

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

December 2, 2021

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, December 2, 2021 at 5:45 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Edward Pfahl; Brian David and Kim Veris; City Council Representative, Matthew Schonhut; Administration: Assistant Law Director, Daniel Kolick; Assistant Engineer, Lori Daley; Building Commissioner, Michael Miller and Fire Department Representative, Captain, Matt Tilbert.

The following was discussed:

LOCAL BAR: Mrs. Daley stated that is for a patio out front for outside seating for approximately 64 so this is jutting out into the parking lot but we took a look at the traffic flow and I will let Matt talk but Fire looked at is as well and they are okay with that. The City Planner had no problems, they still have enough parking. Mr. Miller stated that they provided vehicle impact protection around the patio. They are using planters that weigh over 3,000 lbs. empty. Once they are filled with dirt that will be sufficient enough to block traffic so we are good. Capt. Tilbert stated that it is in approvable form. We have proper access that we need. Mr. Kolick stated that we want to address with the applicant their hours of operation because this is going to be outside. We want to address if there is going to be any loud speakers or music out there. I know they have live bands come in and I think that door is going to swing open, it doesn't now. Those would be the concerns because it does back up to homes on Cook and then of course there is Wilmington that is behind the building that at least the building will shield it, so those are some concerns. If you think there might be anything with noise or whatever, if you are looking at approving it, make it subject to working with us if there are any noise complaints or anything over there and the hours of operation for the outside area because most of these permits are till 2:00 a.m. Those are the concerns.

TIBURN INVESTMENTS, INC.: Mrs. Daley stated that this is a lot split for the property that was just rezoned a couple of months ago for Parkview Homes the south end of town, Prospect and Drake. They are going to split off the parcel that is going to be at the end of Erwin Drive, Stelfast Parkway and Erwin Drive that is zoned Industrial and split that off so that is will match up with what was rezoned for the residential piece that was left over. From the City Planner it meets all the requirements and from Engineering it is in approvable form. Mr. Miller stated that there was no report from Building. Capt. Tilbert stated that there was no report from Fire. Mr. Kolick stated that this split needed to be done to reflect that addition of the GI that we had there, the 11.25 acres. This will do what the first step is before they can come in with their other plan. It will take the General Industrial out of it which is appropriate at this point.

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STRONGSVILLE COMMERCE CENTER: Mrs. Daley stated that this is for Phase 2 of for the building that we just approved, Phase 1 at the last Planning Commission meeting. They did get the Old B&O site on Royalton. They did get their Army Corp. Permit so now they are able to go ahead with Phase 2 so we are good from the City Planner and Engineering. Mr. Miller stated that Building was good with everything which was approved on the first phase. Capt. Tilbert stated that they were good with everything but there would need to be multiple Knox boxes because of the size of the building and the different buildout and multi-tenant spaces, so it is in approvable form. Mr. Kolick stated that any approval should be made subject to the Fire Department report as read tonight. It is the second Phase, the only hold up before was the Army Corp. permitting and we thought they would not break free till February but they got theirs. Mr. McDonald asked if this would be one contiguous building. Nobody will ever know that there was a Phase 1 and Phase 2 except on the plans. Mr. Kolick stated that was correct. Mr. Kolick stated that the Law Department needed the final easements for the sewers on Rt. 82.

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

Roll Call:

Members Present: Mr. McDonald
Mrs. Walker
Mr. Pfahl
Mr. Veris
Mr. Schonhut
Mr. David

Also Present: Mr. Miller, Asst. Bldg. Com.
Mrs. Daley, Asst. Engineer
Mr. Kolick, Asst. Law Dir.
Cpt. Tilbert, Fire Dept. Rep,

Carol Brill, Recording Secy.

MOTION TO EXCUSE

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mayor Perciak for just cause.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes
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APPROVED

REVISED AGENDA

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

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

Mrs. Walker – 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 November 18, 2021. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

LOCAL BAR/ David Grootegoed, Agent

Conditional Use Permit pursuant to C. O. Sections 1258.03(a)(3)(A)(7) and 1242.07(b) to allow Local Bar to utilize approximately 713 SF as an outdoor patio with a maximum seating of 64 for property located at 14751 Pearl Road, PPN 396-19-001 zoned General Business.

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

Mr. Shuba – Rick Shuba, 18989 Bears Paw Lane, Strongsville and I am one of the partners at the Local Bar. With purchasing the Local Bar last year, we looked at it and hoped to expand on it a little bit. We are doing fairly well there and hopefully for the community we are okay and looking to put a patio on the outside there. Had an architect look at it to make sure these things would flow through fairly easy and we understand that we had to come in front of you guys and explain why we need it as most places now need these outdoor spaces to succeed or at least to survive in some cases. We are really hopeful that that would help us also. Looking to do it also aesthetically, I think it is going to look nice for the front of that building in kind of a dead

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area. I live in Strongsville and have for 20 years, worked in Strongsville for most of those also and know that area, that little plaza and as we all know it is kind of a weird place. It is set back, its kind of an odd place where things have gone in and out of and we are hoping to be a little bit more consistent and adding that in and hoping that helps us grow this business.

Mr. McDonald – Is there anyone else that wishes to speak in favor?

Mr. Kuzlempkic - Kevin Kuzlempkic, 16435 Walnut Creek, Strongsville.

Mr. McDonald – Is there anyone else that wishes to speak in favor? Anyone wishing to speak against this?

Mr. Blankenship – Pilton Blankenship, 18827 Cook. We do have issues with the bar all the time. It is loud, even without the patio out there. They come outside to smoke, whatever they are doing in the front without the patio, after 9 or 10:00 p.m., the noise travels, you can not get to sleep some nights. Its insane and I can just imagine if you are going to put 70 to 80 more people outside what it is going to do to the neighborhood. We live right behind it; my house is the one directly behind it and we have to go sometimes and close up all the windows or turn some music on inside to drown their noise out. You said something about speakers outside, without the speakers, when the doors are open when the live music is there, it echoes through the whole neighborhood, you can hear it. I just don't think it should be done. We live in a neighborhood that we understood when we moved in there that there was some business around it. I have been there for 22 years and really have a couple of issues with previous owners before Bilo had it, things like that but it still gets noisy. We try to deal with it, we try not to complain but if you are going to put a patio out there it is going to make it worse. That is all I have. Thank you.

Mr. McDonald – Is there anyone else that wishes to speak against this?

Mr. Kushner – Braham Kushner, 186 Southport, Strongsville. My spouse, Debbie owns the property. We live there, I got this notice and I need two clarifications but I understood that the extension is going to be on the front of the Local Bar on the Pearl Road side and not on the back end facing South Porte. Two, I apologize because I am not sure if smoking is permitted on bar patios. I would like to understand if the bar is going to allow that because 15 or 20 persons doing, I would like to understand that point. I also have a letter from the Homeowners Association. I took this notice to the Homeowners Association to understand if they received it and understand their input about it and they gave us a letter, after discussing with the homeowners. I just wanted to present this letter to the Commission.

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Mr. Kolick – Okay, why don't you turn the letter in or at least let us know what it says.

Mr. McDonald – You can read it for us if you like or I can read it. Alright so from Southport Homeowner's Association, dated November 24, 2021 to the Strongsville Planning Commission. The Southport HOA is submitting this letter regarding the request for the Local Bar to add an outdoor patio. Our concern is that the outdoor patio must be in the front (west side) of the Local Bar and not at the rear (east side) of their building. A patio at the rear of their building would cause major privacy issues and noise and pollution problems for our homeowners. If additional information is needed, please contact one of the names listed below and it is signed Respectfully, Cher Helman. Can we have this?

Mr. Kolick – We need it for the record once you read it in.

Mr. Kushnar – That concludes my point.

Mr. McDonald – Is there anyone else who would like to speak against this?

Mr. Kolick – Mr. Chairman why don't we have the applicant come up and we can follow up on a couple of those things.

Mr. McDonald – Lets go through the Administrative reports and then we will address those issues.

Mr. Kolick – Either way.

Mr. McDonald – Okay so let's close the Public Hearing and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner this shopping center was previously granted a parking variance of 150 spaces, with that variance the subject site will exceed the parking requirements even with the proposed patio addition and approval is recommended. From Engineering it is in approvable form. Thank you.

Mr. McDonald – Thank you. Mr. Miller.

Mr. Miller – From Building it is in approvable from. Thank you.

Mr. McDonald – Thank you. Captain Tilbert.

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Capt. Tilbert – Thank you Mr. Chairman. It is also in approvable form from the Fire Department. Thank you.

Mr. McDonald – Thank you. Mr. Kolick.

Mr. Kolick – Maybe for the applicant, what will the hours of operation be for the outside patio?

Mr. Shuba – That is a great question and in listening to the person's concern on Cook, I could understand where he is coming from. In fact, without volunteering too much, I think that something may need to be looked at over there as far as fencing possibly along that entrance way to the back of the building along Cook and I think that is right behind your house, I think. I do believe that if he is having an issue with this then that should be addressed personally. I don't think it would be fair for us to continue without making sure that they are somewhat satisfied. Not that I am pulling this off the table by any means but what I am saying is that our plans might need to be looked at again with some kind of barriers or trees or whatever to satisfy him a little bit. As far as operation on the patio, I don't know. I have not had an opportunity, I know Johnny J's is a very similar patio as we are looking to put in and I would like to see a little bit further in what they are doing and what might be possibly working for them and what might not be working for them. That could be done a couple of different ways, talking to some residents, talking to those guys up there. I don't think I'd have a very difficult time speaking to other people about the center up there that have more knowledge than I do. I do know that with the 10 p.m. noise ordinance, there are going to be glass doors on the front of the building. All that would be closed by then, as it should. We're also considerate of the neighborhood being part of the neighborhood. I don't want to leave anybody out in the cold. I don't have a definite answer for you at this point.

Mr. Kolick – Aren't you also proposing a glass door that would open out to the patio.

Mr. Shuba – Yes, numerous doors. Those doors would be closed at 10:00 p.m. The patio though, you asked how long the patio would be open. I know that most patios are open till 10 to Midnight. They are not open usually the full operating hours of the bar. I would say probably somewhere in that range. I would think that most of them are Midnight. They don't close at 10:00 p.m. in case you have a late Browns Game or whatever you may have.

Mr. Kolick – Are there any loud speakers out there?

Mr. Shuba – No, absolutely not. We will have audible noise. You'll have slight music, you'll have TV if you have a game on or something like that, you will have some kind of

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noise but we are not looking to have bands out there or entertainment or anything like that. We are looking for basically a smoking area for our customers to sit and have their cocktails out there.

Mr. Kolick – Mr. Chairman it may be appropriate for them, we can keep this going but for them to meet administratively with our people to see what they can do either by mounding or fencing or something on this side at least behind the houses on Cook. The other gentlemen's concern, the patio is in front of the building, it is not behind the building so I don't think it will have as much effect on those people on Wilmington and Southport. Cook would seem to be the major concern if they already have noise problems there.

Mr. Shuba – I was not aware of that and I apologize to you. I will share my information with him.

Mr. Kolick – It may be appropriate if you meet administratively with our people because if they do go for some kind of sound barrier or something there you have to go through some administrative procedures with ARB and all that anyway before you come back here. We can continue this. Why don't you look at those things and also submit then what hours the patio would be in writing to us along with any changes you put into the plans and they may have some other ideas about what we are going to do to deaden the noise. Fencing or mounding or whatever. It would probably be the best thing to do and then bring them back, we can just table this tonight.

Mr. Shuba – I would rather do it the right way, like you said. I am 100% good with that, making sure that everybody is, nobody is ever going to be completely satisfied and we understand that but we want to make sure that if he already has a problem with things now he is definitely going to have a problem with it and he should. He is part of our community and there is no way anybody should have to deal with that so we'll do our best to try to put something together.

Mr. Kolick – We want to work with all the businesses and especially with Covid now you need these outside areas anymore to survive. It is not that the City is against them we just want to do it correctly so why don't you take that time, develop with our administrative people and come up with a plan to at least deaden any noise that will be out there.

Mr. Blankenship – I am not objecting to Friday and Saturday night, I understand, I am not stupid. It is during the week with the noise when I am having to get up and go to work at 6:00 a.m. Friday night, Saturday night if they want to stay open till midnight I would not object to that. It is just during the week when everybody has to work. I do

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pretty dangerous work, I am up in the air with power lines all day so I have to be awake.

Mr. McDonald – Okay so let's do that, we will table this, work out the arrangements administratively with Carol.

Mr. Kolick – You can contact Carol to set up a meeting with Engineering and our City Planner and Building Department to see the best way to handle it.

Mr. Shuba – Yes, thank you.

NEW APPLICATIONS:

TIBURON INVESTMENTS, INC.

Parcel Split of PPN 394-14-001 located between Prospect Road and Foltz Parkway, zoned R1-75, RT-C and General Industrial.

Mr. McDonald – Item Number Two, Tiburon Investments, please step forward and state your name and address for the record.

Mr. Bender – Chris Bender, agent for Tiburon Investments, 22700 Royalton Road, Strongsville 44149.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, this request is for the approval of a lot split plat. Both lots will comply with the minimum requirements of the respective zoning districts and 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 – Capt. Tilbert.

Capt. Tilbert – Thank you Mr. Chairman. From the Fire Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

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Mr. Kolick – Thank you Mr. Chairman. This comports with the rezoning that was done so you are in a position to approve it. Thank you.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel Split of PPN 394-4-001 located between Prospect Road and Foltz Parkway, zoned R1-75, RT-C and General Industrial.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

Mr. Bender – Thank you very much. It is nice to be back and I hope see you several times this year and best of the holidays and everybody stay healthy. See you in January.

STRONGSVILLE COMMERCE CENTER/ Jeff Plautz, Agent

Site Plan approval of a 84,592 SF Industrial Building known as Phase II for property located at 21075 Royalton Road, 393-03-001, 012 zoned General Industrial.

Mr. McDonald – Item Number Three, Strongsville Commerce Center, please step forward and state your name and address for the record.

Mr. Ambrose – Ross Ambrose, 1011 East Tuey Avenue, Just Planes, Illinois.

Mr. 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 plans are in approvable form. From Engineering the plans are in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Miller.

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

Mr. McDonald – Capt. Tilbert.

Capt. Tilbert – Thank you Mr. Chairman. From the Fire Department, just multiple knock boxes that we spoke of, other than that it is in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. In addition to the Fire report there is one other thing, they had to install the sewer that goes from this project going west all the way out to Avery. We need to get a formal easement from them once all that work is done. Any approval tonight should be made subject to that easement and subject to the Fire Department report this evening. I think they are fairly well along to doing it but it is just not done. Thank you.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site Plan approval of a 84,592 SF Industrial Building known as Phase II for property located at 21075 Royalton Road, 393-03-001, 012 zoned General Industrial subject to the Fire Department report read this evening and the easement as discussed this evening.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

Mr. McDonald – Before we adjourn I would like to thank Mr. Schonhut for his years of service and contributions to Planning Commission. He did a nice job and I hope you train your successor as well.

Mr. Schonhut – One could only hope and I will miss everybody here.

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Mr. McDonald – I also want to thank Carol, thank you for everything you have done for us and I know that this is short notice but we missed our drink last year and since we will not be meeting again until January I intend on heading over to Square 22 so anyone who wants to join me I would be happy to buy a round. Seeing no other business, we are adjourned.

Greg McDonald, Chairman

Carol M. Oprea

Carol M. Oprea, Recording Secretary

Approved