

# STRONGSVILLE PLANNING COMMISSION

## MINUTES OF MEETING

May 10, 2018

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, May 10, 2018 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; Administration: Assistant Law Director, Daniel Kolick, Building Commissioner, Anthony Biondillo, and Fire Department Representative, Randy French.

The following was discussed:

**EDGEBROOK SUBDIVISION:** Mrs. Oprea stated that this application is for approval of a lot split and consolidation that would transfer a small portion of the common property into subplot 4A. The common area still complies with the City requirements and the City Planner recommends approval. From Engineering the plat is in approvable form but there is a note; the existing access easement to the retention basin will now be partially located on subplot 4A. The retention basin is to be cleaned out prior to any building permit being issued for a new house construction on subplot 4A. Mr. Biondillo stated as far as the subdivision I have no report. I do want to convey that we have received a bunch of complaints from a lot of the residents within Edgebrook concerning the condition of the landscape and the obligations between the builder and the developer as far as providing proper landscaping before this is turned over to their Homeowner's Association. Mr. Bailey, right now is the builder responsible for all of the landscaping on the sublots themselves? Mr. Bailey stated that he did all the common areas, it was inspected, I did that for a year, I went through it with a landscaper and with the City and replaced anything that was my responsibility that is all done. The problem they are having is with the builder as far as I can determine. A lot of it has to do with the grading on those tight lots and water sitting between homes and the grass can't grow. It's very difficult to do that all by machine and a lot of these guys don't want to do any hand work and I have built a lot of these in the City and you have to do hand work between the units to get the water to drain properly and get the right grades. I don't know, does the City still do a final grade check? Mr. Biondillo stated yes. Mr. Bailey stated that is what happens in some instances is that you will do the final grade check and they will sit through the winter and you will silt in and it is becoming a problem. Although I have no responsibility or I can't do much about that, that is a relationship between the builder and the owners, I heard just about this yesterday for the first time. I have never talked to a homeowner in Edgebrook that has ever called me. I told them that I would be willing to attend a meeting if they wanted me to, between the builder and the owners and the management company. The management company is not responsible to get the builder to do things. It is similar to having somebody's shutters fall off the house so to speak. It is the same idea, they contracted for a home to be built, landscaping to be

put in properly and they are not happy with the builder. I would be glad to go and see what is going on. Mr. Biondillo stated that he would like that as well. He would like to have an opportunity to go out there with Jennifer. I was out there walking the site today and there are a number of trees within those common areas that need to be replaced. Mr. Bailey stated that if they are dead then they just died because they were all replaced, in fact I replaced them twice. Mr. Biondillo stated that it is an issue as far as the builder and developer are concerned. Just the fact that we are in northeast Ohio, we had 40 of these going up at one time trying to get done and graded so they are behind as far as that is concerned. Those are just some of the concerns that some of the homeowners expressed to me. With this moving forward I think this is the last lot to be built out. Mr. Bailey stated that there were two remaining. Mr. Biondillo stated that as soon as they are 100% sold out you turn that over to the association. Mr. Bailey stated yes. Mr. Biondillo stated that he would like to have an opportunity to go out there with our City Forester, look at this, make sure everybody is comfortable with it and then bring back a positive report to Planning. Mr. Kolick asked if this lot was going to that same builder. Mr. Bailey stated that it was. Mr. Kolick stated that we need to hold this builder's feet to the fire. Maybe we should just table this for tonight. Mr. Bailey stated that these guys have a house sold here, you denied them a variance. This is the same issue that Parkview Homes came here with. Mr. Biondillo stated that they were denied a variance because they were trying to put a house on a lot that did not fit the lot. You platted the lot that way, so that was no fault of the City. Mr. Bailey stated that there was four others platted like that that homes got built on. Mayor Perciak stated that we were going to table this tonight, get it fixed, come back because we are the ones ... Mr. Bailey stated that he was going to fix anything that I have to do but I am not responsible for the builder. Mayor Perciak stated that if he has a customer for this parcel, let him do what he needs to do and then we are going to do what we need to do here. Mr. Bailey stated that he would never be able to do this in time. Mayor Perciak stated that was their problem. Mr. Bailey stated that it is their problem but how can they do landscaping in the wet? Mr. French stated that there was no report from the Fire Department.

**GILL'S BEVERAGE:** Mr. Kolick stated that this is the old First Merit Bank on Progress. Mrs. Oprea stated that the applicant proposed to enclose a former drive thru area on the west side of the building and also to add a 954 SF addition on the south side of the building. The proposed site plan incorporates the Pearl Road Corridor streetscape requirements and complies with the minimum building setback and parking requirements of the Zoning Code. It received a favorable recommendation from ARB. From the City Planner approval is recommended. From Engineering the plans are in approvable form. Mr. Biondillo stated that it did receive ARB approval. We had some discussion earlier today but are you pulling that overhang back a little bit further from this side to be more in line with the column lines? Mr. Zarzycki stated that roofline does extend out beyond that column. Mr. Biondillo stated he did not know if that was the

intends to pull it back, we don't have the architectural plans on that yet. Mr. Zarzycki stated that was not the plan. Mr. Kolick asked if that was a concern. Mr. Biondillo stated that it may be, we may look at maybe angling these parking spaces a little bit more. I think you have adequate parking. I am more worried about vehicles coming around that corner and possibly clipping the corner of that, either that or we could put some additional bollards there on the corner. Mr. Kaminski stated that he agreed and that he had seen a truck with that issue the other day. Mr. Biondillo stated that as far as the building, it met all of the requirements of the ARB. I did check along the back side, the north side of that building, you do have some wall packs on there, just want to make sure that those are operational at the time of all of our inspections. That is the only lighting you have along that northern drive that wraps around the building. Mr. Zarzycki, we did get lighting plan approval. Mr. Biondillo, yes it does meet the requirements I just wanted to make sure that those are functional. Mayor Perciak stated that the applicant should work with the Building Department. We want this to be a productive site as soon as possible, it is not doing anybody any good sitting there idle. Former bank buildings are not in demand these days. Mr. French stated that from the Fire Department, in regards to the site plan, we request that the applicant install a Knox box on this building for emergency access. Mr. Kolick stated that it is in approvable form, you can act on it subject to the Building and Fire Department reports.

**ORDINANCE NO. 2018-062 and 063:** Mr. Kolick stated that these ordinances relate to one project on the corner of Webster and Rt. 82. This corner parcel is the Hofer Garage that has been sitting there. What was the driving force behind this is Get Go came in and wants to put a gas station that wraps around this corner parcel. Part of it is zoned Local Business which would have to go to Motorist Service. Part of it is zoned R1-75 which would have to go to Motorist Service and the remainder of this parcel, part of which is R1-75. Single Family part of it is Local Business, including all the way up to here. they are going to transfer it to the Metro Parks. So this will be all part of the Metro Parks. They are coming in to accept it so that is what we are looking at acting on. They have to put it into two ordinances because the R1-75 section has to go onto the ballot for the voters. Anything that changes from R1-75 to any other district has to go onto the ballot so you have two ordinances but they are both in referenced to the same project so typically what we do in the Law Department is, we'll act on both your recommendations here this evening. When it gets to Council they'll hold up acting on the one that doesn't need to go to the voters until we see if the first one passes on the ballot. Mayor Perciak stated that he recommended a favorable recommendation on both ordinances. Mr. Kolick stated that as long as Mr. Catanzarite was here, we had one question from the Planning Department, they wanted to know, I know that the Get Go is going to wrap around that, what is going to go into the parcel where the station is, the Hofer parcel? Mr. Catanzarite stated that nothing would go there, it would be landscaping, low level landscaping. Mr. Kolick asked if they were knocking down the

building. Mr. Catanzarite stated that would be going away. Mr. McDonald asked if that parcel would be under Get Go control. Mr. Catanzarite stated that it would, it would be one lot. Mr. McDonald stated that they just weren't showing it here because it is already zoned appropriately. The Get Go representative stated that the property would be owned by a related entity just like the Market District. Mayor Perciak stated that it would have to pass City wide but it has to definitely pass in Ward one. If it passes everywhere else and it doesn't pass Ward One it is defeated. Mr. McDonald stated that they were taking a place that looks like a dump and were going to turn it into something nice. Mr. Catanzarite stated that the Park will get 25 acres of land.

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. David Mayor Perciak
	Also Present:	Mr. Biondillo, Bldg. Com. Mr. Kolick, Asst. Law Dir. Mr. French, Fire Dept. Rep,  Carol Oprea, Recording Secy.

**MOTION TO EXCUSE:**

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mr. Schonhut for just cause.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

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.

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 April 26, 2018. If there are no additions or corrections they will stand as submitted.

### **NEW APPLICATIONS:**

#### **EDGEBROOK SUBDIVISION/ Dan Bailey, Agent**

Re-subdivision of PPN 392-24-015 also known as Sublot 4A located on Edgebrook Drive zoned RTC.

Mr. McDonald – Item Number One, Edgebrook Subdivision. Seeing that we do not have anyone in the audience to represent the applicant we will now listen to the Administrative Reports, Mrs. Oprea.

Mrs. Oprea – Thank you Mr. Chairman. The new subplot 4A will be slightly larger and will still comply with all of the applicable Code requirements. The common area will also still comply. The transferred land will still be subject to the retention and access easement but will be owned by an individual, and from the City Planner approval is recommended. From Engineering the plat is in approvable form. A note to the Planning Commission; the existing access easement to the retention basin will now be partially located Sublot 4A. The retention basin is to be cleaned out prior to any building permit being issued for a house construction on Sublot 4A. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, I request that the Planning Commission possibly table this issue until I have an opportunity to meet the Developer, the Builder, the City Forester and myself on site. This is getting ready to

be turned over to the homeowners and there are significant deficiencies in their required landscaping and quality of landscaping material for the development. Until we have an opportunity to meet both the Developer and Builder and access it I ask that we possibly table this. Thank you.

Mr. McDonald – Mr. French.

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

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. In our packets there are a number of letters you will see from individuals on this project, which we really need to look at. Additionally they needed to do an amendment to Covenants and Deeds. It is unusual but the way this was set up this developer has control over that Homeowners Association. Normally it would be the Homeowners Association that would be giving approval but he still controls it so I think it would be appropriate to table this. There are question about access, ingress and egress and it is going to be over a now private lot to get in there. It is something that we really need to take a look at so I think that tabling it would be proper and hopefully they can meet with our Building Department and our City Forester and get this area cleaned up. We should show on the record that the developer was in the Caucus Room and is made aware of the fact that these items need to be taken care of before we will put this back on the Agenda again.

Mr. McDonald – Are there any questions or comments? We will table this Item until the administration has had an opportunity to work out these details with the parcel with the developer and builder.

**GILL'S BEVERAGE/ Robert Zarzycki, Agent**

Site Plan approval of a 1,972 SF addition for Gill's Beverage for property located at 11654 Pearl Road, PPN 392-26-002 zoned General Business. *\*ARB Favorable Recommendation 4-10-18.*

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

Mr. Zarzycki – Robert Zarzycki, Architects, 7500 Pearl Road, Middleburg Heights, Ohio.

Mr. Potroos – Hany Potroos, 8446 Hunting Drive, North Royalton, Ohio 44133

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

Mrs. Oprea – Thank you Mr. Chairman. The applicant proposed to enclose the former drive thru area on the west side of the building and also to add a 954 SF addition to the south side of the existing building at 11654 Pearl Road. The proposed site plan incorporates the Pearl Road Corridor Streetscape requirements and received Architectural Review Board favorable recommendation. From the City Planner, the plans comply with the minimum building setback and parking requirements of the Zoning Code and approval is recommended. From Engineering the plans are in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form subject to my comments in the Caucus. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, we request that a Knox box be added to the exterior of this building for emergency access. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We will note some of the comments in the Caucus, you may need some additional bollards around that building if you don't pull back that overhang or possibly angle that parking. You work with our Building Department and they can work with you to take care of that. The other thing is if you receive approval here tonight, the quicker you can get in the detailed building plans, the quicker we can act on your liquor permit. We've been sort of holding that in abeyance until we get your building approved and I want you to, by the time you open for business have that process through so please get your building plans in as quick as possible so that we can act on that. With that you can act on this matter subject to Building and Fire Department reports as read here this evening.

Mayor Perciak – What is the timeline on this?

Mr. Zarzycki – Drawings a couple of weeks away. We've been working on them and are progressing. Probably will be in before the end of the month for permit.

Mayor Perciak – When do you have to vacate the other premises?

Mr. Potroos – I have until March 2019 but I wish to move as soon as possible.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site Plan approval of a 1,972 SF addition for Gill's Beverage for property located at 11654 Pearl Road, PPN 392-26-002 zoned General Business, subject to the reports of the Building and Fire Departments as read this evening.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**REFERRALS FROM COUNCIL:**

**ORDINANCE NO. 2018-062**

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 Royalton Road and Webster Road, in the City of Strongsville from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification (Parts of PPN's 398-28-007; 398-28-009 and 398-28-010); and from R1-75 (One Family 75) Classification to MS (Motorist Service) Classification (Part of PPN 398-28-007) and Declaring an Emergency.

Mr. McDonald – Mr. Kolick.

Mr. Kolick – These are two ordinances companion ordinances, dealing with the corner of Webster and Rt. 82 that were spurred on by the request of Get Go to put its establishment there around the corner there where the Hofer Station is now. What this would encompass is a rezoning of a small area of R1-75 to MS. The remaining portion of the R1-75 and part of the LB would then be going over to Public Facility. We have met with the applicants, we met with the Cleveland Metro Parks who is willing to accept that and make it part of the Metro Parks area so we are asking you to make your



recommendation tonight and we can move this to City Council. Just noting; the applicant is aware Ordinance 2018-062 would need to go on the ballot because it is zoned R1-75, it would need to pass City wide and within the Ward to be approved. We are ready to give a recommendation this evening if the Commission so desires. Thank you.

Mr. McDonald – Are there any questions from the members? I see that the applicant is here, do you wish to talk about this?

Mr. Catanzarite – Nick Catanzarite, 1301 E. 9<sup>th</sup> Street, Cleveland, Ohio. Representing Get Go and Giant Eagle. I just wanted to quickly summarize what Dan said and elaborate on that. I think everyone has a picture of the four areas that need to be rezoned. Get Go would just be occupying the portion that would be left Motorist Services. The rest of this land would be transferred and purchased by the Metro Parks via a grant that they are getting and conserved as a bat habitat and potentially other uses in the future. It is approximately 25 acres. You have a combination of, currently zoned Local Business and R1-75 land totaling 25 acres that would be converted and rezoned to Public Facility and conserved in perpetuity most likely. We view this project as a whole as a tremendous benefit to the City. Number one, you get the corner cleaned up which has been an eyesore for quite some time. You get a new business established and you get 25 additional acres of parkland. For those reasons we believe that the rezoning is appropriate and two of these issues must go to the ballot so we are all in a wait and see approach but we are happy to answer any questions you may have.

Mr. McDonald – Thank you. Are there any questions? Seeing and hearing none, ORDINANCE NO. 2018-062. 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 Royalton Road and Webster Road, in the City of Strongsville from R1-75 (One Family 75) Classification to PF (Public Facilities) Classification (Parts of PPN's 398-28-007; 398-28-009 and 398-28-010); and from R1-75 (One Family 75) Classification to MS (Motorist Service) Classification (Part of PPN 398-28-007) and Declaring an Emergency.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

**ORDINANCE NO. 2018-063**

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 Royalton Road and Webster Road, in the City of Strongsville from LB (Local Business) Classification to PF (Public Facilities) Classification (All of PPN 398-28-002; and parts of PPN's 398-28-007; 398-28-009 and 398-28-010); and from LB (Local Business) Classification to MS (Motorist Service) Classification (Part of PPN 398-28-007) and Declaring an Emergency.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

Mr. McDonald – You are all set. We will send a favorable recommendation to back to City Council.

Mr. McDonald - Any other business to come before this Commission this evening? Seeing none, we are adjourned.

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Greg McDonald, Chairman

*Carol M. Oprea* ✓  
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Carol M. Oprea, Recording Secretary

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Approved