

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

June 30, 2011

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, June 30, 2011 at 7:30 p.m.***

Present: Planning Commission Members: Jeffery Ice, Chairman, Gregory McDonald, Mary Jane Walker, Thomas Stehman and Charlene Barth; Mayor Thomas P. Perciak; Council Representative Raymond Haseley; Administration: Assistant Law Director, Daniel Kolick, Design Engineer, Lori Daley, Assistant Building Commissioner, Keith Foulkes, and Fire Department Representative, Randy French.

The following was discussed:

Patisserie 42 Bakery: Mrs. Daley stated that this proposal is to utilize approximately 1,944 SF as an outdoor patio. This is at the Taste of Excellence on Pearl Road and they have a market and bakery going in here. In between the market and bakery is a concrete patio that is there now, they want to put some tables out there for outdoor seating and then also out in front of the building. From the City Planner there is no report and from Engineering there is no report on the Conditional Use and the Site Plan is in approvable form. Mr. Foulkes stated that there was no report on the Conditional Use. We need some clarification on a couple of detail items. They don't show a trash enclosure for this tenant. They have one compactor for the catering business. We have talked to them about it so we presume that they are working on it. They also need an in-ground outdoor grease container for the recyclable grease. Exterior lighting is required on the proposed patio and pipe bollards are required on the front patio area. Mr. French stated that the Fire Department agreed with the Building Department report. Mr. Kolick stated that we would need to confirm what the seating capacity is. We need to set the Conditional Use for a Public Hearing and the Site Plan would need to go to the ARB. The applicant would need to meet administratively to iron out any details so that when they return for the Public Hearing it will be ready to go.

Red Lobster: Mrs. Daley stated that this proposal is to renovate the current Red Lobster Restaurant at Westfield Mall. They are doing some exterior renovations; the main difference is the front of the building. It is more of a Cape Cod look. The brick is all remaining the same; the coloring is a little off on the picture. From the City Planner there is no report and from Engineering there is no report. Mr. Foulkes stated that from Building the plans are in approvable form subject to a plan review in accordance with the Ohio Building Code. He also stated that the ARB gave a Favorable Recommendation on June 28th. Mr. French stated that there is no report from the Fire Department. Mr. Kolick stated that the Commission could act on this matter.

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Kumo Buffet: Mrs. Daley stated that Kumo Buffet was proposing to go in at the old Bally's tenant space. This proposal is to occupy 9,000 SF of space as a restaurant and remodel the exterior. They submitted a new Site Plan that shows the existing Rite Aid and the parking that was removed. From the City Planner he has a major concern with the parking. The required parking is 541 spaces and they are indicating only 336 spaces. There is a parking deficit of 205 spaces. From Engineering there is no report. Mr. Foulkes stated that there is no report on the Conditional Use and on the Site Plan we are still waiting some clarification on that second floor space which is also going to increase the occupant load. Mr. Kolick stated that the City Planner stated that this applicant was way underparked. They are almost 40% under parked with this use. Mrs. Barth stated that this was located across the street from Panini's and people will be crossing the street to find parking. Mr. Kolick stated that having people crossing Pearl Road for this use was a safety hazard and that would not work. Mr. French stated that this building has a sprinkler and would continue to be sprinklered both first and second floor. He stated that there was good circulation around the building. Mr. Kolick stated that the issue was parking and that the Commission has never granted a parking deviation this size, this is huge. The best thing might be to deny it and let them proceed to the BZA. The problem is that this center was originally not set up to accommodate that many food services. We have 9,000 SF between the other two food uses and now we have another 8,600 SF proposal here. On top of all that they shortened the parking lot when they put in the Rite Aid on the corner. Mayor Perciak asked how many parking spaces were given to Rite Aid. Mrs. Oprea stated that there were approximately 50 spaces given to Rite Aid. Mrs. Barth asked if the upstairs tenant had applied for occupancy yet. She stated that if they did that it would make the parking problem worse. She stated that in all her years of Planning she had never seen this big of a deficit. Mr. Kolick stated that he had never seen BZA grant a variance of that size for parking either.

Ordinance No. 2011-093: Mr. Haseley stated that this Ordinance was a housekeeping matter for our General Industrial area. He said that he would like to take a Favorable Recommendation back to City Council. Mr. Kolick stated that what we had been doing over the years is modifying General Industrial Use, we took out kennels and we permitted physical fitness facilities with a Conditional Use Permit. We have permitted the change of and filling of propane canisters and have been doing that for years. We never brought up General Industrial A District which is just one step beyond it. We are now bringing it into conformance. This we probably should have done when we were amending the GI-A but now we are going to clean it up and bring all those same uses into here. We are ready to act on that and send a recommendation back to City Council.

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

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Roll Call:

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

Also Present: Mr. Foulkes, Asst Bldg. Com.
Mrs. Daley, Engineer
Mr. Kolick, Asst. Law Dir.
Mr. French, Fire Dept. Rep,

Carol Oprea, Recording Secy.

APPROVAL OF MINUTES

Mr. Ice – You have had a chance to review the minutes of June 9, 2011. If there are no additions or corrections they will stand as submitted.

NEW APPLICATIONS:

PATISSERIE 42 BAKERY/ Kevin Morand, Agent

a) Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to utilize approximately 1,944 SF as an outdoor patio for Patisserie 42 Bakery located at 16888 Pearl Road, PPN 393-34-002 zoned General Business.

b) Site plan approval for a 1,944 SF outdoor patio for Patisserie 42 Bakery located at 16888 Pearl Road, PPN 393-34-002 zoned General Business.

Mr. Ice – Item Number One, Patisserie 42 Bakery, please step forward and state your name and address for the record.

Mr. Morand – Kevin Morand, Morand Architects, Inc., 24551 Detroit Road, Suite #2, Westlake, Ohio 44145. We have a Building Permit Application in for a bakery going into a leased space in the Taste of Excellence catering building on Pearl Road. Part of the development of that property, we put in some large sidewalks in front of the bakery and in-between the bakery and the next building there is a small patio area and the owner would like to have approval to put in 5 tables with a total of 20 seats outside for the customers of the bakery, if they want to buy coffee and bakery they can sit outside.

Mr. Ice – Is that the maximum number of seats?

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Mr. Morand – Yes, I have asked the owner several times and that is all that he wants to get approval for.

Mr. Ice – That was 20, correct?

Mr. Morand – Yes, he was supposed to be here tonight but he was injured on vacation and he will be here for the Public Hearing.

Mr. Ice – Okay, we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report. From Engineering there is no report on the Conditional Use Permit and the Site Plan is in approvable form. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. From the Building Department no report on the Conditional Use and the Site Plan. We are in anticipation of the following items for clarification that are not included on the plans; a trash enclosure which is not shown for the proposed tenant; an in-ground outdoor grease container which is required for any recyclable grease products; exterior lighting on the proposed patio area and pipe bollards or other vehicle restraint systems are required on the front elevation adjacent to the parking lot for protection of the patrons. Thank you.

Mr. Ice – Thank you. Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department we are in agreement with the Building Department report. We are waiting to see further detailed plans. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. Mr. Moran, I take it this is for the bakery and there will not be any late hours.

Mr. Morand – No, no alcohol, no late hours.

Mr. Kolick – Okay, Mr. Chairman we need to set the first item for a Public Hearing. The applicant should come in and work out these details, locate the bollards and lighting, show us a trash enclosure, show us where the grease container and all is going to be and if all those could be worked out it will be easier when it comes back. The first item

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needs to be set for Public Hearing and the second item we should refer over to the ARB. Thank you.

Mr. Ice – Are there any questions or comments from the members? Alright we will send the Site Plan over to the ARB on July 12th and set this matter for a Public Hearing on July 14th.

RED LOBSTER/ Angel Robinson, Agent

Site Plan approval of a 5,419 SF renovation to the existing Red Lobster Restaurant, located at 17227 South Park Center, PPN 396-22-005 zoned Shopping Center. *ARB Favorable Recommendation 6-28-11.

Mr. Ice – Item Number Two, Red Lobster, please step forward and state your name and address for the record.

Ms. Robinson – Angel Robinson, GHA Architects, 14110 Dallas Parkway, Suite 300, Dallas, Texas 75254.

Mr. Walsh – Mike Walsh, Westfield/Southpark, 500 Southpark Center, Strongsville, Ohio 44136.

Ms. Robinson – We are here tonight because Red Lobster is proposing a remodel project at the Strongsville store. The primary items that they are upgrading on the exterior are redoing the front tower, they are also putting new paint and a new roof. In the interior they are going to put new lighting and new furniture.

Mr. Ice – Okay, we will listen to the Administrative Reports, 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. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. From the Building Department the plans are in approvable form subject to a review in accordance with the Ohio Building Code. The Architectural Review Board gave Favorable Recommendation on 6-28-11. Thank you.

Mr. Ice – Thank you. Mr. French.

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Mr. French – Thank you Mr. Chairman. From the Fire Department there is no report. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. With the ARB report in we are in a position to act on this tonight. Thank you.

Mr. Ice – Are there any questions or comments from the members?

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval of a 5,419 SF renovation to the existing Red Lobster Restaurant, located at 17227 South Park Center, PPN 396-22-005 zoned Shopping Center.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll called

All Ayes

APPROVED

KUMO BUFFET/ Mark Ruby, Agent

a) Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 and 1258.03(a)(3)(A)(6) to allow the Kumo Buffet to occupy 9,000 SF of space as a restaurant for property located at 14783 Pearl Road, PPN 392-17-001 zoned General Business.

b) Site Plan approval for exterior renovations for Kumo Buffet located at 14783 Pearl Road, PPN 392-17-001 zoned General Business.

Mr. Ice – Item Number Three, Kumo Buffet, please step forward and state your name and address for the record.

Mr. Kafentaris – Gus Kafentaris with K & F Properties.

Mr. Young – Jason Young, with Kumo Buffet, 14783 Pearl Road.

Mr. Ice – Okay, we will listen to the Administrative Reports, Mrs. Daley.

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Mrs. Daley – Thank you Mr. Chairman. From the City Planner there is no report on the Conditional Use Permit and on the Site Plan the use is a permitted use in a General Business zoning district, however the City Planner has concerns on the parking. The total required parking is 541 spaces and they are providing only 336 spaces so there will be a deficit of 205 spaces. From Engineering there is no report. Thank you.

Mr. Ice – Thank you. Mr. Foulkes.

Mr. Foulkes – Thank you Mr. Chairman. From the Building Department there is no report on the Conditional Use and the Site Plan, the Building Department is still in anticipation of clarification of the space above the proposed restaurant. Regarding the proposed occupant load that will also affect the required parking. Thank you.

Mr. Ice – Thank you. Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department there is no report. Thank you.

Mr. Ice – Thank you. Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. As we requested of the applicant, they came in administratively and did meet with us. They showed us the fitness center upstairs and we computed out the parking as noted here through Mr. Hill's report as well as in caucus here today. They are extremely under our parking requirements, they are about 38% under what we require. I know that we have granted some modifications but nothing nearly this large. Our City Planner was very concerned with the parking. Obviously they are located on Pearl Road and we can't have people crossing back and forth on Pearl Road using the parking areas. The shopping center on the other side of them to the south is parked up to pretty close to their capacity now so there really isn't any other place to get this parking from. In addition to that, when the drug store came in they took about 50 spaces at that time. The problem is, historically this shopping center was set up for retail space and set up for very limited, I know that we told them at that time when they constructed it, very limited food service use. The food service use requires much more stringent parking requirements. My suggestion is that we act on this, this evening, with the parking spaces that they have they do have the ability to go to the Board of Zoning Appeals if they choose to do so. They are really under our parking numbers and there is obviously no place to put them.

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Mr. Kafentaris – I do have a question, I was wondering, the previous tenant where it was a movie theatre, that had an occupancy load of probably 500 to 600 people. There were four theatres in there so I am wondering how that would affect what we are doing now because that is like 600 people that were going to that shopping center to watch movies.

Mr. Kolick – Mr. Chairman I could respond to that because I was here when that was originally approved. There were a couple of things with that. The theatre was only operating in the evenings, not at lunch time or other periods of time. Number two, they still had the land that the Rite Aid now took with those other 50 spaces there. The theatre was not in there, it went out of business by the time the drug store came in there so there were a number of reasons. Some of the other uses weren't in there at the time so what they did is they looked at all the uses, were they daytime uses or nighttime uses, what were they and they did grant a modification at one time but that was nothing near the numbers that you are requesting here. You are correct, there was a modification required of some of the parking but not 205 spaces, they were closer to about half of that when the movie theatre was in.

Mr. Ice – Are there any questions or comments from the members?

Mr. McDonald – Mr. Chairman.

Mr. Ice – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Section 1242.07 and 1258.03(a)(3)(A)(6) to allow the Kumo Buffet to occupy 9,000 SF of space as restaurant for property located at 14783 Pearl Road, PPN 392-17-001 zoned General Business.

Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll called

All Nays

DENIED

Mr. Ice – We are going to table the Site Plan so if you want to go to the BZA and seek a variance, I would suggest that you make application pretty quickly. Thank you.

REFERRALS FROM COUNCIL:

Mr. Ice – Ordinance No. -2011-093. Mr. Haseley.

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Mr. Haseley – Thank you Mr. Chairman. As explained in caucus, this is a house cleaning ordinance, cleaning up the GI-A uses. There were some uses not established in this district that were established in General Industrial and we are trying to eliminate some uses because they don't belong in that zoning. With that in mind I would like to take a Favorable Recommendation back to City Council.

Mr. Ice – Ordinance No. 2011-093. AN ORDINANCE AMENDING SECTION 1262.05 OF CHAPTER 1262 OF TITLE SIX OF PART TWELVE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE TO CLARIFY AND SUPPLEMENT VARIOUS USES IN GENERAL INDUSTRIAL-A (GI-A) DISTRICTS, AND DECLARING AN EMERGENCY.

Mr. McDonald – Move to give favorable consideration.

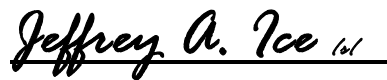
Mrs. Walker – Second.

Mr. Ice – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

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 8:12 p.m.



Jeffrey A. Ice, Chairman



Carol M. Oprea, Recording Secretary

Approved