Mr. Ritley – May I report back to you then, to give you a status report?

Mr. Haseley – Me or Lori, the Engineer. You can call me, we have a dialog going anyway.

Mr. Ritley – Ok, we are going to try to bring you a nice project, it is going to be one that fits in well in that area, doesn't disturb anybody or create any net loss but rather a gain.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – Just for my own clarification, we are talking about one parcel here that represents 9/10th of an acre, it is 15% of your project, it is going to combine with a larger parcel which is 4.5 acres. Is that parcel already zoned Motorist Services?

Mr. Ritley – Yes it is.

Mr. McDonald – Does this project happen with or without this piece being rezoned?

Mr. Ritley – It can happen without that but then you have this little spot of zoning hanging up over there.

Mr. McDonald – Ok.

Mr. Ritley – We would like to incorporate it because obviously we would like to manage the piece of ground in one ownership and to have all the landscaping and so on and everything in it.

Mr. McDonald – It will be a better project landscape wise and probably geographically wise if you have both. I was just wondering, you would be able to build on the parcel that exists though?

Mr. Ritley – Yes.

Mr. McDonald – Ok, thank you.

Mr. Haseley – For your edification, Mr. McDonald, the 9/10th of an acre was zoned away from Motorist Service to Office Building because of a possible development going in, an office building that never materialized, so now all he is trying to do is get it back.

Mr. McDonald – How long ago?

Mr. Haseley – A couple of years ago, I think.

Mr. Ritley – It was not that long ago.

Mr. Kolick – It was not that long ago but we had a developer from Brecksville approach us who was going to put an office building there and at the last minute after it was rezoned, it fell through. That had been zoned for years as Motorist Service, both sides of the road.

Mr. Haseley- What he is trying to do is bring it back into the original zoning.

Mr. McDonald – Ok, thank you.

Mr. Haseley – Roger, I thank you for your time in coming here this evening so that the rest of the members have a better idea of what you are trying to do.

Mr. Ritley – Just a housekeeping note, if I had not been calling in to check on the status, I don't know if the mail was misdirected but if they could use my business address for making sure that I get notification of the next meeting, I just don't want to miss that. Probably things will have developed somewhat more and we will have some more to report.

Mr. Kolick – Why don't you leave one of your cards and give it to Carol right now and she will have the correct address. I think she was taking the address that was on the application.

Mr. Ritley – Thank you.

Mr. Kolick – Mr. Chairman, I think everybody has received the copy of the correspondence dated July 24, 2007 addressing this so it would be appropriate as you noted to Table it.

Mr. Haseley – That was the request Item Nine and Ten on tonight's agenda be Tabled.

Ordinance No. 2007-135

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 REAL ESTATE LOCATED AT 18822 COOK AVENUE (PPN 396-18-048) IN THE CITY OF STRONGSVILLE FROM R1-75 (ONE FAMILY 75) CLASSIFICATION TO R-RS (RESTAURANT RECREATIONAL SERVICES) CLASSIFICATION.

Mr. Haseley – Item Ten, Ordinance No. 2007-135. Concerning rezoning on Cook Road I am asking for this item to also be Tabled.

Mr. Ice – We will also Table this item.

Ordinance No. 2007-136

AN ORDINANCE RESTATING SECTION 1258.03 **OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE** CONCERNING USE REGULATIONS, GENERAL BUSINESS DISTRICT IN ORDER TO CLARIFY AND RECONCILE RECENT AMENDMENTS THERETO, **AND DECARING AN EMERGENCY.**

Mr. Haseley – Item Eleven, Ordinance No. 2007-136. This is a housekeeping issue. We changed part of this section before and unfortunately one part of it was left off that should have been put on so we are just correcting that. I am asking for a favorable to take back to City Council.

Mr. Ice - **AN ORDINANCE** RESTATING SECTION 1258.03 **OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE** CONCERNING USE REGULATIONS, GENERAL BUSINESS DISTRICT IN ORDER TO CLARIFY AND RECONCILE RECENT AMENDMENTS THERETO, **AND DECARING AN EMERGENCY.**

Mr. McDonald – I move to give favorable consideration.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

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 8:55 p.m.

Jeffrey A. Ice, Chairman