

Approval of Minutes

Mr. Ice – You have had a chance to review the minutes of May 25, 2006, June 13, 2002 and April 25, 2002. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

ALL FOILS/ Scott Wangler, Agent

Site Plan approval of a 140,000 SF Office and Warehouse Building for property located on Imperial Parkway, PPN 393-08-002, Sublot 3 zoned General Industrial.

Mr. Ice - Item Number One, All Foils. Please state your name and address for the record.

Mr. Seifert – Greg Seifert, Architect with Geis Companies, 10020 Aurora Hudson Road, Streetsboro, Ohio 44241, here tonight to introduce the All Foils project. This a 140,000 SF building located at the northern end of the Imperial Parkway, industrial land, road currently in the process of being extended. There were items that have obviously have come up in caucus and I think I will address those as the reports come out. I did bring along some information on what All Foils does. I will pass these out and I have counted twelve people, I printed twelve. So, you get to grade me and see how much of it I can remember while I talk to you. All Foils is currently located in a facility on Van Epps Road in Cleveland, Ohio, not in the Middleburg Heights. They are not relocating from there. They are a converter and distributor of primarily aluminum foils but they also handle other metals. You will see in that information, copper, stainless steel, nickel. A distribution facility, they do not manufacture it. When they refer to the term converting, they are in effect taking rolls of foil or sheets of foil and either cutting them or slitting them to make them into smaller sizes, based upon the different requirements of their clientele. They do some small scale laminating and some printing of that. A good example of their product, if you have ever had a Honey Baked Ham, the foil wrap around Honey Baked Ham is a product that comes from theirs. A good percentage of this facility is warehouse space. They will warehouse obviously their raw materials and then the stock that goes to their clients. There is 15,000 SF of offices internal to the facility. The facility is fully sprinklered, or will be fully sprinklered.

Mr. Ice – Thanks Greg.

Mayor Perciak – How many employees?

Mr. Seifert – They currently have about 75 employees, they hope when they move into this facility that they will have 90.

Mayor Perciak – Any idea what the annual payroll is?

Mr. Seifert – I do not.

Mr. Ice – Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, the proposal meets General Industrial zoning requirements. From Engineering, At this time we have the following comments; New parking lot shall conform to the City's pavement standards, including under drains. A new retention basin is shown to be used for the storm water management of the proposed site. The proposed parking lot's storm sewers should be routed through the retention basin, and not outlet directly to the existing ditch. Also, please note, the minimum pipe size required is 12". The final plans must be in conformance with the City's Tree Preservation Ordinance. Wetlands are located onsite and appear to be impacted by the proposed layout. The applicant will need to obtain the necessary permits from the Army Corps of Engineers or the Ohio EPA, whichever governs. At this time, Imperial Parkway is not a dedicated roadway and Sublot 3, the parcel on which All Foils is to be located, does not exist. The subdivision plat for Imperial Parkway, which will create the right of way and lots, is in the process of being accepted by City Council for recording purposes only. This must occur prior to a final approval of the All Foils plans. Final engineering plans are required, including, but not limited to, grading plans, utility plans, storm water management plans and all other applicable items listed on the attached checklist for commercial/industrial developments. Additional comments will be provided as we continue our review of the final plans. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building we will need to have the accessible parking indicated on the plan, we will need a lighting plan submitted and from Sgt. Hall, Crime Prevention Specialist, the parking areas will have limited visibility from the roadway. A minimum of 2 FC lighting should be in place. Light spillage should not be a factor at this location. Wall-pack lights above the outside doors in addition to perimeter security lighting should be installed. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire, our first look at these plans, we see that we have an accessibility problem that we need more access to the back side of this

building and two of the other sides too. Our only access at this time is at the front, especially if this building is expanded in the future that's just as important. It's a pretty big building. We have had good relationship working with Mr. Seifert in the past and we will have meetings with him and I am sure we can resolve this. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. We do need the signed Performance Standards from the applicant. As noted, before we can issue building permits, the applicant can let the developer know that we need to have the road recorded. We agreed to work with the applicant to issue the building permits to have them construct after the record plat is in but we did inform him at the last meeting and we will inform him again they are going to need to have the road actually dedicated before we can issue an occupancy permit. I don't want to hold up the applicant from getting into his building by someone not completing the road, so please let Mr. Lapossy know those items need to be taken care of. We will need the Wetlands approval, as noted. They can bring us in the lighting plan today, absent any other questions, we need to send them on to the ARB.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – For the applicant, is their entire operation on Van Epps, going to relocate to here?

Mr. Seifert – It is, yes.

Mr. McDonald – Why are they moving?

Mr. Seifert – They are in a multi-tenant building that they had expanded into. They're a rather inefficient operation. Their business is growing, there is no more room for them to grow at that location.

Mr. McDonald – Ok.

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

Mayor Perciak – Continue to encourage their hearts.

Mr. Seifert – I know Mr. Lapossy is obviously the land seller here also, he's rather motivated to move this road project along, to satisfy both his client and the City. Thank you.

Mr. Ice – Thank you. Nobody here for M & B, why don't we move this back on the agenda and see if anybody shows up.

ASHLEY OAKS HOMEOWNERS ASSOCIATION/ Eric Herman, President

Site Plan approval for the reduction of the landscaping mound to accommodate a swing set addition for property located on Chestnut Oak Lane, Part of PPN 393-11-003, zoned R1-75.

Mr. Ice - Item Number Three, Ashley Oaks Homeowners Association.

Mr. Herrmann – Eric Herrmann, acting as Ashley Oaks Trustees this year, second year term. Coming before you to request that we are able to revise the mound, the landscaping mound that was approved by the Planning Commission back in 2003. We will need to accommodate about an 8 foot section, 40 foot wide, to accommodate a new swing set for children, two youth swings and two infant swings. A total of 4, the only area we need is 36 feet wide by 32 feet deep and that requires us to adjust the mound as per the drawing I provided to you earlier. The area of the common ground was set up by Parkview, initially as a swing, as a playground area and has since been modified in 2003 to accommodate a gazebo with associated landscaping. Had it not been for the landscaping addition at the time of the gazebo installation we probably would have just done so without being here tonight.

Mr. Ice – Big thank you to Mrs. Barth and Mr. Bender. Ok, Mr. Allen.

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

Mr. Ice. - Mr. Biondillo

Mr. Biondillo - Thank you Mr. Chairman. No report.

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. We just need to send this over to ARB. For the applicant, just be prepared for the ARB, to show them exactly what's being changed and what bushes or trees or whatever are there. That will be their concern, not whether it goes in or not, but just what you are doing.

Mr. Hermann – Why would an ARB review be required at this point, there is no structure?

Mr. Kolick – The ARB reviews all landscaping plans which they did, since you are moving around their landscaping plans they are going to want to see what you are moving. I'm not talking about the other areas, I'm just talking about the areas being moved. If you are relocating something.

Mr. Hermann – I'm just removing just the landscape mound with one tree on it.

Mr. Kolick – Then that is what you need to show them and if you are moving it to another area, you need to show them that, that's all.

Mr. Hermann – So when is this Architectural Review Board meet?

Mr. Kolick – Do you have the date Kathy?

Mrs. Zamrzla –The next ARB meets on June 13, if not available the June 27th.

Mr. Kolick – You can check in the morning with Carol and see if you can get on the first meeting that is coming up, the 13th.

Mr. Hermann – Normally she requires 2 weeks notice, is that the same with the ARB?

Mr. Kolick – If you check with Carol, you may already be on the Agenda for all we know. I don't know.

Mr. Hermann – Ok. One last thing, I noticed when the gazebo was installed, the opening on, per the drawing was facing north, however as it was installed it faces east away from the common usage. Is there any problem if I wanted to change opening, just change one of the railings to accommodate normal egress and access for the gazebo without coming before this Commission again?

Mr. Kolick – Since you are doing that, if that is what you want to do, show it to the ARB while you have it there so there won't be any question or any problem with it later. Ok?

Mr. Hermann – It is one of those, if we have the funds, we will probably do it, if we don't, we probably skip it for now, but definitely the mound removal we want to go for. Ok, so June 13th is the date.

Mr. Ice – Check with Carol Oprea.

Mr. Hermann – Got it. So at this point we have your approval?

Mr. Kolick – You don't have anybody's approval, you need to get to ARB. You have to go to ARB.

Mr. Hermann – Aren't there two approvals, there is the Planning Commission approval and an ARB approval? Or do they work in tandem?

Mr. Kolick – Planning Commission can't approve it until ARB approves it. So you first get to ARB and then you'll come back to this Commission for its approval.

Mr. Hermann – Then I come back here?

Mr. Kolick – Yes.

Mr. Hermann – Which is in two weeks.

Mr. Ice – If you can go to ARB on the 13th, yes.

Mr. Hermann – Wonderful. Thank you for your time.

CASTLEWOOD SUBDIVISION/ Chris Bender, Agent

Revised Final Subdivision Plan to reflect change in lot dimensions on sublots 1, 2 and 3, located on Castlewood Drive, PPN 391-14-005, 003, 004, 006, zoned R1-75.

Mr. Ice - Ok, Item Number Four, Castlewood Subdivision. Please state your name and address for the record.

Mr. Bender – Chris Bender with Queenswood Group, 13370 Prospect Road, Strongsville, Ohio 44149. I am here tonight to ask for your approval for the re-approval of the plat for Castlewood, altering the size of sublots and lot lines of sublots 1, 2 and 3.

Mr. Ice – Thanks Chris. Mr. Allen.

Mr. Allen - Thank you, Mr. Chairman. From the City Planner, the request involves the revisions of Sublots 1, 2 and 3 to create the following; Sublot 1 with a lot width of 109' and lot area of 23,144 SF, Sublot 2 with a lot width of 85' and a lot area of 20,538 SF and Sublot 3 with a lot width of 85' and a lot area of 19,598 SF. Both Sublots 1, 2 & 3 will exceed the required Lot Width (75') and Lot Area (12,750 SF) in an R1-75 zoning district. From Engineering, the lot sizes of Sublots 1, 2 & 3 were reduced to avoid the demolition of an existing barn located on Parcel "C". The legal description in the Covenants and Restrictions has been revised to reflect the overall boundary change of the subdivision. The revised plat is in approvable form. Thank you.

Mr. Ice - Mr. Biondillo.

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

Mr. Ice. - Thank you, Lt. French

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

Mr. Ice. - Mr. Kolick

Mr. Kolick - Thank you, Mr. Chairman. Any approval would need to be made subject to the same contingencies we had before which are the easements, they are aware of. I believe they delivered them to our Engineering Department. They have not been checked and also to work with our City Forrester to look at the screening of the retention basin and that would need to be made subject to any approval here tonight. The only other thing I have and it's not specific for this one, Mr. Bender, with any these, we run into problems with wetlands on individual lots. Usually in the common properties they don't create a problem. Is there a way you can work with the Army Corp. to keep these wetlands off of individual lots like you have here? That is when we have problems with the City.

Mr. Bender – Well in this case, we tried to. I was in the permit stage with the Army Corp. for about 3 ½ years and basically they said that because these were what they call wooded wetlands, they wanted to preserve them. They agreed to allow me to fill them to the extent that we needed to clear for retention basin and at that they made me give them credits at the rate of 3 to 1. So I had to buy, I got a permit for a little under an acre. I ended up buying almost \$100,000.00 worth of credits in a wetland bank but they said that they would not allow the removal of any more because it is forested wetland and in this case we made sure those lots were particularly deep. I understand the issue, I have had that in other locations where if the regulated area is too close to the area home its going to be infringed on but these lots are quite deep and that area that will remain wetlands will really be wetlands only because its forested. Its woods and it's

a good way to make sure that the trees stay there because no one is allowed to remove a tree from that area. They are about 100 to 125 foot from the building line so, if we assume the house is at best 60 foot deep, people will still have an 80 foot backyard before they get to that so then they will have a 100 foot woods.

Mr. Kolick – The only thing I ask and I know you can do it, at least put something in your purchase agreements for at least the first buyer that gets in there because I realize its on the plat and its in the Title Reports but lets face it, once these people buy these lots they don't look at their Title Reports to see what's in there so you can at least put something in your purchase agreements with the first buyers who take it, that would help.

Mr. Bender – We do. We do two immediate protective things. One of them is we have shown this on the plat, even though Army Corp. does not require it on a plat. We put it on the plats and of course, City Ordinance requires we display the plat to the people before they buy it. People have to sign a receipt that they got it. In addition, we also have the surveyor who is preparing the topo also put it on the topo so that its another reminder if those people ever come in for any sort of a building permit to the City. The Engineering Department, as I understand it, always goes to the previously approved topo, pulls that out and even if for some reason 20 years from now Joe Allen is not here, ok and his son is reviewing the topos, he'll pull that topo out and it will immediately flag to him that that is a restricted area. We also in some cases put these markers like you have seen in the Metro Parks that are a kind of vinyl, plastic marker. We bolt them into the ground and indicate to the people that there is no destruction of any foliage or filling beyond that line. It has worked in other subdivisions. We have not had, we have probably twelve years that I have dealt with this stuff where its been a problem, its really since 1994 when this became a problem. I have only had one incident where we actually noticed somebody went in there and we notified the Army Corp. and of course sent the people a letter and they were fined by the Army Corp. and they had to mitigate it.

Mayor Perciak - Mr. Chairman, one question for the applicant, I agree with Mr. Kolick on that, I think its more than a courtesy to put it in the Purchase Agreement. Is this going to be a restriction of record?

Mr. Kolick – It will be in the sense that it will be on the plat and it will be . . .

Mayor Perciak – What about the legal description, is it going to be a restriction part of the Title Policy?

Mr. Kolick – It will be in the Title Policy to because . . .

Mayor Perciak – Yes, but on each individual subplot?

Mr. Kolick – It's only on two. It's on two individual sublots.

Mayor Perciak – Its on those two lots?

Mr. Bender – We noted on the plat and then there is a note explaining the restriction required also on the front page of the plat.

Mayor Perciak – Ok, in most of these situations today, the Title Companies, when they're transferring Title, today because of the, all the different types of financing that are out there today, they do have them approve the title paper. They have them sign off on it, it isn't like in the good old days where, so when they come in there, they get a copy of the title paper, the preliminary title report and then they have them acknowledge it and they go over, the escrow officers today do go over all of the restrictions, easements, they take out the survey the ALTA's survey and they show them anything that's on there. They also have the applicant sign off on that so it isn't like in the good old days when you just went in and bought a house and there is far more detail to a closing today than what we were used to in our day.

Mr. Kolick – That will help. That is all I have Mr. Chairman.

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

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to give to give favorable consideration for the Revised Final Subdivision Plat to reflect change in lot dimensions on sublots 1, 2 and 3, located on Castlewood Drive, PPN 391-14-005, 003, 004, 006, zoned R1-75. Subject to the contingencies as placed in the Assistant Law Director's report this evening.

Mrs. Walker – Second.

Mr. Ice – Secretary please call the roll.

Roll called

All Ayes

APPROVED

Mr. Bender – Thank you very much.

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.

Mr. Ice - Item Number Five, Siedel Farms Developers. Mr. Bender remains at the podium.

Mr. Bender - Chris Bender representing Siedel Farms LLC. I am here asking for your approval to be referred to next weeks ARB meeting for presentation of our entryway signage and landscaping plan for Westwood Drive and Siedel Landing Drive.

Mr. Ice – We will go right to the reports. Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, there is no report. From Engineering the proposed sign is planned to be on common property. A review of the site lines indicates that sufficient intersection sight distance will be provided. The location of the landscaping mound west of Seidel's Landing Place is in approvable form. The landscaping mound on the east side of Seidel's Landing Place will need to be relocated. As shown, the toe of the mound is located at the water elevation of the retention basin. Therefore, with every rainfall, the water will rise and flood the landscape mound. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

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

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. Just for the applicant, if you relocate that Mr. Bender, that mounding will it still remain in a common area?

Mr. Bender – Yes, Mr. Kolick, Members of the Commission, we spoke to the Engineering Department when they discovered our design error this week and there is a key elevation, I believe it's 857, 857 is the elevation line, we want to move our landscaping ahead of that otherwise our bushes are going to wash out on the bottom

with any amount of storm water. We will re-engineer that mound. We will probably have to put either some large pieces of stone behind it or reshape the kidney and make it a little bit narrower. To the naked eye it will appear the same but it will mean moving it up the hill about two foot, a foot and a half so we can accommodate that but technically we are in danger at this point.

Mr. Kolick – And it would still remain in a common area as opposed to a part of the right of way?

Mr. Bender – It will be exactly the same it is. The mound may just be 98% the size it is now, rather than 100% the size it is.

Mr. Kolick – Mr. Chairman, we just need to refer them over to the ARB.

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

Mr. Ice – Ok Chris, we'll send you over to ARB.

Mr. Bender – Thank you very much, have a pleasant evening.

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

Lot Split and Consolidation for property located at the intersection of Howe Road and Tracy Lane, PPN's 396-25-003, 399-04-005, 399-04-006 and 399-04-010, zoned R1-75.

Mr. Ice – I see that Mr. Boyer from M & B is now here, Item Number Two so we will go back to that.

Mr. Boyer – Thank you Mr. Chairman, my name is Bill Boyer, I am president of M & B Strongsville LLC. I don't know if I should recite any history here but we have been before you before. We have two parcels of land, one on Howe Road and one on Tracy Lane. We are in this application, consolidating those two parcels and then resplitting them. The objective is to create a parcel that would be suitable for a proposed children's pre-school and that would be to the south, so the southerly split that you are looking at would be for a children's preschool and we intend to take steps to get that property rezoned by referendum this fall. That plan that we proposed has not changed, it was approved by this body about a year or so ago. What we are doing now is we are just consolidating these two lots which we hadn't done before and re-splitting them and that is what this application is about.

Mr. Ice - Thank you. Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, Sublot 1 the lot width is 144' and the lot area is 70,666 SF. Sublot 2 the lot width is 534.9' and the lot area is 170,492 SF. Both Sublots 1 and 2 will exceed the required lot width of 75' and lot area of 12,750 SF in an R1-75 zoning district. Sublot 2 will be a double frontage lot 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, Sublot 1: 1.6223 acres with 141.64' frontage on Tracy Lane and 144.43' frontage on Howe Road, Sublot 2: 3.9140 acres with 81.00' frontage on Tracy Lane and 534.56' frontage on Howe Road, Tracy Lane is fully improved and Howe Road is partially improved, since there are no sanitary sewers along the frontage of sublots 1 or 2 on Howe Road. The Lot Split and Consolidation Map are in approvable form subject to it being renamed a Subdivision Plat and it must include the appropriate clauses for Council approval. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

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

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. As noted in the Engineering report, there is a procedural problem that needs to be addressed. One, this can't be approved as a parcel split and consolidation. We would need to grant a deviation from our code requirements because there are no sewers on Howe Road in this area. The sewer actually comes from across the street where Pomeroy Place is and runs through this parcel 13 so you would not be in a position to act on this tonight and have to redo this document as a subdivision plat and ask for a deviation from our sewer requirement. I guess in looking at it, for the applicant, what would the plan be for the larger parcel? The subplot 2 then that 3.9, I understand you are taking subplot 1 and are going to propose an initiative to change it over to Public Facility, I would guess and propose a daycare there. What's the proposal for the northern half of the parcel? The 3.9140 acres where you are also consolidating lots?

Mr. Boyer – At this time we would leave it in the existing zoning.

Mayor Perciak – What do you plan on doing with it?

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Mr. Boyer – We haven't got a plan at this time. We would perhaps leave it as it is. We may come back with our original plan to convert it to town homes. We haven't made that determination yet.

Mr. Kolick – Mr. Chairman, also for the applicant. The 24 foot access easement, is that proposed to be a public roadway or what in the future?

Mr. Boyer – I'm not . . .

Mr. Kolick – You are showing a 24 foot access easement that divides subplot 1 from subplot 2.

Mr. Boyer – Right, that would be a driveway. That would, so the entrance would be on Tracy Lane and the exit would be on Howe. There would be a right turn. In other words our original plan that was approved by this body about a year ago would remain the same but what we are addressing right now is the preschool portion of it. Actually Mr. Chairman, there is a sewer that runs up through the middle of these two properties and our understanding was that we would have the ability to access sewer at that point. So there is actually sewer available to both of these parcel.

Mr. Kolick – Mr. Chairman, again for the applicant, do you have a sewer for subplot 1, where you would have the daycare. Would that be sewer to Tracy Lane where there is sewers or would it hook into the sewer that's going across the other parcel to the north?

Mr. Boyer – Mr. Chairman, Mr. Kolick, the sewer runs north and south through both parcels, both subplot 1 and subplot 2.

Mr. Kolick- Mr. Engineer, does it run through both?

Mr. Allen – Yes.

Mr. Boyer – So our understanding was that it wouldn't require any deviation.

Mayor Perciak – Could you come over here Joe and show us?

Mr. Allen – The sewer comes right up through these lots.

Mayor Perciak – Its not labeled. I'm missing it here.

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Mr. Allen – Its not on this map, this is where it is. This in the orange is where the sewers are. You will notice that there is a sanitary sewer on Tracy and there is a sanitary sewer going up between these two lots, sublots 1 and 2. However, the issue is not that there is not a sanitary sewer available to this lot but there is no sanitary sewer in the public right of way.

Mr. Kolick – Mr. Chairman, Joe, this lot here is the lot that we own, is it not, right behind here? If we ever develop that how would that be sewerred?

Mr. Allen – You would come right in here.

Mr. Kolick – So we would not be cutting ourselves off by not putting a sewer here on Howe?

Mr. Allen – I don't believe so, no.

Mr. Kolick – Ok. Thank you.

Mayor Perciak – How did we get this property?

Mr. Kolick – That was part of the mall deal where there was a parcel there that was given to us for recreation use.

Mayor Perciak - I thought they were going to build a police station there.

Mr. Kolick – There was a question on that.

Mr. Ice – What do you think will be different this time relative to the referendum?

Mr. Boyer – Well we've done some extensive surveying of the town and we think that the preschool by itself will be, is very winnable. We think, we hired some people that mishandled the campaign and we think it was not an effective campaign and misrepresented some situations. I don't want to go into great detail now at this point but it was, lets say, a great disappointment. We felt that was a very viable situation but it wasn't presented properly by our consultant. So this time, we have a new team and we've done extensive surveying, as we did prior to the prior election and its showing without any advertising, without any mailings a 2:1 in favor situation so we think this is very viable.

Mayor Perciak – One last thing Mr. Chairman, Mr. Boyer. You are aware, is that Ward 1 now or Ward 2, I don't remember? How much it has to pass by in a ward? Is . . . Is that Ward 4 now?

Mr. Haseley – It is Ward 4 now.

Mr. Kolick – Its got to pass by both, what the Mayor is eluding to is under our charter, it would have to pass both as majority of the City as a whole as well as a majority of the Ward itself.

Mr. Boyer – Yes, we are aware of that. Thank you.

Mayor Perciak – Then, one other thing, if you are going to and issue a petition, I think you need what 1,200 signatures.

Mr. Kolick – Roughly, I think that is the number.

Mr. Boyer – I'm not sure of the numbers but experts are handling this and I trust that they are going to do it right.

Mr. Kolick – Mr. Chairman, at this point we need to Table it. He needs to give us a subdivision plat, if you are in favor of this and I guess you ought to get the input of the Planning Commission members because I don't want them to go through more redraws if its something you are not looking at favorably. He could come back and request a deviation for a subdivision at the next meeting.

Mr. Boyer – Could you explain, Mr. Chairman, Mr. Kolick, what deviation, I'm sorry, the Engineer could not be here tonight. I am filling in for him.

Mr. Kolick – Under our code, you need sewers all the way up and down Howe Road in order for this to be a parcel split. I know what you are saying, the sewers go onto the property and then go up but under the code, they have to be all the way servicing that parcel in that right of way. It is again up to the Commission whether they grant a deviation but I would think a deviation may be in order as to the sewers because we really don't need it up the right of way here but under the code that is what it requires. So your Engineer will redo this as a subdivision plat, it can go back on our agenda seeking a deviation for not having sewers up Howe Road and for the subdivision at the next meeting.

Mr. Boyer – To make sure he does it right, should he contact you Mr. . .

Mr. Kolick – He should contact Mr. Allen and he will be happy to explain to him what he needs to do.

Mr. Boyer – Thank you.

Mrs. Barth – Mr. Chairman, that has to be Ward 1, it can't be Ward 4.

Mayor Perciak – I think its Ward 1 too.

Mr. Haseley – Its to the west of the interstate and that is Ward 4.

Mayor Perciak – Ward 4 is from Shurmer north to 82. Because of the population. It's the only way we could do it, drag it across Pearl and Shurmer to 82.

Mr. Haseley – We'll check.

SUNOCO/ Greg Noeth, Agent

Site Plan approval for a 1,353 SF vehicle storage building for property located at 16532 Royalton Road, PPN 396-16-004, zoned Motorist Service.

Mr. Ice – Item Number Six, Sunoco. Please state your name and address for the record.

Mr. Noeth – Greg Noeth, Architect, 4672 Hilland Drive, Cleveland, Ohio 44109. I'm here to present the site plan for vehicle storage building for rental trucks at the Sunoco that is currently located and operating at 16532 Royalton Road. The building we are proposing will house three rental trucks, that is currently against the ordinance to house them outside of a storage building. There would be no service in there, there would be just there for storage.

Mr. Ice – Thank you, Mr. Allen.

Mr. Allen – Thank you Mr. Chairman. From the City Planner, Area and Yard Requirements, Lot Area, Service Station – 1 acre, they indicate 41,651 SF*. Lot Width: Service Station – 200', Required is 200', they indicate 197.4'* Land Coverage, Land Area: 41,651 sq. ft., Bldg. Area: 5,292 sq. ft. the required is 25% (Max), they indicate 13%. Front Yard Setback, Bldg. from Royalton CL 125' they are required 125' CL, they indicate 126'. Other Streets – 50' ROW, Parking from ROW, they are required 30', they indicate, Not Applicable. Side Yard Setback, Bldg. abutting non-res. dist. They are required 25' they indicated 45'(W)-85' (E). Parking abutting non-res dist. They are required 10', they indicated 5'(W) *- 8'(E)*. Rear Yard Setback, Bldg. abutting non-res.

dist. The requirement is 25', they indicate 27.5' (N). Parking abutting non-res. dist. The requirement is 10', they indicate 27.5' (N). Serv. St. 5/1000 SF cust. Serv. Area 3/serv. Bay, Not Indicated. Gas Pumps 20' from ROW they indicate 20'+. Canopies Supporting members 20' from ROW, they indicate 20'+. ***Indicates MS Zone noncompliance.** From Engineering, the final engineering plans are required. Additional comments will be provided as final plans are developed. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, we will need a lighting plan submitted for the extension of that drive area to include security lighting around the perimeter of the building. We will need to contact the Health Department to see what impact there may be on the septic system. There is a crock indicated in the preliminary drawings that you submitted that would have to go through a grease interceptor and tie to the septic system. If that is not the case then it needs to be eliminated from the plan. Thank you.

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. Since the application does not comply with our lot area requirements, it does not comply with the lot width requirements, it does not comply with the parking on the west and does not comply with the parking on the east, you are not in a position to approve this application so you would have no choice but to deny it. That is what you would have to do tonight here for this. Thank you.

Mr. Ice - Thank you. Any questions?

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to give favorable recommendation for Site Plan approval for a 1,353 SF vehicle storage building for property located at 16532 Royalton Road, PPN 396-16-004, zoned Motorist Service.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll called

All Nays

DENIED

Mr. Ice – Ok, you'd have to go over to BZA from here.

Mayor Perciak – If I may, Mr. Chairman, gentlemen. I do have a question, I am a bit perplexed. You have to help me with this. Either my math is leaving me or, you say you are going to put in three trucks, you are going to rent three trucks, you are putting up a building with 1,353 SF, lets say its 1,400 SF, its going to cost you "x" amount of dollars a SF. How do you justify the cost of this building for these three trucks? I am having a hard time comprehending this whole plan of yours and I really need to understand it.

Mr. Noeth - In which way? Justify what? The expense that we would have to spend?

Mayor Perciak – Yes for three trucks. Something does not add up.

Mr. Methcore -That is the size of the biggest trucks we have. If we are to consider the smaller size of trucks, this company . . .

Mr. Ice – Excuse me we need to get your name and address for the record.

Iman Methcore, 4157 Westbrook Drive, Brooklyn, Ohio. When we ask the Architect for the printing, the planning of this building we were considering that was the biggest size these companies leased to us or we rent from these companies. But if we consider the smaller size, this size building will actually take six of them on an average of six trucks that would fit in this building. As far as the expense, we have done it in the past and generated not a great income but it was something helpful to a small operation like ours and the City required that we put a building to where we can store these trucks in order to be able to perform this operation.

Mayor Perciak – I'm not, I don't appear to have the answers on this but, I just in my mind, if I were the business man on the other side of this can not justify the cost of building the building, going through all this so that you could house six trucks.

Mr. Methcore – In general the company that we do the truck rental through, they do mainly one way rentals. You would call them, make a reservation and initially we will have no trucks in there. You would make a reservation, lets say to California or what have you, they will give quote. We will collect a commission on that. The truck will be delivered the night before the pick up for the customer. That is how basically this operation is run. We might have days where we have no trucks in there, in that building. That is basically, that's how we generate the money. Make a commission on

these trucks and renting those trucks and being like an agent. Just delivering those trucks to those customers.

Mayor Perciak – See sir, that is my point. You are putting this building up and everybody has to make a living and before you know it, if there's not six trucks in there are four trucks in there. So then what do you do with all this vacant space that is sitting idle. It doesn't pay for itself. What we want to make absolutely certain is to what you are going to be doing with that space. If its going to be used for some other purpose other than what's being disclosed here tonight, we want to know.

Mr. Methcore – None whatsoever. Other than storing trucks for customers to come and pick up. No more or less.

Mr. Ice – No service at all?

Mr. Methcore – No service of any kind. We have a service in the front building. We have a service station in there, a service garage in there. We don't need to, we don't require any services on these. That is something that is warranted by the company that rents those trucks, like U-Haul or basically they provide those services at their headquarters. We perform or offer none of these services whatsoever.

Mayor Perciak – That is all the questions I have.

Mr. Ice – Ok, we will send you over to the Board of Zoning Appeals and you can go from there.

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.

Mr. Haseley - Yes, thank you Mr. Chairman. I respectfully request that Ordinance No. 2006-126, I am going to ask that the Board study this for two weeks. The zoning is very

important and I'm not sure how we can even vote on this other than turn it down at this stage.

Mr. Ice – Right. Dan would you like to chip in?

Mr. Kolick – Mr. Chairman probably what Mr. Haseley's referring to is that we do have minimum sizes for the acreage and the lot width for anything zoned Motorist Service. This particular lot does not meet those minimum requirements. That doesn't keep us from changing the zoning but it would mean that whoever would develop it then would have to obtain a number of variances in order to put anything on it because they are not going to meet the lot width or the lot area requirements. The lot area is 1 acre, they're under 1 acre as it is and there has also been some talk about part of this lot being split off. If that was split off they would be even lower than what they are now. Lot width, its required 200', they are only 105' so they are undersized for the district that they are requesting you zone it too. It doesn't mean that you can't do it, but it would create some real problems for someone who wants to develop it.

Mr. Ice – Mayor do you have some comments?

Mayor Perciak – Who is here representing?

Tim Floury with Star Incorporated. 46405 Telegraph Road, Amherst, Ohio.

Mayor Perciak – Your capacity is what sir?

Mr. Floury – We are the architect and the builder.

Mr. Kolick – Mr. Chairman, maybe I can explain to the applicant, if this would be rezoned per the applicant, it would be undersized pursuant to our code. So there would be some other things you would have to do, namely get a number of variances from the Board of Zoning Appeals, even if it was rezoned over to Motorist Service. Don't know whether you were aware or not aware of that. I know usually these are time sensitive but I guess the first thing to tell you, that is going to take some time even after the rezoning, if in fact it would be rezoned.

Mr. Floury – We realized on the side yard setback that there was a variance needed on that but other than that we weren't.

Mr. Kolick – We aren't addressing the building yet. We haven't even see a building to be able to judge it. This is just the lot area and lot width before you put the building on it. So you understand.

Mr. Floury – Right.

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth.

Mrs. Barth – What kind of car wash is this?

Mr. Floury – This is a laser car wash pretty much you pull in and it does the car wash, you don't have to get out of your car or anything, and pull out.

Mayor Perciak – It is pretty much like the car wash we have at your corner there, and the one that we have behind Lube Stop.

Mrs. Barth – We have one that is right down the street that is down the street from there that is a self serve and we have . . .

Mr. Kolick – Mr. Chairman, I should also mention to the applicant here, in looking at that, at least there was a proposal that was submitted or a rendering of where this is going to be. I know there is going to be some problems with that rendering as submitted. Given the location of the driveway being that close to Pearl. You have an in and out on Pearl Road, you have an in and out over on Strongsville Boulevard and its going to be some traffic problems unless that would be relocated. I guess they want you to look at this proposal closely.

Mr. Floury – We originally proposed the one drive on Pearl Road and its at the farthest end of that intersection. There was some talk with some members in the City that it may have been another good idea to show another ingress and egress on Strongsville Boulevard for people that are coming down Strongsville Boulevard and that are also with this being an intersection being able to help ingress and egress. We really, whatever the City recommends or requires, we are totally fine with that but this was something that we talked with the City and they actually suggested that.

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – Regardless of the use of the land, how can we as a Commission in good conscience in acting responsibly rezone a parcel into a zoning classification that you can't build on without BZA approval?

Mayor Perciak – I think he is aware of it now.

Mr. Flourey – Right.

Mr. Ice – Tough road here.

Mayor Perciak – So Mister Counselor.

Mr. Kolick - My suggestion is, I know you are not the principal, you should get back to the principal and explain what these problems are. Tonight we ought to Table this, I think was the initial suggestion and I think that was a good idea. You need to get back to your principal, talk about some of the problems that are here before we act on this and have your principal get back to the City.

Mayor Perciak – There is one other thing, if I may Mr. Chairman. I understand that some of this property was to be deeded off to the VFW. Now, if the information I have is correct, that is only going to make this worse.

Mr. Flourey – Right, I'm aware of it now and I will be talking to the owner and to discuss all of this.

Mr. Ice – Ok, we will Table it.

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 8:59 p.m.

Jeffrey A. Ice, Chairman