

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

March 22, 2007

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

Present: Planning Commission Members: Jeffrey Ice, Charlene Barth, Gregory McDonald, Mary Jane Walker, Thomas Stehman. 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:

Five Guys Famous Burgers & Fries: Mrs. Daley stated that this applicant was going in at the Mall. She stated that there was no report from Mr. Hill. From Engineering it's in approvable form. They have the outside eating and are coming in for the Conditional Use. Mr. Biondillo stated that there was no report from Building on the Conditional Use and the site plan is in approvable form. He also stated that the Building Department and the applicant had come to an agreement on the bollards. Lt. French had no report on the conditional use or the site plan. Mr. Boron stated that the ARB did give favorable recommendation. He stated that the applicant had submitted revised plans and that the Committee was now looking at the most current plan. Mr. Kolick stated that the plans were ok but that he would like to remind the applicant that if there were any problems with the noise or loud speakers that they would need to work with the City.

Wal Mart Real Estate Business Trust: Mrs. Daley stated that the plans were for the expansion for the supercenter. She stated that the split and consolidation was previously approved and that the plat still needed to be recorded before any permits could be issued. Colleen Burns asked for an approval contingent on the plat being signed. Mrs. Daley stated that the contingency would be part of any approval. She stated that from Mr. Hill, the proposed expansion meets the General Business zoning requirements with the exception of the off-street parking. They are required 1470 spaces and are providing 1394 so that will be a deficit of 76. Mr. Hill indicated that he had no problem with the deficit. She stated that from Engineering the plans are in approvable form. We are in receipt of the Army Corp. permit for the wetlands and they are going to be clearing some land and reconfiguring an existing forebay that now discharges to that wetlands. We did get a revised traffic study for the entrance across from Strongsville Boulevard. In the first study it recommended a traffic signal. We asked them to take a look at it again and it still recommends a traffic signal, so we are going to require that a signal be installed. The Mayor stated that we have a letter regarding that. Mrs. Daley stated that there were discussions with Colleen and another gentlemen from Wal Mart. The Wal Mart representative stated that was a surprise and that she had no knowledge of that. They stated that their impression was that the City

did not want a signal there because there are too many signals up and down Pearl Road and that they revise the Traffic Study to reflect a modified pork chop island that restricted the movements out of that entrance. Mrs. Daley stated that was what the City wanted them to look at to see if that would be a feasible solution, that she had a copy of the Traffic Study and that basically it states that on Strongsville Boulevard there would not be enough gaps in the traffic for cars to get out of Strongsville Boulevard, that was looking at a full access in and right out. They couldn't justify a right-in, right-out. The Wal Mart representative stated that was for the residential side coming across and that they are already restricted to come straight across. Mr. Kolick stated that the problem the City had with what they wanted to do would deadlock traffic there and that the Police Department says that if you deadlock traffic from Strongsville Boulevard that there would not be enough gaps for the traffic to get out, that the residents would try to beat the traffic out there and that would be causing a safety hazard. He stated that the City was going to use the letter received from Wal Mart, dated February 21st, indicating what their plans were as far as the traffic signalization. The Mayor stated that the City really did not want to go along with that and that was why we requested that the Traffic Study be updated. He stated that the City did everything they could to eliminate that light. Mr. Kolick stated that neither Wal Mart nor the City would want anyone involved in an accident there. The Wal Mart Representative asked if there was some resolution in the law suit issue regarding the ring road that it would provide an outlet for people wanting to go to Whitney who currently have to go to Pearl, could the traffic light not be installed? Mayor Perciak stated that was not the reason for the light. Mrs. Daley stated that the Traffic Study looked at with and without the ring road and it was recommended both ways that the signal be put up there. Mr. Kolick stated that the ring road is going to help. The Wal Mart representative suggested there be a left out on the residential side because that was where it was not working. The Mayor stated that what was not working is the people coming from west to east and that is what we believe that we did not want the Strongsville Boulevard to become an access way into this shopping center so we thought that the best thing to do would be to try and keep the light out, as the Traffic Studies came back it said that we would never get people across that road safely. The Wal Mart representative stated that it was already restricted to not cross. Mayor Perciak stated that they still do. The Wal Mart representative agreed and stated that she was witness to that today. She suggested putting a pork chop island just as on their side. The Mayor stated that would not work. Mr. Kolick stated that there was an island like that at Taco Bell and people just drive right over it. He stated that we tried every way that they could to avoid another light but that it just can not be done. If it was possible it would be done. We understand that you have limited involvement to the scope of the letter agreement. We will just condition the approval on it. Mr. Biondillo stated that there was no report on the modification of parking. On the site plan, the plans are in approvable form. They do meet the ADAG Guidelines for accessible parking. We do have an approved lighting plan and I do have a CPTED report which I will read on the floor. We had addressed that there would be no outdoor storage of

materials, they expanded the Garden Center so that all those seasonal materials should be housed within the area provided. Mr. Boron stated that the plan did get approval from the ARB. There was a contingency from the City Forester that they like and redo this entrance landscaping and coordinate with her and that was done and she did sign off on the revised plans. Lt. French stated that there was no report from the Fire Department on the modification of parking but on the site plan as in the previous report, they would like indicated on the plans where you will be storing the outside propane cabinets. He had a discussion with the Fire Marshall regarding keeping it away from the exits as traditionally put and he will work with a number for that as to a minimum of how far to be away from there. Mr. Martinez stated that this was listed on the plans. Lt. French asked if there was a hydrant indicated on the east end of the building in the lot? He stated that there was one down there now. The Wal Mart representative indicated that it was located in the island. Mr. Kolick asked them to understand with the tanks that we have had them start in one place and then suddenly they move closer to the doors so that everybody can see them and get their tank. That is not a good situation if somebody throws a cigarette or something into those tanks. Understand once you locate them, they will stay in that area and the Fire Department will enforce that because that becomes a real safety issue. I was not picking on you, we have other places with that same issue but we want to maintain a safe distance. There will be a number of contingencies, and they are ready to go. One is the filing of the plat, second is and I have a letter from them agreeing to do it but they have to show it on the plan, the revisions to the plan showing the future connection to the ring road. They gave me a letter stating that they are agreeable to doing it but we need to put it into the motion, third, contributing to the traffic light there as in their correspondence of 2/21/07.

Westfield/Southpark Mall: Mrs. Daley stated that this was a revision to the Master Sign Program for Five Guys. There was no report from Mr. Hill and from Engineering, there is no report. Mr. Biondillo stated that there was no report from Building. Mr. Boron stated that the ARB did give favorable recommendation. Lt. French stated that there was no report from Fire. Mr. Kolick stated that if approved this would need to proceed to Council.

AT & T – 14200 Albion Road: Mrs. Daley stated this was a new cabinet on Forestview and Albion. There is an existing cabinet there. There was no report from Mr. Hill and from Engineering, the plans are in approvable form. Mr. Biondillo stated that there was no report from Building. Mr. Boron stated that the ARB did give favorable recommendation. They are using the smaller box. There is a note in the plan that they are going to remove one of the existing evergreen trees and relocate it to keep the screening around it. Lt. French stated that there was no report from Fire. Mr. Kolick stated that he was ok with it but we are going to tell AT & T for all future ones that we will need a sign off from the resident showing that they are aware that you are doing this

by way of either a sign off letter or certified letter. Some of these easements are very old easements, we acknowledge that you have the right to put it in there but we don't want the property owner waking up and saying there is a new cabinet here and I didn't know anything about it. In the future we are going to require you to give us a letter from the property owner saying that his property is going to have work done. Just an acknowledgement, I'm not saying that you don't have the right to go in because they gave you the easement but they have to acknowledge that they know what is going on. We want to see that, the other thing you need to make real clear on the plans what is there now as well as what is going in. Sometimes we get a double cabinets on the rendering that we are not quite sure what is going in. For instance like these (pictures of Jonathan cabinet site), there is a cabinet and here in front of it another one. We just need to know if there are two different boxes going in and what we are looking at. If they could just make that clear on the drawings. We just want to know what it is that we are approving. We can act on this one.

AT & T – 14109 Settlers Way: Mrs. Daley stated that this is a new box on Settlers Way and Rt. 82. There is an existing cabinet here. From Mr. Hill there is no report and from Engineering it's in approvable form. It is far enough off the right-of-way in a private easement. Mr. Biondillo stated that there was no report from Building and the CPTED report indicates that the he is in agreement with the location and that it will not create any site distance problems. Lt. French stated that there was no report from Fire. Mr. Kolick stated this could move on to ARB. The Mayor stated that we need to be a little more creative and thinking of more than decorative shrubbery, maybe fences or something. Maybe we would be better off with something like that and then people won't have to worry about maintaining it. The Shurmer Road and Admiralty landscaping is bad, some are dead and some are alive. So for the sake of safety and our children maybe we are better off not being so fancy with the landscaping but maybe we would be better off with a decorative fence.

AT & T – 19000 Prospect: Mrs. Daley stated that there is an existing cabinet there in an easement off the right-of way. There was no report from Mr. Hill. From Engineering the plans are in approvable form. Mr. Kolick stated that at the meeting on Monday with Council, we informed them that these boxes are going to be coming into the neighborhoods. They indicated that they should be looked at individually and that they were ok with fences, landscaping or nothing around them because of its location and being a safety hazard. They had no problem with that as long as you are cognizant with where it is at, Are you going into a residential area, are you going into a commercial area? They really have given us a free hand as to how it will end up, they really didn't have a preference as to which way it would go. Mr. Boron stated that they were looked at individually. The Mayor stated that we always should put the safety issues first. Mr. Kolick stated, we probably will be bringing one back to you, the one on Shurmer.

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
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.

EXCUSE MR. HASELEY

Mr. McDonald - Mr. Chairman

Mr. McDonald - I move to excuse Mr. Haseley for just cause.

Mrs. Walker – Second

Mr. Ice – Secretary, please call the roll

Roll Call:

All Ayes

APPROVED

REVISED AGENDA

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

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

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 March 8, 2007. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

FIVE GUYS FAMOUS BURGER & FRIES/ Kurt Schmitz, Agent

- a) Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(A)(6) and 1242.07(b) to utilize 500 SF as an outdoor patio for Five Guys Famous Burger and Fries, located at 500 SouthPark Mall, Space HL90, Part of PPN 396-20-001 zoned Shopping Center.
- b) Site Plan approval of a new 2,500 SF tenant space to be used for a Restaurant located at 500 South Park Center, Part of PPN 396-20-001 zoned Shopping Center.

Mr. Ice – Item Number One, Five Guys Famous Burgers & Fries. Anyone wishing to speak in favor please step forward and state your name and address for the record.

Mr. Schmitz – Kurt Schmitz with ADA Architects, 17710 Detroit Avenue, Lakewood, Ohio 44107. I am the Architect and representing the client this evening. We had taken this project from Planning Commission to ARB and got favorable approval as well as with our sign package. As you can see we've gone through pretty extensive work with Westfield and bringing in a product that we are pretty proud of this evening. We used a multitude of materials and some colors that we think will blend in and stand out with the center. We are matching the existing bricks and materials that are already established at Westfield. We are looking forward to opening so we are asking for your final approval this evening.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, there is no report on the site plan or conditional use. From Engineering, there is no report on the conditional use permit and the site plan is in approvable form. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, no report on the conditional use and the site plan, it is in approvable form. We did come to an agreement with the applicant on the design of the bollards. Thank you.

Mr. Ice – Thank you. Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. As the applicant stated, everything matches the mall brick style. The ARB did give favorable recommendation on 3/20/07. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, there is no report on the conditional use. There is also no report on the site plan. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. At the last meeting the applicant did agree to work with us if there is any question as to loud speaker noise or music, with that we are ok. Thank you.

Mr. Ice - Thank you. Any Questions from the members?

Mrs. Barth – Mr. Ice.

Mr. Ice – Mrs. Barth.

Mrs. Barth – What are the hours of operation?

Mr. Sethi – Randhir Sethi, 1354 River Ridge Oval, Hinckley, Ohio 44233. Our typical hours are 11:00 a.m. to 10:00 p.m. and those get modified if the location requires it. That is what we were planning to do here 11:00 a.m. to 10:00 p.m. seven days a week.

Mr. Ice – Any other questions?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(A)(6) and 1242.07(b) to utilize

500 SF as a outdoor patio for Five Guys Famous Burger and Fries, located at 500 SouthPark Mall, Space HL90, Part of PPN 396-20-001 zoned Shopping Center.

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 new 2,500 SF tenant space to be used for a Restaurant located at 500 South Park Center, Part of PPN 396-20-001 zoned Shopping Center.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

FINAL APPROVALS:

WAL MART REAL ESTATE BUSINESS TRUST/ Colleen Burns, Agent

a) Approve a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit 76 less parking spaces for property located at 8585 Pearl Road and where the Code requires 1470 spaces and where only 1394 spaces are intended, PPN 395-08-010 zoned General Business.

b) Site Plan approval of a 59,119 SF expansion to the existing Wal Mart to include a grocery use for property located at 8585 Pearl Road, PPN 395-08-010 zoned General Business. *ARB Favorable Recommendation 11-28-06.*

Mr. Ice - Item Number Two, Wal Mart. Please state your name and address for the record.

Mr. Martinez – Brett Martinez, Law Kindon, 345 Riverview, Suite 200, Wichita, Kansas. Requesting final approval on Wal Mart.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the proposed expansion meets the General Business zoning requirements with the exception of the off-street parking. The required parking is 1470 spaces, they are providing 1394 so they will be deficit 76. From Engineering no report on the parking modification and on the site plan, they are in approvable form. We have received their Army Corp. Permit. They do have an approved lot split and consolidation plat that needs to be recorded with the County prior to any permits being issued for this expansion. We also received two Traffic Studies, particularly looking at the drive that comes in opposite of Strongsville Boulevard and as a result of both of these studies that were submitted by the applicant, we will require that a signal be put in at that intersection. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, no report on the modification of parking. On the site plan, the plan is in approvable form. They do meet the ADA Guidelines for accessible parking. We do have an approved lighting plan. There were extensive discussions on the area provided to contain any outdoor materials. The garden center is large enough that any of the materials during the seasonal sales should be contained within the walls provided on the plan. I have a CPTED report that I would like to read from Sgt. Hall. Under Traffic Concerns, a search of the traffic accidents of the intersection of Wal Mart driveway, Pearl Road, Strongsville Boulevard was conducted for the years 2005 through 2006. Although there were other accidents that occurred at this intersection, the area in close proximity on Pearl Road, the scope of this report deals with left turning movements out of and into the Wal Mart driveway and Strongsville Boulevard. The reason for this limited scope is that a signalized intersection would make the left turning movement safer but not necessarily affect the safety of right turns into and out of these locations. Other consideration include, increased pedestrian safety in crossing Pearl Road and providing safe passage from Strongsville Boulevard to Wal Mart driveway. The current prohibition for the straight movement from Strongsville Boulevard to Wal Mart should be lifted if the intersection is signalized. Any increased generation via Strongsville Boulevard would be negligible and not decrease the safety or quality of life of Strongsville Boulevard residents. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did grant favorable recommendation on 11/28/06. This approval was contingent upon them submitting a revised site plan, which they did. The City Forester requested they redo the entrance way with the

median near the Home Depot entrance. The plant material has not been maintained and some of the trees did need to be replaced. They were asked to coordinate with her regarding this and they did. She did sign off on the revised plans. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire the applicant will still have to label on the plan the areas where propane cabinets will be stored. These will be reviewed by the Fire Marshall for final approval. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, any approval forthcoming would need to be subject to the following items: 1. The filing of the plat as contained in the Engineer's report. 2. Revised plans showing the future roadway connection. In that respect I did receive a letter here this evening agreeing that they would revise the plans to show that, 3. They would contribute towards the traffic light pursuant to their correspondence of 2/21/07. Thank you.

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

Mrs. Barth – Mr. Ice.

Mr. Ice – Mrs. Barth.

Mrs. Barth – This isn't really pertaining to this project in particular but because I have Wal Mart's attention here and I see Colleen Burns is in the back. I would like to just ask for your support on helping Strongsville control the tractor trailers that park in that parking lot. I can tell you that my husband and I visited that site on October 1st last year and we counted over 10 tractor trailers that were parked there. In addition to that there was a home recreation vehicle with a trailer attached to it, with a car on it. It looked like a regular tractor trailer parking lot. You can assist the City with enforcement, as long as there is a sign posted there that says that they are not allowed to park there permanently and they can be towed. I think it would really help us prevent that from happening in that area. I know the Councilman in that area, Mike Daymut, has worked very hard to control that, it's been very frustrating for him to try to accomplish that. I am asking for your assistance in any way to monitor that.

Mr. Biondillo – Mr. Chairman.

Mr. Ice – Mr. Biondillo.

Mr. Biondillo – Mrs. Barth, there are signs available. That strictly is a management decision on Wal Mart's part. If signs are posted with the proper language from the ordinances, all they have to do is call the Police Department and they can make arrangements to have those vehicles towed. They may want to take that back to the management of the store. Thank you.

Mrs. Barth – I will tell you, there was a sign, a man-made sign posted there but nothing enforced. You posted the sign and they ignored it. What you need to do is enforce it.

Mayor Perciak – That is a good idea.

Mr. Ice – Yes that is a good idea.

Mr. Daws – Jeff Daws, I'm from the Wal Mart home office. I am in the real estate department but I will convey that message to the operational management for this area.

Mayor Perciak – It is good for the store.

Mr. Daws – Sometimes it is a little bit difficult to try to catch the trucks. Often people will come and drop off trucks and ride off in another vehicle and leave them. So they are not necessarily close by.

Mayor Perciak – We understand but it has been a subject of discussion here and at the Council meetings and we have residents actually coming up to the microphone just like you are now, complaining about that. It think Mrs. Barth is correct in requesting that you cooperate with us and its better for you.

Mr. Daws – I will convey that to both the management and the property manager.

Mayor Perciak – That might help boost your profit sharing that I read about in the Wall Street Journal.

Mr. Ice – Thank you. Any other questions?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Approve a Modification of Parking requirements pursuant to Zoning Code Section 1270.04(b) to permit 76 less parking spaces for property located at 8585 Pearl Road and where the Code requires

1470 spaces and where only 1394 spaces are intended, PPN 395-08-010 zoned General Business.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval of a 59,119 SF expansion to the existing Wal Mart to include a grocery use for property located at 8585 Pearl Road, PPN 395-08-010 zoned General Business. *ARB Favorable Recommendation 11-28-06*, subject to the filing of the lot split and consolidation plat, the revision of the plan to modify the ring road and the contribution towards the traffic signal per the correspondence dated 2/21/07 from to Mayor Perciak from Jeff Daws, Wal Mart Realty.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Revision to the Master Sign Program to add (2) signs as described on grid map location (M48) and (M49) and (5) awnings located on grid map location (M50), (M51), (M52), (M53) and (M54) for Five Guys Famous Burger & Fries for property located at 500 South Park Center, part of PPN 396-20-001 zoned Shopping Center. *ARB Favorable Recommendation 3/20/07*.

Mr. Ice - Item Number Two, Westfield/South Park Mall. Please state your name and address for the record.

Mr. Bacanti – Anthony Bacanti with Buckingham, Doolittle and Burroughs, 1375 E 9th Street, Suite 1700, Cleveland, Ohio. I am here on behalf of Westfield/Southpark. We are here to request final approval for our revision to the Master Sign Program.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering, there is no report. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

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

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give favorable recommendation on 3/20/07 for the revision to the Master Sign Program. They also revised the Master Sign Program grid as requested. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, if approved by this Commission it would need to be forwarded to City Council for approval. 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 Revision to the Master Sign Program to add (2) signs as described on grid map location (M48) and (M49) and (5) awnings located on grid map location (M50), (M51), (M52), (M53) and (M54) for Five Guys Famous Burger & Fries for property located at 500 South Park Center, part of PPN 396-20-001 zoned Shopping Center. *ARB Favorable Recommendation 3/20/07.*

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

AT & T/ Thomas Fogarty, Agent

Site and Landscaping Plan Approval for the above-ground Equipment Cabinet and Cement Pad to be placed within a private easement on property located at 14200 Albion Road, PPN 398-10-081 zoned R1-75. *ARB Favorable Recommendation 3-20-07.*

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

Mr. Williams – Mike Williams, representing AT & T, 13630 Lorain Avenue, Cleveland, Ohio. This is my first meeting here so I'm trying to figure out your format.

Mayor Perciak – It's easy. We will ask the questions, you answer them and then we are ok.

Mr. McDonald – The less you say the quicker you get approval.

Mr. Williams – I am with that. Requesting approval for the site at 14200 Albion Road to place an above ground cabinet.

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, the plans are in approvable form. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give favorable recommendation on 3/20/07. They stated in the meeting that this cabinet will be one of the lower boxes not the tall one. They also indicated on the plans that there was an existing pine tree that will be removed and moved 15 feet to the west of the box. Thank you.

Mayor Perciak – It is a 48" box, correct?

Mr. Kolick – Yes.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, no report on this item but since Mr. Williams is here for the first time, as I explained in caucus, in the future what we are going to need is a letter signed by the property owners indicating that they know that you are coming in for a proposal of something on or in front of their property. If that would accompany all future matters that you bring in and the second item is, make sure that you show on the site plans, the existing box or boxes, whatever is there. Then clearly indicate what box or boxes you are going to be adding rather than just equipment. With those two things I think it will move more quickly. 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 and Landscaping Plan Approval for the above-ground Equipment Cabinet and Cement Pad to be placed within a private easement on property located at 14200 Albion Road, PPN 398-10-081 zoned R1-75. *ARB Favorable Recommendation 3-20-07.*

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

NEW APPLICATIONS:

AT & T/Thomas Fogarty, Agent

Site and Landscaping Plan Approval for the above-ground Equipment Cabinet and Cement Pad to be placed within a private easement on property located at 14109 Settlers Way, PPN 393-17-301 zoned RT-C.

Mr. Ice - Item Number Five, AT & T, Settlers Way. Mr. Williams 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 the plans are in approvable form. This cabinet will be located within an existing private easement and will not obstruct any drainage or interfere with sight lines. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, the plans are in approvable form. I do have a CPTED Report that states that the above ground equipment cabinets near 14109 Settlers Way and 19000 Prospect Road will not create any sight distance problems as located on the submitted plans. Thank you.

Mr. Williams – I don't mean to interrupt you but you said Settlers Way?

Mr. Ice – Yes.

Mr. Williams – Are we talking about number five?

Mr. Ice – Yes.

Mr. Kolick – It's on the corner of Settlers Way and Route 82.

Mr. Williams – Number five on my Agenda has Olympus Way Drive.

Mr. Kolick – You didn't pick up the Revised Agenda here tonight.

Mr. Williams - I'm sorry.

Mr. Kolick – That is ok. See, we are breaking you in here tonight.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, this will need to be referred over to ARB. Thank you.

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

Mrs. Oprea – The next ARB meeting is scheduled for April 10th.

AT & T/Thomas Fogarty, Agent

Site and Landscaping Plan Approval for the above-ground Equipment Cabinet and Cement Pad to be placed within a private easement on property located at 19000 Prospect Road, PPN 394-27-004 zoned R1-100.

Mr. Ice - Item Number Six, AT & T at Prospect Road. Mr. Williams 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 the plans are in approvable form. This cabinet is also located within an existing private easement and will not obstruct drainage or interfere with sight lines. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, the plans are in approvable form. The CPTED Officer reports that the above ground cabinet near Prospect Road will not create any sight distance problems as located on the submitted plans. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire there is no report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, this one will also need to be referred over to the ARB. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok then we will refer you over to the ARB. Consider yourself broken in Mr. Williams.

Mr. Williams – Alright. Can I ask what happened to the Albion Road one that was on the previous Agenda, excuse me, Olympus Way Drive?

Mr. Kolick – That one you had removed from our Agenda.

Mrs. Oprea – No it was Tabled at ARB.

Mr. Williams – Ok, thank you.

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 8:20 p.m.

Jeffrey A. Ice, Chairman