

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

September 22, 2011

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, September 22, 2011 at 7:30 p.m.***

Present: Planning Commission Members: Charlene Barth, Acting Chairperson, Mary Jane Walker and Thomas Stehman; Raymond Haseley, Council Representative; Mayor Thomas P. Perciak; 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:

Molnar and Stojkov: Mrs. Daley stated that this application is for a lot split and consolidation. The proposal is to split 50 feet off the rear of PPN 399-30-007 located on Boston Road and adjoin to PPN 399-30-084 on Olde Orchard. From the City Planner Both parcels will exceed the minimum Lot Width (75') and Lot Area (12,750 SF) requirement in a R1-75 zoning district. From Engineering the Lot Split and Consolidation Map is in approvable form. Mr. Foulkes stated that there was no report from the Building Department. Mr. French stated that there is no report from the Fire Department. Mr. Kolick stated that the Commission could act on this matter.

VAM Ltd.: Mrs. Daley stated that this proposal is to split PPN 396-14-001 into six separate parcels. Parcel D-1 is where the retention basin is, D-2 is Costco, D-3 are the two retails, Best Buy and Petco, D-4 is Jared, D-5 is Chick-Fil-A and D-6 is Rockne. They will need variances. The Commission asked the applicant why they wanted to split the parcel. Mr. Barrow stated that there was an obligation to Costco in their lease to pursue separate parcels. They have the same obligation in a number of different leases. Costco wants to own their own parcel. It is also very typical in a development such as this. Mrs. Daley stated that from the City Planner there are several areas of noncompliance. The variances they will need are on Parcel D-1 where the retention basin is, that is not a permitted main use; and also that parcel has no frontage on a dedicated road. Parcel D-2 the Costco parcel has no frontage on a dedicated road. Parcel D-3, Best Buy, the lot width required is 200' and they have 108'. Parcel D-5, Chick-Fil-A, the required parking is 82 and they have 55 spaces. Mr. Hill does not think that is a problem since for the entire business center they have a surplus of 67 spaces. From Engineering the resubdivision is in approvable form. Mr. Foulkes stated that from the Building Department there is no report. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that the concern with these is the fact that we have ingress and egress, utilities, retention basin that all these parcel share so they do have in place an operating agreement that will tie all that together. Those problems will be alleviated with that document. He stated that he had reviewed that document

and that they would need to change that legal description on it but other than that the document is ready to go. We will need to deny it because it will need to get to the BZA to get the various variances that you heard this evening. Physically nothing is changing. There are no new buildings, no new egress or ingress, no utilities, just paper lines are going to be drawn on there for the plat. Mr. Stehman asked if each of these new parcels could be sold off individually. Mr. Kolick state that was what was going to happen. Mr. Stehman asked if the operating agreement was going to be the same as an easement. Mr. Kolick stated that the operating agreement has the same effect. It is a construction operation reciprocal easement agreement. It has all the easements on it for ingress and egress; it has all the easements on it for utilities, the drainage, electric easements. They needed to specify who was going to maintain the pump station. All that is spelled out in that operating agreement. Mr. Kolick asked the representative, Mr. Barrow, if their timing required a special meeting. He said it did not require a special meeting.

Dynamic Fitness: Mrs. Daley stated that this applicant would like to move his business into the old Ethan Allen building at the mall. That building is 15,311 SF. This will also need a variance because the permitted square footage for this use is 5,000 SF and they are exceeding that. They are just going to do interior work, nothing on the outside. From Engineering there is no report. Mr. Foulkes stated that there was no report on the Conditional Use but that they wanted to make the applicant aware that he would have to increase his restroom facilities. Mr. French stated that this building does have fire safety systems. It is alarmed and sprinklered so when you are removing and moving the walls that needs to be a consideration. Mr. Kolick stated that this matter would need to be denied and sent to the BZA because we have a limitation of 5,000 SF within the code and he is close to 3 times that at 15,000 SF. He will go before the Board of Zoning Appeals and they will look at the size on it. The use is proper, it is just the size that doesn't meet the code.

Avery Walden: Mr. Kolick stated that this matter is part of Avery Walden, the cluster block portion that comes right off Webster and goes to the east of the subdivision. They are dealing it off to another developer so they have asked to create a separate sub-association so it will still be part of Avery Walden but it will be a separate sub-association that will run that particular area. Under the code they are required to come back to us for that. All their documents are in order to do it as we have done for so many other subdivisions that have sub-associations for the clusters. We are in a position tonight to approve this.

The meeting was called to order at 8:00 PM by the Acting Chairperson, Mrs. Barth.

Roll Call:

Members Present: Mrs. Barth
Mr. Haseley

Mr. Lewis – Jason Lewis, 13937 Olde Orchard Road. I am the purchaser of the Molnar property through land contract. We are squaring off the backyard and purchasing property from Mr. Stojkov from Boston Road to add it to our yard.

Mrs. Barth – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Ms. Chairperson. From the City Planner, The request involves splitting the rear 50' of PPN 399-30-007 and attaching same to adjacent parcel PPN 399-30-084. Both parcels are zoned R1-75 one-family. After the split parcel 7 will have a Lot Area of 20,240 SF and Lot Width of 92'. Parcel 84 will have a Lot Area of 23,588 SF and Lot Width of 80'±. Both parcels will exceed the minimum Lot Width (75') and Lot Area (12,750 SF) requirements in a R1-75 zoning district. From Engineering the Lot Split and Consolidation Map is in approvable form. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Ms. Chairperson. From the Building Department, there is no report from the Building Department. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Ms. Chairperson. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Ms. Chairperson. We are in a position to act on this.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Molnar & Stojkov.

Mrs. Walker – Mr. Chairperson.

Mrs. Barth – Mrs. Walker.

Mrs. Walker – I move to give favorable consideration for Parcel Split and Consolidation of PPN's 399-30-007 and 084, property located at 13737 Olde Orchard and 14010 Boston Road, zoned R1-75.

Mr. Stehman – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

VAM LTD., Tony Coyne, Agent

Subdivision of PPN 396-14-001 located on Royalton Road, zoned General Business and Motorist Services.

Mrs. Barth – Item Number Two, VAM Ltd, please step forward and state your name and address for the record.

Mr. Barrow – Greg Barrow, Vice President of Construction Services for Visconsi Companies which is the managing partner for VAM Ltd., the owners of the Plaza at Southpark. Address is 30050 Chagrin Blvd., Pepper Pike, Ohio.

Mrs. Barth – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairperson. From the City Planner, The following information is submitted regarding Zoning compliance as related to the proposed splits (see attached plans). The analysis is based upon General Business (GB) Zoning District requirements. Parcel “D-1” Retention Area (3.64 Acres – 158,729 SF) While storm water retention is a permitted accessory use within a General Business (GB) zoning district it is not a permitted Main Use. The parcel has no frontage on a dedicated street. Parcel “D-2” Costco The parcel has no frontage on a dedicated street. (Building Coverage) Section 1258.09 the parcel size is 15.58 acres (678,774 SF) and the total ground floor building area is 140,820 SF. Maximum permitted building coverage 25% Actual building coverage 20.8%. (140,820 SF ÷ 678,774 SF). (Parking) Section 1270.05. Parking for a community shopping center (100,000 – 400,000 SF) is (5) spaces per 1,000 SF (gross leasable floor area). Required Parking 704 Spaces (140.8 SF x 5). Actual Parking 767 Spaces (Lot Width – Single Use) Section 1258.08. Required lot width 150’. Actual lot width 1,100’ ± (Not measured at dedicated street right-of-way line). (Building/Parking Setbacks) Section 1258.11. Front Bldg./Parking – Required setback measured from centerline or ROW of dedicated street(s). Parcel “D-2” (Costco) does not have frontage on a dedicated street. Side/Rear Bldg. and Parking – Meets the requirements of Sec. 1258.11 abutting residential/non-residential districts). Note-1: Section 1258.11 (Yard Regulations; Business Districts) (b)(2) provides the following; Side yards. Whenever a business building is located adjacent to another business building having one or more party walls and a common roof with one or more similar buildings, but individually owned, there shall be no side yards required. Separate business buildings shall be not less than ten feet from the nearest business building. If an off-street parking area is planned and designed as a coordinated facility with adjacent existing or planned parking areas, the Planning Commission may waive the side yard parking or drive setback requirement of this section. Parcel “D-3” East(Best

Buy) – West (Petco) Retail Strip Stores (Lot Width – Attached/Multiple Use) Section 1258.08. Required 200’, Actual 108.3’ (Measured at dedicated street right-of-way line – Royalton). Building Coverage Section 1258.09. Lot area 17.98 acres (783,303 SF) Building Area East 68,738 SF, West 70,323 SF, Total 139,061 SF. Maximum building coverage 25%, Actual building coverage 17.8% (139,061 ÷ 783,303). (Parking) Section 1270.05. Required 695 Spaces, (139.1 x 5). Actual 743 Spaces. (Building/Parking Setbacks) Section 1258.11 Front Bldg./Parking – Required setback measured from center line or ROW of dedicated street(s). Parcel “D-3” does not Front upon a dedicated street. Side/Rear Bldg. and Parking – Meets the requirements of Sec. 1258.11 abutting residential and nonresidential district(s). *(Note – 1) Parcel “D-4” Jared. Lot Width – Attached/Multiple Use) Section 1258.08. Required 200’, Actual (Royalton) 247.1’. (Building Coverage) Section 1258.09. Lot area 2.1 acres (91,826 SF) Building area 14,973 SF. Maximum Building Coverage 25%, Actual Building Coverage 16.3% (14,973 ÷ 91,826). (Parking) Section 1270.05, Required 75 Spaces (14.9 x 5) Actual 82 Spaces. (Building/Parking Setbacks) Section 1258.11. Meets the requirements of Section 1258.11. Parcel “D-5” Chick-Fil-A – (Free-Standing restaurant not permitted in General Business Zoning district – Sec. 1258.03(a)(3)6.- (Note -2). (Lot Width – Single Use) Section 1258.08. Required 150’ Actual 170.4’. (Building Coverage) Section 1258.09. Lot Area 1.4 acres (60,076 SF). Building area 4,580 SF. Maximum Building Coverage 25%. Actual Building Coverage 7.6% (4,580 ÷ 60,076). (Parking) Section 1270.05. Free standing/sit-down restaurant 18 spaces/1,000 SF gross floor area. Required 82 Spaces (4.6 x 18). Actual 55 Spaces. (Building/Parking Setbacks) Section 1258.11. Meets the requirements of Section 1258.11. Parcel “D-6” Rockne (See Note -2). (Lot Width – Single Use) Section 1258.08. Required 150’, Actual (Royalton) 191.8’. (Building Coverage) Section 1258.09. Lot Area 1.6 acres (69,408 SF). Building Area 6,570 SF. Maximum Building Coverage 25%, Actual 9.5% (6,570 SF ÷ 69,408). (Parking) Section 1270.05. Free-standing/sit-down restaurant (18) spaces/1,000 SF gross floor area. Required 119 Spaces (6.6 x 18), Actual 119 Spaces. (Building/Parking Setbacks) Section 1258.11. Meets the requirements of Section 1258.11 zoning code. SUMMARY General Business (GB) zoning non-compliance. Parcel “D-1” Retention Area. Retention not a permitted Main Use. (Sec. 1258.03). No frontage on dedicated street. (Sec. 1240.08(c)(11)C). Parcel “D-2” Costco. No frontage on dedicated street. (Sec. 1240.08(c)(11)C). Parcel “D-3” East (Best Buy) – West (Petco) Retail Strip Stores. -Lot Width Required 200’, Actual 108.3’ (Sec. 1258.08). Parcel “D-5” Chick-Fil-A (See Note -2) 1258.03(a)(3)6. Parking Required 82 Spaces, Actual 55 Spaces (Sec. 1270.05(c)(5)). Parcel “D-6” Rockne (See Note-2) (Sec. 1258.03(a)(3)6 . Note 2 – See Page 4. Parking Analysis;

<u>Parcel</u>	<u>Use (Retail)</u>	<u>Bldg. Area</u>	<u>Parking (Actual)</u>
“D-2”	Costco	140,820 SF	767 Spaces
“D-3”	Best Buy	139,061 SF	743 Spaces

	Petco		
"D-4"	Jared	<u>14,973 SF</u>	<u>82 Spaces</u>
Subtotal		294,854 SF	1,592 Spaces
<u>Food Service</u>			
<u>Parcel</u>	<u>Use (Food Serv.)</u>	<u>Bldg. Area</u>	<u>Parking (Actual)</u>
"D-5"	Chick-Fil-A	4,580 SF	55 spaces
"D-6"	Rockne	<u>6,570 SF</u>	<u>119 Spaces</u>
Subtotal		11,150 SF	174 Spaces
Total		306,004 SF	1,766 Spaces

(Required Parking). Retail 294,854 x 5 = 1,475 Spaces. Food Service 11,150 x 18 = 202 Spaces. Total 1,699 Spaces (Actual Parking. Retail 1,592 Spaces. Food Service 174 Spaces. Total 1,766 Spaces (Note) Although there is a relatively small parking deficit for food service uses (28 Spaces) the total business center, including food service has a surplus of 67 Spaces. From Engineering the plans are in approvable form. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Ms. Chairperson. From the Building Department there is no report. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Ms. Chairperson. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Ms. Chairperson. There is nothing physically that is changing with this property. There won't be any difference with traffic flow, buildings or anything else. They are looking to add property lines in on what is currently one parcel now, will be modified to 6 separate parcels; however, they do need variances. The item we are concerned with is ingress and egress, utilities as well as retention/detention and the sewer pumping station and they all have been taken care of in their covenants and operating agreement which I have reviewed and approved other than a small change in the legal description. At this point though because they require variances we will need to deny this tonight and send it over to the Board of Zoning Appeals. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for VAM Ltd.

Mrs. Walker – Ms. Chairperson.

Mrs. Barth – Mrs. Walker.

Mrs. Walker – I move to give favorable consideration for Subdivision of PPN 396-14-001 located on Royalton Road, zoned General Business and Motorist Services.

Mr. Stehman – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Nays

DENIED

DYNAMIC FITNESS/ Bryan McIntosh, Principal

Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(E) and 1242.07 to permit a 15,311 SF training and physical fitness center to be located at 16611 Southpark Center, PPN 396-24-004 zoned Shopping Center.

Mrs. Barth – Item Number Three, Dynamic Fitness, please step forward and state your name and address for the record.

Mr. McIntosh – Bryan McIntosh, 14415 Pearl Road, Strongsville, Ohio.

Mrs. Barth – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Ms. Chairperson. From the City Planner, the request is to establish a 15,311 SF Training/Physical Fitness Center at 16611 Southpark Center, PPN 396-24-004 (Formerly Ethan Allen) zoned Shopping Center (SC). Section 1258.03(a)E- Use Regulations; General Business District allows exercise facilities as follows; *Exercise Facilities. Dance instruction, gymnastics, yoga, martial arts training, gymnasiums and physical fitness centers, none or which shall exceed 5,000 square feet, provided that a conditional use permit is granted in accordance with the procedures and standards set forth in Section 1242.07 of this Zoning Code.* Section 1258.04 (a) Use Regulations; Shopping Center District permits use classifications as permitted in General Business Districts. However, as indicated above an exercise facility cannot exceed 5,000 SF of use area. Parking (Section 1270.05 Schedule of Parking Requirements) 5 spaces per 1,000 SF gross building. Floor Area (15.3 x 5), Required 76 Spaces, Provided 80 Spaces. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Ms. Chairperson. From the Building Department, there is no report on the Conditional Use. We would also like to make the applicant aware that any future modifications of the building are subject to a plan review in accordance with the Ohio Building Code. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Ms. Chairperson. From the Fire Department, this building has built-in fire safety systems, sprinkler, fire alarm and knox box. Any alterations to the building interior you should be aware of these and have approved plans through the Building Department. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairperson. We will need to deny this like the one before. There is a variance which would be required from the Code. If that variance is granted by the Board of Zoning Appeals he will return here and we will set him automatically for the Public Hearing on the Conditional Use. Thank you.

Mrs. Barth – Are there any questions or comments? Hearing none, I would entertain a motion for Dynamic Fitness.

Mrs. Walker – Ms. Chairperson.

Mrs. Barth – Mrs. Walker.

Mrs. Walker – I move to give favorable consideration for Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(E) and 1242.07 to permit a 15,311 SF training and physical fitness center to be located at 16611 Southpark Center, PPN 396-24-004 zoned Shopping Center.

Mr. Stehman – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Nays

DENIED

MISCELLANEOUS BUSINESS:

