

## STRONGSVILLE PLANNING COMMISSION

### MINUTES OF MEETING

**September 25, 2008**

The Planning Commission of the City of Strongsville met at the Strongsville Communication Center located at 13213 Pearl Road, on **Thursday, September 25, 2008 at 7:30 p.m.**

Present: Planning Commission Members: 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, Architectural Review Board Representative, William Boron.

The following was discussed:

**FIFTH THIRD BANK:** Mrs. Daley stated that the proposal is to construct a 4,270 SF bank on property located on the northwest corner of Pearl Road and Pierce Drive. There have been a couple of changes since we have seen the preliminary plans. They have revised the entrance off Pearl to a right-in and right-out only because it is located in the designated left turn lane and we don't want the same problem we had at Dairy Queen. They have an additional cut on Pierce, this is an exit only coming out of the bays from the ATM's. They did widen this area here since there will be more traffic coming from this one way if they need to make a left on Pearl. From the City Planner, the proposal meets the General Business zoning requirements except for the minimum lot width. The applicant did receive a variance from the BZA granted on 8-27-08. From Engineering the plans are in approvable form. Mr. Foulkes stated that that plans are in approvable form. Mr. Boron stated that the ARB gave favorable recommendation on 9/9/08 and 9/23/08. The Board asked for mounding on both Pearl and Pierce and they added some trees. They are also putting up a new fence and providing a buffer and screening for this residence. Mr. French stated that they would need to put a Knox box on this building for emergency access. Mr. Kolick stated it would need to be subject to two things; one, the final ingress/egress easements with the neighboring property owner, two, they need to void the Condominium Declarations and they are aware of both of these things. They are awaiting closing to give me those documents. With those contingencies we are ready to go.

**RENAISSANCE PARK:** Mrs. Daley stated that the proposal is to construct Phase 1 of a Retail Business Park located on the northeast corner of Whitney Road and Pearl Road. This is in addition to Lowe's. They are putting in a building with 3 tenants. One of those tenants is a proposed bank. They did make some modifications to the interior traffic flow. Whitney is a right-in, right-out only. When it is all done it will all be connected to the signalized intersection further east on Whitney. Coming in off Pearl it is a right-in only with a deceleration lane. We have approved the plat for the additional

right-of-way that will be needed. They will exit out on this drive which is opposite GFS. This is a signalized intersection across from Broxton. From the City Planner the Phase I site plan is in accordance with the Renaissance Park Community Shopping Center Development Plan as approved by the Commission on 8/16/07. From Engineering, the plans are in approvable form. One suggestion and I believe this is already on the approved plans, do some sort of aeration system or fountain in this basin on the corner of Pearl and Whitney to dress it up a little bit. Mr. Foulkes stated that the plans were in approvable form subject to a plan review in accordance with the Ohio Building Code. We did receive approved lighting reports. One note from the Building Department, we have had several communications with Mr. Yunker regarding the maintenance of the landscaping along Whitney and Pearl. There is a lack of maintenance and we wanted to bring that to the Commission's attention. Mr. Boron stated that the ARB a favorable recommendation on 6-12-07. It is now suggested that this landscaping be installed since this buildings have been torn down. Fall is a good time to plant. Mr. Kolick asked Mr. Yunker if the landscaping as well as the pond would go in with Phase I. Mr. Yunker replied in the affirmative. Mr. French stated that this building was being shown as fully sprinkler protected. There is a private hydrant shown on the property and also knox box should be placed on the building for emergency access. Mr. Kolick stated that this one has already had the subdivision plat approved. It has not been filed because of other items which have now been resolved. Any approval would need to be made subject to the filing of the subdivision plat and that the landscaping will be installed with the first phase.

**GYMBOREE PLAY & MUSIC:** Mrs. Daley stated that this is for a determination of use for the space that is going into in the Coral Plaza behind Taco Bell. From the City Planner, it is a permitted use with a Conditional Use Permit in a General Business zoning district. The parking required is 158 spaces and this plaza has 168 spaces. From Engineering there is no report. Mr. Foulkes stated that the determination of use is presented to Planning because the original application to the Building Department had plans indicating that it was a Child Day Care Facility. Mr. French stated that there was no report from Fire. Mr. Kolick stated that this matter needs to be set for a Public Hearing. The applicant can state on the floor what they do exactly and how many people they have.

**PANINI'S RESTAURANT:** Mrs. Daley stated that this proposal is for a 1,038 SF meeting room with a 28 person occupancy, as well as some exterior site modifications to the current Panini's Restaurant, adding some asphalt to create three new parking spaces. We did meet with the applicant, we asked for a parking survey because there are some issues with parking. They are going to lease 16 spaces from Sherwin Williams's site to the south for employee parking. They did do a parking survey and it shows when spaces are available. They noted that there were a lot of motorcycles and

so they did send over a revised plan showing 5 additional spaces for motorcycle parking. We will need a revised plan showing those spaces and that should be paved with asphalt and have curbs. From the City Planner, with the additional 16 spaces leased on the Sherwin Williams site and the extra that they are picking up, they will have 89 spaces available. The parking requirement, including the meeting room is 91 spaces. It will be 2 deficits. They are taking out a space and striping it for turn around access. They have some place to pull in and turn around. From Engineering the site plan is in approvable form subject to the aggregate base thickness being revised to 8", per City Standards and if the applicant is going to go with the new spaces for motorcycles then we would need a revised plan. Mr. Foulkes stated that the plans were in approvable form subject to a plan review in accordance with the Ohio Building Code. Mr. French stated that there was no report from Fire. Mr. Kolick stated that the issue was really the parking. Years ago there were people running across the street to get in there. If they take the spaces from Sherwin Williams then Sherwin Williams is under-parked. If you are going to permit it then I will need to see a long term lease agreement not just a letter from Sherwin Williams.

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

Roll Call:

Members Present:

Mr. Ice  
Mrs. Walker  
Mr. McDonald  
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.

## **REVISED AGENDA**

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to use the Revised Agenda for this evening.

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 September 11, 2008. If there are no additions or corrections they will stand as submitted.

**FINAL APPROVALS:**

**FIFTH THIRD BANK/ Gerald Weber, Agent**

Final Site Plan approval for the proposed 4,270 SF Bank Building to be located at the corner of Pearl Road and Pierce Drive, PPN 393-19-033, 034, 301, 302, 303, 304 and 305 zoned General Business. \* *BZA Variance granted 8-27-08. ARB Favorable Recommendation 9-9-08 and 9-23-08.*

Mr. Ice – Item Number One, Fifth Third Bank. Please state your name and address for the record.

Mr. Weber – Gerald Weber, Weber Architecture, Inc., 13711 Madison Ave., Lakewood, Ohio 44107.

Mayor Perciak – Before we start Mr. Chairman, for the record, I am no longer a Director or an active member of the Board of Directors of Fifth Third Bank or an employee of the Bank. Thank you.

Mr. Ice – Thank you. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the proposal meets the General Business zoning requirements except for the minimum lot width. The applicant did receive a variance from the BZA granted on 8-27-08. From Engineering, the plans are 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 subject to a plan review in accordance with Ohio Building Code. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – The ARB did give favorable recommendation on 9-9-08 and 9-23-08 with some revisions that they came in with to the building and they also added mounding along Pearl Road and Pierce Drive. Also the screening for the residence, they are putting in a new fence and landscaping to buffer the residents to the west. Thank you.

Mr. Ice – Thank you. Mr. French.

Mr. French – Thank you, Mr. Chairman. From Fire, by local Fire Code a knock box will be required on the exterior of this building for emergency access. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Any approval forthcoming needs to be made subject to the receipt of the mutual easement agreements for ingress and egress across the parcel to the north and also for the rescission of the Condominium Declarations which their attorney is aware of and says as soon as they close they will have those documents over to me. Thank you.

Mr. Weber – That is correct.

Mr. Ice - Thank you. Are there any questions or comments from the members?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Final Site Plan approval for the proposed 4,270 SF Bank Building to be located at the corner of Pearl Road and Pierce Drive, PPN 393-19-033, 034, 301, 302, 303, 304 and 305 zoned General Business, subject to the receipt of the mutual easements for ingress and egress as well as the rescission of the existing Condominium Declaration. \* *BZA Variance granted 8-27-08. ARB Favorable Recommendation 9-9-08 and 9-23-08.*

Mrs. Walker - Second.

Mr. Ice - Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

**RENAISSANCE PARK / Tom Schneider, Agent for TGI Pearl Investors, LLC**

Final Site Plan approval of a proposed Phase I of a Retail Business Park located on the northeast corner of Whitney and Pearl Roads, PPN's 395-10-003, 018, 019 zoned General Business. \* *ARB Favorable Recommendation 6-12-07.*

Mr. Ice – Item Number Two, Renaissance Park. Please state your name and address for the record.

Mr. Yunker – Gary Yunker, TGI Pearl Road Investors, 1630 Timberwolf Drive, Holland, Ohio 43528.

Mr. Ice – Thank you. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the Phase I Site Plan is in accordance with the Renaissance Park Community Shopping Center Development Plan approved by the Commission on 8/16/07. From Engineering, the plans are in approvable form. We would recommend that the retention pond on the corner of Whitney and Pearl be dug out a little deeper and an aeration system added to dress up that area. Thank you.

Mr. Yunker – We agree with that.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable for subject to a plan review in accordance with Ohio Building Code. We also are going to mention our concern about the maintenance for those landscape areas around Whitney and Pearl Roads that currently exist. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – The ARB did give favorable recommendation on 6-12-07. It is also recommended that the landscaping be installed for this Phase I, along Pearl and Whitney since the buildings have been torn down, preferably this fall since that is a good time to plant. Thank you.

Mr. Ice – Thank you. Mr. French.

Mr. French – Thank you, Mr. Chairman. From Fire, as per our agreement with all development on this property, this building is shown as fully sprinklered. We have a

private hydrant for Fire Department use shown on this plan and a knox box will be required on the building for emergency access. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We have as a Commission previously approved a subdivision plat and are awaiting some information as the applicant is aware from their engineer to finalize and have it approved by Council. Any approval forthcoming should be made subject to the final approval of the subdivision plat as well as the developer installing the landscaping on Pearl and Whitney as discussed here. Thank you.

Mr. Ice - Thank you.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Final Site Plan approval of a proposed Phase I of a Retail Business Park located on the northeast corner of Whitney and Pearl Roads, PPN's 395-10-003, 018, 019 zoned General Business, subject the filing of the subdivision plat and the installation of landscaping with Phase 1 as soon as possible. \* *ARB Favorable Recommendation 6-12-0*, subject to Engineering and the ARB.

Mrs. Walker - Second.

Mr. Ice - Secretary, please call the roll.

Roll Call: All Ayes APPROVED

**NEW APPLICATIONS:**

**GYMBOREE PLAY & MUSIC/ Chad Emmerich, Agent**

Determination of Use pursuant to Codified Ordinance Section 1258.03(b) to allow Gymboree Play & Music Facility to occupy 3,600 SF of space at 14383 Pearl Road, PPN 396-18-005 zoned General Business.

Mr. Ice – Item Number Four, Gymboree Play & Music. Please state your name and address for the record.

Mr. Emmerich – Chad Emmerich, 14383 Pearl Road, Strongsville, Ohio 44136. My wife and I own several Gymboree Play & Music's around Cleveland.

Mr. Ice – Thank you. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, Section 1258.03(a)(3)E, Use Regulations; General Business permits exercise facilities per the following; Exercise Facilities. Dance instruction, gymnastics, yoga, martial arts training, gymnasiums, physical fitness centers, none of which shall exceed 5,000 square feet, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code. Parking required is 158 spaces and they are providing 168 spaces. 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. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. This matter needs to be set for a Public Hearing. Thank you.

Mayor Perciak – Excuse me Mr. Chairman, is there a way to speed this up? He has been a customer here in town, he has run businesses here in town. What is this all about?

Mr. Kolick – They only thing we can do Mayor is, all Conditional Use Permits under the code require a Public Hearing. The only way to change that is for us to modify the code and remove that Public Hearing requirement.

Mayor Perciak – You are just going in on Pearl Road aren't you?

Mr. Emmerich – Correct, we took over  $\frac{3}{4}$  of the Tuesday Morning retail space. It will be the largest and the nicest Gymboree Play & Music in the country.

Mayor Perciak – You are just moving from . . .

Mr. Emmerich – That business closed about 3 years ago and then I bought the rights from the woman and am reopening it. It is still the same business model, same style.

Mr. McDonald – Was that over at Boston Square?

Mr. Emmerich – It was in the MC Sports plaza, next to Cleats, I believe. It is where Hoopla is now, it was very small at the time. We are a parent, child development center. Parents bring their children and they participate in art projects, music projects, play programs, things of that nature.

Mayor Perciak – Similar to what you and I are talking about. So there is no way to speed this along for him?

Mr. Kolick – We can't. We have to follow the code which requires the Public Hearing.

Mr. Emmerich – If you don't mind my asking, is that because of the architecture's submission that it is a daycare center? We are not a daycare center.

Mr. Kolick – Either day care or exercise facility both of them one under (D) and one under (E) but they both require a Conditional Use which requires a Public Hearing. It would not matter which way we label it. We tried to get around that for you but . . .

Mayor Perciak – It is not a daycare at all.

Mr. Kolick – Even as an exercise facility it requires the same Conditional Use permit. Either way you have to have the permit.

Mr. McDonald – Are you ready to open?

Mr. Emmerich – We are, we filed our permits on July 18, 2008.

Mayor Perciak – What exactly goes on, please explain to us what goes on in your classes.

Mr. Emmerich – There is a brochure in your packets. We have a play floor, music room and art room. It is where young parents bring newborns through five year olds and

participate in programs, either music programs, exposing them to new musical styles around the world. They play different musical instruments, xylophones, bells, things of that nature. We do our programs so that the parents with the children paint and get exposed to different art, textures and projects and then we have play programs where we have a gymnastic matted floor and there are things for them to climb on, slide on.

Mayor Perciak – Do we need a variance for that?

Mr. Kolick – No, it's not a variance, it is a Conditional Use Permit.

Mr. Emmerich – I am at the point where I am starting to lose teachers because I made offers back in June and July and I have been on hold for 3 months. I have invested a considerable amount of money. This will be the nicest center in all the country. That is how optimistic I was about the market.

Mr. Kolick – We will be able to act on it at the next meeting for you.

Mr. Emmerich – When will that be?

Mr. Kolick – October 9, two weeks.

Mr. Ice – We certainly will act on it.

Mr. Emmerich – Any chance on getting a construction permit in the mean time so that we can start the construction?

Mr. Kolick – Well you could talk to the Building Department, if there is something that is not indigenous to just this, maybe we can work with you. Come in and talk to the Building Department and we will see what we can do.

Mr. Foulkes – We may be able to issue the demolition permit to at least get started so that you can gear up and by the time you get this you will be ready to go.

Mr. Kolick – We will do what we can to help you along.

Mr. Emmerich – I appreciate it.

Mr. Ice - Thank you. Okay then we will set you for a Public Hearing on October 9<sup>th</sup>, 2008.

**PANINI'S RESTAURANT/ Bill Davison, Agent**

Site plan approval for a 1,038 SF Meeting Room as well as site improvements for property located at 14952 Pearl Road, PPN 399-23-004 zoned General Business.

Mr. Ice – Item Number Five, Panini's Restaurant. Please state your name and address for the record.

Mr. Russo – Chris Russo, property owner and operator for Panini's. Address 3520 Longwood Drive, Medina, Ohio 44256.

Mr. Ice – Thank you. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, with the addition of the meeting room, the total parking required is 91 spaces. The applicant has stated that they are going to lease 16 spaces from the Sherwin Williams site to the south. They are providing 73 spaces on site so that will give them a total of 89 spaces. They will be 2 parking spaces deficit. From Engineering, the site plan is in approvable form subject to the aggregate base thickness being revised to 8"- 304 in stead of the 6" shown on the plans. Also if the applicant is going to add the additional five motorcycle parking spaces, as discussed in caucus, we will just need a revised plan showing that. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you, Mr. Chairman. From Building, the plans are in approvable form 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, there is no report. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. The issue as you are aware, is parking. We certainly don't want to get to a point that they are parking across the street. I know that they have some usage with Sherwin Williams's parcel. If they do that they will be under parked but I trust that most of their parking is at a different time than yours. At any rate, if you are going to act on this favorably I need to receive the long term lease agreement

that is required under 1270.07, which would be a requirement under the Code. That will be the issue.

Mr. Ice - Thank you. Are there any questions or comments from the members?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald – Can you explain what the intent of the meetings room are? It looks as though they are physically separated from the main part of the restaurant.

Mr. Russo – Correct, it will never be open the same business hours as the restaurant. This is for event booking only, meetings, catered events, birthdays, that kind of stuff. That property is a little tricky to rent and this way it is 100% occupied. There were questions that we would extend the restaurant dining over there if we were really busy but that is not our intent. Our intent would be specific to event booked parties ahead of time, to bring staff in for it.

Mr. McDonald – So those rooms will only be occupied while the restaurant is not . . .

Mr. Russo – The restaurant hours are 11:00 a.m. to 2:00 a.m. That would be on a Tuesday, whatever time it would be booked for an event. It would not be open to the public everyday of the week. It would only be open when somebody would be interested in renting the room.

Mr. McDonald – Okay, you lost me.

Mayor Perciak – What he is trying to ask you is, are you going to have the restaurant open and the event center open at the same time?

Mr. Russo – It could possibly be at the same time. Right now the restaurant is open 7 days a week, the party room or meeting room would only be open for events. It could be open at the same time.

Mr. McDonald – Okay but it is not intended to be used as overflow for the restaurant.

Mr. Russo – Correct, it would never have the same business hours as the restaurant.

Mayor Perciak – That is inaccurate, it will have the same hours as the restaurant.

Mr. McDonald – It will be available.

Mayor Perciak – You will not use it as a restaurant, you will use it as a catering business or a special event.

Mr. Russo – Correct.

Mayor Perciak – Where will all the cars go for all of this?

Mr. Russo – It would be the same parking lot that we have currently. We did a parking study this past weekend after we met earlier, some of the things that we noticed is the turn around so we added a turn around in the parking lot to make it easier for people to go back out. We noticed that there were actually motorcycles taking up spots throughout the night so we actually found 5 spaces that we could park bikes to move them out and free them up. There was only a 3 hour period that we actually had a parking deficit, where everything was parked. As far as Sherwin Williams, we do put a security guard over there from 6:00 p.m. to 1:00 a.m. Wednesday through Saturday, so nobody is parking over there, no customers are parking next door, just our employees. You mentioned earlier about Sherwin Williams, they close at 8:00 p.m. and Donatos is no longer open.

Mr. McDonald – What? They must be doing that Nationwide. They closed in Brunswick too.

Mr. Russo – So we are trying to address people parking all over as you had mentioned.

Mr. Kolick – Mr. Chairman, it is not going to address the short term approval here but I think it may be worthwhile for the applicant to explore, there is an old residential parcel that sits behind that. It would be nice for the City and probably nice for your business if you could do something with that parcel. It would take a rezoning, it is zoned R1-75. It would require a vote of the electorate but it would certainly help us as a City, clean up that parcel. The residential house that sits behind Sherwin Williams, that parking lot could “L” shape back there. You would have more than sufficient parking. You may even have more room to add to your building if you could do something with that parcel and probably help us, as a City, clean up an area back there that, maybe you could look at.

Mr. Russo – I have looked at it and met Keith out there before to talk about rezoning and what it would take. I have been in contact with the owner. I have been in contact with Wendy’s about their back half of their lot that they are not using. Both of those, we

are currently talking. I am exploring those options, I agree with you. That is almost a dead piece of land behind us that not very many people can use.

Mr. Kolick – I don't think anybody can use it for anything else. It would be ideal for you to put the parking lot back.

Mr. Russo – I agree. We have met out there and walked the property.

Mr. Ice – Any other questions?

Mrs. Walker – For the applicant, you said that this parking schematic, employees were already parking at the Sherwin Williams lot when this was made.

Mr. Russo – Correct.

Mrs. Walker – It says that there were 0 spots at various times. How many people would this meeting room hold?

Mr. Russo – Twenty Eight.

Mrs. Walker – So there is obviously not going to be enough parking.

Mr. Russo – We have to be very careful when we lease that out because on Fridays which is our busiest day, there was a deficit from 7:00 p.m. to 9:00 p.m. and we had 0 spots. We have to be very careful when we lease that out. We don't want to drive away our current customers to the restaurant. Our restaurant is first, we are just trying to one; offer to the public and two; use that room for a tenant. The driving school is a perfect tenant for that building because people are dropped off there, the students, only for certain hours of the day are people actually in the building. That building is kind of hard to lease out. We are trying to update the property. We have done quite a bit to that property throughout and are just trying to update it and improve it.

Mr. Kolick – Part of the reason the parking is required by Code, the Code required parking is for your benefit. We don't want to see you open and not have enough parking and then nobody is going to come there because you are too crowded. Just understand, that is why we look at these parking requirements.

Mr. Russo – These parking requirements here is for a free standing restaurant. That is actually a strip with 3 separate tenants. We took the greatest parking application for what we have in front of us.

Mr. McDonald – It is kind of irrelevant though, since you have no spaces available.

Mr. Russo – Correct.

Mr. McDonald – Do you currently have a lease on the meeting room space?

Mr. Russo – Correct.

Mr. McDonald – So it is part of your overall space anyway?

Mr. Russo – I own the property.

Mr. McDonald – You own the building.

Mr. Russo – Correct.

Mr. McDonald – What is in the space now?

Mr. Russo – We just remodeled it, nothing currently. It was a hair salon before.

Mr. McDonald – On the spaces, did I hear Lori, did you say that there were three additional spaces that could be added when they repave the lot that they don't have today?

Mrs. Daley – Yes, they are going to be adding some more asphalt, bumping it out on the north side and adding 3 spaces there.

Mr. McDonald – The five motorcycle spaces are in addition to that as well?

Mrs. Daley – Yes and those five spaces are not part of Bob Hill's report. That came in late today.

Mr. McDonald – Is it unreasonable to ask that those improvements be made and another traffic study, parking study be done before we make a decision?

Mr. Russo – Absolutely I can make those improvements.

Mr. Haseley – The concern here is, I personally have seen two lunch hours where everything was parked. People were driving in the back and having to back out because at that time could not turn around. That is why it is a concern.

Mr. Russo – Was that the first week that we opened?

Mr. Haseley – One of them may have been but the other one wasn't.

Mr. Russo – There was an issue when we first opened up. That is when we went out and leased those spots next door to get our employees out. We have not seen, especially during the day any issues at all.

Mr. McDonald – But on the weekends you still are?

Mr. Russo – Friday, which is our busiest day right now.

Mr. Haseley – It is great that you have that kind of business. We are happy about that. You might want to look at the Mayor or Mr. Kolick's suggestion on that piece of property behind as a possible solution too and I hope if you acquire that, that you fill that up too.

Mr. Russo – Thank you.

Mayor Perciak – I think that the parking situation is going to alleviate as the weather changes. He has parts of May, June, July, August, September but the rest of it, the outdoor dining is going to dwindle, whether he wants it or not and that will have an effect on the traffic that is coming in and out of there. Your summer traffic is still going to be an issue of some sort. You've done wonders with that place, it is very busy. I think that the people enjoy it. It has been a good addition to the town but as I mentioned to the Assistant Law Director, you have to be very sensitive to the parking there because this will affect and impact your volume. The burden is on you, I'll support this but you need to make certain that you take care of it and that there isn't an incident there. You don't want people crossing that street.

Mr. Russo – I agree.

Mayor Perciak – We want you to succeed.

Mr. McDonald – Have you talked to Sherwin Williams about a long term lease agreement for those parking spaces?

Mr. Russo – I have and right now what I presented to you is what they wanted to do.

Mr. McDonald – So it is just a matter of putting it in writing and providing a term and getting it to Dan. Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Pan approval for a 1,038 SF Meeting Room as well as site improvements for property located at 14952 Pearl Road, PPN 399-23-004 zoned General Business, subject to the receipt of a long term lease agreement for the 16 parking spaces at the Sherwin Williams, to be received by the Law Director's office.

Mrs. Walker - Second.

Mr. Ice - Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Kolick – Mr. Chairman, one question for the applicant. So you understand, the only document that we have to date is a letter stating that they would allow you to use the parking but that they could terminate it on 30 days notice. It has to be a regular long term lease just so you understand.

Mr. Russo – What would that be?

Mr. Kolick – If you have your attorney contact my office, I would be happy to talk to him about exactly what we need to meet 1270.07 of the Code. He can feel free to call my office. Here is my card.

Mr. Russo – What is long term?

Mr. Kolick – Long term means the same length as, under the Code, the same length as the use so it would have to be as long as the use is there.

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 8:28 p.m.

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Jeffrey A. Ice, Chairman

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Carol M. Oprea, Administrative Assistant

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Approved