

## STRONGSVILLE PLANNING COMMISSION

### MINUTES OF MEETING

June 13, 2019

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, June 13, 2019 at 7:45 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Brian David; Edward Pfahl and James Kaminski; Mayor Thomas P. Perciak; City Council Representative, Matthew Schonhut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Assistant Building Commissioner, Michael Miller, and Fire Department Representative, Randy French.

The following was discussed:

**CLIPPER SWEETS:** Mrs. Daley stated that this application is for a donut restaurant. It is going into the Crossroads Plaza right at Westwood and Pearl, taking over the space that was the tattoo parlor at one time. It's right across the hall from where Goldies was. They are here for a Conditional Use Permit. From the City Planner there are no issues since everything is taking place inside the building and their parking is good. From Engineering there is no report. Mr. Miller stated that from the Building Department it is in approvable form pending the submission of alteration permit with the note to the applicant that used cooking oil must be stored within the unit or underground if it is stored outside. Mr. French stated that from the Fire Department the applicant states that they are going to be doing their own frying and cooking of donuts and there will be grease laden vapors so they will have a Type 1 Hood with a fire suppression system in it as Code requires. Mr. Kolick stated that the Commission could act on this matter subject to the Building and Fire Department reports.

**STRONGSVILLE BURGER IM:** Mrs. Daley stated that this application is for a restaurant which will be going into the Ledgewood Plaza in one of the vacant store fronts. From the City Planner there are no issues since everything is taking place inside the building and their parking is good. From Engineering there is no report. Mr. Miller stated that from the Building Department, it is in approvable form pending the submission of alteration permit with the note to the applicant that used cooking oil must be stored within the unit or underground if it is stored outside. Mr. French stated that from the Fire Department if the applicant is going to be doing their own frying and cooking of donuts and there will be grease laden vapors so they will have a Type 1 Hood with a fire suppression system in it as Code requires. Mr. Kolick stated that the Commission could act on this matter subject to the Building and Fire Department reports.

**ARBY'S:** Mrs. Daley stated that this is going in at the old Mad Cactus site at Pearl and Whitney. They have proposed an Arby's, this is their conceptual plan right now showing

closing this curb cut that is closest to the intersection which is good and basically keeping the other two where they are. We did talk this morning of possibly making this a right out onto Pearl Road, something for the applicant to think about. At that curb cut on Pearl full access in is not a problem but the left turn out is. Mr. Kaminski stated that he would agree with that. The McDonald's across the street, you can easily go around and access through Whitney. Mayor Perciak stated that you can put as many signs around and if you are not getting ticketed they are still going to do it. Mr. Kaminski stated that most people will wrap around. Mr. Schonhut agreed with that, a left on Pearl over there, getting closer to that intersection and the sight line over to Whitney is scary. Mrs. Daley stated that this is actually going to be going to the BZA because the site is so small, they have some setback issues with their parking and the building setbacks. Mayor Perciak stated that this is going to be a Company store, it will not be a Franchise. In fairness to them, they are helping us clean up a site that was less than desirable plus this will be the beginning there of helping us with that old Howard Johnsons Motel that abuts the turnpike. Mr. McDonald asked if they bought the parcel or if they were leasing it. Mayor Perciak stated that they bought it. Mr. David asked if they were moving the current Arby's or just adding a new one. Mr. Knuckles stated that they were adding. From the City Planner there are setback issues so this would need to go to BZA. From Engineering final engineering plans are required, including, but not limited to, grading plans, utility plans, details, storm water management plans and all other items listed on the attached checklist for commercial/industrial developments. Additional comments will be provided as final plans are developed. Mr. Miller stated that from the Building Department that we did have an administrative meeting with the contractor and the owners that are represented and they discussed the site plans for the storage of used cooking oil and we are just waiting for construction plans that can be approved. Mayor Perciak asked the applicant where they were at with construction plans. Mr. Knuckles stated that they were waiting until BZA before fully turning design loose. Mayor Perciak stated that he should start designs because he knew there was a tight timeline and Lori and Mike can only perform so many miracles this time of year. There are vacations etc. Mr. Knuckles stated that he was sure that it would be turned over to the design team. Mr. Kolick stated that the applicant needed to get the packet to BZA so that she can get you on the next Agenda but she needs to have the packet by tomorrow. Mr. Knuckles stated that the building setbacks had been identified and the parking encroachments but did not indicated the 2 acre lot size minimum or the street frontage. Mr. Kolick stated he would talk to our City Planner and see if he didn't pick it up and it needs to be. The size may be proper for a restaurant as opposed to a gas station use but we will take a look. If there is anything more they'll put all the variances that you need on the same Agenda. Mr. French stated that from the Fire Department, as with the previous two the hood fire suppression Type 1 for grease laden vapors as in the other restaurants. Mr. Kolick stated that the Commission needed to deny this matter so that they can go to the BZA.

**MISCELLANEOUS BUSINESS:** Mr. McDonald stated that the last item is about the changing the time of the meeting. Are there any questions or comments on that? Mr. Schonhut stated that he would like to comment and that fellow Council members commented that they were concerned that residents would not have the opportunity to attend if the meetings were moved forward. At this time, it's not an issue for me but of course I am not going to be on Planning in perpetuity but that is something that they wanted me to express their concerns about. Mr. McDonald asked Ms. Brill if we had heard from any of the applicants that were coming in regarding the change of time. Ms. Brill stated that all the ones that would be going on to the next Agenda were happy about the time change. They did not seem to have any issues. Mayor Perciak stated that today with people with flex schedules and the people making the presentations at this meeting, all the professionals are getting paid to do it at one time or the other and the public has no comment here since their comments take place at the Council meeting and Matt is correct in quoting what they said and we thank you for delivering the message.

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

Roll Call:

Members Present: Mr. McDonald  
Mrs. Walker  
Mr. Pfahl  
Mr. Kaminski  
Mr. Schonhut  
Mr. David  
Mayor Perciak

Also Present: Mr. Miller, Asst. Bldg. Com.  
Mrs. Daley, Asst. Engineer  
Mr. Kolick, Asst. Law Dir.  
Mr. French, Fire Dept. Rep,  
Carol Brill, Recording Secy.

### **APPROVAL OF MINUTES**

Mr. McDonald – You have had a chance to review the minutes of May 23, 2019. If there are no additions or corrections they will stand as submitted.

### **PUBLIC HEARINGS:**

**CLIPPER SWEETS/ Don Collier, Agent**

Conditional Use Permit pursuant to Codified Ordinance Section 1258.03(a)(3)(A)(6) and 1242.07 to allow Peace Love and Little Donuts to occupy 976 SF of space as a takeout restaurant for property located at 13500 Pearl Road, PPN 392-30-010 zoned General Business.

Mr. McDonald – Item Number One, Clipper Sweets, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Collier – Don Collier, 5822 N. Mayfield Drive, Lorain, Ohio 44053. It is a franchise business and we want to open in the Crossroads Plaza. There 38 locations throughout the Country and we are excited to become part of the Strongsville Community.

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, there are no parking issues associated with this request since the proposed restaurant would be located within the existing building and no changes are being proposed to the parking lot and there are no setback or site plan issues associated. From Engineering there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, it is in approvable form pending the submission of approvable construction documents with the following comment; all storage of waste oil shall be within the unit or underground outside. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, it is approvable pending the review of submitted plans to comply with the Strongsville Fire Code and the Ohio Fire Code. Cooking processes that produce grease laden vapors shall be under a Type 1 Fire Suppressed protected hood. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. You are in a position to act on this. If an approval is forthcoming it needs to be made subject to the Building and Fire Departments reports as read this evening. Thank you.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Conditional Use Permit pursuant to Codified Ordinance Section 1258.03(a)(3)(A)(6) and 1242.07 to allow Peace Love and Little Donuts to occupy 976 SF of space as a takeout restaurant for property located at 13500 Pearl Road, PPN 392-30-010 zoned General Business.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**STRONGSVILLE BURGER IM/ Haithem Musa, Agent**

Conditional Use Permit pursuant to Codified Ordinance Section 1258.04(a), 1258.03(a)(3)(A)(7) and 1242.07 to allow Strongsville Burger IM to occupy 3,264 SF of space as a restaurant with seating for 40 for property located at 17100 Royalton Road, PPN 396-14-007 zoned Shopping Center.

Mr. McDonald – Item Number Two, Strongsville Burger IM, since there is nobody in the audience I would suggest that we table this matter this evening.

**NEW APPLICATIONS:**

**ARBY'S/ Ken Knuckles, Agent**

Site Plan approval of a 2,600 SF Arby's Restaurant for property located at 9175 Pearl Road, PPN 395-16-004 zoned Motorist Service.

Mr. McDonald – Item Number Three, Arby's, please step forward and state your name and address for the record.

Mr. Knuckles – Ken Knuckles with Development Management Group, Nashville.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, there are 3 areas of nonconformance with the Zoning Codes; the Building Setback from Pearl Road, the Parking Setback from Pearl Road and the parking setback from Whitney Road. Therefore the request would need to be denied and the applicant referred to the Board of Zoning Appeals. From Engineering we will need final plans. I will get the applicant a checklist to follow while they are developing those and as discussed in Caucus we'll take a look at the drive out to Pearl Road and possibly limiting the access on that. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

Mr. Miller – Thank you Mr. Chairman. From the Building Department, it is in approvable form pending submission of construction drawings in accordance with the Ohio Building Code and as stated previously the waste oil containment requirements that the applicant has been made aware of. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, it is in approvable form pending review of the submitted plans to comply with the Ohio Fire Code and Strongsville Code. Cooking processes producing grease laden vapors must be under a Type 1 Hood having a dedicated proper fire suppression installed. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. You are in a position to act. You will need to deny it since it requires variances. Thank you.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site Plan approval of a 2,600 SF Arby's Restaurant for property located at 9175 Pearl Road, PPN 395-16-004 zoned Motorist Service.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Nays

DENIED

**MISCELLANEOUS BUSINESS:**

Consideration of an amendment to the Planning Commission Rules to change the start time for Caucus from 7:30 p.m. to 5:30 p.m. and change the Meeting time from 8:00 p.m. to 6:00 p.m.

Mr. McDonald – We talked about this in Caucus, do we have a motion to amend the Rules?

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration to amend the Planning Commission Rules to change the start time for Caucus from 7:30 p.m. to 5:30 p.m. and change the Meeting time from 8:00 p.m. to 6:00 p.m.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called	Mr. McDonald	Aye
	Mr. David	Aye
	Mrs. Walker	Aye
	Mr. Pfahl	Aye
	Mr. Kaminski	Aye
	Mr. Schonhut	Nay
	Mayor Perciak	Aye

Mr. McDonald – With that being said we will schedule the new time frames for the next meeting on June 27<sup>th</sup>. Any other business to come before this Commission this evening? Seeing none, we are adjourned.

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Greg McDonald, Chairman

*Carol M. Brill*

Carol M. Brill, Recording Secretary

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Approved