

**STRONGSVILLE PLANNING COMMISSION**

**MINUTES OF MEETING**

**September 28, 2006**

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

Roll Call:

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

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

**Approval of Minutes**

Mr. Ice – You have had a chance to review the minutes of September 14, 2006 and December 20, 2001. If there are no additions or corrections they will stand as submitted.

**FINAL APPROVALS:**

**STONEBROOK RUN SUBDIVISION/ Dave Terry, Principal**

a) Final Subdivision Plan approval of 19 Single Family Dwellings and 9 Detached Cluster Units located on Boston Road, west of Prospect. ARB Favorable Recommendation 9-5-06.

b) Tax Split Map approval for the Stonebrook Run Subdivision Cluster Area consisting of 9 detached units located within the Stonebrook Run Subdivision, located on Boston Road, west of Prospect Road, PPN 394-20-005, zoned R1-75

Mr. Ice – Item Number One, Stonebrook Run. Please state your name and address for the record.

Mr. Terry – Dave Terry, Terry Properties, 2557 Cedar Road, Hinckley, Ohio 44233.

Mr. Dean – Tim Dean 22100 Horseshoe Lane, Strongsville.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the Final Plan meets the requirements of Section 1152.32 of the Zoning Code. The Preliminary Development Plan was approved by this Commission on 7/13/06. From Engineering, the subdivision plans are in approvable form subject to the plans being revised to show the sanitary sewer extending to the south down Prospect down to Boston Road as discussed with the applicant. That will be pending the Engineer submitting new plans to the City and we can meet with him as well to go over that. All their outside agency permits have been received, including their Army Corp. and a Traffic Study was submitted and the conclusion was that the traffic generated by this development would not have a significant impact on the surrounding street network. The tax split map is in approvable form. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, there is only one issue. Special consideration may have to be given to a couple of these foundations where there are sanitary or storm easements running between properties. We will pick that up during our topographical review stage. Thank you.

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. At the ARB meeting of 7-25-06 the applicant was asked to revise their site plans and elevation plans to show screening along the property line to the west to include mounding and 8 evergreens, 7-8' high. They were asked to bring in unit landscape plans and also were asked to revise the elevation plans for the clusters that face Boston Road in an effort to break up the backs of these units. Revised plans were submitted showing a reverse gable roof and a morning room on the rear elevation of the units 1 through 4. A landscape plan for these units was submitted and approved. They also revised the site plan to show mounding and landscaping along Boston Road to screen the units as well as around the retention basin. After its review ARB gave favorable recommendation on 9-5-06. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, we just want on the record again that the eastern end of the private roadway should have signage on it reminding residents, tenants to keep that area clear “no parking”, we need that 3 point turn around for our squads.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. I did receive the Covenants and Deeds, they needed some revisions, they were delivered to me this evening, it looks like they should be in order but any approval would have to be made subject to my final review of those. I also requested the proof of the filing of the Homeowners Association, I did get it tonight and that is in order. This evening you will find a tree plan in your packet showing Valley Forge Elm for here which would need to be approved this evening. We did receive a mailbox plan. They signed the Posting Ordinance and that is in order. There is no recreation here so the builder, as the permits are taken out, will need to pay the \$800.00 recreation fee over to the City. It does show an easement as we requested from Prospect Road to take the sanitary to the development. We have received that document. They are showing sidewalks we requested on Boston Road. It should be made in addition to, contingent on Covenants and Deeds as noted in the Engineering report, contingent on the sewers being taken down south on Prospect to Boston Road with the understanding that final engineering needs to be done. If there is some problem because of either the culvert or a conflict between sanitary, they would need to come back and go through revisions here with the City but that contingency should be added as well. The posting that the Fire Department requested is shown on the improvement plans. They are showing the private street into the clusters and they did incorporate language in the Covenants and Deeds for the maintenance of that area. The only thing they need to do is certainly inform those residents that is not a City street and don't expect the City to plow it or pick up garbage down this street. I might add, it really is not any different than what we did over on Webster Road, other than a much smaller area. There are some open ditches that our Engineering Department has looked at that go through the subdivision and they seem to be ok with that.

Mayor Perciak – What open ditches?

Mr. Kolick – There is an open ditch that runs between the clusters and single family home on the east side of the road and I think then there is a culvert under the road and then it goes by a single family home or cluster on the west side of the road. There is an open ditch there. I don't believe Mayor that the Army Corp. would allow them to culvert anymore pipe than what they have there because of the length; they are limited in length as to what they will allow them to do. They are acting within their parameters of their wetlands permits, I believe that is all they are able to open so that open ditch will

be there. Those contingencies and we would be in a position to approve it here this evening. Thank you.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration for Final Subdivision Plan approval of 19 Single Family Dwellings and 9 Detached Cluster Units located on Boston Road, west of Prospect. ARB Favorable Recommendation 9-5-06 subject to the reports and contingencies as read this evening by the Law Department, Engineering Department, Building Department and Fire Department.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:	Mr. Ice	Aye	
	Mr. McDonald	Nay	
	Mrs. Walker	Aye	
	Mr. Haseley	Aye	
	Mr. Stehman	Aye	
	Mrs. Barth	Aye	
	Mayor Perciak	Aye	APPROVED

Mr. McDonald – Mr. Chairman

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for the Tax Split Map approval for the Stonebrook Run Subdivision Cluster Area consisting of 9 detached units located within the Stonebrook Run Subdivision, located on Boston Road, west of Prospect Road, PPN 394-20-005, zoned R1-75

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:	Mr. Ice	Aye	
	Mr. McDonald	Nay	
	Mrs. Walker	Aye	
	Mr. Haseley	Aye	
	Mr. Stehman	Aye	
	Mrs. Barth	Aye	
	Mayor Perciak	Aye	APPROVED

Mr. Ice – Ok, gentlemen you are all set.

Mr. Terry – Thank you.

Mayor Perciak – Tim, we need to set up a meeting administratively and Dave, Lori, make sure that Mr. Mikula is available and then when we have this meeting if we need to we ought to make sure that Mr. Kolick is available at least by conference call so that we can work out all the details.

Mr. Terry – Alright, I'll try to have all the answers that I think we need. I know pretty much what you are asking for, by the end of next week, we will schedule it, we will try to expedite this within the next week.

Mayor Perciak – For everybody's sake.

Mr. Terry – Ok, thank you.

**DEERFIELD LAKES HOA/ Christine Petro, Agent**

Revised Subdivision Entranceway Landscape and Signage Plan to the Deerfield Lakes SFD & CD Subdivision, entrance located at Drake Road and Misty Lake Drive, PPN 397-23-137 zoned R1-75. ARB Favorable Recommendation 9-19-06.

Mr. Ice - Item Number Two, Deerfield Lakes HOA. Please state your name and address for the record.

Mr. Malik – Jim Malik, Zarzycki, Malik Architects, 7500 Pearl Road, Middleburg Hts., Ohio 44130. Presenting the Deerfield Lakes Homeowners Association proposal to place a new development ground sign on the corner of Misty Lake Drive and Drake Road. The design will incorporate that brick that matches another sign that they have in their development and the stone will match the stone that they also have there.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner there is no report. From Engineering the sign location is in approvable form. The sign will be located within an existing Landscape and Signage Easement and will not obstruct any sight lines. 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. Lt. French.

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

Mr. Ice – Mr. Boron.

Mr. Boron – Thank you Mr. Chairman. The ARB did approve this sign. The sign is located within the subdivision easement and does not inhibit the view. This ground sign matches construction and landscaping of the existing ground signs at Boston and Saratoga within Deerfield Lakes.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman, the sign is out of the right-of-way. It is within that private easement that was placed on the property when Steve Sokol came in and joined this area to Deerfield Lake so they have their legal documents in order.

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 Revised Subdivision Entranceway Landscape and Signage Plan to the Deerfield Lakes SFD & CD Subdivision, entrance located at Drake Road and Misty Lake Drive, PPN 397-23-137 zoned R1-75. ARB Favorable Recommendation 9-19-06.

Mrs. Walker - Second.

Mr. Ice- Secretary, please call the roll.

Roll Call:

All Ayes

APPROVED

Mr. Ice – Ok, you are all set, thank you.

**CLEVELAND CLINIC/ Greg Harris, Agent**

Revision to the Master Sign Program pursuant to C.O. Section 1272.12(a)(7) designated as S11, 25, 26, 27, 28, and 29 for Westfield Shopping town, refacing (8) existing signs for the Cleveland Clinic, property located at 16761 South Park Center, PPN 396-24-013, zoned Shopping Center.

Mr. Ice - Ok, Item Three, The Cleveland Clinic. Please state your name and address for the record.

Mr. Harris – Greg Harris, Brilliant Electric & Sign, here on behalf of the Cleveland Clinic, 4811 Van Epps Road, Cleveland, Ohio 44131. What you are looking at this evening is a proposal that is in the first group of 10 out of 72 re-branded locations for the Clinic as they are changing their branding completely. Its not really a very dramatic change but it is nonetheless a change. They are going to a brushed aluminum look on their ground signage with black lettering and a two color logo which is blue and green. On their building signage, the copy is also black with the blue and green logo. Basically what we are doing at this particular site is proposing a change of the 8 existing signs, or 9 existing signs to 8 signs, where one is going to be removed and eliminated. The others are like for like replacement with the exception of the fact that with the new font the wall signs, the building signs will be slightly smaller because the font is a little more compressed and they are eliminating the word “The” from The Cleveland Clinic so its just Cleveland Clinic now. On the building signage there will be a slight reduction of square footage but other than that we are talking about a like for like square footage and otherwise no change with the exception of colors. I would be happy to answer any questions.

Mr. Ice - Thank you. Mrs. Daley.

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

Mr. Ice - Thank you. Mr. Biondillo.

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

Mr. Ice - 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. Since these signs are going into the existing signage there and there are no new signs going in, I would think that this Commission would have the ability to do it without requiring Council approval but we should send it over to ARB to approve and then come back here for final approval.

Mr. Ice - Thank you Mr. Kolick. Any questions, or comments? I will send you over to ARB.

Mr. Harris – Thank you very much.

**NIKO’S EXPRESS/ Darrell Young, Agent**

A Conditional Use Permit pursuant to C.O. Sections 1258.03(a)(3)(A)(7) and 1242.07 to utilize 1,520 SF as a carry-out restaurant located at 14228 Pearl Road, part of PPN 393-18-017 zoned General Business

Mr. Ice - Item Number Four, Niko’s Express. Please state your name and address for the record.

Mr. Young – Darrell Young, L & Y Properties, 4925 Galaxy Parkway, Warrensville Hts., Ohio 44128. I’m here on behalf of the owners of the building. Previously we had a Quiznos Restaurant located at 14228 Pearl Road, the space has been vacant for a period of time. We have leased the space to Niko’s Restaurant, Niko’s Express Restaurant.

Mayor Perciak – Is this the First Federal of Lakewood Plaza?

Mr. Young – Yes sir. This space is directly next to the Coldstone Creamery and we have leased the space to Niko’s Express. They will be occupying the space as I said was previously occupied by Quiznos. They are not making any changes to the interior and we are here to ask for a Conditional Use Permit so we can allow the restaurant to open.

Mr. Ice - Thank you. Mrs. Daley.

Mrs. Daley - Thank you Mr. Chairman. From the City Planner, the parking provided is 70 spaces, required is 89, therefore they are deficit 19; however, a modification of

parking was granted by this Commission on 5/11/06. From Engineering, there is no report. Thank you.

Mr. Ice. - Mr. Biondillo

Mr. Biondillo - Thank you Mr. Chairman. From Building, I did speak to Mr. Young and he indicated that this facility will not be doing any cooking that will produce grease laden vapors and would not require a hood, therefore it would not require the underground grease containment. All other items are in approvable form.

Mr. Ice - OK. Lt. French

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

Mr. Ice - Thank you, Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. This needs to be set for Public Hearing. The only thing I would ask of the applicant is would you call over at least to our Planning Consultant the number of tables and the number of seats. Sometimes over a period of time those things tend to change and they affect the parking and all we need to do is confirm the exact number so that there is no hang up when you come here at the next meeting.

Mr. Young – No problem. Just so that you know, we are using the same tables and chairs that were in the Quiznos so there is no change but I will confirm that with Mr. Hill.

Mr. Kolick – Just confirm the number because even though we may have started with one number and then sometimes over time they just tend to grow so we just need to know what that number is to compute out the parking. Thank you.

Mr. Young – It will be taken care of.

Mr. Ice - Thank you. Comments from the members. Ok we will set you for Public Hearing on October 12<sup>th</sup>.

Mr. Young – Thank you.

**REFERRALS FROM COUNCIL:**

**ORDINANCE NO. 2006-69**

AN ORDINANCE AMENDING SECTION 1250.01 AND ENACTING A NEW CHAPTER 1261 OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH A NEW MIXED-USE DISTRICT.

Mr. Ice - Ok under Referrals from Council, Mr. Haseley.

Mr. Haseley - Yes, thank you Mr. Chairman. I am not asking for any movement for this, in fact the reason I rejuvenated it was so that we can have a meeting with Legal and Planning and the administration to determine exactly what it is that we are searching to do here. When I get that and I get that in a drawing form, I will come back so that we have something to compare it too. At that time we will ask for movement on it.

Mrs. Barth – Mr. Chairman.

Mr. Ice – Mrs. Barth.

Mrs. Barth – Mr. Kolick, what is the intent of this ordinance?

Mr. Kolick – The mixed use district was an area that was thought about by the Comprehensive Review Commission to take some of the General Business use out of the City because the conclusion of the Comprehensive Review Committee is that we had an excess of General Business zoning. The idea was to change it into a mixed use district to allow something other than General Business and basically we are looking from the area south of Lunn Road basically on Pearl all the way down to Boston was the general area we were looking at, not necessarily any particular property. That is what came there and we had all types of snares as we began to do this because so many people had relied on that being GB, there are different size lots, it became more complicated so we began to look for some input as to whether we allow any General Business, no General Business, Apartment Uses, Mix Use, Clusters in there, we looked at all types of things and that is really where it stopped.

Mrs. Barth – So is this related to a map?

Mr. Kolick – Well we first have to adopt the use district, we first have to determine what's in it and then we would look at rezoning specific properties to that use district. Initially the answer to that is no, ultimately, yes. Ultimately we would then have to look at where it would be proper to rezone over to the mixed use district.

Mrs. Barth – So to reiterate my question that we had in caucus, this is what I thought initially it was, it was to establish the district. There are no zoning changes being related to this particular zoning.

Mr. Kolick – Absolutely not. No, this does not change the map, it doesn't change any parcel within the City, it just creates the district. Then the next thing we would have to look at after creating the district is, is it proper and would it be reasonable to change certain areas to this particular district.

Mrs. Barth – I know we attempted this in the first Master Review Plan just with residential going from R1-75 to R1-100 and taking the General Business district and I can tell you the particular area was on the corner of 82 and Webster and when we did that we had such an outcry from the people that owned that property and that's the problem that you have, dealing with the ownership of that property. Its not an easy process.

Mayor Perciak – This is what we discussed back and forth and we just said, how do we get the input of the current property owners who believe that they are sitting on a gold mine and then all of a sudden aren't.

Mrs. Barth – You know Mayor, I made the mistake of suggesting that we do a concept of what could go there in residential because I was trying to convert the General Business to Residential. They then came back and indicated that we had a developer that wanted to develop this and we really didn't, we were just trying to tell them and give them a concept of how it could look and it ended up with lawyers, the City was in a situation where we had to consider the legal cost. We really have to approach this cautiously because it can run into legal battles for us.

Mayor Perciak – I've learned from my previous profession, that is exactly what will happen.

Mrs. Barth – This is really going to open a hornet's nest.

Mr. Haseley- That is why its so important to see what their plans are, each parcel because I'm not going to back this and have certain parcels who are planning to build under the current zoning if we are going to change it. I'm not going to vote for it.

Mrs. Barth – Don't interpret what I am saying. I respect, I know you have a better understanding and I didn't think you would do that but the idea is I think I want the whole Planning Commission to know because we attempted this . . .

Mr. Haseley - I know I was a part of that with you.

Mrs. Barth - in a very constructive manner just one section and we advised everybody and brought them into a meeting and it still turned into a hornet's nest.

Mr. Haseley – It did. I remember that very well.

Mrs. Barth - It was not nice and so, I agree with the concept that we should try to do something like that because I do believe we have an overwhelming amount of General Business but you know this is a Democracy and people have rights and they want to protect their rights and you can tell them a million times over something is not worth that but its their impression against ours.

Mr. Haseley – I'm not going to recommend anything until I see it. I purposely, I can't understand why anybody would want to put a strip center in, continue what has been going on down there because there are so many empty stores right now. Everybody has a better idea. Thank you.

Mr. Ice – Thank you for your comments Mrs. Barth. Anyone else? Any other business to come before this Commission? Seeing and hearing none, we are adjourned.

**OTHER BUSINESS:**

Hearing no other business to come before the Commission, the Chairman adjourned the meeting at 8:30 p.m.

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Jeffrey A. Ice, Chairman