

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

March 13, 2008

The Planning Commission of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building 18688 Royalton Road, on **Thursday, March 13, 2008 at 7:30 p.m.**

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

The following was discussed:

JEAN A. WOOD: Mrs. Daley stated, this proposal is to split the 38.38' from PPN 395-23-011 and consolidate the same to PPN 395-23-012. It will create Parcel A having 2.6560 acres with 117.40' frontage on Webster Road and Parcel B having .5060 acres with 76.00' frontage on Webster Road. Webster Road is fully improved. From the City Planner, both Parcel A and B will exceed the required Lot Width (75') and Lot Area (12,750 SF) in the R1-75 zoning district. From Engineering, the Lot Split and Consolidation plat is in approvable form. There is sanitary sewer on Webster Road. Mr. Foulkes stated that there was no report from Building. Mr. French stated that there was no report from Fire. Mr. Kolick stated that the Commission could act on this.

GEPPETTO'S/JOHNNY MALLOYS: Mrs. Daley stated, this proposal is to utilize approximately 700 SF as an outdoor patio for Geppetto's/Johnny Malloy's. We did meet with Mr. O'Malley a couple of weeks ago and made some revisions. I have another sketch here that I did up that might be a little better for access around but it does shrink the deck down to about 630 SF. It kind of mimics the same angle that is to the north that way we don't have this radius on there that is going to make it tight for trucks going around and for cars making a left since that is angled parking there. It straightens it out and makes it a little better traffic flow. That would be Engineering's recommendation for that. From the City Planner, there is no report on the Conditional Use and on the Site Plan the total parking required is 405 and they are providing 418. He also notes that the Altenheim Assisted Living Facility is located within 200' of the proposed patio on the south side of Shurmer. The facility's ground elevation is 9' above the patio which makes it vulnerable to noise and light trespass when the patio is in use. Mr. Foulkes

stated that from Building, the design of the proposed patio that was submitted shows a relocation of a structural column. We don't have any detailed drawings or elevations and we are going to need more information on that. The canopy that runs across the front of the building is approximately 12' and there are brick columns that are supporting that structure. This sketch shows the relocation of the column, it shows that it is moved in 2 or 3 feet. Mr. O'Malley stated that was a mistake on the drawing and that it was not being moved. Mr. Foulkes stated that it would have to be moved as shown on the plans which also showed removal of part of the sidewalk and part of the canopy. Mr. O'Malley stated that they were not removing the sidewalk and that they were going to leave it the way it currently is. Mr. O'Malley stated that there was also a bollard near the column and that was not going to be moved either. The bollards indicated appear unevenly spaced and should be placed so that vehicles can't enter into that area. The location, the lights that are shown on there and the angle of these lights may interfere with vehicle traffic. Proposed light shields are subject to maintenance of angle directed and damage. It could be bumped or pushed up and needs a more permanent solution. Some other lighting needs to be considered. This proposal is subject to a plan review in accordance with the Ohio Building Code to make sure all the egress components are in compliance. There are a couple of spots, this gate on the west end could encroach with that ramp or this column. Mr. French stated that the Fire Marshall reviewed these plans and they are acceptable as submitted; however, the Daley concept improves egress even more. Mayor Perciak asked Mr. O'Malley if he would consider the Daley concept. Mr. O'Malley stated that he had not seen the plan yet. Mr. Boron stated that the vinyl fence was a concern. He stated that it should be aluminum with metal posts. Mr. Kolick stated that it would need to be set for a Public Hearing and the Commission would need to consider if it is appropriate for this location. You would also need to look at the noise and hours of operation because they are located across from the Assisted Living Center. There is a grade change there and the City Planner had some reservations about the location. On these outside decks we always look at the hours of operation, if there will be any music or noise. For the one on Prospect Road we limited the hours till midnight and that one is not as close to residential as this is. If you feel that it is appropriate, those are some of the standards in the code. If you do feel that it is appropriate then we need to look at some restrictions. There was also some talk about a large screen television out there. Mr. Ice stated that the plans show two TV's. Mr. O'Malley stated there are no speakers just TV level noise. The noise could not be any louder than a TV could be. He also stated that he had never received any complaints to his recollection from the Altenheim regarding noise. There are currently 50 to 60 people standing out there smoking. He acknowledged that the Altenheim is across the street and that it is a sensitive situation. He felt that not having a place for his customers to smoke is a safety issue. Mayor Perciak stated that Fire and Police are okay with this in getting equipment in and out; that he would need to proceed to the Public Hearing and give the residents an opportunity to have their say. He felt that the noise was not

an issue for the Altenheim. Mr. Kolick asked what hours he was proposing for this. Mr. O'Malley stated that he would like to use the patio the hours that he was open or at least the hours that his competition is allowed. Mr. Kolick stated that the Commission limited the one on Prospect to midnight. Mr. O'Malley stated that he was okay with whatever was allowed to his competition. He stated that people would still be out there smoking the other hours. Mr. Kolick stated that smoking was one thing and the serving and drinking was another. He stated that it would need to be referred to a Public Hearing tonight for the 27th.

Mr. Ice asked Mr. Kolick to comment on the Miscellaneous Business.

Mr. Kolick stated that there were several occasions on BZA that they had requests for variances on garage sizes because of the larger sizes of houses. He felt when there were numerous requests for variances that it was time to review the code. He stated that a lot of these garages were building back not even sideways so that they can put cars in and still have room for storage. He asked the City Planner to review this matter and he recommended that the code be changed to 1,000 SF from the current 800 SF. That is about what BZA was seeing, variance requests of 160 to 200 SF. He stated that the line on the bottom referring to the garage door restrictions would be removed as requested by the Building Department. The width of the garage will determine the restriction on the number of doors. If Planning Commission is in accord then the process would be initiated at the City Council level and would be forwarded back for review. The Commission agreed that this was necessary. Mr. Kolick stated that he would draw something up and it would come back officially from 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
Mrs. Barth
Mr. Stehman
Mr. Haseley, Council Rep.
Mayor Perciak

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

Mr. Ice - Item Number Two, Jean A. Wood. Please state your name and address for the record.

Mr. Wood – Jeff Wood, 9376 Webster Road, Strongsville, Ohio 44136.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the request is to split the southerly 38.4 feet by 290 feet portion of PPN 395-23-011 and attach the same to adjacent lot PPN 395-23-012 resulting in the following; Parcel A with a width of 117.4 feet and an area of 115,696 SF and Parcel B with a width of 76' and an area of 22,040 SF. Both Parcel A and B will exceed the required Lot Width and Lot Area in an R1-75 zoning district. From Engineering the split and consolidation map is in approvable form. Webster Road is fully improved.

Mr. Ice - Thank you. Mr. Foulkes.

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

Mr. Ice - Thank you. Mr. French.

Mr. 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 City Planner also confirmed that all the setback requirements are met on the structure so you are free to act on this. Thank you.

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

Mrs. Walker - Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mr. McDonald - I move to give favorable consideration for a Parcel Split and Consolidation of PPN 395-23-011 and 012 located at 9416 and 9424 Webster Road, zoned R1-75.

Mrs. Barth - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

GEPPETTO'S/JOHNNY MALLOYS/ Terry O'Malley, Principal

a) Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 300 SF as an outdoor patio for the Geppetto's/Johnny Malloy's located at 15323 Pearl Road, PPN 397-01-082 zoned R-RS.

b) Site plan approval for a 700 SF outdoor patio for Geppetto's/Johnny Malloy's located at 15323 Pearl Road, PPN 397-01-082 zoned General Business.

Mr. Ice - Item Number Two, Geppetto's/Johnny Malloy's. Please state your name and address for the record.

Mr. O'Malley – Terry O'Malley, 143 Rebecca Lane, Brunswick, Ohio.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report on the Conditional Use Permit. On the Site Plan, the total required parking spaces is 405, they are providing 418, including the 5 that are going to be removed for this outdoor eating patio. The City Planner also wanted to note that the Altenheim Assisted Living Facility is located within 200' of the proposed patio on the south side of Shurmer. The facility's ground elevation is 9' above the patio which makes it vulnerable to noise and light trespass when the patio is in use. From Engineering, there is no report on the Conditional Use Permit and on the Site Plan, we had come up with a sketch that shows the patio being angled to mimic the landscaped area to the north end of the strip center. This may reduce the area of the patio but it will allow for better traffic flow through the site. Just something for the applicant to consider. Thank you.

Mr. Ice - Thank you. Mr. Foulkes.

Mr. Foulkes - Thank you Mr. Chairman. From Building, regarding Item 2a, there is no report. Regarding Item 2b, the design of the proposed patio indicates a relocation of a structural column, without detailed drawings or elevations reflecting this change. We would need more information on that. The bollards indicated appear to be inconsistently spaced and should be placed to prohibit vehicular impact to the pedestrians and the occupants. The location of the lighting may interfere with vehicle traffic. Proposed light shields are subject to maintenance and angle directed damage.

Lighting should be placed as to not affect traffic. A lighting report should be submitted for evaluation. This proposal is subject to a plan review in accordance with the Ohio Building Code. Thank you.

Mr. Ice - Thank you. Mr. French.

Mr. French - Thank you, Mr. Chairman. From Fire the Fire Marshall reviewed the plans for a fire emergency access to the building, met with the applicant and stated that the plans are acceptable as submitted. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, we will need to set this for Public Hearing on the Conditional Use. You will need to determine if you feel that it meets the statutory conditions to permit it. If you do, then we need to address those issues that we do with all outside eating areas, such as noise, light, hours of operation can be addressed. The applicant should come in administratively and look at the alternative plan that was drawn up to at least reflect a better traffic flow around the building. If that is acceptable and we come up with some basic plans they could go to ARB with the revised plan before they come back here, if that is your pleasure but they need to come back anyway for the Conditional Use Permit. I would not want to send them to ARB until we at least know what the plan is going to be. If they come in administratively, get that set then they can move to ARB and you will need to set it for the Public Hearing. Thank you.

Mayor Perciak – Terry, do you know exactly what Dan said? Come in administratively with the ARB plan so that we can get that going?

Mr. O'Malley – I just need to come in and see Mr. Foulkes and get everything done?

Mayor Perciak – I would start with Carol Oprea so that we can go over it and then she will get ahold of Mr. Boron for you for the ARB.

Mr. O'Malley – Okay, I will call Carol.

Mr. Ice - Thank you. Any other questions, or comments? Ok then we will set you for a Public Hearing on March 27, 2008 and Table the Site Plan.

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 8:05 p.m.

Jeffrey A. Ice ✓

Jeffrey A. Ice, Chairman

Carol M. Oprea ✓

Carol M. Oprea, Administrative
Assistant

3-27-08

Approved