

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

January 14, 2021

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, January 14, 2021 at 5:30 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Edward Pfahl; Brian David and Kim Veris; Mayor Thomas P. Perciak; City Council Representative, Matthew Schonhut; Administration: Assistant Law Director, Daniel Kolick; Assistant Engineer, Lori Daley and Building Commissioner, Michael Miller.

The following was discussed:

FREDDY'S FROZEN CUSTARD: Mrs. Daley stated that this applicant is going into the existing Burger King building that is located on Pearl Road. Freddy's Frozen Custard, what they have before us today is a Conditional Use Permit. They would like to add some outdoor seating, a patio out front. So they are going to be doing some site plan changes to their site, having a double drive thru in the back and then some parking cut thrus out front. They are working on their site plans for us, we don't have those yet so for just the Conditional Use the City Planner had no problems with them with the patio they have ample parking for that and I have nothing from Engineering, we will just need their site plan for the site work. Mr. Miller stated that the plans are in approvable form and we did discuss with them the requirements for vehicle impact protection in accordance with the Ohio Fire Code and they have met those requirements. Mr. Kolick stated generally we get these along with the site plan so we know what it is we are approving. In this particular case we were hoping to get in the site plan but they did not get it completed so I have no problem going forward with the Public Hearing tonight but my recommendation is just don't make a decision on it because it is not going to hold them up. They have to come back for the site plan anyway and we will put it back on the agenda. We have some preliminary drawings and if they fulfill those preliminary drawings with their final plans, none of the administration saw any problem with it as indicated by Engineering and Building and it will probably be fine but we don't have those plans in place yet for us to make that final conclusion yet so you should open and close the hearing so we get the Public Hearing out of the way because we can't postpone that because it already has been publicly posted. If there is someone here you can listen to them but my recommendation is just to table the decision on it until the next meeting. Mr. McDonald stated that the next meeting or whenever we have the site plan. Mr. Kolick stated that whenever you have the site plan then you can make the actual decision on it as well as the Conditional Use.

PINE LAKES VILLAGE SUBDIVISION SFD & CD: Mrs. Daley stated that this is for the next Phase of the Pine Lakes Village Subdivision, Phase 6E consisting of 26 cluster

lots. This will be the extension of Baywood Lane and Pine Lakes and it does conform with their overall development plan that has already been approved and shown on there. From the City Planner there were no issues and recommends approval and from Engineering we do have the plans and they are in approvable form. They still need their EPA, Water and Sanitary approvals and Cleveland Water but we are okay with approving it subject to getting those outside agency approvals. Mr. Miller stated that there was no report from the Building Department. Mr. Kolick stated that we have received the Covenants and Deeds to attach it to the Overall Homeowner's Association as well as Cluster Homeowner's Association. We are in a position to act on these items and any approval should be made subject to the Engineering Department report.

THOMAS E. McGINNIS AND CONNIE J. McGINNIS: Mrs. Daley stated that this application is for a lot split and consolidation on Morris Drive. There are currently five parcels that are only 50 feet wide. There is an existing house built on actually two, almost three of the parcels, crosses over it. What they are going to do is consolidate and then split and they will have two parcels; one large parcel that is going to have the existing house and the accessory buildings and then one conforming vacant piece that they could develop and put a house on. From the City Planner there is no problem, no variances required, everything meets the setbacks and the lot requirements and from Engineering it is in approvable form. Mr. Miller stated that there was no report from the Building Department. Mr. Kolick stated that this is clearing up a current non-conformity and the Commission can act on it.

LUNN ROAD SELF STORAGE ADDITION: Mrs. Daley stated that this is an addition to the existing Lunn Road Self Storage. It is going to be located in the back of the Firefox building. There were no issues from the City Planner, it complies with all of the setbacks and from Engineering we do have the plans and they are in approvable form. Mr. Miller stated that from the Building Department the site plan is in approvable form. Mr. Kolick stated that there are two things here; one we no longer permit storage facilities in the GI District but they went to the BZA and they received a variance to extend a nonconforming use because there is already storage on there so that removed that problem with this. The only other minor thing in talking with the Fire Department, they said that those gates are locked to this storage facility so they would like you to make it subject to the Fire report to either give the Fire Department the access code to the gates or put a knock box on so that they could get access in the event of a fire or something there so that should be made subject to the Fire Department report in that respect. Mr. McDonald asked if there was a timeframe associated with the BZA approval? Mr. Kolick stated that it is a year and they got it before a year and they came back and renewed it so we are still within the year time period.

CUYAHOGA LANDMARK: Mrs. Daley stated that this is a lot split and consolidation for the parcels owned by Cuyahoga Landmark on Westwood just west of Prospect Road. It looks like they are going to split some of their land off and attach it to the business that is located to the west which is Sroka Industries, I am assuming for future expansion of their facilities there. They are also going to clean up their property by consolidating a couple of parcels that they have buildings on right now. Again, this is another one that will clean up an existing use. The new lot line does go through some, it looks like temporary storage bins, so they will have to relocate those bins on the Landmark property but other than that it is in approvable form. Mr. Miller stated that from the Building Department there is no report. Mr. Kolick stated that this, as noted by Engineering, will help clean up that area, it will give Sroka Industries an opportunity to expand there which is a good thing for our industrial businesses there. The only contingency as noted in the Engineering report is that it needs to be made subject to the relocation or removal of those storage bins that would be crossing the line for the parcels going over to Sroka. We don't care whether they get relocated and moved on to the Cuyahoga Landmark parcel or whether they bring them down, either way is fine. As long as they remove that infringement.

ORDINANCE NO. 2020-174: Mr. Kolick stated that the Ordinance is down on Pearl Road on the south side of the City across from Petitti's on the other side of the road, so it would be on the west side of the road, south of the entrance of the subdivision down there. On the north side they are currently putting in the assisted living facility. This would be on the south side of the road and they want to put in a rehab facility in there for rehabilitation for those individuals that need that type of help so it would be on south side of Rockglen and it needs a rezoning to Public Facility in order to permit that type of use. You are making a recommendation to Council for that.

The meeting was called to order at 6:00 PM by the Chairman, Mr. McDonald.

Roll Call:

Members Present: Mr. McDonald
Mr. Pfahl
Mr. Veris
Mr. Schonhut
Mr. David
Mayor Perciak

Also Present: Mr. Miller, Asst. Bldg. Com.
Mrs. Daley, Asst. Engineer
Mr. Kolick, Asst. Law Dir.

Carol Brill, Recording Secy.

ELECTION OF OFFICERS:

Mr. Pfahl – Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

Mr. Pfahl – I move to nominate **Greg McDonald** for Chairman for the Planning Commission for the year 2021 and also request that the nominations for Chairman be closed and that this individual be unanimously elected.

Mr. David – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Called: All Ayes APPROVED

Mr. Pfahl – Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

Mr. Pfahl – I move to nominate **Brian David** for Vice Chairman for the Planning Commission for the year 2021 and also request that the nominations for Vice Chairman be closed and that this individual be unanimously elected.

Mr. David – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

MOTION TO EXCUSE:

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mary Jane Walker for just cause.

Mr. Pfahl – Second.

Mr. McDonald – Secretary, please call the roll.
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Roll Call: All Ayes APPROVED

REVISED AGENDA

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to use the Revised Agenda for this evening.

Mr. Pfahl – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

APPROVAL OF MINUTES

Mr. McDonald – You have had a chance to review the minutes of December 17, 2020. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

FREDDY’S FROZEN CUSTARD/ Dominic Gatta, Agent

Conditional Use Permit pursuant to C.O. Sections 1258.06(a)(1) and 1242.07(b) to allow Freddy’s Frozen Custard to utilize approximately 1,990 SF as an outdoor patio with a maximum seating of 60 for property located at 12380 Pearl Road, PPN 392-28-011 zoned R-RS. **ARB Favorable Recommendation 12-15-20.*

Mr. McDonald – Item Number One, Freddy’s Frozen Custard, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Gatta – Dominic Gatta, 325 Hogarth Ave., Niles, Ohio 44446. First of all it is a project we are very excited about, being a part of this community. One of our reasons for choosing this location is its proximity to the schools and allowing us to be part of that and part of this community. That was one of the first things Freddy’s is about. We saw this as an opportunity to renovate an existing building and we have been working on this for quite some time now. We are looking to move forward on this as quickly as we can. I understand that our Civil drawings should probably be done in the next 24 hours, it was a misunderstanding on our part but we will get that to you guys as soon as

possible. Thank you for the opportunity. I am the franchisee as well as I will be the General Contractor on the project as well.

Mr. McDonald – Thank you, is there anyone else who would like to speak in favor or against? Seeing and hearing none I declare the Public Hearing closed and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the restaurant will have 64 indoor seats and based on the combination of indoor and outdoor seating the facility is required to have 47 parking spaces and their preliminary site plan indicates 56 parking spaces so they are in compliance with their parking with the addition of this outdoor patio and approval is recommended. From Engineering there is no report on the Conditional Use and as the applicant stated, we will need the engineering civil drawings which I understand they are working on so we will furnish comments when we get those. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form we have had discussions with the applicant that the vehicle impact protection requirements must be satisfied in accordance with the Ohio Fire Code and the Ohio Building Code. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. I am glad to hear that the site plans will be here within the next 24 hours or so, so we can then act on it at the next meeting so we should just table it here until we get those site plans. We will put it back on the agenda and you can act on it at the same time, it won't delay them in any way in that manner. The appropriate thing would be to table it here tonight. Thank you.

Mr. McDonald – Are there any questions or comments? Okay we will table it for this evening.

Mr. Kolick – For the applicant, make sure you keep in touch with Engineering and Building because we require things like underground grease containment that type of thing, the bollards that you know about already, so that everything will be smooth and ready to go when you come in.

Mayor Perciak – We will be happy to see that site cleaned up so thank you.

NEW APPLICATIONS:

PINE LAKES VILLAGE SUBDIVISION SFD & CD/ Scott Goldberg, Principal

- a) Revised Overall Preliminary Subdivision Plan for Phase 6E consisting of 26 detached cluster units to be located south of Albion Road, north of the Turnpike, PPN 398-18-002 zoned R1-75
- b) Final Cluster Subdivision Plan approval of Phase 6E consisting of 26 detached cluster sublots into the Pine Lakes Village SFD & CD Subdivision, PPN 398-18-002 zoned R1-75. **ARB Favorable Recommendation on 12-15-20.*

Mr. McDonald – Item Number Two, Pine Lakes Village Subdivision, please step forward and state your name and address for the record.

Mr. Goldberg – Scott Goldberg, 5866 Broadview Road, Cleveland, Ohio 44134.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the proposed 26 cluster lots are on the extension of Baywood Lane and are consistent with the previously approved Overall Development Plan for Pine Lakes Village. The Overall Development Plan meets that minimum open space requirement and the recreation development fees required for these lots were part of the rec improvements constructed in 1999, therefore approval is recommended. From Engineering on Item “a” the Overall is in approvable form and on Item “b” the site plan is in approvable form subject to the applicant receiving their EPA approvals for sanitary, water and Cleveland Water Department approvals. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. I received the Covenants and Deed Restrictions that add this into the overall subdivision which are fine. I have also received the Covenants and Deed Restrictions adding it into The Reserve. The only thing I would note for the applicant, it appears from the legal descriptions that the minor association is not contiguous with the minor associations its getting tied into and from the City’s standpoint that is okay and it is not required but you may just want to make sure before

you finalize that that was what your intention was with this thing. If you have any questions you can contact the Engineer. If something is to be corrected just get it to my office but we are okay to act on it because from the City's standpoint it meets all of our criteria. Item "b" should be made subject to the Engineer's report and those minor matters that they still need, then if it is approved here as you know Scott, you will need to get over to the Law Department to get all the other documents you need to get in order.

Mr. McDonald - Do I hear your issue to be the difference between having a new HOA versus joining an existing HOA?

Mr. Kolick – No, there are a number of phases there for the clusters and it appears from the Legal Description, and it is not unusual to get one cluster added to another to make it a larger cluster but from the legal description it appears that one cluster is here, there is another one in between and the one they are adding it to is over here so they don't appear to be contiguous and again it may just be in your phasing but just make sure that is what you want to do before we go file those documents with the County. I don't want to inadvertently create a problem for you.

Mr. Goldberg – Right, and this all stems from the development period which we were up against in the original cluster HOA so it was merged with the successor association and this newest phase is added to that successor cluster HOA.

Mr. Kolick – Your development period was up before.

Mr. Goldberg – That was the issue with the prior three phases, that HOA was merged into the successor so there will be just one cluster HOA for all.

Mr. Kolick – For all those phases?

Mr. Goldberg – Yes.

Mr. Kolick – That is probably a better idea anyway.

Mr. Goldberg – Easier to manage otherwise it would be piece meal.

Mr. McDonald – Fewer HOA's are better. Are there any questions or comments? Hearing none, I would entertain a motion for Pine Lakes Subdivision.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. Since these lots were originally laid out at 50 feet years and years and years ago, this will actually help us because it will bring the lots into conformance and it will also clean up the other lot where there are building infringements because of locations of structures, so this is a positive for the City. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Thomas and Connie McGinnis.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Split and Consolidation of PPN's 393-06-026, 027, 028, 029 and 030 located at 21112 Morris Drive, zoned R1-75.

Mr. Pfahl – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

LUNN ROAD SELF STORAGE ADDITION/ Robert Miller, Agent

Site Plan approval of a 7,328 SF addition to the current Lunn Road Self Storage located at 21931 Lunn Road, PPN 394-03-009 zoned General Industrial. **ARB Favorable Recommendation 7-7-20.*

Mr. McDonald – Item Number Four, Lunn Road Self Storage Addition, please step forward and state your name and address for the record.

Mr. Miller – Robert Miller, 26031 Center Ridge Road, Westlake, Ohio 44145.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the building materials and design match the current facility. The proposed building location complies with the side and rear setback requirements in the General Industrial District and approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. The Board of Zoning Appeals granted a necessary variance for this. The report from the Fire Department as I mentioned in Caucus says that they would rather not run through the gates if there is a fire back there so if you would either give them the access code, which they would keep at the Fire Department of install a knox box, either one would be appropriate.

Mr. Miller – I will talk to our client on that.

Mr. Kolick – Talk to them, the Fire Department is okay either way so any approval should be made subject to that report from the Fire Department. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Lunn Road Self Storage.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site Plan approval of a 7,328 SF addition to the current Lunn Road Self Storage located at 21931 Lunn Road, PPN 394-03-009 zoned General Industrial subject to the Fire Department report.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

CUYAHOGA LANDMARK/Matt Smitt, Agent

Parcel Split and Consolidation of PPN's 392-15-002 and 003 for property located at 21081 Westwood Drive zoned General Industrial.

Mr. McDonald – Item Number Five, Cuyahoga Landmark.

Ms. Brill – Mr. Chairman the representative had sent an e-mail that he tested positive for COVID 19 and will not be in attendance.

Mr. McDonald – I think we can move forward; this is pretty straight forward, it is housekeeping and will clean things up for us as well. We will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the subject properties are all zoned General Industrial. All of the existing buildings will comply with setback requirements on the new parcels. There are some accessory storage bins on the subject site that would extend over the new lot line therefore those bins will need to be relocated or removed as part of the plat approval. With that approval is recommended. From Engineering the plat is in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. With this land split it will allow Sroka Industries to have additional land and hopefully they will be able to do their expansion that they talked with us about a couple of years ago. It will also help clean up the Cuyahoga Landmark with the various parcels that they have there. If approved it should be made subject to the relocation or removal of those temporary storage buildings that are on there so that they are not over the property line. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Cuyahoga Landmark.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Split and Consolidation of PPN's 392-15-002 and 003 for property located at 21081 Westwood Drive zoned General Industrial, subject to the relocation or removal of the storage buildings which cross the property line.

Mr. Pfahl – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

REFERRALS FROM COUNCIL:

ORDINANCE NO. 2020-174

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 19156 Pearl Road (all of PPN 394-31-007) in the City of Strongsville from Restaurant-Recreational Services (R-RS) and GB (General Business) Classifications, all to PF (Public Facilities) Classification, and in addition, Vacant Land Located on Pearl Road near Rockglen Drive (all of PPN 394-32-001) from GB (General Business) Classification to PF (Public Facilities) Classification, and Declaring an Emergency.

Mr. McDonald – Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. This is the southwest corner of Pearl and Rockglen, the proposal is to take that land which is currently vacant and to construct a rehab facility, which is the reason for the request for Public Facility Zoning. They are looking for a recommendation to City Council on this. Thank you.

Mr. McDonald - ORDINANCE NO. 2020-174. 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 19156 Pearl Road (all of PPN 394-31-007) in the City of Strongsville from Restaurant-Recreational Services (R-RS) and GB (General Business) Classifications, all to PF (Public Facilities) Classification, and in addition, Vacant Land Located on Pearl Road near Rockglen Drive (all of PPN 394-32-001) from GB (General Business) Classification to PF (Public Facilities) Classification, and Declaring an Emergency.

Mr. David – Move to give favorable consideration for Ordinance 2020-174.

Mr. Pfahl – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald – Mr. Schonhut, you have a favorable recommendation to take back to City Council.

OTHER BUSINESS:

Mr. McDonald – Just a couple of housekeeping thing, at our next meeting we are expecting that we will have the Ordinance on for the rezoning of the property in the southwest corner of town. That meeting if it goes as planned will begin at 5:30 and we will not have a Caucus, we will begin the meeting right at 5:30 and we expect it to be 1 to 2 hours. Also, I have asked that Brent Painter give us a State of the City address from the Economic Development standpoint. We really haven't had an opportunity to have our Economic Development breakfast that we had last year because of the COVID. We don't want to do it at the same time at the next meeting because they'll be the only item on the Agenda but in one of the February meeting, probably the following meeting we see if we can't get Brent in here to give us a 20 minute update on the state of Economic Development in Strongsville and the impact that we are having on that too. Any other business to come before this Commission this evening? Seeing none, we are adjourned.

Greg McDonald, Chairman

Carol M. Brill

Carol M. Brill, Recording Secretary

Approved

