

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

February 8, 2007

The Planning Commission of the City of Strongsville met in the Caucus Room at the Strongsville Municipal Building 18688 Royalton Road, on **Thursday, February 8, 2007 at 7:30 p.m.**

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

The following was discussed:

PEARL ROAD LASER WASH, PARCEL SPLIT: Mrs. Daley stated that the applicant was going to split off the rear portion of the property and give it to the VFW. There was no report from the City Planner and the Engineering Department felt that the plans were in approvable form. Mr. Biondillo stated that the Building Department felt that the plans were in approvable form and that he had a CPTED report from Sgt. Hall. One of the things in that report was that they wanted to see a mock up of the sign in place to make sure that it does not obstruct any vision down Pearl Road. They do make a higher quality sound apparatus to minimize the sound from the vacuums and he asked that they use a better insulation package. Lt. French stated that the Fire Department had no report. Mr. Kolick stated that the applicant should ask the VFW to make application for rezoning because that will be zoned Motorist Service and it needs to get changed over to Public Facility on the site plan. The signage is a concern and any vegetation blocking that driveway is a concern that we need to look at. Mr. McDonald asked if BZA approved these plans and asked for the minutes from that meeting. Mr. Kolick stated that he was at that meeting and the Board did approve the variances. Mr. Haseley noted that the minutes from that meeting are posted on-line. Mrs. Daley stated that regarding the site plan that the applicant took out the curb cut on Pearl Road so they now just have the one on Strongsville Blvd. They moved it back as we requested to allow for better traffic flow within the site. Mr. Biondillo stated that the Building Department had no report on the site plan. Mr. Boron stated that the ARB did grant approval on 2/6/07 and that they asked the applicant to add a dormer to the roofline to the west and they did do that. We did request a revised landscaping plan which was not complete. Mr. Flury stated that the landscaping was complete. On the back of the property, we talked with Jennifer regarding that, the VFW does not want anything back there and that was one of the concerns that ARB had. They want to do their own

landscaping. Mr. Boron stated that the ARB requested landscape screening from their back parking lot. We requested an evergreen screening because they are going to be doing that park but I guess if they don't want it and they have talked to Jennifer. We also requested a mound with some screening of these vacuums. They are going to come back with signage and at that point the landscaping can be brought back at that time also. Mrs. Barth asked if the mound was supposed to be 2 feet. Mr. Boron stated that he thought it was 2 to 3 feet, depending on what Engineering and grading would allow. Mr. Biondillo stated that the Police Department was going to go out there to look at the mound and the sign and make sure that there was no obstruction of view. Mayor Perciak asked where we were with the VFW. Mr. Kolick stated that they had called and he told them that they would have to come in for the rezoning. Mr. Kolick asked if the VFW had given anything in writing about putting anything in landscaping across the rear. He stated that he did not know who Mr. Flury was dealing with, the cars are going to be going back there and there will be lights back there and if they don't want it, that is fine but there is no representative from the VFW here to express their feelings. Mr. Flury stated that the VFW was going to put in their own landscaping and they were planning to do walking trails back there and they also wanted the memorial to be seen from Pearl Road. That elevation up there is a lot higher than the site. They wanted it to be able to be seen and ARB was talking about pine trees which you would not be able to see anything with pine trees. Mr. Kolick stated that he was uncomfortable with no one from the VFW present to tell the Board that. He stated that we have had trouble in the past with commercial uses abutting residential with vehicle lights. Mr. Flury stated that he was aware that someone from the VFW had talked to Jennifer around 5:00 p.m. and both the President and the Vice President of the VFW had talked to her. Mayor Perciak stated that as far as he was aware the VFW was just grateful to get the back land. Mrs. Barth asked if there were any homes that would be in line with the traffic pattern where the VFW is who would be affected. The Applicant said no. The Mayor said that could be a problem on the other side of the street but not there. Mrs. Barth stated that was her concern. Mr. Flury stated that was why they had not put an exit drive there because of how great the grade change is.

AT & T, 22370 WESTWOOD DRIVE: Mrs. Daley stated that there was an existing cabinet and access drive located within an easement. There was no report from the City Planner. From the Engineering Department the plans are in approvable form. The Mayor asked Mr. Kolick to update the Board as to where things were at with AT & T. Mr. Kolick stated that City Council and the Law Department and the administration are working with AT & T to reach some agreement on these boxes and their uses and that is still not in place. City Council did not renew the moratorium on the boxes. If we go forward and act on the boxes I'll give them an admonition that they are doing this at their own risks. John Bedford asked that the Police Department and our Engineering Department go out to the sites rather than just looking at them on the paper, that they actually go out to these sites and see where they are at so we're sure from a safety

standpoint that we are not blocking any views. This one is on the curve of the road on Westwood; it appears to be back far enough on paper but John Bedford wanted to be sure that there was no problem with it. These are big boxes, they are over 5 feet high, they are 3 feet long and it may not be as obtrusive here with a road like Westwood where the house are sitting back but they are going to be coming in I think every 300 to 500 houses. They are going to be going into High Point, Ledgewood and everywhere else so we are starting to set a precedent as to how these go. We need to be careful and make sure that we do it right. The Mayor stated that there are some things that we have to keep in mind. By declaring the moratorium all we did was buy time. We had one 60 day and another 60 day and another 30 day. Technically if they wanted to, this is in their easement. They could have gone and gotten an order ordering us to do this. When we think or Dan thinks, or Ken Kraus thinks or I think that we have wasted our time, no, we bought time to enable us to at least do something with these things. The second thing by doing this, they have now approached us; we now have the one coming up on Blazey Trail they had to pay for that. They offered those residents additional money now. So, if they have these boxes in front of their homes, these people now, AT & T has finally realized that they may have to do something to get the residents involved in this. The residents have received the consideration that is why the Blazey Trail one is here today. The next part on these things is that they are going to be building them a little bit lower and a little bit fatter, which is probably better than these high ones, they are just trying to reconfigure the boxes as to which way it would work. We did our best with what we could but at the end of the day the reason we were able to prevail is because of sightlines and because of child safety. We were clear with them and in the agreement we have been able to work out the child safety things, I'm sure we will be named a party if something would go wrong, at least we have some recourse now that we did not have before. The moratorium has worked but now we do have to get to business with these things. The other part of it is, whether we like it or not, AT & T is the premier company when it comes to delivering any kind of telecommunications services. You will find out that out of the box, when they do actually deliver, they do deliver their product 27 to 30 percent cheaper than we are now getting from Adelphia. I could not run the chance of saying to a resident, "well no, you can't have this, you can't continue to fight this because you have people who have this in their homes and its \$100.00 per month with their dedicated lines and computers and whether they are going to pay \$100.00 or \$70.00 you know right away what they are going to say to me, so I think we've covered most of our bases and our time was well spent even though it was an aggravation and a super annoyance but it did pay off. Mr. Kolick stated that there is a technological advantage to us getting this and as they come in and start to do the entire City, we will start to see some of the rewards. We have to balance that against whatever obtrusiveness or whatever problems there are going to be with the boxes and where they are placed. Mayor Perciak stated that he knew he was having an issue when they sent the big guy from Chicago to see him. Mr. Ice stated that in caucus this morning the administration talked about landscaping around these things and most of

us felt that we would rather not see anything. Mayor Perciak agreed. He stated that as far as children are concerned, as far as the site is concerned, landscaping is going to do nothing but cause more problems. They are what they are, they are ugly, we know it, but to landscape them or to put something around them, I am worried about in these neighborhoods with kids. Sometimes I forget, when we have these grandkids we find out very quickly how fast they are and no matter how on top of them you are, they are down the driveway, darting out, doing this and that. They will hide behind these things, these kids, and even though there is voltage there, I'm not sure landscaping is the answer which will further shelter the child from darting or running around and that is my fear with the landscaping on these things. I am afraid for the kids, people driving cars, well you are at your own risk but little kids don't understand. We all remember those days.

AT & T, Webster and 14050 Blazey Trail: Mrs. Daley stated that this is on Blazey, the one that the Mayor mentioned and it is going to serve Avery Walden. It is located in a private easement. There was no report from the City Planner. From Engineering, since this plan just came in this afternoon there was no opportunity to go out to the site but that is one thing that will be done. Mr. Kolick stated that the Board could keep this moving by sending them over to ARB. He stated that as a City we do have to look at a policy. In Rocky River they may be fencing them in. They said it would not keep away the teenagers who can hop the fence but it will keep the little kids out. Mayor Perciak stated that he did not know what the answer was but, he felt very strongly about protecting the children. Mr. McDonald stated that we have transformers sitting in front yards. Mayor Perciak stated that was another thing that we were going to have, he met with CEI today and they were going to go onto the website, he asked them to do a news release where all these people have gone ahead and planted these nice shrubs and plants around these little green boxes, CEI now can't locate these boxes because as all our neighborhoods mature, they can't find the boxes. What they are going to do is, they are going to identify, they have to go in there and in some of these cases the people have covered the boxes completely with soil and have made mounds out of them and have planted them and CEI has to use actual equipment to go in there and detect where the boxes are. They are going to go into their, they are going to do 92 different boxes throughout the City that they have to take care of they are going to clear at least in front of them and he agreed you have to have power and whether the residents like it or not, and I'm sure that I am going to hear about it but, they are going to go in there and start hacking some of these bushes down because it's a problem. You are going to hear about that and you are going to hear about them hacking the trees down along the Turnpike behind Webster so we are going to have some more people attending the Council Meetings, but again, they are in their easements, its in their right-of-way. Ever since that power of 2003, they are going down and I pleaded with them today, I just don't want to hear about it. What you don't want to do is fuel the fire. Especially in

Ward 1. Mr. Biondillo stated that he did not know why Rocky River would fence the cabinet. They are not high voltage, they are only 120 Volts. Mr. Kolick stated that they felt that would keep children away from the boxes. Mr. Ice stated that this one could also be sent over to ARB.

Kids First Learning Center: The Mayor stated that the electorate passed the Kids First Learning Center. He reminded the Commission that the City defeated this and it was put on the ballot and won overwhelmingly. Mrs. Daley presented the subdivision plat that was given to the Commission back in July that got tabled until the rezoning. She stated that they would have to come back and get this approved so that we could get it filed. It was going on this parcel that got rezoned. They do have on Howe a right-in, right-out that will cause the left turns to be at the signalized intersection of Tracy and Howe for both coming in and coming out and going into the site. They have the entrance on Tracy and then on Howe they did do a Traffic Study that shows the level of service both here at the access drive and at the intersection are appropriate and acceptable levels of service. The Mayor asked did you have time to calculate the access drive onto Howe, not by Tracy Lane is into the wider part. Mrs. Daley replied it is not into the wider part with the center lane which is more towards the north. This is what they were directed to do, they had their study done, Engineering is fine with the location as shown on this plan that has been submitted here. From the City Planner, there are a number of items that do not meet the Public Facility Zoning Requirements. The Building Setback Requirement is 50' and they have 40' to this line here. The Play Area, this back is going to be all play area fenced in, required is 50' and they have 3' to the fence that they want to put up and the Drive requirement is 10'. They are actually going to split the property line so they are going to infringe 12' into the property that is going to be zone R1-75. They do have an access easement that is shown on this plat. There will be some additional easements that they'll need, one for drainage and one for a sanitary sewer that they can take care of when they file the subdivision plat since it does have to go to Council. Mayor Perciak stated that he was concerned about the big CEI plant over there. What kind of EPA problems are we going to have with little kids this close? Mrs. Daley was not aware of any. Mayor Perciak asked the representative, Mr. Cooper if any of that was taken into consideration. Mr. Cooper stated that he was not able to answer that question. He was the architect for the building and he was not aware of the CEI plant. Mayor Perciak stated that it was right there, it is a substation. He was concerned and wanted it documented in the minutes. Mr. Kolick stated that we should put in the minutes that this concern was brought up to the applicant. He pointed out that there are single family homes and a church there. Mayor Perciak stated that he did not care, that he wanted for the record that the Commission brought to the attention of the applicant, these concerns and it has not been overlooked. He stated he had concerns with this project with children. Mr. Kolick asked if it was known what they were going to do with the two residential homes on the other two properties. He stated

that he knew that they were in bad condition at one point. Are they going to remain residential homes or are they going to bring them down because we are bringing those children within 3 feet of those vacant houses. If they re going to take them out of there then its no big deal. Mayor Perciak agreed that they should look at that. Mr. Kolick stated that on the floor this issue needs to be addressed so that the Board would know what they plan to do, that close is a concern. He stated that they needed to be denied tonight so that they could proceed to BZA but those questions should have answers before they get through any BZA process. I am sure they will have those questions too at BZA, how close are these homes, what are you going to do with them, how are you going to screen them or are these homes coming down. At one time the property owner was saying that they were really in bad shape. I don't know if he is planning on taking them down or it's going to be vacant land. Mr. Biondillo stated that when this does come back with the site plan the actual parking would need to be indicated, we will need a lighting plan and the dumpster that is shown, is the outside material of the center itself masonry? Mr. Cooper replied that it is metal siding. Lt. French had a question, for the right-in, right-out, that is proposed on Howe Road, is that island divider there going to have a rolled curb so that we can get past that with a bigger truck? Mr. Cooper stated yes. Mr. Kolick stated that it was necessary to watch that, if you can get out like that you may get people trying to get in over that curbing so we have to be very careful what we do. We don't want people trying to make a left into or out of this thing or we will end up with a bottle neck there. Its something we are going to have to talk to the property owner about, the best way to handle it. Mr. McDonald asked if you are going to be able to at Howe and Tracy going south, turning left onto Tracy, will you be able to get around the stacked traffic? Mrs. Daley stated that it was just two lanes. Mr. McDonald stated that at Shurmer you could get around a car that was turning left. Mrs. Daley said that there was no asphalt where you could sneak around, they would just have to wait until there is a break in the traffic to turn there. Mr. McDonald asked if there was a left turn signal there. Mrs. Daley replied no. Mr. Kolick asked if that abuts the land the City owns that would allow us to put another lane in there. Mrs. Daley replied no that it was too far south from where that was. Mr. McDonald asked if the island at Pomeroy was too far north. Mrs. Daley replied that he was correct. You really don't have enough room. There is not a designated lane to go around there. She was concerned about people trying. Mayor Perciak asked who owns that land. Mr. Kolick stated that it looked like it was privately owned and it looked like houses there. He stated that he was thinking that if we could get another lane and cars could at least get around 1 or 2 stacked cars. They need to go to BZA. They need to come in, these are issues that need to be explored with them administratively to see what we might be able to come up with. Even if you put a light there, if the car doesn't make it they are going to sit there. Mayor Perciak stated that just to do Pearl from Shurmer to Drake is 12 million. Just to open up that intersection at Howe and Drake we've got estimates from 750,000 to 2 million which we have to do. We have it all stacked up all the time, we need more

turn lanes. Mr. Kolick stated, just like we had at Rt. 82 and Prospect. You have to open that up, it has to happen to alleviate some of the congestion. We also have to get something done at Boston and Howe with the light over there. Mr. Kolick asked if we could do anything taking the road east, having it jog slightly over or something. That would be all land that I think he may own. Mrs. Barth stated that would be something to consider. Mrs. Daley agreed that she thought he did own those, that was something that could be looked at. Mayor Perciak stated that the traffic there is terrible. Mr. Kolick stated if we could not do that then maybe we would have to consider a no left turn and then if they want to use that facility they would have to go down the road and come back. It may be a solution to the cars backing up because if you are making a left turn there, you are going to back those cars up almost to Rt. 82. Mrs. Walker stated that the cars were already backed up to Rt. 82 anyway. Mayor Perciak stated that it is a nightmare over there. Mr. McDonald stated that he knows that it was a big job but we straightened out Bennett's Corners and that is kind of what needs to happen here. Mill Hollow needs to come through here. You have two lights down to one and that guy needs to go. Mr. Haseley said, "what you are saying Dan is that we turn it down and send it to BZA and have them come in and meet administratively". Mr. Kolick stated that Mr. Haseley was right and that the applicant need to come in and talk about it administratively which is unrelated to these variances but this needs to all ironed out before they come back to Planning.

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.
Mayor Perciak

Also Present:

Mr. Biondillo, Bldg. Com.
Mrs. Daley, Design Engineer
Mr. Kolick, Asst. Law Dir.
Lt. 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 January 25, 2007. If there are no additions or corrections they will stand as submitted.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I did notice that Mrs. Walker was noted as absent from the last meeting.

Mr. Ice - We can make that change. Any other changes? Ok, with that change they are approved.

FINAL APPROVALS:

PEARL ROAD LASER WASH/ Scott Bagi, Owner

a) Parcel split of PPN 395-05-005 for property located on the corner of Strongsville Boulevard and Pearl Road, zoned Motorist Services.

b) Site Plan approval of a 3,808 SF 3 bay laser car wash for property located at Pearl and Strongsville Blvd., PPN 395-05-005 zoned Motorist Services. *ARB Favorable Recommendation 2/6/07.

Mr. Ice – Item Number One, Pearl Road Laser Wash. Please state your name and address for the record.

Tim Flury, Star Inc., 46405 Telegraph Road, Amherst, Ohio 44001.

Mr. Ice – Thank you. Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, on the parcel split there is no report and From Engineering, they are planning on splitting the rear of PPN 395-05-005 and attaching the same to PPN 395-05-014. Currently PPN 395-05-005 is zoned Motorist Service. The two parcels will have a remainder parcel with 0.7827 acres of land with 104.64' frontage on Pearl Road and 294.75' frontage on Strongsville Boulevard and the Consolidation Parcel with 0.9173 acres and 349.91' frontage on Strongsville Blvd. Both Pearl Road and Strongsville Boulevard are fully improved. The lot split and consolidation map is in approvable form. On the site plan, from the City Planner, there were some variances granted by BZA on December 13, 2006 for the parking setback from the right-of-way, the building side yard setback and the lot width and lot acreage. From Engineering the plans are in approvable form. There are some minor revisions that are necessary. The applicant's engineer has been notified of these revisions.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, there is no report on the parcel split and on the site plan, the plans are in approvable form. We do have an approved lighting plan. We ask the applicant to check with the manufacturer of the vacuum and make sure they get the highest sound insulation on their outside vacuums as possible. I do have a CPTED report. The re-design with only the Strongsville Blvd., curb cut is an improvement over the original design. Traffic within the lot should be light enough to make the backing out of the vacuum lanes a safe movement. The size and placement of the ground sign still may be an issue for sight distance. An on-site evaluation with a mock-up of the sign would be of value before the start of construction. Thank you.

Mr. Ice – Thank you. Mr. Boron

Mr. Boron – Thank you Mr. Chairman. The ARB did give favorable recommendation providing that the dormer was added to the east roof line and that was shown tonight at caucus that they did add that dormer. Also we requested a revised landscaping plan and they have to come back for signage to ARB and they will be providing that revised plan at that time. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report on the parcel split or site plan.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. On the parcel split, I would just note, if you're successful and this is approved tonight, make sure that the VFW is informed to come in to start the rezoning process. I know we have had some discussions with them but you need to follow up. On the site plan, if the Board is going to act favorably, it should be made subject to the Engineering and ARB reports this evening. Thank you.

Mr. Ice - Thank you.

Mr. Ice – Questions from the members?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Parcel split of PPN 395-05-005 and Consolidation with PPN 395-05-010 for property located on the corner of Strongsville Boulevard and Pearl Road, zoned Motorist Services.

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 of a 3,808 SF 3 bay laser car wash for property located at Pearl and Strongsville Blvd., PPN 395-05-005 zoned Motorist Services subject to the Engineering and ARB reports as read this evening.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

NEW APPLICATIONS:

AT & T/ Gary Saylor, Agent

Recommendation of Site Plan Approval and Landscaping Plan for an additional above-ground Expansion Cabinet to be located in a private easement located at 22370 Westwood Drive, PPN 392-02-019 zoned R1-75.

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

Gary Saylor, AT & T, 13630 Lorain Road, Cleveland, Ohio 44111.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering the plans are in approvable form. 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.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick - Thank you, Mr. Chairman. At this time the item will need to be referred to the ARB. I would note two other things and that is our technology director has requested that we go out on these sites and look at them directly rather than just on paper. We are looking for site line distance problems, if there are any, drainage problems, those types of things, so we will be doing that. The other item I have as I informed you in caucus, City Council has not yet approved the agreement so the applicant has asked us to go forward just understand that it is at your own risk until such time as Council approves the agreement for the new technology.

Mr. Saylor – You know that is for like what we call an adjunct cabinet. I guess there are two propositions here tonight, one on Westwood and one on Blazey Trail. The one on Westwood is for what we call an adjunct cabinet for DSL expansion, not video services.

Mr. Kolick – To the extent it is DSL, you have been approved for DSL from the City. If you use this for any of the video, that is awaiting approval of City Council.

Mr. Saylor – Right, well the Westwood is for DSL, it's like an add on cabinet to what we already have.

Mr. Kolick – The application that we received showed that it was for DSL and would also accommodate the video in the future. As to the DSL, you won't have a problem with that but the other City Council still needs to approve, just so you understand.

Mr. Saylor – Where do I go on that.

Mr. Kolick – You will go to the Architectural Review Board as you will on the next one.

Mr. Ice - Thank you. Any questions from the members? We will send you over to the ARB on 2/20/07.

AT& T/ Gary Saylor, Agent

Recommendation of Site Plan Approval and Landscaping Plan for an above-ground Cabinet and Concrete Pad to be located in a private easement located at Webster and 14050 Blazey Trail, PPN 398-23-003 zoned R1-75.

Mr. Ice - Item Number Three, AT & T. Mr. Saylor remains at the podium.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering this was received later this afternoon and we do need time to go out and check the site for site lines so that is one thing we will be looking for. 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.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, just the same comments, we will need to refer it to ARB and they need to understand that they are proceeding at their own risk at this time. Thank you.

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

Mr. Ice – Ok, you are going to ARB on both items. Thank you.

KIDS FIRST LEARNING CENTER/ Willis Boyer, Agent

Site Plan approval of a 12,400 SF Day Care Facility for property located at 15210 Tracy Lane, PPN 396-25-003, 399-04-005, 006 & 010 zoned Public Facility.

Mr. Ice - Item Number Four, Kids First Learning Center. Please state your name and address for the record.

Mr. Cooper – Dick Cooper, MBI K2RM Architecture, representing First North Corporation for Bill Boyer on the Kids First Center.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there are some items that do not meet the Public Facility Zoning requirements. The setback, side and rear yard setback is 50', they indicate 40' to the north. The drive set back is 10', they are infringing 12' to the north on the R1-75 Zoning District. The playground area set back requirement is 50', they are indicating 3' on the south side of the property. From Engineering there is a subdivision plat that is required to create this parcel that the proposed daycare facility will be located on. It was previously submitted to Planning Commission on June 29th, 2006. That will need to be approved and recorded with the County. Any easements that are necessary for access, any sewers or drainage will need to be shown on this plat. Pavement design must conform to the City Standards. As we discussed in caucus, if we can have the applicant come in administratively and we can review the traffic flow on Howe Road and look at that intersection at Howe and Tracy Lane and see if there is anything we can do there to help the flow of that traffic. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, we will need a complete engineered site plan. We will need to indicate the accessible parking on the site plan and to include a lighting submission. I do have a CPTED Report from the Police Department. Under Access Control, all doors should be locked except for the main entrance. A receptionist must be able to view/greet all persons entering the building. Traffic Concerns, the curb cut onto Howe Road is the preferred design. Its location must be far enough to the north, beyond the road taper, to make use of the center turn lane. This will allow stacking for left turns into the site. If this curb cut onto Howe Road were eliminated, left turns on Tracy Lane to access this site would bring southbound Howe Road traffic to a standstill. Thank you.

Mayor Perciak – What did you say about the as far north, what did you say about that?

Mr. Biondillo – Its location must be far enough to the north beyond the road taper to make use of the center turn lane, which I guess that is not possible from the design.

Mr. Kolick – I think Mr. Chairman, as we noted in caucus, they need to come in administratively and talk to us about the whole traffic patterning, the rights in and out, where the driveway comes in and what we can do around Tracy Lane, so all those items have to be taken into account. They need to come in administratively and see us. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire I would just like to make a note to the applicant, that barrier that is at the right-in, right-out drive onto Howe Road will still have to be passable by a fire apparatus wishing to make a left-in at that drive. That may be our quickest and one of our better ways in so it should have rolled curbing enough for the trucks to get over it. Thank you.

Mr. Ice - Thank you. Anything else, Mr. Kolick?

Mr. Kolick – Just a couple of matters. One, make sure that they bring in a subdivision plat with the easements as noted by the Engineering Department. That will need to be finalized before a site plan can be approved. They will come in administratively and talk to us about the traffic flow. We also need to know from the owner, what is going to happen with those two residential properties. You are asking to take the play area up within 3' of their property lines. It is going to be something that both BZA and this Commission will be concerned about so if we can get answers to those questions it may

expedite the administrative process. Here tonight we will need to deny them for the variances as noted in Mr. Hill's report. Thank you.

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

Mrs. Barth – Do you want to bring up the CEI plant?

Mr. Kolick – We should note that as also noted in caucus, that there is a CEI plant there. I don't know what dangers that may pose to those children but it is something that I would think that the applicant should look into on their own before they go forward with this project because they need to be concerned about it as well as us being concerned about it. Thank you.

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval of a 12,400 SF Day Care Facility for property located at 15210 Tracy Lane, PPN 396-25-003, 399-04-005, 006 & 010 zoned Public Facility.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Nays DENIED

Mr. Ice – Ok, so you are off to BZA and you will need to contact Carol about meeting with the administration. Thank you.

Mr. Cooper – Ok, we can do that.

Mayor Perciak – If you need any type of minutes or copies, there were a lot of things that were discussed up here, feel free to call Carol and I'm sure she'll be happy to e-mail them to you so that you would have them because it is a lot and what we want to do is just get this right.

Mr. McDonald – Please understand the importance of the traffic. The Howe Road, Tracy Lane thing is going to be a mess if it is not changed.

Mr. Cooper – I will pass that on to Mr. Boyer.

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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.

Jeffrey A. Ice, Chairman