

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

September 22, 2016

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, September 22, 2016 at 7:30 p.m.***

Present: Planning Commission Members: Charlene Barth, Chairwoman, Gregory McDonald, Mary Jane Walker and Brian David Mayor Thomas P. Perciak; City Council Representative, Michael Daymut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Assistant Building Commissioner, Keith Foulkes, and Fire Department Representative, Randy French.

The following was discussed:

ESCAPE ROOM: Mrs. Daley stated that this is going in the plaza by the old theatre between Elevated Fitness and the Theatre. The Alpha Graphics site. They had to come for a Determination of Similar Use, since this is a little bit different than anything that we have in our Code. They do training sessions, team building where you go in and figure out a puzzle to get out. From the City Planner he does recommend approval of this as a Similar Use, he had no issues with it and thought it was appropriate for the General Business Zoning District and didn't propose any kind of traffic problems or safety issues. From Engineering there is no report. Mr. Foulkes stated that from the Building Department there is no report. I did speak with the architect and we went over this. They built one of these same types of things in North Olmsted. Mr. French stated that from the Fire Department I talked to one of the Fire Inspectors in North Olmsted and they had one existing there and they have had no issues there. It is going into a similar building as it is going into here. This building is not sprinkler protected nor fire alarmed and it did not have to be. There are no safety issues. Mr. Kolick stated that the Commission should understand that what they would be doing is approving the use not the site or anything else. It happens to be going into the site but you are not approving the site. If you would approve this use and you'll need to let them come up and talk a little bit about what this use is so that we get it into the record. Once you approve this use it can go anywhere in the General Business District because it is adding to our use classifications permitted in General Business. So it is this location that is spurring it on but if you would approve this then it has to go to City Council. If City Council approves this, this use would be permitted anywhere within our General Business District. Mr. Daymut asked if they would have to change the Codified Ordinances. Mr. Kolick stated that it would get picked up when they do the re-codification but you don't physically amend the Code. This does amend the Code in effect through the Planning Commission and then it goes to City Council, so it would be an Ordinance that would go on for City Council to approve. Mr. Daymut asked if all future uses come to City Council or will they be determined by Planning Commission if this gets approved. Mr. Kolick stated that if this comes in, nothing goes to City Council.

This training center comes in and another one wants to go in down the street in General Business, it is permitted as a matter of right. It does not come in at all, it would not have to come here of at Council, so it is not like everyone comes to Council. This is a new description that would be added to the Code in the General Business District. Anybody that came in with this type of use, the Building Department would just approve it. That is what you are doing, you are approving a new use. Mr. McDonald asked if it could be tied to a Conditional Use in the future. Mr. Kolick stated that Council would have to elect to do that. I don't know if it really needs to be. It is not generating a lot of traffic, it's all inside which we made this so no one is going to be proposing something to the exterior premise or something in General Business. I don't know if there is any reason to call it a Conditional Use. Probably even has less traffic than most General Business uses have. We can talk to them about how often it will be used and how many people would come there and those types of things. Mrs. Walker stated that she had read about it on the internet and that they lock people into the rooms. The applicant stated that basically the team would be in the room for 60 minutes, not literally locked in the room. There is a combination on the door. You enter the right code the light lights up. You are not locked up and any time you want to walk out of the game the door is unlocked and they can walk right out. It defeats the purpose of the game but if they want to walk out they can. Mr. McDonald stated that they were not physically locked in. The applicant stated that was true. Mr. Kolick stated that if there was a medical emergency could they get out and the Fire Department was satisfied that was not an issue. Mrs. Barth stated that the idea was that they are provided 6 clues to get you out of the room. They do families, cheerleading squads go in there as a team building thing. The way I understood it is if you can't break the clues, you can ask for more clues and they will give you more clues to help you figure out what to do next.

ELITE NUTRITION: Mrs. Daley stated that this is going into one of the tenant spaces at the Plaza on the corner of Pearl and Drake. They just sell smoothies and teas. From the City Planner there are no problems with the plans. From Engineering there is no report. Mr. McDonald asked if this was going into a vacant space. The applicant stated that it was going into a vacant space. Mr. Foulkes stated that from the Building Department that there was no report. Mr. French stated that from the Fire Department there is no report. Mr. Kolick stated that the Commission could act on this matter. It only has 11 seats so it should not be a heavy user.

COSTCO FUEL EXPANSION: Mrs. Daley stated that this is the existing fueling station at Costco, all they want to do is add two more pumps. They are going to expand their existing canopy out to the south to accommodate those. Everything is taking place within the footprint. From the City Planner there were no issues. From Engineering the

plans are in approvable form. The applicant stated that there was a plan for diesel pumps but that plan was not submitted. Mayor Perciak stated that they just wanted to better serve their customers. Mr. Foulkes stated that from the Building Department the plans are in approvable form subject to a review in accordance with the Ohio Building Code. Mr. French stated that from the Fire Department the plans are in approvable form. Mr. Kolick stated that the Commission could act on this matter.

ORDINANCE NO. 2016-158: Mr. Kolick stated that this is the Ordinance that you received last week. Council is looking for a recommendation regarding pawn shops, vape shops, tattoo parlors, hookah lounges and it limits those uses to Restaurant Recreation Districts and only if a Conditional Use Permit is granted and has certain restrictions on that pertaining to locations to schools, public uses and operating hours. Council is looking for a recommendation.

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

Roll Call:

Members Present: Mrs. Barth
Mrs. Walker
Mr. McDonald
Mr. Daymut
Mr. David
Mayor Perciak

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

Carol Oprea, Recording Secy.

MOTION TO EXCUSE:

Mr. McDonald - Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald - I move to excuse Mr. Stehman for just cause.

Mrs. Walker – Second.

Mrs. Barth – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

REVISED AGENDA

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

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

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Call: All Ayes APPROVED

APPROVAL OF MINUTES

Mrs. Barth – You have had a chance to review the minutes of September 8, 2106. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

ESCAPE ROOM/ Nimer Elder, Agent

Determination of a Similar Use pursuant to Codified Ordinance Section 1242.08 and 1258.03(b) to permit a training center conducted within an enclosed building in a General Business District.

Mrs. Barth – Item Number One, Escape Room, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Elder – Gerald Elder, 239887 Smith Ave., Westlake, Ohio 44145. I am in favor of the project.

Mr. Elder – Nimer Elder, 4034 Windpark Drive, North Olmsted, Ohio 44070. I am in favor of the project.

Mrs. Barth – 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.

Mr. Kolick – Before we go to the reports could you explain a little bit of what your use contains, what happens at it and how the space is used. Very short just so we understand.

Mr. Elder – Basically you and a team will go into a room for 60 minutes. The goal is to get out of the room within 60 minutes by solving the clues, the riddles and trying to find the combination to the locks in the room. Basically when you achieve that objective you will find the combination to the last door and the light lights up and lets you know that you escaped. You are not locked in the room at all. You are read a script before you play the game giving you a scenario, as an example, Indiana Jones. He is in search of his father because he is looking for the Holy Grail and has been kidnapped. You have 60 minutes to help Indiana find his father and escape out of the room. You scour the room initially and you will find the first clue, the first clue will lead you to another clue, which might be a key, that key might open up a box and that box might give you a riddle which will give you a combination, take that combination and open something else, so on and so forth, until you get to the last step. The average scenerio is about 12 steps. We give you 6 visual clues and 3 verbal.

Mr. Kolick – The purpose is training and team building?

Mr. Elder – It is team building, family fun also a lot of companies use it. We have had schools come, teachers, associations, the Cleveland Browns came. We have had a lot of organizations, Smuckers, a lot of companies come.

Mrs. Barth – Are there any other questions from the members? Okay then we will move to reports, Mrs. Daley.

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, Section 1242.08 sets forth the criteria for the Planning Commission to determine a use as a similar use. Those criteria apply to the current application as follows: The use cannot be listed as permitted in another district. The use is most appropriate in the requested district. The proposed use does not create dangers to health and safety, nor does it produce objectionable influences. Based on potential traffic generation, General Business appears to be the most appropriate designation for this facility. The City Planner recommends that the Commission recommend approval of this use as a similar use in the General Business District. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, there is no report. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. Based on what they said here, we should make one change on the Agenda. It should read to permit a training and amusement center based on what they are talking about here so that we properly reflect what they are doing. This, as I noted in Caucus, would be a new use permitted in Code if this Commission approves it and our City Council approves it. Although it is this particular site that they are looking to put it in, understand what you would be doing with this recommendation over to City Council is to permit this type of use anywhere in a General Business District. Thank you.

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

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Determination of a Similar Use pursuant to Codified Ordinance Section 1242.08 and 1258.03(b) to permit a training and amusement center conducted within an enclosed building in a General Business District.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

ELITE NUTRITION/ Pardeep Singh, Agent

Conditional Use Permit pursuant to Codified Ordinance Sections 1242.07 and 1258.03(a)(3)(A)(6) to allow Elite Nutrition to utilize approximately 1,300 SF of space for interior eating and having a **maximum seating capacity of 11** seats for property

located at 17602 Pearl Road PPN 394-25-001 zoned General Business.

Mrs. Barth – Item Number Two, Elite Nutrition, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Singh – Pardeep Singh, 17602 Pearl Road, Strongsville, Ohio 44136. Yes, I am in favor of this project.

Mr. Mahler – Eli Mahler, 3947 West Ash Lane, Orange Village. I am the Architect on the project.

Mrs. Barth – 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 Mrs. Chairwoman. From the City Planner, the applicant is not proposing any changes to the building footprint or the existing site improvements. There are no other planning or zoning issues associated with this application and approval is recommended. From Engineering there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, there is no report. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. We are in a position to act on this application this evening. Thank you

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

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Conditional Use Permit

pursuant to Codified Ordinance Sections 1242.07 and 1258.03(a)(3)(A)(6) to allow Elite Nutrition to utilize approximately 1,300 SF of space for interior eating and having a **maximum seating capacity of 11** seats for property located at 17602 Pearl Road PPN 394-25-001 zoned General Business.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

NEW APPLICATIONS:

COSTCO FUEL EXPANSION/ Theodore Johnson, Agent

Site Plan approval of a 1,568 SF expansion of the existing fueling facility and adding an additional gas pump to the southern end of the existing center and east island for property located at 16632 Royalton Road, PPN 396-14-001 zoned General Business.

**ARB Favorable Recommendation 9-20-16.*

Mrs. Barth – Item Number Three, Costco Fuel Expansion, please step forward and state your name and address for the record.

Mr. Eddy – Justin Eddy, Mansor, Gavin LPA, 1001 Lakeside Ave., Suite 1400, Cleveland, Ohio.

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

Mrs. Daley – Thank you Mrs. Chairwoman. From the City Planner, the proposed site plan conforms to the Judgment Entry of the Cuyahoga County Court of Common Pleas and approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mrs. Barth – Thank you, Mr. Foulkes.

Mr. Foulkes – Thank you Mrs. Chairwoman. From the Building Department, the plans are approvable subject to a plan review in accordance with the Ohio Building Code. I would also like to note that the ARB gave favorable recommendation on 9-20-16. Thank you.

Mrs. Barth – Mr. French.

Mr. French – Thank you Mrs. Chairwoman. From the Fire Department, there is no report. Thank you.

Mrs. Barth – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mrs. Chairwoman. We are in a position to act on this this evening.

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

Mr. McDonald – Mrs. Chairwoman.

Mrs. Barth – Mr. McDonald.

Mr. McDonald – I move to give favorable consideration for Site Plan approval of a 1,568 SF expansion of the existing fueling facility and adding an additional gas pump to the southern end of the existing center and east island for property located at 16632 Royalton Road, PPN 396-14-001 zoned R1-75.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called All Ayes APPROVED

Mr. Kolick – Mrs. Chairwoman I just noted on here, this property was rezoned by Court Order to GB so that motion should reflect that it is zoned GB not R1-75. This is no longer R1-75 so if you approved that motion and second with that change in wording, just let the record show that. Thank you.

Mr. McDonald – So moved.

Mrs. Walker – Second.

Mrs. Barth – Secretary please call the roll.

Roll Called All Ayes APPROVED

REFERRALS FROM COUNCIL:

ORDINANCE NO. 2016-158

AN ORDINANCE AMENDING SECTIONS 1242.07(B), 1258.02, 1258.03 and 1258.06, OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR CERTAIN BUSINESSES AND DECLARING AN EMERGENCY.

Mrs. Barth – Mr. Kolick.

Mr. Kolick – Council referred this over, this enacts restrictions on certain uses that are spelled out, namely, pawn shops, paraphernalia stores, vape shops, vaporizer stores, tattoo parlors, hookah lounges, smoke lounges and vapor lounges. It restricts them to the Restaurant Recreation Zoning Districts and has additional standards for approval of Conditional Uses. That would be the only District that they would be permitted in within the City and Council is looking for a recommendation of this Commission to go back to Council. Thank you.

Mrs. Barth - ORDINANCE NO. 2016-158. AN ORDINANCE AMENDING SECTIONS 1242.07(B), 1258.02, 1258.03 and 1258.06, OF TITLE SIX OF PART TWELVE-PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF STRONGSVILLE IN ORDER TO ESTABLISH REGULATIONS FOR CERTAIN BUSINESSES AND DECLARING AN EMERGENCY.

Mr. McDonald – Move to give favorable consideration.

Mrs. Walker – Second.

Mrs. Barth – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mrs. Barth – Mr. Daymut, you have a favorable recommendation to take back to City Council.

Mrs. Barth - 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.

Charlene Barth, Chairwoman

Carol M. Oprea  _____
Carol M. Oprea, Recording Secretary

Approved