

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

July 24, 2008

The Planning Commission of the City of Strongsville met at the Strongsville Communication Center located at 13213 Pearl Road, on **Thursday, July 24, 2008 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, Assistant Building Commissioner, Keith Foulkes, Fire Department Representative, Randy French.

The following was discussed:

L J DAIRY PRODUCTS, INC.: Mrs. Daley stated that this proposal is to construct a 3,200 SF building to replace the existing Dairy Queen, including an outdoor patio and exterior cooler. From the City Planner, there is no report on the Conditional Use and on the Site Plan, they did need a variance for lot width, the required is 150' and they indicated 125'. BZA did grant the required variance on June 12, 2008. From Engineering, there is no report on the Conditional Use and on the Site Plan the revised plans were submitted on July 23rd. It appears that not all of the engineering comments have been addressed with this submittal, the applicant has been notified. Mr. Foulkes stated that there was no report on the Conditional Use and on the Site Plan the plans are in approvable form subject to a plan review in accordance with the OBC. The ARB gave favorable recommendation on 7-22-08 subject to no LED lighting on the front fascia of the building, stone wainscot being applied to all four sides of the building and adding joints to the EIFS on all four sides of the building. Mrs. Barth asked if there was a wall or bollards for the patio. Mr. Foulkes stated that there were bollards and a fence. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that the Commission could act on the Conditional Use Permit but that hours of operation should be addressed. The Site Plan should be tabled until receipt of the revised plans.

SHURMER INVESTMENT CO.: Mrs. Daley stated that this proposal is to utilize 1,770 SF as an out-door eating area for all tenants in the Towne Center building and for exterior renovations to the entire existing building. The plans originally showed only outdoor eating for Chipotle but the new plans show outdoor eating areas for all the tenants. They will have walkways into all the tenant doors. They are just pushing the parking out. It will remain asphalt and they are going to paint the patios. Mrs. Barth asked if they were going to use the floor mats for the patios as originally presented. Mrs. Daley stated that she did not think so. Mr. Foulkes stated that his department had a discussion when the applicant came in for the administration meeting. They were

showing a padded material and the Building Department felt that because of the way that it was laid out that it could pose a tripping hazard. After discussions this seemed to be the best alternative. Mrs. Daley stated that they were not planning on putting any fencing around any of the areas. Mr. Foulkes stated that they felt that everybody was going to come in for a patio so they suggested that applicant to do it now. Mr. Haseley asked if there was a reason there was no separation between the businesses. He felt that Chipotle would take up all the front area with their customers. Mr. Foulkes stated that they did not think that individual fencing was necessary at this time because it is proposed however, that applicant mentioned that because Chipotle sells alcohol that they may be required to do that. Mrs. Barth suggested that if Chipotle would obtain the liquor permit for sale of liquor on the patio that they should be required to have that area fenced. Mr. Kolick stated that the Fire Department felt that it would be better if the spaces were divided. If they are busy in one area they would pull over chairs and tables from other areas and block off the entrances. Mr. Foulkes stated that the Building Department could require that each area be fenced. He also stated that the plans did show a future fence on there. Mr. Soclof stated that the original discussions with Chipotle were that they were going to be serving alcohol on the patio and would be required to have the fence around their patio. Since the initial discussions, Chipotle was not sure how they were going to proceed. The reason that they did not want to do fencing across the whole area is that they had not had discussions with the other tenants and no one else has indicated a desire to do that. He was not sure if the other tenants would want to have the patio or if they would do that sometime in the future. He stated that the tenants would be bearing the cost of the outdoor furniture. Mr. Kolick stated that the applicant should have a discussion with the other tenants regarding their intentions. He stated that the outdoor furniture being moved around would become a problem and there was nothing on the site to prevent that from happening unless there was fencing or something to block that off. Mr. Soclof stated that he had no problem partitioning off the areas between the tenant spaces. From the City Planner, there is no report on the Conditional Use and on the Site Plan, the outdoor patio will have no affect on the existing parking arrangements. There is no report on the exterior building renovations. From Engineering, there is no report on the Conditional Use and on the Site Plan the plans are in approvable form. Mr. Foulkes stated that there was no report from the Building Department on the Conditional Use Permit. The Site Plan is in approvable form subject to the submission of data for the proposed bollards showing they are sufficient to prevent failure if impacted by a vehicle and a plan review in accordance with the OBC. The ARB gave favorable recommendation on 7/22/08. Mr. French stated that the Fire Marshall was concerned with the tables and chairs being movable in the patio area and blocking ingress and egress areas to the doors. They suggested either striping off the area or fencing. Mr. Kolick stated that the Commission could act on this subject to the addition of the fencing.

FITNESS TOGETHER: Mrs. Daley stated this request is for a Conditional Use to put in a personal training studio at Springfield Corners at the corner of Drake and Prospect. From the City Planner, it is a permitted use with a Conditional Use Permit. Required parking is 86 and they are providing 92. From Engineering there is no report. 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 it.

KRAFT FLUID SYSTEMS: Mrs. Daley stated that this proposal is to expand an existing parking lot to include 24 additional parking spaces. From the City Planner the proposal is to add 24 off-street parking spaces to serve the existing industrial facility. The required parking setback in a General Industrial zoning district is 50' from the Right-of-Way and they are indicating 32'. The BZA granted the required front parking setback variance on 6-25-08. From Engineering, the plans are in approvable form subject to the applicant showing a curb drain behind the curb and specifying the curb as an ODOT Type 2A. Mr. Foulkes stated that there was no report from Building. The ARB gave favorable recommendation on July 8, 2008. Mr. French stated there was no report from Fire. Mr. Kolick stated that the Commission could act on this subject to Engineering.

ECHO LAKE HOMEOWNERS ASSOCIATION: Mrs. Daley stated that the proposal is for a Revised Overall Preliminary Development Plan approval to add 24 Single Family sublots and 14 detached Cluster Units for Baker's Creek Subdivision to the Echo Lake Subdivision property located west of Pearl Road. From the City Planner, the revised Overall Preliminary Development Plan is in approvable form. On the Recreation Plan Baker's Creek SFD & CD includes 38 dwelling units (24 SF and 14 detached SF clusters). Minimum require recreation expenditure is \$30,400.00 (38 x \$800.00). Bakers Creek Recreation improvements includes; a new play ground estimated at \$29,995.00. A storage building for pool and tennis equipment estimated at \$4,282.50, totaling \$34,277.50. From Engineering, the plans are in approvable form. The location of the playground and storage shed will be reviewed as the applicant applies for building permits. Mr. Foulkes stated that Building had no report on the revised overall preliminary plan. On the recreation plan the Building Department would like to advise the applicant that separate permits are required for the propose structures in the recreation area and will be reviewed for building code compliance at the time they are submitted. Mr. French stated that there is no report from Fire. Mr. Kolick stated that he had approved all the documents on the first item joining them in but he still needed the signed documents and it would need to be made subject to receipt of the Law Department, of those documents. He stated that the Commission could act on the second item.

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

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.

EXCUSE MAYOR PERCIAK

Mr. McDonald - Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald - I move to excuse Mayor Perciak for just cause.

Mrs. Walker – 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 July 10, 2008. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

L J DAIRY PRODUCTS, INC./ Joe Jarmusik, Agent

a) Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(A)(7) and 1242.07(b) to utilize approximately 1,135 SF as an outdoor patio for the Dairy Queen Grill & Chill Restaurant located at 12152 Pearl Road, PPN 392-28-009 zoned R-RS.

b) Site Plan approval of a 3,200 SF building to replace the existing structure, patio and exterior cooler for property located at 12152 Pearl Road, PPN 392-28-009 zoned R-RS. * *BZA Variance granted 6-12-08*

Mr. Ice – Item Number One, L J Dairy Products. Anyone wishing to speak in favor please step forward and state your name and address for the record.

Mr. Jarmusik – Joe Jarmusik, 3723 Pearl Road, Cleveland, Ohio.

Mr. Zwolenik – Bob Zwolenik with Dairy Queen, 12152 Pearl Road, Strongsville.

Mr. Jarmusik – We are here to get a Conditional Use Permit final on our site plan to raze and rebuild the Dairy Queen on Pearl Road.

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 reports. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, there is no report on the Conditional Use and on the Site Plan, they did need a variance for the lot width. The required width is 150' and they have 125'. The BZA did grant that variance on June 12, 2008. From Engineering, there is no report on the Conditional Use and on the Site Plan the revised plans were submitted to the Engineering Department on July 23rd and are under review. It appears that not all of the engineering comments have been addressed at that time so as those plans get finished we will continue to review them. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, there is no report on the Conditional Use and on the Site Plan the plans are in approvable form subject to a plan review in accordance with the OBC. The ARB gave favorable recommendation on 7-22-08. The Board asked that any approval be subject to the following; there be no LED lighting on the building, the stone wainscot be applied to all for sides of the building and adding EIFS joints to all sides of the building. 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. On the Conditional Use, for the applicant, are there any types of loud speakers or anything on the outside eating area?

Mr. Zwolenik – I don't think that there are any in the plans at this time.

Mr. Kolick – We would just ask that if that develops at some point you would need to come up to the City because the concerns that we usually have with these are noise or anything from them and there is a nursing home across the street. If you haven't incorporated it in your plans then that is fine but if you would ever change that, come up to the City and see us first.

Mr. Jarmusik – I think typically they do have soft music out there on the patio, usually in the plans but I don't have the electrical with me to check it now and I am not sure that he is planning on doing that. I can take it out.

Mr. Kolick – Nothing needs to come out, it just needs to be at such a volume that it is not bothering anybody off site.

Mr. Jarmusik – No, it would be soft music.

Mr. Kolick – How about the hours of operation? The hours of the outside is what we need to be concerned about.

Mr. Zwolenik – It would be 11:00 p.m. in the summer time, June 1st to September 1st and then 10:00 p.m. the other months and when it is cold out the outside patio would not be open.

Mr. Kolick – We can go ahead and act on the Conditional Use, the Site Plan would need to be tabled because we need the revised plans. I would ask that applicant that when you submit any revised plans, incorporate those requirements of the ARB that you just heard in the revised plans so that the plans reflect everything so that the next time you come back you will be in a position to be approved. Thank you.

Mr. Ice - Thank you. If there are no questions from the members we will table the Site Plan and I will entertain a motion for the Conditional Use.

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)(A)(7) and 1242.07(b) to utilize approximately 1,135 SF as an outdoor patio for the Dairy Queen Grill & Chill Restaurant located at 12152 Pearl Road, PPN 392-28-009 zoned R-RS.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Gentlemen you are all set.

SHURMER INVESTMENT CO./ Andrew Soclof, Agent

a) Conditional Use Permit pursuant to C.O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 1,770 SF as outdoor patio space to serve all tenants in the Towne Center building namely; Saxby's Coffee, Chipotle Mexican Grill, Donut Scene, Brueger's Bagels and Georgio's, located at 14993-15037 Pearl Road, PPN 396-19-003 zoned General Business.

b) Site Plan approval for Exterior Renovations to the existing Towne Center building located at 14993 - 15037 Pearl Road, PPN 396-19-003 zoned General Business.

Mr. Ice - Item Number Two, Shurmer Investment Co. Please state your name and address for the record.

Mr. Soclof – Andrew Soclof, 3681 S. Green Road, Beachwood, Ohio 44122. We are taking over at the Strongsville Towne Center, the Chipotle building, we are looking to reface the building to bring it a little more modern scale design to it and outdoor patio seating for the restaurants that are in that building.

Mr. Ice - Thank you, anybody else wishing to speak in favor of? Against? Seeing none I will declare the Public Hearing closed and listen to the administration reports. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report on the Conditional Use and on the Site Plan, the outdoor patios will have no affect on the existing parking arrangements. From Engineering, there is no report on the Conditional Use and on the Site Plan the plans are in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Foulkes.

Mr. Foulkes - Thank you Mr. Chairman. From Building, there is no report on the Conditional Use Permit. The Site Plan is in approvable form subject to the submission of data for the proposed bollards showing they are sufficient to prevent failure if impacted by a vehicle and a plan review in accordance with the OBC. The ARB gave favorable recommendation on 7/22/08. Thank you.

Mr. Ice - Thank you. Mr. French.

Mr. French - Thank you, Mr. Chairman. From Fire the Fire Marshall reviewed these plans and has concerns with egress and that these patio areas may be blocked with customers rearranging tables and chairs to meet their group's needs. The installation of fixed separation fencing or possibly even fixed tables and seating would help maintain these clear paths for the customers and for emergency personnel should we need to respond there for a call. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, we can act on the Conditional Use subject to the report of the Fire Department, which basically is to separate these off with fencing or non-movable tables and chairs which would do the same thing, keep them from being able to be moved into the exits and entrances which is the concern. The second item, the Site Plan, should you act on it, should be made subject to the Building Commissioners 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 Conditional Use Permit pursuant to C.O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 1,770 SF as outdoor patio space to serve all tenants in the Towne Center building namely; Saxby's Coffee, Chipotle Mexican Grill, Donut Scene, Brueger's Bagels and Georgio's, located at 14993-15037 Pearl Road, PPN 396-19-003 zoned General Business, subject to either fixed separation dividers or fixing the tables and chairs to the surface so that they do not block the paths of egress per the report by the Fire Department as approved by the Building Department.

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 Exterior Renovations to the existing Towne Center building located at 14993 - 15037 Pearl Road, PPN 396-19-003 zoned General Business, subject to the Building Department report.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

FITNESS TOGETHER/ David Saunders, Agent

Conditional Use Permit pursuant to C. O. Section 1258.02(b) and 1258.03(a)(E) to allow a 1,200 SF personal training studio in Springfield Corners, located at 20930 Drake Road, Part of PPN 393-35-004 zoned Local Business.

Mr. Ice – Item Number Three, Fitness Together. Please state your name and address for the record.

Mr. Saunders – David Saunders, 14852 Thornton Drive, N. Royalton, Ohio. I am applying for a Conditional Use Permit to put a personal training studio in Springfield Corners located at 20930 Drake Road.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, this is an approved use in a Local Business District providing a Conditional Use Permit is granted and they do have enough parking. They are providing 92 spaces and required is 86. 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. Mr. French.

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

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. The Commission can act on this matter. 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 Conditional Use Permit pursuant to C. O. Section 1258.02(b) and 1258.03(a)(E) to allow a 1,200 SF personal training studio in Springfield Corners, located at 20930 Drake Road, Part of PPN 393-35-004 zoned Local Business.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

FINAL APPROVALS:

KRAFT FLUID SYSTEMS/ Bill Davison, Agent

Site Plan approval of a Parking Lot Expansion to include 19 additional parking spaces for property located at 14300 Foltz Parkway, PPN 393-01-012 zoned General Industrial.
**ARB Favorable Recommendation 7-8-08. BZA Variance granted 6-25-08.*

Mr. Ice – Item Number Four, Kraft Fluid Systems. Please state your name and address for the record.

Mr. Davison – Bill Davison, Davison, Smith, Certo Architects, 26031 Center Ridge Road, Westlake, Ohio.

Mr. Kraft – Bob Kraft, representing the ownership under Labrador and Friends, 11 Grey-haired Retreats, Savannah, Georgia.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, they did require a variance for the parking set back. They were putting the parking at 32' off the right-of-way where a 50' setback is required. The BZA did grant that variance on June 25, 2008. From Engineering, the plans are in approvable form subject to the applicant showing a curb drain behind the curb and specifying the curb as an ODOT Type 2A.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, there is no report. The ARB gave favorable recommendation on July 8, 2008. 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. Any approval forthcoming should be made subject to the Engineer's report this evening. 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 Site Plan approval of a Parking Lot Expansion to include 19 additional parking spaces for property located at 14300 Foltz Parkway, PPN 393-01-012 zoned General Industrial, subject to the Engineering report.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

NEW APPLICATIONS:

ECHO LAKE HOMEOWNERS ASSOCIATION/ Scott Maloney, Agent

- a) Revised Overall Preliminary Development Plan approval to add 24 Single Family sublots and 14 detached Cluster Units for Bakers Creek Subdivision to the Echo Lake Subdivision, property located west of Pearl Road, PPN 393-34-003 zoned R1-75.
- b) Approval of the Recreation Plan for the Echo Lake Homeowners Association as outlined in their letter dated and received by the City on July 15, 2008 with the installation of the recreation improvements being completed by no later than May 31, 2009.

Mr. Ice – Item Number Five, Echo Lake Homeowners Association. Please state your name and address for the record.

Mr. Dean – Tim Dean, 22100 Horseshoe Lane, Strongsville, Ohio. Representing the Baker’s Creek Subdivision as well as the Echo Lake Homeowners Association. We are here to submit the revised Overall Preliminary Development Plan to join Baker’s Creek Subdivision to the Echo Lake Homeowners Association as well as the approval of the Recreation Plan that was submitted by the Echo Lake representatives tonight.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the revised Overall Preliminary Development Plan is in approvable form. On the Recreation Plan, for Baker’s Creek the minimum required recreation expenditure is \$30,400.00. They are going to be spending \$34,277.50 on the new playground and a storage building. From Engineering, the Overall Preliminary Development Plans are in approvable form. There is no report on the Recreation Plan. The location of the playground and the storage shed will be reviewed as the permits come in. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, there is no report on the revised Overall Preliminary Plan. On the recreation plan the Building Department would like to advise the applicant that separate permits are required for the propose structures

in the recreation area and will be reviewed for building code compliance at the time they are submitted.

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. As the Commission is aware, we did encourage the applicant when all these come close to an existing Homeowners Association to join in, so they have followed that suggestion and are joining Baker's Creek into the overall Echo Lake. I have received and approved the documents necessary to make that joinder, I have just not received that final signed document. Any approval on "a" should be made subject to my office's receipt of the final signed documents. The second item, you are free to act on. 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 Revised Overall Preliminary Development Plan approval to add 24 Single Family sublots and 14 detached Cluster Units for Bakers Creek Subdivision to the Echo Lake Subdivision, property located west of Pearl Road, PPN 393-34-003 zoned R1-75, subject to receipt of the signed documents at the City's Law Department.

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 Approval of the Recreation Plan for the Echo Lake Homeowners Association as outlined in their letter dated and

received by the City on July 15, 2008 with the installation of the recreation improvements being completed by no later than May 31, 2009.

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 8:17 p.m.



Jeffrey A. Ice, Chairman



Carol M. Oprea, Administrative
Assistant

8-14-08

Approved