

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 June 8, 2006, April 11, 2002, June 27, 2002, July 25, 2002 and January 27, 2000. If there are no additions or corrections they will stand as submitted.

FINAL APPROVALS:

EVERY WALDEN/ Tim Dean, Agent

Site Plan approval for entryway monument; signage and landscaping/fencing at the main entrance of Avery Walden Reserve Subdivision located at Webster Road, PPN 398-25-001 zoned R1-100. *ARB favorable recommendation 6-13-06.

Mr. Ice – Under Final Approvals, Item Number One, Avery Walden.

Mr. Dean – Tim Dean, 22100 Horseshoe Lane, Strongsville, Ohio 44149. Before you, you have the plans for Avery Walden Reserve entryway, looking for approval for the monument signage and landscaping and fencing at the main entrance.

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

Mr. Mikula – Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering the site plan is in approvable form, subject to the following; a separate easement is needed for the landscaping on subplot 1 to the homeowners association for maintenance. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, the plans are in approvable form.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB gave favorable recommendation on 6-13-06.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. No report from Fire.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. Any approval forthcoming should be made subject to that easement to the Homeowners Association. Thank you.

Mr. Ice - Thank you.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval for the entryway monument; signage and landscaping/fencing at the main entrance of Avery Walden Reserve Subdivision located at Webster Road, PPN 398-25-001 zoned R1-100. *ARB favorable recommendation 6-13-06, subject to the receipt of the easement to the Homeowners Association for Sublot 1.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok, you are all set

SIEDEL FARMS DEVELOPERS, LLC/ Chris Bender, Agent

Site Plan approval for entryway monument, signage and landscaping /fencing at the main entrance of Siedel Farms Subdivision located off Westwood Drive, PPN's 391-14-005 and part of 391-14-003, 391-14-004 and 391-14-006, zoned R1-75. *ARB favorable recommendation 6-13-06.

Mr. Ice - Ok, Item Two, Siedel Farms. Please state your name and address for the record.

Mr. Palchaski – Greg Pachalski, 13370 Prospect Road, Strongsville, Ohio 44149. We are here looking for final approval on the Siedel Farms entrance monument and landscaping.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - Thank you Mr. Chairman. From the City Planner there is no report. From Engineering, the site plan is in approvable form, I received a copy of the site plan after caucus meeting and it looks like they addressed our concern about the landscaping being into the detention basin. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, the plan is in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Boron

Mr. Boron - Thank you Mr. Chairman. On the revised landscaping plan, there are supposed to be additional screening. The ARB gave favorable recommendation on 6-13-06 subject to the addition of 9 spruce trees to be added behind the clusters on the west entryway. We would leave that up to Engineering and Building and the City Forrester to review. Thank you.

Mr. Ice - Thank you. Lt. French

Lt French - Thank you Mr. Chairman. There is no report from Fire.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. If there is an approval forthcoming, it should be made subject to the additional screening as required by the Architectural Review Board and the City Forrester.

Mr. Ice - Thank you Mr. Kolick. Any questions, or comments from the members?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Site Plan approval for entryway monument, signage and landscaping fencing at the main entrance of Siedel Farms Subdivision located off Westwood Drive, PPN's 391-14-005 and part of 391-14-003, 391-14-004 and 391-14-006, zoned R1-75. *ARB favorable recommendation 6-13-06, subject to the additional screening as recommended by the ARB and City Forrester.

Mrs. Walker - Second.

Mr. Ice - Secretary please call the roll

Roll Call: All Ayes APPROVED

TSW INDUSTRIES/ Ralph Wilcox, Agent

Site Plan approval of a 5,000 SF steel building to be used for storage and a 9,800 SF Parking Expansion for property located at 14960 Foltz Parkway, PPN 392-02-006 zoned General Industrial. *ARB favorable recommendation 6-13-06.

Mr. Ice - Item Number Three, TSW Industries. Please state your name and address for the record.

Mr. Wilcox – Ralph Wilcox, 14960 Foltz Parkway, Strongsville, Ohio 44149, here regarding final approval on the building and the concrete work. Contingent upon, hopefully contingent upon, us giving you a print with 34 parking spaces.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - Thank you Mr. Chairman. From the City Planner, according to his calculations there are 34 spaces required and only 30 indicated on the plan. The proposal meets the General Industrial zoning requirements. From Engineering, the site plan is in approvable form. There is room enough to mark the other 4 needed parking spaces on the drawing. Thank you.

Mr. Ice. - Mr. Biondillo

Mr. Biondillo - Thank you Mr. Chairman. From Building, the plans are in approvable form.

Mr. Ice - Thank you , Mr. Boron

Mr. Boron - Thank you Mr. Chairman. The ARB gave favorable recommendation on 6-13-06. Thank you.

Mr. Ice - OK. Lt. French

Lt. French - Thank you Mr. Chairman. From Fire, I did meet with the owner today and he agreed to relocate a wall hydrant that is on the back western wall of this building which this expansion would cover up. He would relocate it to the southern wall on the southwestern corner of the building. Thank you.

Mr. Ice - Thank you, Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. We do have the signed Performance Standards. Any approval again if it is forthcoming this evening should be made subject to the plan showing the additional 4 parking spaces and the relocation of the fire hydrant as required by the Fire Department. Thank you.

Mr. Ice - Thank you. Any questions or comments from the members?

Mr. Ice - Thank you.

Mr. McDonald - Mr. Chairman

Mr. Ice - Mr. McDonald

Mr. McDonald - I move to give favorable consideration for the Site Plan approval of a 5,000 SF steel building to be used for storage and a 9,800 SF Parking Expansion for property located at 14960 Foltz Parkway, PPN 392-02-006 zoned General Industrial. *ARB favorable recommendation 6-13-06, subject to the relocation of the wall fire hydrant per the report from Fire and the indication of 4 additional parking spaces on the plan per the Engineering report.

Mrs. Walker - Second.

Mr. Ice - Secretary please call the roll.

Roll Call: All Ayes APPROVED

FINAL APPROVALS:

M & B STRONGSVILLE, LLC, Matthew C. Neff, Agent

- a) Deviation to permit a subdivision without sanitary sewers on Howe Road, pursuant to Codified Ordinance Section 1228.01(i).
- b) Subdivision Plat of PPN's 396-25-003, 399-04-005; 399-04-006 and 399-04-010 to be subdivided into two parcels, listed as Sublot 1 and Sublot 2, located on Howe and Tracy Lane. Zoned R1-75.

Mr. Ice - Ok, Item Number Four, M & B Strongsville LLC. Please state your name and address for the record.

Mr. Neff – Matt Neff, with M Neff Design Group, Civil Engineering Surveyor on the project, we are at 5422 E 96th Street, Suite #120, Garfield Heights, Ohio 44125. We are here tonight asking for approval of a lot split and we would hope that you would grant that tonight. We are in agreement with Dan Kolick's recommendation during the caucus that we would, if the lot split is approved after the referendum, if it is not rezoned then we would be willing to either consolidate it or resplit it in a manner acceptable to the City.

Mr. Ice - Lets go to the reports, Mr. Mikula.

Mr. Mikula - Thank you, Mr. Chairman. From the City Planner, the request involves the Consolidation of PPN 399-04-005, 006 and 010 and 396-25-013 and splitting same to create the following; S/L 1 with a Lot Width of 144' and a Lot Area of 70,666 SF, S/L 2 with a Lot Width of 534.9' and a Lot Area of 170,492 SF. Both Sublots 1 and 2 will exceed the required Lot Width (75') and Lot Area (12,750 SF) in an R1-75 zoning district. NOTE: Sublot 1 and 2 will be double frontage lots with frontage on both Howe Road and Tracy Lane. Section 1232.07 (Lots) of the Subdivision Regulations Item (e) states in part; "Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. . . ." From Engineering, the proposal is to join parcels 396-25-003, 399-04-006 and 399-04-101 and then split into two parcels resulting in the following; S/L 1 1.6223 acres and S/L 2 3.9140 acres. Both parcels have frontage on Howe Road and Tracy Lane. Howe Road does not have sanitary sewers along its entire frontage, therefore the deviation is needed. The subdivision plat is in approvable form. Thank you.

Mr. Ice - Mr. Biondillo.

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

Mr. Ice. - Thank you, Lt. French

Lt. French - Thank you, Mr. Chairman. There is no report from Fire.

Mr. Ice. - Mr. Kolick

Mr. Kolick - Thank you, Mr. Chairman. I guess as I mentioned in caucus, this probably makes some sense if it is rezoned to Public Facility. There are certainly disadvantages to it as long as it remains zoned as R1-75. I know and we have received as a City the initial petition indicating that they are, well it's the initial form before they circulate the petition, indicating that they are going to circulate petitions to rezone this over to Public Facility. With that in mind, I guess it really within the discretion of the Commission as to which way you want to go with it. The only other suggestion I had is, as was mentioned by the applicant, if you want to look at it and condition it upon approval of the rezoning and if not they would have to come back here, but it is really within the discretion of the Commission as to how you want to proceed.

Mr. Ice – Ok, what is the feeling of the members here? Mrs. Barth, we will start with you.

Mrs. Barth – I don't think its our responsibility to accommodate language for an election. I think its our job to deal with the present zoning. We have no assurance that its going to be rezoned Public Facility and then we would be, the fact is that we have to do some conditions which would force them to come back here and I am not in favor of doing that.

Mr. Ice – Mr. Stehman.

Mr. Stehman – I think it should be rezoned prior to us acting on it.

Mr. Ice – Mr. McDonald.

Mr. McDonald – Same thing.

Mrs. Walker – Same thing.

Mr. Haseley – I feel the same way.

Mr. Kolick – Act on it then, both together.

Mr. Haseley – I would suggest that we don't turn it down but just Table it.

Mr. Ice – That is exactly what we are going to do. Table it and maybe have Mr. Boyer come in and talk further.

Mr. Neff – So this is going to be Tabled until after the referendum? Or, I mean what we would like to do is in July, Mr. Boyer wanted to come to Council with his petition and signatures to be able to get on the ballot for rezoning in the fall. Can we do that with a lot split in preliminary form?

Mr. Kolick – Mr. Chairman, they are under some time constraints. If this needs to get on the November ballot, if Council goes on recess in August the way they normally do, it would have to be done by July so I guess what the applicant is saying, he needs some type of certainty to know what to do with the petitions. Either he is going to have to circulate them with the legal description or he is going to have to circulate them with a lot split number. It probably makes sense to act on it one way or the other or they are not going to know how to circulate the petitions.

Mr. Neff – It is our intent to come to Council in July.

Mr. Ice – We will have to act on it this evening then, I think you have the flavor of how that is going to go so, we will do that.

Mr. McDonald - Mr. Chairman

Mr. Ice - Mr. McDonald

Mr. McDonald – For Mr. Kolick, does the action on “a” affect the action on “b”?

Mr. Kolick – Well, if you don’t grant “a”, you can’t even act on “b”. In this particular case, since I think you sort of gave a flavor for which way you are going, you could probably just put them both together and act on them at one time. Normally we would not do that but under these circumstances it makes sense.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for a Deviation to permit a subdivision without sanitary sewers on Howe Road, pursuant to Codified Ordinance Section 1228.01(i) and for the Subdivision Plat of PPN's 396-25-003, 399-04-005; 399-04-006 and 399-04-010 to be subdivided into two parcels, listed as Sublot 1 and Sublot 2, located on Howe and Tracy Lane. Zoned R1-75.

Mrs. Walker - Second

Mr. Ice. - Secretary please call the roll

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|-------------|--------------|-----|
| Roll called | Mr. Ice | Aye |
| | Mr. Stehman | Nay |
| | Mrs. Walker | Nay |
| | Mr. Haseley | Nay |
| | Mr. McDonald | Nay |
| | Mrs. Barth | Nay |

DENIED

Mr. Ice – The nays have it so you have your direction now.

ASHLEY OAKS HOMEOWNERS ASSOCIATION/ Eric Herman, President

Site Plan approval for the modification of a landscape plan for property located on Chestnut Oak Lane, Part of PPN 393-11-003, zoned R1-75.

Mr. Ice - Item Number Five, Ashley Oaks Homeowners Association. Please state your name and address for the record.

Mr. Herrmann – Eric Herrmann, Ashley Oaks Homeowners Association Trustee, 15478 Old Oak Drive, Strongsville, Ohio 44149. Looking for final approval for the reduction of the landscaping mound to accommodate swings and a playground area per the drawings.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - Thank you Mr. Chairman. From the City Planner there is no report. From Engineering the site plan is in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building plans are in approvable form. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – The ARB gave favorable recommendation on 6-27-06. One thing that was noted in the meeting that the 2 trees that were to be removed would be relocated to the

same area of the site and not just removed and taken away but would be relocated.
Thank you.

Mr. Ice - Thank you. Lt. French.

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

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Again if its to be approved tonight, it should be subject to the report of the ARB which we just heard.

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 the Site Plan approval for the modification of a landscape plan for property located on Chestnut Oak Lane, Part of PPN 393-11-003, zoned R1-75. *ARB favorable recommendation on 6-27-06. Subject to the ARB report given tonight.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. Ice – Ok, you are all set

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Revision to the Master Sign Program to add (6) signs, one for Dick's Sporting Goods, two for Westfield Shopping Town and two for CineMark and for the relocation of the JCPenney sign for property located at 17071 South Park Center, part of PPN 396-20-001 zoned Shopping Center. *ARB favorable recommendation 6-13-06.

Mr. Ice - Item Number Six, Westfield/Southpark Mall. Please state your name and address for the record.

Mr. Slagter - John Slagter with Buckingham Doolittle and Burroughs, 1375 E 9th Street, Cleveland, Ohio 44114. I am Counsel to Westfield.

Mr. Powers – Larry Powers, 70 Old Orchard Center, Suite F70A, Skokie, ILL 60077.

Mr. Slagter – Thank you, on Item six, we are requesting approval of a recommendation by the Planning Commission of the proposed revision to the Master Sign Program that currently exists for Southpark Mall.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - 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 plans are in approvable form. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – This was to add the six signs to the mall and we also gave a recommendation to amend the Master Sign Program, the tabulation of all the signs that are included in the mall which they are currently, I believe its updated but we requested that tabulation be updated and given back to the City. ARB gave favorable recommendation on 6-13-06. Thank you.

Mr. Slagter – There is also the relocation of the JCPenney sign which is part of this. We have the tabulation which is the Master Sign grid, I believe you have brought that.

Mr. Powers – Yes that is correct.

Mr. Slagter – We will provide that to Carol Oprea this evening.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. There is no report from Fire.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – If this is acted upon favorably it would need to proceed to City Council to be confirmed since this is basically new signage.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald – This is for the applicant, for Larry, did you fly in just for this meeting?

Mr. Powers – No, we have things going on tomorrow plus we just started the steel so I would like to see that.

Mr. McDonald – I was going to apologize for not making it spectacular for you.

Mr. Powers – Appreciate that.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for the Revision to the Master Sign Program to add (6) signs, one for Dick's Sporting Goods, two for Westfield Shopping Town and two for CineMark and for the relocation of the JCPenney sign for property located at 17071 South Park Center, part of PPN 396-20-001 zoned Shopping Center. *ARB favorable recommendation 6-13-06.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Approval of the proposed Design Criteria for the tenant's façade design, providing for the guidelines for storefront design for the Westfield Shopping Town Expansion located at 17017 South Park Center, PPN 396-20-001 zoned Shopping Center. *ARB favorable recommendation 6-13-06.

Mr. Ice - Item Number Seven, Westfield/Southpark Mall, Design Criteria. Mr. Slagter remains at the podium.

Mr. Slagter – Thank you. With respect to Item Seven, we are requesting approval of the proposed design criteria that Westfield has created for the Southpark Mall. As I had explained during our last meeting, during Architectural Review Board, Westfield requires in their leases with their tenants, certain design criteria. We wanted to ensure that criteria is also consistent with what the City would see as part of what's going to be developed for this site. This will not mean that the, we are not approving any specific tenant sign or anything like that. Each of those tenants will have to come in but at least now they now have an idea of what the guidelines are in terms of what you would consider to be acceptable. Again they would need to go through the process. This just provides further specificity and they'll come in with their actual tenant plans for each particular sign. The overall purpose of this is, as we had also explained, with a life style center we want to insure that there is high quality types of materials that would go into this life style center, uniformity through the center, and really a sustainability in terms of the value of the type of the development that's going to occur. So, its very important to us to provide this to the tenants and make sure that they know exactly what we are looking for. We want to make sure that the City is on the same page with that. Thank you and we are requesting approval of these design criteria.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - 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 the plans are in approvable form. Thank you.

Mr. Ice – Thank you. Mr. Boron.

Mr. Boron – Thank you Mr. Chairman, as the applicant stated, these are guidelines in sign criteria for these stores and he also stated that the, since there were no tenants or any stores that you had in mind yet, that they did state in the ARB that they would be coming back for each store and each sign so by approving these guidelines, which I guess some of the following materials were more brick, wood, ornamental iron, glass, stucco, marble, granite and some aluminum and they also stated some prohibited store front materials which the ARB approved and we are in agreement of. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. There is no report from Fire.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. Just to sort of reiterate what that applicant says and to make it clear for the record. They would still need to come back for individual tenants, that have anything to do that would change the exterior not just with signage but with anything for your approval but at least this will give them some guidelines to work with and their tenant so they will have some ideas about the type of thing we are looking for as a City.

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

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth

Mrs. Barth – This doesn't relate directly to this issue there but I have a couple, of questions. Have we figured out the exact exit plan in the evening for the cinema? Have they come up with an actual exit route through the . . . If the front doors are going to be open, has somebody come up with a plan for that for the safety of the people?

Mr. Powers – It may be necessary that, we don't want to close off the south entrance because you will have customers walking around the perimeter of the building at nighttime, that is not ideal. Most likely we will leave the north entrance and south entrance open.

Mrs. Barth – The other thing, one of the concerns that we had was the increasing of kiosk's throughout and I noticed that the trees have been removed from the mall. The palm trees and are they changing the décor inside the mall? I hope there is not intention to increase the kiosk.

Mr. Powers – No, and I can understand that if you walked through the center in the last 90 days it was probably a little misleading as to what we are doing there. There is a tower renovation on the way, you can see it in some of the anchor courts. The new tile, the diamonds throughout the center that maybe you have noticed in the floor pattern are being changed out with this new tile to upgrade the look of the mall. So it doesn't look like the expansion is a separate property. The idea is to kind of integrate the high finishes into the existing mall. So as part of that we did need to remove some of the trees specifically the center court trees which were on their last leg anyway so those are being replaced with palms and there is a new landscaping plan that is going to be incorporated into the development that I think you will find very satisfying.

Mrs. Barth – Thank you we are excited about it. Thank you.

Mr. Ice – Anyone else?

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for approval of the proposed Design Criteria for the tenant's façade design, providing for the guidelines for storefront design for the Westfield Shopping Town Expansion located at 17017 South Park Center, PPN 396-20-001 zoned Shopping Center. *ARB favorable recommendation 6-13-06.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call: All Ayes APPROVED

NEW APPLICATIONS:

BW3/ Kerry Illes, Agent

Site Plan approval of a 2,045 SF Addition for a Banquet Room for property located at 8465 Pearl Road, PPN 395-08-013 zoned R-RS.

Mr. Ice – Under New Applications, Item Number Ten, BW3. Please state your name and address for the record.

Mr. Illes – Kerry Illes, 3599 Reserve Commons Drive, Medina, Ohio 44256. I am here representing along with Mr. Franklin the BW3 application.

Mr. Ice - Thank you. Mr. Mikula.

Mr. Mikula - Thank you Mr. Chairman. From the City Planner, there are 155 spaces required and 156 spaces provided and the proposal meets the R-RS zoning requirements. From Engineering we will need to see the detailed engineering site plan prior to approval at the next meeting. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building this was discussed with the applicant early on in this project when they originally built the building so it was accounted for. When we do receive the site plan it will be in approvable form. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire, for the record, will this addition be fully sprinkler protected like the rest of your building?

Mr. Illes – Yes.

Lt. French – That is all. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, this needs to be referred over to the Architectural Review Board.

Mr. Ice - Thank you. Any other questions, or comments? Ok we will send you over to ARB. The next meeting is July 11th.

REFERRALS FROM COUNCIL

Ordinance No. 2006-126

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 ON THE NORTHWEST CORNER OF PEARL ROAD AND STRONGSVILLE BOULEVARD (PPN 392-05-005) IN THE CITY OF STRONGSVILLE FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICES CLASSIFICATION).

Mr. Ice - Ok under Referrals from Council

Mr. Haseley - Yes, thank you Mr. Chairman. I respectfully request that Ordinance No. 2006-126, as we discussed this morning and in caucus, based on the Mayor's comments and the fact that this does not meet three major lot area, lot width and front setback requirements, for us to do our job we have to give an unfavorable

recommendation. Scott if you want to say something, I would appreciate it. He is the applicant.

Mr. Ice – Yes we can have the applicant speak.

Mr. Baggi – Scott Baggi, my address is 34063 Henwill Road, Columbia Station, Ohio 44028. I am a full time fireman and paramedic and I work for the City of Parma, I also own the Berea Laser Wash which is on Bagley Road. The reason I am here tonight is that I would like to put a laser wash on Pearl Road, on the corner of Pearl Road and Strongsville Boulevard.

Mr. Ice – Ok, thanks Scott. Anyone else with comments?

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – Just for the applicant, do you understand our concern?

Mr. Baggi – Yes sir, I do.

Mr. McDonald – The building just doesn't fit on the lot.

Mr. Baggi – Sir, we turned some blueprints in the whole nine yards and we do need a few variances I do understand. I think if I am correct that the main variance is the width. We need a variance for approximately 85 feet. I did a little research and I have the documentation right here to prove it. The two other car washes that are on Pearl Road also, Diamond Wash and Fabulous Fifties they had the same issues. They were granted variances also for 114 feet, I believe it is. Actually their setbacks for the sides were the same. They needed a lot more than what we currently need. When it comes to variances I have met with the neighbors and the VFW is present tonight and they have no problem with the issues. They are totally for it. I am offering to donate approximately 50 feet to the VFW and if donating is a problem I am more than willing to lease it to the VFW for 99 years because they want to build a memorial there.

Mr. McDonald – I still think your intentions are great and we have no issue with your business other than you are asking us to rezone a property that cannot be built on the way the zoning would fall. That we have a fundamental problem with, at least I have a problem with.

Mr. Ice – The variances are pretty significant and I think as Mr. Kolick has pointed out, on the other properties you talked about, the zoning was probably already in place when those occurred for the other carwashes, versus asking for a rezoning for this particular property, that is the difference.

Mr. McDonald – The situation you put us in is putting a zoning tag on a property that cannot be built on per our code and that is the concern we have.

Mr. Baggi – I understand sir, I spoke with the owner of the property right, I have a purchase, intent to buy and his understanding was when he built the hotel several years ago, at the time it was Motorist Services, but with the City's Master Plan, that there is a new Master Plan that it has been rezoned for General Business. Originally it was Motorist Services, I'm not sure, I don't have the paper to prove that but according to 125.08, it says hotel, motel needs to be zoned Motorist Services. His idea was that it was already and was changed through the City.

Mr. Kolick – Mr. Chairman, I don't know what the parcel was originally but originally we allowed motels in General Business zoning districts, that motel goes back years and years. I am only speculating, but my speculation is that was zoned General Business and a hotel was built because it was permitted at one time then we broke motels and restaurant recreation out of General Business and made separate categories for them. What happened to the parcel at that point I can't say but it certainly showing on our zoning map now, the applicant had mentioned it to us so we had looked at the map. It is certainly not zoned Motorist Service now.

Mr. Ice – It is not a question of the use, quite frankly another motel gone is not a bad thing. I think the variance problems are too significant to overcome. We really don't have much of a choice. **Ordinance No. 2006-126 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 ON THE NORTHWEST CORNER OF PEARL ROAD AND STRONGSVILLE BOULEVARD (PPN 392-05-005) IN THE CITY OF STRONGSVILLE FROM GB (GENERAL BUSINESS) CLASSIFICATION TO MS (MOTORIST SERVICES CLASSIFICATION.**

Mr. McDonald – I move to give favorable consideration for Ordinance No. 2006-126.

Mrs. Walker – Second.

Mr. Ice – Secretary please call the roll.

Roll called

All Nays

DENIED

Mr. Ice – Mr. Haseley you have an Unfavorable Recommendation to take back to Council.

Mr. Haseley - Thank you.

OTHER BUSINESS:

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 8:35 p.m.

Jeffrey A. Ice, Chairman