

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

December 22, 2009

The Planning Commission of the City of Strongsville met at the City Service Center located at 16099 Foltz Parkway in the Mayor's Conference Room, on ***Tuesday, December 22, 2009 at 5:30 p.m.***

Present: Planning Commission Members: Jeffery Ice, Chairman, Mary Jane Walker, Thomas Stehman and Charlene Barth; Mayor Thomas P. Perciak; Administration: Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley and Assistant Building Commissioner, Keith Foulkes.

The meeting was called to order at 5:30 PM by the Chairman, Mr. Ice.

Roll Call:	Members Present:	Mr. Ice Mrs. Walker Mrs. Barth Mr. Stehman Mayor Perciak
	Also Present:	Mr. Foulkes, Asst Bldg. Com. Mrs. Daley, Engineer Mr. Kolick, Asst. Law Dir. Carol Oprea, Recording Secy.

MOTION TO EXCUSE:

Mrs. Walker - Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker - I move to excuse Mr. McDonald and Mr. Coyne for just cause.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

REVISED AGENDA

Mrs. Walker – Mr. Chairman.

Mr. Ice – Mrs. Walker.

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

Mrs. Barth – Second.

Mr. Ice – Secretary please call the roll.

Roll Call: All Ayes APPROVED

Approval of Minutes

Mr. Ice – You have had a chance to review the minutes of December 17, 2009. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

SCHNEIDER RESERVE SFD & CD SUBDIVISION / Eric Kramer, Agent

Revised Overall Development Plan for Schneider Reserve Farms SFD & CD Subdivision consisting of 51 Detached Cluster Units and 72 Single Family Sublots to be located at Whitney & Webster Road, PPN's 395-22-001, 002, 003 and 004 zoned R1-100 and R1-75.

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

Mr. Dean – Tim Dean, representing Milor Investments.

Mr. Ice – We will go right to the reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the Revised Preliminary Development Plan meets the requirements of Section 1252.32 of the Zoning Code. From Engineering the plan is in approvable form. Thank you.

Mr. Ice – Mr. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. There is no report from the Building Department. Thank you.

Mr. Ice – Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We have received the revised Covenant and Deed Restrictions and just need to mark the plat common properties where they have marked open areas in green so that it is approvable and we can act on it. Thank you.

Mr. Ice – Are there any questions or comments? If not I would entertain a motion for Schneider Reserve.

Mrs. Walker – Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker – I move to give favorable consideration for Revised Overall Development Plan for Schneider Reserve Farms SFD & CD Subdivision consisting of 51 Detached Cluster Units and 72 Single Family Sublots to be located at Whitney & Webster Road, PPN's 395-22-001, 002, 003 and 004 zoned R1-100 and R1-75.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

Mr. Ice – You are all set Tim.

Mr. Dean – Thank you very much. Merry Christmas.

Commission responded with Merry Christmas to him as well.

CLEVELAND CLINIC/ Brian Smith, Agent

Site Plan approval of a 2,135 SF building addition at the basement level for a new Linear Accelerator Suite for property located at 16761 Southpark Center, PPN 396-24-013 zoned Shopping Center. * *ARB Favorable Recommendation 12-15-09.*

Mr. Ice – Item Number Two, Cleveland Clinic. We are going to go right to the reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairman. From the City Planner, the addition does not effect the existing parking field or service drive. From Engineering the plan is in approvable form. Thank you.

Mr. Ice – Mr. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. The plans are in approvable form subject to a review in accordance with the Ohio Building Code. From the Fire Department, there are no issues. Thank you.

Mr. Ice – Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. Council did approve the Amendment to the Final Shopping Center Development Plan. The Site Plan is in compliance with that plan so you are in a position to act on it. Thank you.

Mrs. Walker – Mr. Chairman.

Mr. Ice – Mrs. Walker.

Mrs. Walker – I move to give favorable consideration for Site Plan approval of a 2,135 SF building addition at the basement level for a new Linear Accelerator Suite for property located at 16761 Southpark Center, PPN 396-24-013 zoned Shopping Center.
** ARB Favorable Recommendation 12-15-09.*

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

Cleveland Clinic Representatives said thank you and wished the Commission a Merry Christmas.

The Commission in turn wished them a Merry Christmas.

REFERRALS FROM COUNCIL:

ORDINANCE NO. 2009-242: An Ordinance Amending the Zoning Map of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville to Change the Zoning Classification of certain real estate located at 9200 Pearl Road in the City of Strongsville From GB (General Business) Classification to MS (Motorist Service) Classification (PPN 395-03-005) and From R-RS (Restaurant-Recreational Services) Classification to MS (Motorist Services) Classification (PPN 395-03-006).

Mr. Ice – Item Number Three, referrals from Council, Ordinance No. 2009-242.

Mr. Funk – Good evening everyone, I am Steve Funk, I represent Sheetz. With me here tonight is a real estate representative with Sheetz; Pat Murphy who is the District Manager for Sheetz; Todd Huntington who is a Engineer at GPD Associates who is working on this project and David J. Mastrostefano who is a Project Engineer in-house with Sheetz. We are all here because we want to make sure that we have all the people here that can answer any questions that you might have. We are here on a rezoning and the property that we are talking about is really this corner of property off of Pearl Road and Whitney adjacent to the I-80 to the north. This map is just for orientation purposes. This corridor along Rt. 42, this is in the northern part of the City boundary and you can get onto I-71 here and there is also the park and ride down here at I-80 where people can go along this way. This area of Pearl Road has actually got a pretty good traffic count and what Sheetz really looks at is that Sheetz is not really a destination location. It really just feeds off the existing traffic patterns. It is a convenience store so people can drop in and drop out. Being in this particular corridor I think has some inherent advantages to that. This is really a commercial corridor. There are residences to the north of this but throughout this district there are other areas that are zoned MS all along that side of the road. Directly across the street from us is zoned MS and on this corner of the intersection is a Circle K and I believe that there is a former gas station, I think that there was a Days Inn here before the Lowe's went up. Now there is the Lowe's that was recently built and the Home Depot on this side of the street. I think that it is a fairly significant area of economic development for the City and we hope to put this particular property to productive use. As I understand it, it was Quality Catering for quite a long period of time but that it has been essentially vacant and unused for about 7 or 8 years, I am not sure of the exact date of when that was. We are eager to move forward with this so that we can put it to productive use and essentially, let me turn over to the site plan, this is a copy of the property that we are going to be rezoning. Currently the Quality Catering site is zoned R-RS which is Restaurant Recreational Service. This corner of it is zoned GB, General Business. So essentially the ordinance would rezone the entire area that we are buying to MS and that is all set forth in these exhibit plans. Do you have anything that you want to talk about? I think that from the perspective of considering what is before you now is just rezoning because ultimately there will be a site plan approval process that will go along with this. If you look at it from a rezoning perspective the MS rezoning is consistent with the MS across the street it is just that the other MS's that are in this area, it is a commercial corridor, its in close proximity to major intersections and the Ohio Turnpike and I-71. We truly think that MS is the appropriate zoning classification and ultimately when we come back before you again we will get to site plan review.

Mr. Stehman – The site plan would anticipate something similar to Prospect and Rt. 82.

Mr. Funk – Right except that there is going to be other modifications just because the zoning code.

Mr. Stehman – Because of the site.

Mr. Funk – Right. The one thing that you should know too is that the back part of the lot there is already some existing trees, large trees there that we are intending to preserve. It is really, the site plan that we are looking at right now is really going to be focused on being close to this intersection and allowing for people getting access to it primarily off of Pearl Road.

Mr. Kolick – Mr. Chairman, we are going to have the applicant meet with Council and they will make some arrangements with you to meet and voice some of the concerns of some of the property owners there. Some of them may be the buffering. I think that the only thing that you should do is probably come up, if you haven't already, with just a general conceptual plan even if it doesn't have all the details so that when you meet with them you will have something to show them.

Mr. Funk – Yes, we have that.

Mr. Kolick – After you have that meeting we will get you back on the Agenda but the only thing we can do here tonight is Table it.

Mayor Perciak – This has moved rather quickly. What we want to do is allow the Ward Councilman or the Councilman at Large to call a meeting with the residents in that Ward and I suggested that meeting be called right after our first Council meeting of the year which is January 4th. Sometime that week which would enable them to be back on the Planning Commission Agenda for the first Planning Commission meeting which is the 14th of January. By that time it will give adequate enough time for the Council people to allow a meeting with the residents to voice their opinions because what is going to happen if we do not allow the Councilman to do that, all that will be coming to the Council floor. That is not the place to air this out and have these issues. What we would like to do when it comes to the Council floor is have people at that Public Hearing speak up as to why this is a favorable thing rather than a negative thing, We can't get that accomplished until we allow the Council people to assemble their people. I have had several calls, so that you know, from all the local residents around there voicing their unhappiness with this project. I think my record is pretty clear as Mayor, I am pro-business and I want to make sure that we utilize every last inch of property in a very effective manner. I have to be sensitive to those people that live there, as do you and

that is why Dan Kolick suggested that we have something to present to the residents and to explain to them, how this is really not going to effect them. How we are going to buffer this, how the people who live right there are going to be sheltered from the light and the noise, how you are going to landscape it. This is not a prototype which you had at Rt. 82 and Prospect. That is in the center of our business district near our business parks desperately need because we needed more than a gas station there, we needed a place for the 10,000 people that do come into our City each day, if they do want to have lunch and do whatever. Where we are going down there, yes, it is a great section, no question about it, it is across the street from Lowe's and that was at one time the old business section of Strongsville and being of course, coming back. But we have all those houses there, we have all those people there. We have to give them an opportunity to voice their opinions to their Councilmen and then I think we can make a better decision. Does anyone on the Commission have anything that they would like to add to that?

Mrs. Barth – Just that area, I was a Councilman for 16 years and that area, Ward 1 and Ward 3 areas, you definitely have to satisfy those issues there. Lighting, buffering, noise, anything like that, that is what they are going to be looking for. One good example of this is at West 130th and Boston, there is a Circle K, that is in the City of Brunswick and we did not have control of that. It is almost illuminated at night because of the way they did the lights that they did there. That is what the people are concerned about, a repeat of what is over there going down Pearl Road. I would be sensitive to that because it is a tough group there, no doubt about it and they have good council representation and those people are making demands on them, they are very demanding in that area. I would be very sensitive and be prepared to address those needs, think about your lighting plan, think about your buffering, ingress and egress too.

Mr. Funk – I think that just so you know, we have given plenty of thought to them. One thing is for example, lighting that the City has its own lighting design consultant that it uses and we have worked with them before and that really can be done in a way with down lighting that it will not be a problem. The site plan and your process is so; yes, I don't think that we have a problem with the meeting that you suggested. I think that what we would really like to do though is be able to have Planning Commission act on this at the next meeting which would be January 14th or so because we are eager to avoid, being able to start construction in the spring or summer so that we don't get this delayed too far out. Once we get through rezoning you still have the site plan approval process.

Mayor Perciak – It is the objective of this Commission to rule on this on the 14th but we want to rule on it after the people have had an opportunity to comment. The calls where they were all coming here tonight, I assured all these people that, don't come here, one

they can't speak here tonight, this is not the forum and then they all would go to Council and then what you are going to do is you are going to see this thing slow down substantially and that is what you don't want to see happen so what we are really trying to do is facilitate your project and get it right and if it means buffering and trees and whatever you are going to need to do to add to it. It will be a different world than what you are dealing with here on Rt. 82 and Prospect. You are going to have to be a bit sharper, you are going to have to be more sensitive and you are going to have to understand you are abutting a residential neighborhood there. As Charlene was very clear, it is not going to be a trot in the park there, you are going to have to be prepared to make some concessions there to those residents to make them feel that they were heard because if you are not they will just keep on screaming. Those Council people will just dig their feet in.

Mr. Mastrostefano – We welcome the opportunity to listen to the residents and we don't want to be adversarial and we don't want them to come to your Council meeting and be adversarial to you and your Ward. We will listen to what they have to say.

Mayor Perciak – The people have a right to be heard in this case. If we don't do that, that is the biggest mistake we are all making.

Mr. Funk – Certainly landscaping and all that kind of thing can be taken into account. Is there any particular concern that anyone here has that we can address while we are here tonight or any other particular questions that you might have?

Mrs. Barth – I would just pay close attention to the distance of the residences that abut up to the properties and take into consideration your light, space, and how it reaches out. If there is a second floor home then they can see more than a ranch home could. If there is any reason for, are you going to have any repair services with an open garage?

Mr. Funk – No.

Mrs. Barth – Well then you don't have to worry about that.

Mayor Perciak – The most they are going to have is the car wash.

Mr. Mastrostefano – We have positioned the car wash against the interstate as far as we can from the residential homes.

Mrs. Barth – What are the hours of the car wash and the overall business?

Mr. Mastrostefano – It will be 24/7.

Mr. Kolick – Are there outside vacuums? You need to watch, there are ways to lessen the noise from them. Make sure that you take those steps because like the Mayor said, the other ones are in a commercial industrial area, this one is going to abut residential which is a little different. I know that we have taken steps at the Laser Wash to buffer those vacuums so talk with our Building Department and between them and the Engineering Department they can tell you what we have done and it did help decrease the noise.

Mr. Mstrostefano – We will get a hold of the vendor. I am not up on the specific equipment but I will talk to operations and get a hold of that vendor and see what other measures can be used.

Mrs. Barth – Those types of issues as far as the evenings appear twice as loud. You don't have the distractions of other daily noise.

Mr. Funk – I believe that the Circle K is open 24 hours which is across the street.

Mr. Kolick – Circle K does not sell gas though.

Mrs. Barth – It is the carwash noise, it's the vacuum noise and those types of things that you are going to be dealing with.

Mr. Funk – Mayor, in terms of a meeting time, I think that on Monday is a Council meeting and one of our engineers has a conflict on Tuesday but if we could do it on Wednesday or Thursday.

Mayor Perciak – Whatever you arrange with Mark Roth or Councilman Coyne is fine with me.

Mr. Funk – Okay so you want us to contact Councilman Coyne?

Mayor Perciak – I put in a call to Councilman Roth already.

Mr. Funk – Alright.

Mr. Kolick – Watch ingress and egress too. You may have to balance where that ingress and egress is along with our engineers, that you are far enough away from the intersection but not intruding on the residential.

Mayor Perciak – Pearl you are really not going to have a problem with. It is Whitney Road.

Mr. Kolick – It is the Whitney Road one that you may have to work with our engineering department along with the councilman and you may have to hit a happy medium there.

Mayor Perciak – We have gotten through the Mall and the Costco properties and all these other ones, this is nothing.

Mr. Funk – Okay, well I appreciate everybody taking the time to be here tonight and unless there are any other questions. Thanks again.

Mr. Ice – Okay we will Table that item this evening.

ORDINANCE NO. 2009-257 An Ordinance Amending the Zoning Map **of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville** to Change the Zoning Classification of certain real estate located at Royalton Road and Prospect Road (Parts of PPN's 393-15-002; 393-15-003; 393-15-004) **in the City of Strongsville** From R1-75 (One Family 75) Classification to GB (General Business) Classification, and Declaring an Emergency.

Mr. Kolick – Items Four and Five are the companion ordinances for the corner of Rt. 82 and Prospect that were sent over to us. This one would ultimately take a vote of the public since it is R1-75. What they wanted to do is move it here to Council, let them have their Public Hearing and then see if they want to put it on and send it to the ballot.

Mayor Perciak – Rob Benjamin is the representative and there are probably four or five owners there. I believe one of them is Dick Colon but I am not sure anymore.

Mrs. Barth – What do they want to do here?

Mayor Perciak – They want to put as of now an Auto Zone, Discount Drug Mart a restaurant and a few others and there is no other way around this other than putting it on the ballot. Which one really does not need to go on the ballot?

Mr. Kolick – The one that is going from Local Business to General Business does not. The second one, going from R1-75 to GB would need to go on the ballot.

Mr. Stehman – How much of that property is R1-75?

Mr. Kolick – Most of it.

Mayor Perciak – It abuts Crystal Creek and your subdivision. When they were in here for some of the preliminary meetings I made it clear to that group that they would have to deal with the residents at Sterling Point and Crystal Creek.

Mr. Kolick – This small corner here is LB, Local Business on the very corner. This whole area would have to go from R1-75 to GB.

Mrs. Barth – That is a big area.

Mr. Stehman – Are they going to fill that ravine and all that?

Mayor Perciak – That is another story, I am not sure that they are going to be able to do that.

Mrs. Daley – No, they are not going to do that.

Mr. Stehman – We had somebody that wanted to be able to drop some runoff water into that ravine that we are responsible for maintaining and we suggested that we would be happy to look at it when they told us how much they were going to pay us. That was the last we heard from them.

Mayor Perciak – I think that it is the appropriate thing to let them put it on the ballot. Again, it is the people that have the decision and it is going to be up to us, the council or the different groups here if they don't want that to happen there. I don't know any other way to handle this without winding up in some type of litigation, do you Dan?

Mr. Kolick – I think it is best to move it back to Council and let them put it on the ballot to see what the people do with it.

Mr. Ice – Just Four?

Mr. Kolick – Both.

Mayor Perciak – Lets be clear what goes on the ballot, Four does and Five does not. Council will have to go on Five.

Mr. Kolick – What Council will do, they will get a vote, they will hold off on the one until they move the other one on the ballot and then they will see what will happen on the ballot. They won't act on the other one until they see what happens on the ballot.

Mrs. Barth – What is requiring them to go to GB?

Mr. Kolick – The extent of the uses. What you can have in Local Business are a lot less intense than General Business.

Mrs. Barth – The Auto Zone, why wouldn't that be MS?

Mr. Kolick – It is just a parts store and permitted in GB.

Mrs. Barth – The key thing on this parcel, we have been through in every area in the City, you can say you don't want it but we have to give them a viable resource to develop it. If they can't develop R1-75 then they have a right to develop their business but at the same time it is how they design it and how they protect the people behind them. That is the key thing here and drainage.

Mayor Perciak – That has been discussed with them many times.

Mrs. Barth – Drainage, buffer, lighting, you have some nice homes that abut this and they are not going to be quiet about it at all. I would want to definitely be involved and understand maybe you need to get key representatives from that area so that you get input and they know what they are getting into.

Mayor Perciak – Council people will have to get involved.

Mrs. Barth – What is the percentage of property that will not be able to be developed?

Mrs. Daley – Just this section here maybe a quarter of it.

Mrs. Barth – That is what you need to know and you need to know because of this what that does to the inflow.

Mr. Stehman – That is just a ravine.

Mrs. Barth – How much parking lot is on there?

Mayor Perciak – When they originally came in and they talked about donating some of this land to the City so that we could use it for soccer fields or something. If they are not going to stick with that then that is another story.

Mrs. Barth – How high is this property compared to this. How high that property sets up is going to make a difference to them.

Mr. Kolick – Other than that ravine in there I don't know if there is a big difference in topography.

Mrs. Daley – There is not really. It drops down about 30 feet but then it comes back up and levels out.

Mrs. Barth – So there is not going to be anything that would make that change the height of that property when it is finished?

Mrs. Daley – No.

Mayor Perciak – We are going to have enough depth for the sewers that there would not be a problem.

Mrs. Daley – That is correct.

Mr. Ice – Item Number Four, Ordinance 2009-257. **An Ordinance** Amending the Zoning Map **of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville** to Change the Zoning Classification of certain real estate located at Royalton Road and Prospect Road (Parts of PPN's 393-15-002; 393-15-003; 393-15-004) **in the City of Strongsville** From R1-75 (One Family 75) Classification to GB (General Business) Classification, and Declaring an Emergency.

Mrs. Walker – I move to give favorable recommendation.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes FAVORABLE

ORDINANCE NO. 2009-258 **An Ordinance** Amending the Zoning Map **of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the Codified Ordinances of Strongsville** to Change the Zoning Classification of certain real estate located at Royalton Road and Prospect Road **in the City of Strongsville** From LB (Local Business) Classification to GB (General Business) Classification (Part of PPN 393-15-002), and Declaring an Emergency.

Mr. Ice – **Ordinance No. 2009-258** **An Ordinance** Amending the Zoning Map **of the City of Strongsville adopted by Section 1250.03 of Title Six, Part Twelve of the**

Codified Ordinances of Strongsville to Change the Zoning Classification of certain real estate located at Royalton Road and Prospect Road **in the City of Strongsville** From LB (Local Business) Classification to GB (General Business) Classification (Part of PPN 393-15-002), and Declaring an Emergency.

Mrs. Walker – I move to give favorable recommendation.

Mrs. Barth – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes FAVORABLE

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 6:11 p.m.

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Jeffrey A. Ice, Chairman

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Carol M. Oprea, Recording Secretary

Approved