

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

May 25, 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
Mrs. Barth
Mr. Stehman
Mr. Haseley, Council Rep.
Mayor Perciak

Also Present:

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

Mr. Ice – First of all I would like to welcome to the Commission this evening, Mr. Tom Stehman.

Mr. Stehman – Thank you.

REVISED AGENDA

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to use the Amended Agenda for this evening.

Mrs. Walker – Second.

Mr. Ice – Secretary please call the roll.

Roll Call:

All Ayes

APPROVED

Mr. Pohl – Ronald Pohl, 17100 Royalton Road. I am proposing the addition of patio seating on the north side of Palmers Grill. It will accommodate approximately 32 seats, one error on the information is that it says 460 SF, it is actually 540 SF on the application. An 18 x 30 patio that will be used for dining purposes only. No entertainment will be used, serve alcoholic beverages along with the food.

Mr. Ice – Anyone else wishing to speak in favor, against? The Public Hearing is now closed. We will listen to the administration reports. Mr. Allen.

Mr. Allen – Thank you Mr. Chairman. There is no report from the City Planner or Engineering. Thank you.

Mr. Ice – Thank you. Mr. Biondillo.

Mr. Biondillo – Thank you, Mr. Chairman. From Building, as discussed with the applicant in caucus, Planning Commission would have to make it conditional acceptance based upon the Building Department receiving the architectural plans. There were several issues that we needed to modify on the proposed plans, relocation of the bollards, the inclusion of an egress gate and a panic hardware from the patio area, any proposed lighting, location of speakers and the hours of operation. Thank you.

Mr. Ice – Thank you. Lt. French.

Lt. French – Thank you, Mr. Chairman. From Fire, this new doorway that would be cut into the north wall to the patio to this proposed patio, from the dining room, we would like that to be a dedicated “Emergency” exit door year round, to be identified with such signage and have panic hardware installed. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick - Thank you, Mr. Chairman. It would be appropriate to speak with the applicant then about those items that were noted in the Building Department report. We know we need to put the bollards all around to protect the pedestrians but they are looking for what hours of operation, what type of lighting you would have on there and the third item, whether there would be any loud speakers for either music, paging or announcing tables that are ready or anything of that nature. Thank you.

Mr. Pohl – There will only be a speaker out there which would be background music as in the dining room. Hours of operation proposed are until 11:00 PM when the kitchen closes, as with the rest of the dining room. The lighting will be minimal on the columns of the corner posts going around the patio area.

Mr. Ice - Thank you. Any other questions, or comments? I would entertain a motion.

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration of A Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize 540 SF as a outdoor patio for Palmers Grill, located at 17100 Royalton Road, PPN 396-14-007 zoned Shopping Center, subject to meeting the requirements as reported this evening by the Building Commissioner and the Fire Department with hours of operation not to exceed 11:00 PM.

Mrs. Walker - Second.

Mr. Kolick – Mr. Chairman, the only other thing I would note is the lighting needs to be made subject to the Building Department approval as well. So the applicant knows just the speakers if it is background music is one thing, but if it gets too loud there will be some notice from the City to take care of it. Thank you.

Mr. McDonald – So moved.

Mrs. Walker – Second.

Mr. Ice- Secretary, please call the roll.

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

APPROVED

Mr. Ice – Ok Ron you are all set.

FINAL APPROVALS:

INTERNATIONAL KARATE CENTER/ Jeff Ellis, Principal

a) Subdivision of PPN 393-37-052 located on Pearl Road zoned General Business.
Planning Commission Meeting

INTERNATIONAL KARATE CENTER/ Jeff Ellis, Principal Cont'd

b) Site Plan approval of a new 5,293 SF Retail Building for a single use as a Karate Center to be located on Pearl Road, PPN 393-37-052 zoned General Business.

Mr. Ice - Item Number Two, International Karate Center. Please state your name and address for the record.

Mr. Ellis – Jeff Ellis, 13500 Pearl Road, Strongsville, Ohio 44136. New construction of commercial building on Pearl Road.

Mr. Ice - Thank you. We will go right the reports. Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, the proposed use is a Karate Center. This meets the General Business Zoning District requirements. From Engineering we are still waiting for the Subdivision Plat indicating that there will be 17' additional feet of public right-of-way for the City of Strongsville. The Site Plan has been revised since first being submitted to Planning Commission on March 9, 2006. The rear parking is now being shown as future parking. Plans have been reviewed by the Engineering Department and comments were given to the applicant's engineer. Revised plans have not been submitted yet. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building, the proposed parking is in compliance with the ADA Guidelines. I do need a revised lighting plan, I have the old one on file, providing at minimum security lighting around the parameter of the building. The applicant wishes to deviate from the standard of providing a trash enclosure, which would have to be considered by this Commission. When this comes to ARB, there are residential properties abutting this property to the south that would have to be addressed with either a masonry wall or landscape buffering. I do have a CPTED report from the Police Department and it notes, Natural Surveillance, the front parking area will have good natural surveillance from Pearl Road. The future parking in the rear will have limited natural surveillance. Both areas need the minimum 2 FC lighting level. Shielding will be an issue for the rear lot due to abutting residential properties. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire the applicant stated that he had met the Mr. Sheiban and Mr. Sheiban would not be against him tying in his drive to the front parking of Shinto's. We would prefer that this would be done. It would help us with

circulation in and out through this slot. The applicant agreed to put a Knox box on the building for emergency access. We would encourage this applicant, for future expansion on his lot, to install a yard hydrant line at this time. It would save him some cost down the road. Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. As noted in the Building Department report, we need that subdivision plat before this can go forward and be approved. They can get that into the City as quickly as possible. On the site plans, since this is now reduced to one use, it does meet our requirements but I'm sure the applicant is aware that they can not put any other tenants in that building or it won't meet the lot width requirement. As far as the ARB, I think as noted, there is a residential structure to the south as well as backing up to those residential lots on Bowman, that they need to be cognizant about. They need to get a revised lighting plan if they haven't already, to our Lighting Consultant, since they have changed the configuration. That is going to change the lighting plan on there as well. Tonight we can only move them over to ARB. If in fact they are going to be using the Sheiban dumpster, we need to get a letter from Mr. Sheiban indicating that he has no problem and we will permit them to do that. Thank you.

Mayor Perciak – What about the driveway, the ingress, egress?

Mr. Kolick – If in fact you are going to tie into Sheiban's, we would certainly encourage it and have no problem, that needs to be shown on your plans and obviously Mr. Sheiban is going to have to sign off on those plans as well, since this is going to be going through his parking lot. Those plans need to be revised and get the revisions into the City before you come back for Final Approval. Thank you.

Mr. Ellis – That would show up on the site plan? Is that where that would show up?

Mr. Kolick – It needs to be shown on the site plan and obviously again Mr. Sheiban would need to sign off on that as well.

Mr. Ice - Thank you. Any other questions, or comments? We will send you over to ARB and then you will come back here.

Mr. Ellis – Thank you very much.

Mayor Perciak – Before we move on Mr. Chairman, if I may. Ladies and gentlemen, sometimes there are some questions as to the terms and conditions and the items, or the contingencies on which things are approved. The secretary keeps excellent

minutes and they are usually out there in a timely fashion on-line. If you would care to go on record here Mrs. Oprea as to how they can access the minutes and approximately when they will be available for them to review.

Mrs. Oprea – All of our agendas, our minutes, calendars, application packets are available at www.strongsville.org. If you ever need help accessing the web site or have any questions, you can feel free to call. All of our agendas are posted on-line the Friday before the scheduled meeting. If they are revised, reposted before the meeting. The minutes are not approved until the following meeting. So they are posted two weeks behind. They will be posted immediately after Board approval. Minutes approved tonight are from the previous meeting. These will be posted and on-line tomorrow.

Mr. Ice – Thank you.

Mayor Perciak – Thank you.

HANDLE RIDGE ESTATES SUBDIVISION NO. 1/ Paul Stradtman, Principal

a) Deviation to permit a subdivision without sanitary sewers for property on Handle Road, PPN 398-13-006 and 398-13-003 zoned R1-75, pursuant to Codified Ordinance Section 1228.01(i).

b) Subdivision Plat of PPN 398-13-006 and 398-13-003 to be split into three parcels, listed as, Split Parcel 1A, Split Parcel 2A and Parcel B located north of Forest Park and east of Handle Road zoned R1-75.

Mr. Ice - Ok, Items Three, Handle Ridge Estates Subdivision No. 1.

Mr. Hale – I'm Gerald Hale, 11153 Handle Road, Strongsville. Paul Stradtman wasn't feeling up to par so he had to leave. I'm sort of filling in for him.

Mr. Ice - Thank you. Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, there is no report on "a" and on "b" PPN 398-13-006 PPN 398-13-003 are proposed to be split as follows; Parcel 1A with a Lot width of 53.02' and Lot Area of 3.06 acres, Parcel 2A with a Lot Width of 20.16' and Lot Area of 1.2 acres are existing and Parcel B with a Lot Width of 90.0' and a Lot Area of 14.5 acres. The Minimum Lot Width in an R1-75 zoning district is 75'. From Engineering, on "a" there is no report on the deviation and on "b" the Subdivision Plat is in approvable form after the split, the septic systems for two lots, 1A and 2A, will be eliminated because there will be a sanitary connection for them. 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 on 3a or 3b.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. With the deviation this would be in a position where you could approve it. As I noted in caucus the only concern was the sewers but Engineering has informed me that due to the limited number of homes there, it is unlikely that sewers will ever be going down Handle Road in this particular area, it may make sense with that circumstance to grant the deviation. Thank you.

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

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration of a Deviation to permit a subdivision without sanitary sewers for property on Handle Road, PPN 398-13-006 and 398-13-003 zoned R1-75, pursuant to Codified Ordinance Section 1228.01(i).

Mrs. Walker - Second.

Mr. Ice - Secretary please call the roll

Roll Call: All Ayes APPROVED

Mr. McDonald - Mr. Chairman.

Mr. Ice - Mr. McDonald.

Mr. McDonald - I move to give favorable consideration of the Subdivision Plat of PPN 398-13-006 and 398-13-003 to be split into three parcels, listed as, Split Parcel 1A, Split Parcel 2A and Parcel B located north of Forest Park and east of Handle Road zoned R1-75.

Mrs. Walker - Second

Mr. Ice - Secretary please call the roll.

Roll Call: All Ayes APPROVED

HANDLE RIDGE ESTATES SUBDIVISION NO. 2/ Paul Stradtman, Principal cont'd

Re-subdivision for 32 Single Family Sublots for property located north of Forest Park and east of Handle Road, PPN 398-13-006 and 398-13-003 zoned R1-75.

Mr. Ice - Item Number Four, Handle Ridge Estates Subdivision No. 2

Mr. Hale remains at the podium.

Mr. Ice - Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner, subdivision No. 2 is in accordance with the Handle Ridge Estates Preliminary Development Plan approved by the Commission on October 13, 2005 and Local Street Plan NE-4. From Engineering, the proposal is a re-subdivision for 32 Single Family Sublots for property located north of Forest Park and east of Handle Road, PPN 398-13-006, 003 and 398-15-017. The site is zoned R1-75. The plans are in approvable form. To date, the applicant has received their Cleveland Water Department approval and Storm Water EPA approval. They have not received their EPA sanitary or water approval or their Army Corps./Ohio EPA wetlands approval. A mailbox plan is needed, if they do not get permission from the Postal Service to have mailboxes on the individual lots. We need a legal description and exhibit for the offsite storm sewer easement. There was an issue about the name change and we discussed that there was an agreement to make that change. The recommended Shade Tree for Park Point is Goldenraintree and the recommended Shade Tree for Glenbrook is 'Okeme' Cherry. Thank you.

Mr. Ice. - Mr. Biondillo

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

Mr. Ice - OK. Lt. French

Lt. French - Thank you Mr. Chairman. From the Safety Forces, in particular, we would suggest a renaming of the street Parkpoint, hopefully you could rename it, North Parkpoint to avoid confusion for our responding units as far as the split numbers from the existing Parkpoint to this new street.

Mr. Hale – Yes we will do that.

Mr. Ice - Thank you, Mr. Kolick

Mr. Kolick - Thank you Mr. Chairman. I had approved documents back in March to join this area over to the Forest Park Homeowners Association, I have not yet received those signed documents so that final determination needs to be made. If they are going to join the Homeowners Association, then there is an entity to take care of that detention basin. It was on certain terms and conditions in an agreement that they have, which I have reviewed again. I need to receive the documents. If not, then they need to form their own Homeowners Association as well. Again, if they do join into the Forest Park then we do need to get a recreation plan from Forest Park indicating what they are going to do with the \$800.00 recreation fee, by way of capital improvements and a time period to complete it. At this point, we do need to send them over to ARB to look at the detention basin, since that abuts current residential homes that are there. We need to protect those individuals. I know at one time they looked at this since it also abuts the pike. They looked at screening to the Pike. I don't know whether they need, with this slight change in the configuration to revisit that or the ARB can take a look or see if their prior approval is going to be sufficient. One design issue we are still waiting to receive the easement for the storm sewer that goes from the subdivision out to Handle Ridge. That needs to be approved yet. We need them to sign the Posting Ordinance and obviously you need to get the Army Corp. permits and Wetland approvals in before we can act on this proposal. So at this point we can send them over to ARB. Thank you.

Mayor Perciak – Excuse me Mr. Chairman. Sir do you know exactly what you need here to complete this subdivision? Because there has been a whole list of things that Mr. Kolick just kind of dictated off here. Again, if you have a problem or don't understand what we need and what time line we need them on, I suggest that you either call Mrs. Oprea or you call Mr. Kolick so that there is no question where we are at. What's more important to me at this point is that we get this Homeowners Association issue resolved one way or the other. Because I am not a fan of a number of residential lots like this having a retention basin where a few homeowners are responsible for this because its on their property. That is not something I want to see. I know the Council over the years has approved that type of thing. All it does is, on the administration side, cause us unending misery. So I strongly suggest in the strongest of terms to get this issue resolved. We are not going to deal with retention basins and whose going to take care of them, who is going to maintain them and then we are going to have 32 residents pointing fingers at each other. That's a no. Work on that and work on that diligently please.

Mr. Hale – Ok. In the next couple week we should also have the permits that were asked for.

Mayor Perciak – Please let us know, Ok?

Mr. Hale – Yes.

Mr. Ice – Ok, so we will send you over to ARB.

Mr. Hale – Ok, thank you.

NEW APPLICATIONS:

DUKE CONSTRUCTION SUBDIVISION L.P./ Michael Prochaska, Principal

a) Deviation to permit a subdivision without sanitary sewers and pavement not meeting Industrial Standards on Lunn Road for property located at 21848 Commerce Parkway, PPN 394-03-001 zoned General Industrial, pursuant to Codified Ordinance Section 1228.01(i).

b) Subdivision Plat of PPN 394-03-001 to be split into two parcels, listed as Lot 2A-R3 and Lot 2A-R2, located at 21848 Commerce Parkway zoned General Industrial.

Mr. Ice - Ok, Item Number Five, Duke Construction Subdivision. Please state your name and address for the record.

Mr. Prochaska – Mike Prochaska, with Duke Construction, 6150 Oaktree Blvd., Independence, Ohio. We are here this evening seeking final approval of a subdivision plat on Commerce Parkway, to create two lots. I am here to answer any questions you have.

Mr. Ice - Thanks Mike. Mr. Allen.

Mr. Allen - Thank you, Mr. Chairman. From the City Planner, the proposed split will create the following; Lot 2A-R2, Commerce Parkway Lot Width of 229.12' and Prospect Road Lot Width of 588.77' and a Lot Area of 65.7 acres. Lot 2A-R3, Commerce Parkway Lot Width of 175.47' and Lunn Road Lot Width of 128.5' and a Lot Area of 12.8 Acres. Minimum Lot Width and Lot Area in a General Industrial zoning district is 200' and 2 acres respectively. From Engineering, the proposal is to split P.P.N. 394-03-001 into two parcels zoned General Industrial, creating the following: Lot 2A-R2: 65.6860 acres with 267.33' frontage on Commerce Parkway, 699.72' frontage on Lunn Road and 588.77' frontage on Prospect Road. Lot 2A-R3: 12.8102 acres with 126.50' frontage on Lunn Road and 213.69' frontage on Commerce Parkway. At this time we have the following comments: A sketch has been provided by the applicant revising the east property line of Lot 2A-R3. It has been moved to the west and is parallel with the existing building. Since Prospect Road does not allow truck traffic, trucks must access

the easternmost portion of Lot 2A-R2, which fronts Prospect Road, through Commerce Parkway. The plat, as submitted, will cut off access to this portion of the parcel from Commerce Parkway, due to the existing environmental easement. The relocation of the eastern property line will allow for access to the portion of Lot 2A-R2 that is closest to Prospect Road via Commerce Parkway. The revised sketch also shows an access easement through Lot 2A-R3 to the portion of Lot 2A-R2 that is closest to Lunn Road. This access will be for trucks, since the Lunn Road pavement is not up to industrial standards. The submitted plat would need to be revised to reflect these changes. The plat must be titled a Subdivision and have the appropriate signature clauses for Council approval added to it. In the caucus you submitted a new plat to us, upon the initial review it appears to be acceptable. However, we will need more time to make a thorough review for approval and to obtain appropriate signatures. 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. From Fire no report.

Mr. Ice. - Mr. Kolick

Mr. Kolick - Thank you, Mr. Chairman. The deviation is required because the land that abuts onto Lunn Road, as far as the plat is concerned, as we noted in caucus, the original proposal did not comport with a good plan to develop in the City Planner's estimation. The remaining large area that's going around the small piece they are cutting off, the revisions they have shown us tonight does, and is in more in line with what we had requested. As I noted in caucus tonight, they do need to show an easement across, I think on this one lot, Lot 2A-R3 at least on this document, so that we can extend Commerce Parkway to the lots going to the east of this to get access across area that are not encumbered by the Conservation Easements. That new plat will have to show that as well as the easement going from Commerce Parkway to the lot that is currently on Lunn Road, in the event that Lunn Road is not improved in the near future to take trucks. I think you can act on this if you make it subject to those conditions and a final plat approval by the Engineering Department. I also mentioned to Mr. Prochaska there are two other items that we are waiting for from the applicant that he is aware of that we need to receive before we can get this on the agenda and I know we are certainly striving to get it on Council's Agenda at the next meeting. Thank you.

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

Mr. McDonald – The contingencies are on “b”?

Mr. Kolick – I think that the contingencies can just be those based in my report, that would be sufficient.

Mr. McDonald – On “a” or “b”

Mr. Kolick – Those would be on “b”.

Mayor Perciak – Did we get that extra easement?

Mr. Kolick – The extra easement, the revised plat that conforms here in the easement also out to the lot on Lunn Road, yes.

Mayor Perciak – Thank you. I just wanted to go on record.

Mr. Ice – Thank you. Mr. McDonald.

Mr. McDonald - I move to give favorable consideration of a Deviation to permit a subdivision without sanitary sewers and pavement not meeting Industrial Standards on Lunn Road for property located at 21848 Commerce Parkway, PPN 394-03-001 zoned General Industrial, pursuant to Codified Ordinance Section 1228.01(i)

Mrs. Walker – Second.

Mr. Ice. - Secretary please call the roll

Roll called

All Ayes

Approved

Mr. Prochaska – Thank you. I’ve got the two deeds and the revised plans. I will get the revised plans over tomorrow, if not tomorrow, Tuesday at the latest. I will also get those deeds over. If we get those things accomplished we will be on the Council Agenda for the 5th?

Mr. Kolick – Touch base and I will as well with our Law Director. We will do everything we can.

Mr. Prochaska – Appreciate it.

Mr. Ice – Mike, hang on. We have to do “b”. Mr. McDonald.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. From Fire, can the applicant state what kind of material will be stored in this building?

Mr. Wilcox – Steel, brass, aluminum, castings, miscellaneous equipment.

Lt. French – No flammable liquids, hazardous chemicals?

Mr. Wilcox - No liquids, no chemicals.

Lt. French – For the record too, we would like to state that no penetrations should be made from the building, the existing building into this addition that aren't fire stopped or fire proofed because this new addition, the applicant stated will not be sprinkler protected.

Mr. Wilcox – We are going to butt it right up against the concrete wall. There is no openings into that building from the concrete wall.

Lt. French – Only an exterior entrance?

Mr. Wilcox – There will be a exterior entrance in the steel building.

Lt. French – Yes.

Mr. Wilcox – And an exterior entrance into the concrete building.

Lt. French – Thank you.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. In caucus the applicant noted that they will pick up the other four parking spaces so you won't require a modification. We will need to send them over to ARB and they should talk to our Building Department as far as any outside lighting. Thank you. Last thing is they need to sign the Performance Standards if we don't have those yet.

Mr. Wilcox – Where do we get that from.

Mr. Ice – Mrs. Oprea.

Mr. Wilcox – Alright.

Mr. Ice – Any questions? Ok, we will send you over to the ARB then. Thanks.

WESTFIELD/SOUTHPARK MALL/ Larry Powers, Agent

Revision to the Master Sign Program to add (5) signs, one for Dick's Sporting Goods, two for Westfield Shoppingtown and two for CineMark for property located at 17071 South Park Center, part of PPN 396-20-001 zoned Shopping Center.

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

Mr. Slagter – John Slagter, with Buckingham, Doolittle and Burroughs and this evening I am here for Westfield Southpark on Items both 7 and 8 on your agenda. With respect to Item 7 we are asking for a revision to our Master Sign Program. My address is 1375 E. 9th Street, Cleveland, Ohio 44114. I have with us tonight one of Westfield's Development Manger's, Larry Powers.

Mr. Powers - Good evening, 2510 North Kedsie, Chicago, Illinois 60077.

Mr. Slagter - We are requesting revisions to our Master Sign Program in order to really make sure that the signs that are incorporated in the new development are approved. We understand from here it will go to ARB, back to Planning Commission and ultimately to Council because they are, there is a sign approval process and it's a Master Sign Program. We are just here to answer whatever questions you have.

Mr. Ice – John, why don't you just talk about Item 8 as well.

Mr. Slagter – Ok. Item 8 is really a request for approval of a Design Criteria. As you are aware, we have a final approved Development Plan but when we deal with our tenants and especially in a life style center, which we are planning here, we want to make sure that we maintain uniformity for the overall development. That includes vary specific criteria that Westfield's looking for. Because all these users will be on the outside of the building, they are going to all go separately through your approval process. We want to make sure that the design criteria that Westfield has created for this front façade is consistent with what the City's looking for so they don't have two separate sets of rules. We create our own set of rule, they follows those and then they come to the City for their own separate approvals and there is a conflict. Really this was, as you see there are not specific tenants identified in the Design Criteria. Larry can talk a little bit about where they stand in terms of getting tenants for this, for those different areas he wants to talk a little bit about that today. Really the overall plan is to have a Design Criteria that you would look at and your ARB would look at that is approved that the tenants can follow. Ultimately when they come in with their final designs, which are very specific, to

the extent they stayed within that criteria, there should not be any additional approvals needed. They all will need to go through the process but it at least gives them guidelines to follow. As you can see in the Design Criteria, they identify the exterior fixtures that are there. The height of some of the items, the awnings and other things that would go along with it. They are all specific details that are there. That's really what we are looking for. Larry, if you could address for the Planning Commission, really where construction stands now and also in terms of the tenants in the facility.

Mr. Powers – Sure, I wanted to come up and introduce myself. I think most of you are more familiar with Vic Pildes, who took this project through the initial Planning process. He is home for his son Russell's graduation from Junior High so, he is still very much involved but I wanted to introduce myself because I think we will see a lot of each other over the course of the next couple of months. As John alluded to, this past week was the ICSE Convention in Vegas. Easily the biggest week in retail all year. We went into the project with very high expectations, as of right now we are exceeding those with the level of quality tenants that we are getting for this shopping center. That said, we don't have any signed leases at this time to report. Due to confidentiality agreements, we can't release any names but I wanted to let the group know that so far it's a huge success on the leasing side. As we eluded to in the caucus, construction has also been very successful. We are ahead of our current schedule. Dick's should open in the fall of this year as expected. Actually a month earlier. October as of now. We will see if that, that's 30 days ahead of schedule but we'll see if it gets even better. If anybody has been on site recently, you've probably noticed the steel standing in the south, the erection in the north is going to start in the next two or three weeks. Naturally it follows that we've had great cooperation from Tony Biondillo and Fred DeHoff, Randy from your group. Just wanted to express our appreciation for that. Look forward to continuing that.

Mr. Ice - Thank you for the update.

Mayor Perciak – I wish we could build Fire Stations as fast as you build shopping centers.

Mr. Slagter – One other item, Chairman Ice, one other item I would like to address. Just so there is some clarity. We are also asking for a relocation of the JCPenney sign. It will be a new sign and the plan is that it is going to be the same size, dimensions, and otherwise but the sign is currently 10 years old and to remove a sign like that, because we had to remove it because of construction, we offered to do that for JCPenney's and do a relocation and give them a new sign.

Mr. Ice - Mr. Allen and do both 7 and 8.

Mr. Allen - Thank you Mr. Chairman. There is no report from the City Planner on Item number 7 or from Engineering. For Item 8, from the City Planner, there is no report and from Engineering the plans are in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building no report on items 7 or 8. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. No report from Fire on 7 or 8.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. Items number 7 needs to be moved over to the ARB. We will note on the next agenda the relocation of the JCPenney sign. That will then come back here, the whole Master Signage Program we will approve it and it then it needs to go to City Council for approval. On Item number 8, I think they have laid out what they are doing. This needs to go over to the ARB, they only word I would have for the applicant, and I have mentioned this before, as you sign up those tenants, if they have outside eating areas, get them back to us quickly because they need to be set for Public Hearings, there are Conditional Use Permits that need to be granted for those. So just a word of caution so we don't slow down your process here either. Thank you.

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

CINGULAR WIRELESS PCS, LLC, AKA AT& T WIRELESS/ Z. Satarawala, Agent

a) Conditional Use to permit 3 additional wireless antennas to the existing 9 antennas at the Power Tower Insert located on Whitney Road and to add a new cabinet at the base of the tower.

b) Site Plan approval of an 11 x 22 above ground cabinet and cement pad to be located on Whitney Road, PPN 395-11-020 zoned R1-75.

Mr. Ice - Item Number Nine, Cingular Wireless PCS, LLC, AKA AT & T Wireless. Please state your name and address for the record.

Mr. Satarawala – My first name is Zerkscies, that's why you see a "Z" initial. My mom and dad, Zerkscies is normally spelled with an "X" and mom and dad said you don't

want to be called Mr. "X" the rest of your life so Mr. "Z" kind of works in Ohio. My last name is Satarawala, my address is 3445 Gilford Ave., NW Canton, Ohio 44718. I am here as an agent on behalf of Cingular Wireless. Here to answer any of your questions.

Mr. Ice - Thank you. Mr. Allen.

Mr. Allen - Thank you Mr. Chairman. From the City Planner there is no report on a or b and from Engineering, the proposal is to permit 3 additional wireless antennas to the existing 9 antennas at the Power Tower Insert located on Whitney Road and to add a new 11'x22' above ground cabinet at the base of the tower on P.P.N. 395-11-020. The site is zoned R1-75. On "a" No report on the Conditional Use Permit. on "b" The Site Plan is in approvable form. Thank you.

Mr. Ice - Thank you. Mr. Biondillo.

Mr. Biondillo - Thank you Mr. Chairman. From Building the shelter has to be a State of Ohio approved industrialized unit. We will just need that registration number and approval number and we will need a \$50,000.00 bond for the removal of the equipment and the antenna array. Thank you.

Mr. Ice - Thank you. Lt. French.

Lt. French - Thank you, Mr. Chairman. No report on 9a or 9b from Fire.

Mr. Ice - Thank you. Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. On "a" we need to set this for Public Hearing. I would note that the applicant does need to get us over a coverage grid showing what area these new antennas will cover. As noted by the Building Commissioner, we need to have that removal bond in our hands before we would be in a position to approve this. They did turn in the Lease Agreement. I am presuming that also shows, I have not had a chance to review it, the right of access to the property. If it does then I'll be reviewing that document. We need to send them over to ARB to make sure they meet all the requirements under the code as to screening and fencing. Thank you.

Mr. Ice - Thank you. Any other questions, or comments? Ok, we will set you for Public Hearing on 6/8/06 and send you on to ARB.

Mr. Satarawala – Thank you very much. I just want to comment that we will use a State of Ohio industrial unit, as requested. There should not be any problem with the removal bond, we will provide the coverage grid and I appreciate this evenings meeting.

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Mr. Ice – 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 8:50 p.m.

Jeffrey A. Ice, Chairman