

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

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

Present: Planning Commission Members: Jeffrey Ice, Chairman, Charlene Barth, 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, Architectural Review Board Representative, William Boron.

The following was discussed:

SOUTHWEST GENERAL HEALTH CENTER: Mrs. Daley stated that Mr. Hill's report indicated that it meets the Public Facility Zoning Requirements. From Engineering, the plans are in approvable form. Mr. Biondillo stated that it is in approvable form and that we have an approved lighting plan. Mr. Boron stated that the ARB did approve it subject to not having any berming on the east side. They gave permission to do individual mulched areas for free draining. Mrs. Barth questioned the plans and planting areas. Mr. Boron stated that the rings on the plans would be individual mulched areas and that there would not be mounding. Mr. Kolick stated that he thought that Southwest was going to purchase the property next door, to the east. Mr. Fischer stated that there was an offer on that property but that the property owner was not ready to sell at this point. Mr. Kolick stated that if the residential property was to remain that there should be some screening to protect them from the parking lot. The Mayor stated that the residential hospice really needs to be expanded. Mr. Kolick stated that it was ready to be acted on subject to the landscaping and lighting situations.

AT & T – PEARL & IDLEWOOD: Mrs. Daley stated that this cabinet was located within a private easement. Mr. Hill had no report, and from Engineering, it was in approvable form. Mr. Biondillo stated that there was no report from Building but that he did have a CPTED Report that would be consistent with all of these and that the recommendation is that any of the cabinets should be at least 5 feet inside the sidewalk, outside of the right-of-way to reduce any site distance problems. He stated that was being addressed in the planning stages and getting them outside of the right-of-way whenever possible. The Mayor commented that would mean that AT & T would have to purchase land and get releases from the mortgage holders. Mr. Biondillo stated that there were a lot of instances where there are existing cabinets and that those existing cabinets will continue to remain. This new cabinet is to pick up the video. Mayor Perciak stated that AT & T wanted \$150,000.00 to move one of those cabinets. Mr. Kolick stated that the City paid that amount to move the cabinet on Prospect and Rt. 82. When the road was expanded the City had to pay that amount to get that moved. Mr. Kolick stated that AT & T did reduce the size of the cabinets in height, which is what the City wanted but they

increased the length of the cabinet. Mr. Biondillo stated that the originally proposed cabinets were 62" tall, these are 48" but the width has increased. Mr. Biondillo stated that there are limitations of how far down the cabinets can go because they do have to be able to get inside of them to work on them. The Mayor stated that the new cabinets look much better. Mrs. Daley stated that AT & T was scheduled to come in with their planners so that we could go over their master plan of every one that they would like to put in the right-of-way. The Mayor expressed concern that AT & T was spreading rumors to the Home Builders Association and other Builders saying that they are not going to go ahead and do any of these things until the legal agreement is worked out with our Law Department. He stated that the City has been polite and cooperative yet has made it very clear that they proceed at their own risk until the agreement is finalized. Mr. Kolick asked if any more applications have been submitted. Mrs. Oprea stated that they just brought in one more but that of the ones we have the majority are in the right-of-way, only two are in private easements. He stated that it is one thing if it is in a commercial area but quite another if it is blocking the view from a driveway. The Mayor stated that there are conflicting stories in that AT & T should not continue filing application if they are not going to install the approved cabinets. Mr. Boron stated that the ARB did give favorable recommendation and that there are some pine trees located on this site. The Architectural Review Board asked that they coordinate with the City Forester on this site.

AT & T – 14200 ALBION: Mrs. Daley stated that this one is at Albion and Forestview and that AT & T is going to use the shorter box on this one as well. It is being placed in a private easement next to an existing box away from the sidewalk. She stated that Mr. Hill had no report and that from Engineering the plans are in approvable form. Mr. Biondillo stated that from Building it is in approvable form. Mr. Kolick stated that they would need to move on to ARB.

AT & T – OLYMPUS WAY: Mrs. Daley stated that the first application showed this one located in the right-of-way. They were asked to move it back. There is an existing box here that is screened by a nice fence, there is landscaping around it, so they did move it back into the easement so it will be screened that way. She stated that there was no report from Mr. Hill and from Engineering it is in approvable form. Mr. Biondillo stated that there was no report from Building.

WESTFIELD REVISION TO THE MASTER SIGN PROGRAM: Mrs. Daley stated that this is the Revision to the Master Sign Program at the Mall to include the Five Guys Restaurant located at the far eastern corner next to Chipotle. She stated that there was no report from Mr. Hill or from Engineering. Mr. Biondillo stated that there was no report from Building. Mr. Kolick said that it would need to go to ARB and City Council. Mayor Perciak asked how many square feet the tenant space would be. Mr. Sethi stated that

the tenant space was 2,500 SF. Mr. Haseley asked if there would be an interior door to the mall. Mr. Sethi stated that the only door was on the outside of the building.

FIVE GUYS FAMOUS BURGER & FRIES: Mrs. Daley stated that there would be an outdoor patio at this location. Mr. Biondillo stated that from Building, one of the things that they would like addressed is incorporating a bollard design where it would meet the ODOT requirements for vehicle contact, maybe fill that with concrete and utilize the fence. This is a fairly safe site without the concerns that would be present if alcohol were served, but they would like the applicant to provide some level of additional protection. Mr. Schmitz asked if there was an ODOT Standard. Mr. Biondillo replied that they do have certain design criteria. He said that he would e-mail that to Mr. Schmitz tomorrow. Mr. Kolick asked if there would be outside speakers for music or announcements. Mr. Sethi stated that there would be speakers for light music in the patio area and to allow the kitchen to call out orders when they were ready. Mr. Kolick stated that they would be required to work with the City on any noise or complaints. Mr. Sethi said that he was willing to do that. Mr. Kolick said that they could be sent to ARB and also set for a Public Hearing.

ORDINANCE NO. 2007-19: Mr. Haseley stated that this was ready to be sent back to Council and he was going to ask for a favorable recommendation. Mr. Kolick stated that this is a shopping center with proposed restaurant use, that there was a concept plan in the packets. Mrs. Daley stated that the plans show a retail area as well as a restaurant and showed the location of Dr. Kast Building. Mr. Kolick asked if this would be lining up with the Doctor's driveway. Mrs. Daley replied yes. Mr. Kolick stated that the Board would need to be cognizant with the cluster homes that the parking lot may abut up against.

ORDINANCE NO. 2007-49: Mr. Haseley stated that he would like to move this forward. He stated that there was an agreement with Home Depot and Lowe's that anything with 100,000 SF or larger may have some outside display but that it must be in an enclosed area, not in the parking lot. This would clean that up. Mr. Biondillo stated that this would help give leverage to requiring Home Depot to clean up their outdoor sales area, much like Lowe's has. Mrs. Barth asked why nothing was being done about the tractor trailers being parked overnight in the Home Depot parking lot. She stated that there were "no parking" signs posted but that they were still parking there. Mr. Biondillo stated that they could be ticketed and towed. Mrs. Barth stated that she could not believe the number of rigs in that parking lot. She stated that there was at least 15 to 20. Mr. Biondillo stated that he would make the Police Department aware of this situation. Mr. Haseley stated that he would like to take back a favorable recommendation to Council.

ORDINANCE NO.2007-50: Mr. Haseley stated that he would also like to take a favorable recommendation back to Council on this one. This is a business parking requirement and that the City has been using the Urban Land requirements rather than our own codes and over the last several years that has worked out well so this would adopt it.

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

Roll Call:

Members Present: Mr. Ice, Chairman
Mrs. Walker
Mrs. Barth
Mr. Stehman
Mr. Haseley, Council Rep.
Mayor Perciak

Also Present: Mr. Biondillo, Bldg. Com.
Mrs. Daley, Design Engineer
Mr. Kolick, Asst. Law Dir.
Mr. Boron, ARB Chairman
Carol Oprea, Recording Secy.

EXCUSE MR. MCDONALD

Mrs. Walker- Mr. Chairman.

Mr. Ice – Mrs. Walker.

I move to excuse Mr. McDonald for just cause.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll

Roll Call: All Ayes APPROVED

REVISED AGENDA

Mrs. Walker– Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker– I move to use the Revised Agenda for this evening.

Mrs. Barth – Second.

Mr. Ice – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Approval of Minutes

Mr. Ice – You have all had a chance to review the minutes of February 22, 2007. If there are no additions or corrections they will stand as submitted.

FINAL APPROVALS:

SOUTHWEST GENERAL HEALTH CENTER/Lawrence Fischer, Agent

Site Plan approval of a 6,732 SF Parking Lot Expansion, including 23 additional parking spaces for property located at the 18659 Drake Road, PPN 397-17-009 zoned Public Facility.

Mr. Ice – Item Number One, Southwest General Health Center. Please state your name and address for the record.

Mr. Fischer – Larry Fischer with Perspectus Architecture representing Southwest General, 13212 Shaker Square, Cleveland, Ohio.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner the parking expansion meets the Public Facility Zoning requirements. 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 site plan is in approvable form and we do have an approved Lighting Plan.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did give favorable recommendation on March 6, 2007, contingent on the screening to the east of the property is not allowed to have any mounding so that the drainage is not blocked from the eastern property and adjacent neighbor. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Any approval should be made subject to the ARB report this evening. If they do receive favorable recommendation they will need to proceed to City Council because they are zoned Public Facility. Thank you.

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

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- I move to give favorable consideration for Site Plan approval of a 6,732 SF Parking Lot Expansion, including 23 additional parking spaces for property located at the 18659 Drake Road, PPN 397-17-009 zoned Public Facility, subject to the ARB report.

Mrs. Barth - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mayor Perciak abstained from voting because he is the Chairman of the Foundation with Southwest General Health Center.

Mr. Ice – Larry you are all set. Thank you.

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 11262 Pearl Road and Idlewood Trail, PPN 392-20-024 zoned RT-C.

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

Ms. Bujnovsky – Wendy Bujnovsky representing AT & T, 13630 Lorain Avenue, Cleveland, Ohio. Thank you for entertaining me this evening. I have come for final approval of an above ground cabinet at 11262 Pearl Road which is also Idlewood Trail. We did receive favorable recommendation from the Architectural Review Board. There was a request that we move our pad slightly east to accommodate additional landscaping, staying away from that property border right there. I forwarded that design following the ARB meeting.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering, it is 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. I do have a CPTED Report that is applicable to any of these submissions. Under Traffic Concerns, for the locations of 19166 Albion, 14200 Albion, Olympus Way and Idlewood Trail, the cabinets should all be at least 5 feet to the inside of the sidewalk. This will reduce the risk of any sight distance problems, increase pedestrian safety and reduce the risk of vehicles leaving the roadway and striking the units. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB gave favorable recommendation on 3/6/07. The request that the applicant was referencing was a request made by one of the members on the Board to potentially move the pad in case there was any landscaping that needed to be put around that cabinet. That also has to be coordinated with the City Forester for any additional landscaping. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. We do have a copy of the private easement so they are in order to be acted upon this evening.

Mr. Ice - Thank you. Any questions?

Mrs. Walker- Mr. Chairman.

Mr. Ice - Mrs. Walker.

Mrs. Walker- 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 11262 Pearl Road and Idlewood Trail, PPN 392-20-024 zoned RT-C, subject to the CPTED Report and the ARB report.

Mrs. Barth - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok Wendy you are all set on that one.

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 14200 Albion Road, PPN 398-10-081 zoned R1-75.

Mr. Ice - Item Number Three, AT & T. Ms. Bujnovsky 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 cabinet will be located within a private easement outside of the City's right-of-way and it will not obstruct drainage or sight lines. 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 and we should make it subject to the CPTED Report of 3/3/07. Thank you.

Mr. Ice - Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman, for the applicant, are all these boxes going to be the smaller height boxes from now on or do they differ by location?

Ms. Bujnovsky – For the most part, I think you are going to see that most of them are going to be the smaller ones. There are some areas where we are actually serving more customers than others that rather than putting in two boxes, we would probably approach you with one box that is a little larger, a 52E cabinet is my largest cabinet, I do have a copy of that I can provide to you. I'm not sure that I have ever come to you asking for a 52E. In cases so far, you are looking at that shorter box, that ALP248.

Mr. Kolick – Ok, if you are submitting something with that larger box just make it clear on the application which box you are referring too.

Ms. Bujnovsky – Ok.

Mr. Kolick – Mr. Chairman, this needs to be referred over to the ARB.

Mr. Ice – Any questions or comments? Ok we will refer you over to the ARB.

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 on Olympus Way Drive, PPN 392-30-034 zoned R1-75.

Mr. Ice - Item Number Four, AT & T. Ms. Bujnovsky 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 cabinet is located next to an existing cabinet in a private easement outside of the right-of-way. The proposed cabinet will not obstruct drainage or sight distance. The site plan is 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 and it should be made subject to the 3/3/07 CPTED Report. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, this needs to be referred to ARB as well.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will refer you over to the ARB on this one as well.

Ms. Bujnovsky – Thank you very much.

Mr. Ice - Thank you.

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Revision to the Master Sign Program to add (2) signs and (5) awnings for Five Guys Famous Burger & Fries for property located at 500 South Park Center, part of PPN 396-20-001 zoned Shopping Center.

Mr. Ice – Item Number Five, Westfield Southpark Mall. Please state your name and address for the record.

Mr. Bacanti – Anthony Bacanti with Buckingham, Doolittle and Buroughs, 1375 E. 9th Street, Suite 1700, Cleveland, Ohio. Here to answer any questions you may have regarding our Revisions to the Master Sign Program.

Mr. Ice – We will listen to the administration reports, 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 - Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman, this also needs to be referred to the ARB and ultimately would need to go to City Council. Thank you.

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

Mr. Bacanti – Thank you.

Mr. Ice – Thank you.

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)(7) 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.
- 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 Six, Five Guys Famous Burger & Fries. Please state your name and address for the record.

Mr. Schmitz – Kurt Schmitz with ADA Architects, 17710 Detroit Avenue, Lakewood, Ohio, here as an agent for Five Guys Burgers and Fries. We are here tonight asking for your approval to proceed to ARB for our building design as well as our sign package and a patio. In very short order, I think you're all familiar with the project, 2,500 SF located on the far left side of the new expansion to the mall. We've been through an extensive process with the Westfield Architect out in California over the past two weeks and have gone through a multitude of design changes, feel that what we are representing is in line with what is there and something that we can be proud of and I am here to answer any questions you may have.

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

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering, there is no report on the Conditional Use. The site plan is in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, when this comes to ARB we would like to see a bollard incorporated into the fence that runs adjacent to the sidewalk area that meets an ODOT standard. Thank you.

Mr. Ice - Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman, we will need to set the Conditional Use Permit for Public Hearing, we will address with them any noise, they need to work with us if there are any noise complaints or anything from the premises. The site plan you can refer over to ARB so that they can keep moving. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will refer you over to the ARB on the site plan and we will set you for a Public Hearing on the Conditional Use Permit for 3/22/07.

REFERRALS FROM COUNCIL:

Ordinance No. 2007-19

An ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Real Estate Located at 16710-16758 Pearl Road South of Echo Drive in the City of Strongsville From R-RS(Restaurant-Recreational Services) Classification to GB (General Business) Classification (PPN's 393-34-006 and 393-34-007). (Sheiban Properties, Inc., Owner.)

Mr. Haseley – Item number Seven, Ordinance No. 2007-19. Concerning the rezoning of the Sheiban Property on Pearl and Echo, I am asking for a favorable recommendation to take back to City Council.

Mr. Ice - **An ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of Certain Real Estate Located at 16710-16758 Pearl Road South of Echo Drive in the City of Strongsville From R-RS(Restaurant-Recreational Services) Classification to GB (General Business) Classification (PPN's 393-34-006 and 393-34-007). (Sheiban Properties, Inc., Owner.)**

Mrs. Walker– I move to give favorable recommendation to Ordinance No. 2007-19.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok, Mr. Haseley you have a favorable to take back to Council.

Mr. Haseley – Thank you.

Ordinance No. 2007-49

An ordinance Amending Section 1258.03 of Title Six of Part Twelve- Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in order to permit the display of merchandise outside the store building in retail business stores of 100,000 square feet and larger within a General Business District.

Mr. Haseley – Item number Eight, Ordinance No. 2007-49. Even though this is the first time you've seen this. I believe that everybody understands what is involved and I am going to ask for a favorable recommendation to take back to City Council.

Mr. Ice - **An ordinance** Amending Section 1258.03 of Title Six of Part Twelve- Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in order to permit the display of merchandise outside the store building in retail business stores of 100,000 square feet and larger within a General Business District.

Mrs. Walker– I move to give favorable recommendation for Ordinance No. 2007-49.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok, Mr. Haseley you have a favorable to take back to Council.

Mr. Haseley – Thank you.

Ordinance No. 2007-50

An Ordinance Amending Section 1270.05 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in connection with Business Parking Requirements.

Mr. Haseley – Item number Nine, Ordinance No. 2007-50. Concerning revised Business Parking Requirements. We have been using this formula for quite some time now and as an effort to clean it up and I am asking for a favorable recommendation to take back to City Council.

Mr. Ice - **An Ordinance** Amending Section 1270.05 of Title Six of Part Twelve-**Planning and Zoning Code of the Codified Ordinances of the City of Strongsville** in connection with Business Parking Requirements.

Mrs. Walker– I move to give favorable recommendation to Ordinance No. 2007-50.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

MISCELLANEOUS BUSINESS:

Mr. Ice - I would like to remind everyone that there is a Joint Session of Planning and Council on Monday 3/19/07 from 6:30 to 7:00 p.m. regarding the AT & T boxes.

Mayor Perciak – If everybody could be there we could get those things ironed out and lastly, most of you know that Mrs. Lane has retired from the BZA and I have appointed Mrs. Celia McGrath to take her place on the BZA. Celia is really very well qualified. Her resume is just outstanding. From her education at a prep school for high school, college, federal bank examiner, full Vice President to Key Corp., and of course she has worked with her husband now the last few years. She is extremely qualified to do a good job for us. We are happy to bring her on, this is a real positive move for our community again.

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