

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

July 11, 2024

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, July 11, 2024 at 5:45 p.m.***

Present: Planning Commission Members: Gregory McDonald, Chairman; Michael Polo, Kim Veris, Terry Toth and Michael Kalinich Jr; Administration: Assistant Law Director, Daniel Kolick; Building Commissioner, Ted Hurst and Fire Department Representative, Captain Green

The following was discussed:

SPM ACQUISITIONS LLC/CONDITIONAL USE PERMIT: Mr. Hurst stated this request is for a conditional use permit to operate Kids Empire in SouthPark Center because it is an indoor playground in the mall, it requires a conditional use permit. From the City Planner, he recommends the approval of the conditional use permit and has no objections. From the Engineering Department, there are no comments because it is an indoor facility. Captain Green stated from the Fire Department, the fire alarm system will be monitored by the malls internal system, the assembly proposed is an A3 and it will occupy a corner space that is bounded by the mall common area on 2 sides, a mall exit corridor on the 3rd side, and an exterior wall on the 4th side. The proposed hours of operation will be Monday through Thursday from 10:00 am – 8:00 pm and Friday through Sunday from 10:00 am – 10:00 pm. They will have only one entrance from within the mall and there will be no door to the exterior, with the exception of a door to the exterior, which will only be used for emergency egress. Mr. Kolick stated this will be located where the former boxing facility was which is opposite Dicks, they are taking the whole side. This request is tied in with the second request because in order to permit this they need to raise the roof in the 4000 SF area. This is why City Council increased the uses within the mall to try and fill some of the vacant spots, this is permitted with a conditional use permit and you are in a position to act on it tonight.

SPM ACQUISITIONS LLC/ FINAL DEVELOPMENT PLAN: Mr. Hurst stated because they are raising a portion of the roof, it is required to come to the Planning Commission for approval. They are raising approximately 4000 SF in this area based on a total of 1.7 million SF for the mall, it is a small area and they will use Hardi Board siding, the color to match the existing building and this is necessary for the higher play equipment. Captain Green stated along with raising the roof they have to make adjustments to the sprinkler system. They will have to do some heavy modifications to the system but during the modifications they have been able to isolate the mall system so, it won't affect the sprinkler system within the mall only within those occupancies that are being demolished at this time. They will maintain a fire watch during the time period that the sprinkler system

is out of service in the area that they are working. Mr. Kolick stated this request is tied to the previous application and you are in a position to act on it. They have complied with all of our administrative requirements; however, the Code does say if there is substantial change from the final development plan then it will have to go to City Council. My estimation is that the 4,000 SF area out of the 1.7 million SF area of the mall, is a small area and it is hardly visible because it is tucked away in a corner of the mall so, I don't believe it needs to go to Council. It is technically this Commissions call if you disagree you would have to pass a motion to send it to City Council. I don't think it is necessary.

SMARTIK ACADEMY: Mr. Hurst stated this request is for several improvements to the child daycare facility. It is zoned General Business and they would like to construct a patio addition on to the rear of the building that matches identically to what is on the front of the building. The back of this is used for play areas for the children and this gives them an exit out of the building that is undercover and another patio area. Also, they would like to install a 6' white vinyl fence around the entire property in locations that can be seen from the street and everything in the rear will be a board on board fence. They have the gazebo structures in the back, which is part of the play area so that the kids have shaded areas to go into and dry areas in the event that it rains. Captain Green, from the Fire Department, it is the recommendation of the Fire Marshall that a minimum of 15' is allowed in between the proposed fence at 16939 Pearl Road and the existing residence at 16851 Pearl Road. The reason being is that this distance will ensure adequate emergency access for Fire and EMS and allow for emergency egress for the rear South entrance of the residence at 16851 Pearl Road. Regarding the canopies and gazebos, the Fire Department has no report. Mr. Kolick stated we wanted to make sure and the Engineer has confirmed that they are only locating the fence in the General Business zoning district because the lot is split zoned and is R-175 in the rear. They have confined the fence to the General Business zoning district. The area to the North is a little problematic because that lot has two homes on it and they are currently leased out to tenants and there are residents in those buildings. The rear building's front door actually faces South and does not face toward Pearl Road; however, the front building does but the rear building does not. I think the recommendation of the Fire Department regarding the 15' distance makes sense so that they can safely access the rear home if they ever have to take a crew in with a stretcher or have to fight a fire there. It would be appropriate to have a 15' distance from the building and where the fence will be so, that will bring it further into the property on the South but it makes sense here. You have the authority under 1258.11 (b)(4) to require this and I would recommend if you approve this that it will be subject to the Fire Departments report, which would be 15' between the fence and the building.

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

Roll Call:

Members Present:

Mr. McDonald
Mr. Polo
Mr. Veris
Mr. Toth
Mr. Kalinich, Jr.

Also Present:

Mr. Kolick, Asst. Law Dir.
Mr. Hurst, Bldg. Commissioner
Captain Green, Fire Dept.
Mrs. Anderson, Recording Sec.

MOTION TO EXCUSE:

Mr. Polo – Mr. Chairman.

Mr. McDonald – Mr. Polo.

Mr. Polo – I move to excuse Mayor Perciak and Ms. Kosek for just cause.

Mr. Veris – 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 for the meeting on June 27, 2024. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARING:

SPM ACQUISITIONS LLC /Bob Ricica, Agent

Conditional Use Permit pursuant to Codified Ordinance Section 1258.04(b)(2) and 1242.07 to allow Kids Empire to operate an indoor playground/amusement facility, property located at 500 SouthPark Center Space JU1500, PPN 396-22-001, zoned SC - Shopping Center

Mr. McDonald – If there is anyone wishing to speak in favor of this request, please come to the podium and give us your name and address for the record.

Bob Ricica, Macrae Architecture, 74 Orchard Drive, Worthington Ohio

Ruben Richelle, 1319 W. Wellington, Chicago IL 60657

Kurt Reddick, GM SouthPark Mall, 500 SouthPark Center, Strongsville, Ohio

Brenda Sparks, SouthPark Ownership Group, 1528 Repton Road, Smyrna, TN

Mr. Kolick – Mr. Chairman for the applicant, are Kids Empire located in other malls across the country?

Mr. Richelle – Yes, we have approximately 77 locations nationally, I don't know exactly how many are in malls but there is a decent amount.

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

Mr. Hurst – From the Building Department, the first request is for a conditional use permit to operate Kids Empire an indoor playground/amusement facility proposed location is 500 SouthPark Center, space JU1500. The Code requires in this zoning district that indoor playgrounds are permitted with a conditional use permit; therefore, they are requesting a conditional use permit. From the City Planner, he recommends the granting of approval for the Conditional Use Permit for Kids Empire.

Mr. McDonald – Thank you, Captain Green.

Captain Green - From the Fire Department, Kids Empire will be monitored by the malls current fire and sprinkler alarm system, the proposed occupancy will be Assembly - A3, they will occupy a corner space that is bounded by the mall common area on (2) sides, a mall exit corridor on the 3rd side, and an exterior wall on the 4th side. Proposed hours of operation would typically be from 10:00 am – 8:00 pm (Monday through Thursday) and from 10:00 am – 10:00 pm (Friday through Sunday), hours may vary. Kids Empire will only have one entrance from within the mall and that will be the main entrance. There will be a door to the exterior, but this will only be used for emergency egress.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – City Council recently amended the Code to permit these types of uses to assist with the viability of the mall and you are in position to act on this.

Mr. McDonald - Thank you. Are there any questions from the Members?

Mr. Ricica – They have recently opened two locations here locally; one in Great Northern Mall, at Uptown Solon Center, and they are opening one in Summit Mall in Akron, which is under construction.

Mr. McDonald – Are there any other questions from the Members?

Mr. Polo – Mr. Chairman, I move to give favorable approval for a Conditional Use Permit pursuant to Codified Ordinance Section 1258.04(b)(2) and 1242.07 to allow Kids Empire to operate an indoor playground/amusement facility, property located at 500 SouthPark Center Space JU1500, PPN 396-22-001, zoned SC - Shopping Center

Mr. Veris– Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

NEW APPLICATIONS:

SPM ACQUISITIONS LLC/Drake Construction, Agent

Amendment to final development plan pursuant to Codified Ordinance Section 1258.21, to increase a portion of the roof height for Kids Empire, property located at 500 SouthPark Center Space JU1500, PPN 396-22-001, zoned SC – Shopping Center
** ARB Favorable Recommendation 7-9-24*

Mr. McDonald – Item number two on the agenda is for SPM Acquisitions. The applicants remain at the podium.

Mr. McDonald - We will now go to our Administrative Reports, Mr. Hurst.

Mr. Hurst – From the Building Department, this request is for an amendment to the final development plan at the mall and it is a requirement that they come before the Planning Commission, if they are making changes. The change to this is a small increase in the height of 4000 SF of the space because they are raising the roof, it blends in with the building, and the cement siding matches the color, the Building Department has no objections. From the City Planner, he is recommending that the Commission grant approval of the modifications due to the slight increase in the height was a small portion of the building. The Engineering Department, has no report because it is an interior space.

Mr. McDonald – Thank you, Captain Green.

Captain Green - From the Fire Department, regarding the roof height, they will have to modify the sprinkler system. During these modifications they have assured us that Kids Empire space will be isolated and the malls sprinkler system will be maintained as it should be in working order. Also, during the time period that the sprinkler system in that occupancy is not working, they will maintain a logged fire watch, during any work and any hot work, during all hours.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – It should be noted that the Architectural Review Board gave this request a favorable recommendation, reviewing the materials, colors, and increase in roof height. Any approval forthcoming should be made subject to the Fire Department Report here this evening. As I noted, the Code does allow this Commission to grant changes and amend the final development plan. If you feel it is in substantial compliance you can notify

the Building Commissioner who when he receives the necessary information and details, will grant the permit. If you do not feel it is in substantial compliance then you will need to send this to City Council. This is such a small increase and, in my opinion, it would not be necessary to go there. You would not need to take any other action with it other than to approve it unless you feel it is a substantial change, which you would have to pass a second motion.

Mr. McDonald - Thank you. Are there any questions from the Members?

Mr. Polo – I move to give favorable consideration to the amendment to final development plan, subject to the Fire Department report and pursuant to Codified Ordinance Section 1258.21, to increase a portion of the roof height for Kids Empire, property located at 500 SouthPark Center Space JU1500, PPN 396-22-001, zoned SC – Shopping Center

Mr. Veris– Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

SMARTIK ACADEMY)/Jim Ptacek, Agent

Site development plan approval for fencing, gazebo canopies and patio canopy roof addition for Smartik Academy, property located at 16939 Pearl Road, PPN 397-09-036, zoned GB- General Business and R1-75 *ARB Favorable Recommendation 7-9-24

Mr. McDonald – The last item we have on the agenda is for Smartik Academy. Please come to the podium and give us your names and addresses for the record.

Roman Dutka, Smartik Academy, 16939 Pearl Road, Strongsville, Ohio

Ken Esry, Larson Architects, 12815 Detroit Road, Lakewood, Ohio

Mr. McDonald - We will now go to our Administrative Reports, Mr. Hurst.

Mr. Hurst – From the Building Department, this request is for site development plan approval, which includes fencing, play gazebos in the rear of the building, and a rear porch that matches the front entrance. They are creating the rear entrance so they will have a little more cover. The Building Department gives a favorable recommendation.

From the Engineering Department, the fence location is shown on the General Business portion of the property, it will remain on the General Business portion of the property and will not encompass the residential property. There will be a clearance from the ingress and egress of the home from the north to the fence. From the City Planner, he gives a favorable recommendation for the site plan approval, canopy addition, shade structures, and the fencing subject to any comments of the City Engineer and Building Commissioner.

Mr. McDonald – Thank you, Captain Green.

Captain Green - From the Fire Department, in regards to the fencing, it is the recommendation of the Fire Marshal that a minimum of 15' is allowed in between the proposed fence at 16939 Pearl Road and the existing residence at 16851 Pearl Road. Having this distance will ensure adequate emergency access for Fire and EMS and allow for emergency egress for the rear South entrance of the residence at 16851 Pearl Road. The Fire Department has no report for the canopies and gazebos.

Mr. McDonald – Are you all good with that small modification?

Mr. Dutka – Yes.

Mr. McDonald – Thank you, we appreciate that and we know it is not something you have to do but, it is very neighborly of you to do it.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – You saw that there was a letter submitted from the property owner to the north of this property and hopefully this addresses his concern because it will now make that area safe. It is unusual that the rear building has its front door facing south, which is really unusual up and down Pearl Road. Just make sure that the fencing stays on the General Business portion of the site, it is shown on your plans as being such. You can act on it subject to the Fire Department Report and the 15' minimum distance between the building and the fence.

Mr. McDonald - Thank you. Are there any questions from the Members?

Mr. Polo – I move to give favorable consideration for site development plan approval for fencing, gazebo canopies and patio canopy roof addition for Smartik Academy, property located at 16939 Pearl Road, PPN 397-09-036, zoned GB - General Business and R1-75, subject to the Fire Department Report and the 15' minimum distance between the building on the site to the North and the fence.

Mr. Veris– Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

Mr. McDonald – Seeing no other business to come before this Commission, we are adjourned.

Gregory McDonald, Chairman

Mitzi Anderson, Recording Secretary

Approved