

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

June 27, 2019

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on ***Thursday, June 27, 2019 at 5:30 p.m.***

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Edward Pfahl and James Kaminski; 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:

There was general discussion with the Commission members regarding applicants that do not attend meetings for their projects.

STRONGSVILLE BURGER IM: Mr. Kaminski asked what the IM stands for. Mr. Kolick stated that they are from Israel and means something in Israeli and that there as an article in the paper about it. Mrs. Daley stated that this application is going into the Ledgewood Plaza, it is in the vacant storefront next to the canopy. They are putting in seating for 40 on the inside. Since everything is happening inside the building and nothing with the parking the City Planner had no issues with any of the setbacks and from Engineering there is no report. Mr. Miller stated that from the Building Department it is in approvable form pending the waste oil containment system either inside in an approved container or outside underground. Mr. French stated that they will need a hood fire suppression system for this because this will produce grease laden vapors. This plaza does not have a knox box on it so we would like to have a knox box added to this plaza. Mr. Kolick stated that there was a mix up between them and the Building Department and they did not show up last time. I am not really faulting them for not being here. You can probably move it on but if you are going to approve it it should be made subject to the Building and Fire Department reports. Mr. McDonald asked what the issue is on why they are not here. Mr. Kolick stated that he did not know why they would not be here tonight. They got a letter from the Building Department as I understood it that said that they were approved for their Building Permit. Mr. McDonald asked if that was after the last meeting. Mr. Kolick stated that it was before the last meeting. Mr. Miller stated that for some reason there was something in the policy in our department prior to the last meeting that let that go through without getting the Planning Commission approval and that has since been changed. They were notified they had to be here. Ms. Brill stated that she called the applicant the day after the last meeting and had a conversation with him. He was very unhappy because in his mind he was approved and I explained to him that there was an error. He read me the letter and I said that it was extremely important that he needed to attend the Planning Commission

meeting and that he would not be given a permit to do any work on the site until after the Planning Commission meeting. I told him about the new times and again today I called his cell phone and left a message and I followed up with an e-mail and said the same thing, that he must attend the meeting in order to get approval. Mr. Miller stated that his permit was on hold so even though it has been approved, it has not been issued. Mr. McDonald stated if the applicant did not come he did not want to move on this. Mr. Kolick stated that he wasn't here the first time because really it was our fault and if there were issues with this, major issues I would say let's not do it but to make him come back another time but whatever the Commission wants to do, you are within your legal authority to do it but I don't know how long we want to hold him up. Ms. Brill asked if there was a time constraint from when he filed the application and what was it. Mr. Kolick stated that there was and we are still within it but we have to act on it at some time or it will be deemed to be approved. Mr. Kaminski stated that he agreed with Mr. McDonald, it would be nice if they showed up to get the approval but at the same time if there are no issues I guess we should move forward. Mr. McDonald stated that he was concerned about the overall process. We are breaking the process, doing something unique. A year from now we have problems, everybody goes through this process, everybody comes in front of Planning Commission for approval. So be it that there was a mix up, he was advised to show up for the meeting. Mr. Pfahl stated that he agreed with that because you are wavering off somebody and you say okay and then the next one says that he can't make it and all of a sudden you have everybody saying they can't make it. We have a process and it should be followed. If they choose not to come then they are delayed and at some point they are going to say I better get in there. Mrs. Walker stated that she thought that consistency is the best policy. If everybody has to do it, you just say well I don't want to come, you shouldn't be able to move on. Mr. Schonhut stated that the Commission has been there longer then he has and was not aware if people have not shown up in the past, it's not a tough thing, it is not a huge rezoning or anything like that. It's a balance of what is good in trying to do business and fill a retail spot in town versus wanting to be here. I understand the hesitation but I am assuming we have had conversations with them in-house on an administrative level between Building and everything. I weigh both sides of that I guess.

GIANT EAGLE, INC.: Mrs. Daley stated that this application is for a split and consolidation on the corner of Webster and Royalton for the Get Go that is going to be going in there. This was rezoned about a year ago. The large parcel that they have, Parcel A, that is all zoned Public Facility now and going to be deeded over to the Metro Parks from what I understand. So this split creates that large parcel. The parcel on the corner is now zoned Motorist Service, so this is where the Get Go will be located and then one other single family parcel is going to be created on Webster with this lot split and that is fully zoned R1-75. All of the parcels that they are creating meet their respective zoning requirements and it is in approvable form from Engineering. Mr.

Kolick stated that the parcels are now single zoned, there is no more split zoning. This cleans up all of what we were looking for here. Mr. Schonhut asked if the single family parcel already had a house on it. Mrs. Daley said it did not. Mr. Schonhut stated that it was a buildable lot. Mr. Kolick stated that they had talked at one time there was a caretaker or something that was living down here, their caretaker for the Trust and they were going to move him over to Webster Road so that may be what is happening but I don't know that for sure but it is zoned Single Family and it meets the 100 foot width and so it meets all the requirements of Single Family. Mr. Schonhut stated that it abuts up to where Get Go is? Mrs. Daley stated that it was not, that it is to the north. Mr. Kolick stated that where it states Parcel C, on Webster, that is the new parcel. Mr. McDonald asked if these were existing residential lots. Mrs. Daley stated that they were and pointed out on the plat what lots were existing. Mr. Kolick stated that all the other ones have single family homes on them. Mr. McDonald stated that the PF comes all the way to Webster. Mr. Kolick stated that it goes to Webster and Royalton. Mr. Schonhut asked if the parcel in the bottom corner was separate. Mrs. Daley stated that it was where Hoffers was and that is what this plat does, it consolidates that little piece into a larger one. Mr. Kolick stated that Council passed a second ordinance after the R1-75 went through rezoning that to MS so now it conforms with the zoning lot lines which is what we want. Mr. Schonhut stated that he recalled that they said they weren't going to develop anything on that particular corner parcel, is that still true? Mr. Hunt stated that was correct. Mr. Miller stated that there was no report from Building. Mr. French stated that there was no report from Fire. Mr. Kolick stated that the Commission could act on this matter.

Mr. Kolick stated that we needed to add a motion to the Agenda to give the Chairman some discretion in setting the Caucus before the 6:00 p.m. Meeting based on the length and Items on the Agenda.

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. Kaminski
Mr. Schonhut

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.

MOTION TO EXCUSE:

Mr. Pfahl - Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

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

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 June 13, 2019. If there are no additions or corrections they will stand as submitted.

PUBLIC HEARINGS:

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 One, Strongsville Burger IM, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Musa – Haithem Musa, 5727 Gateway Lane, Brook Park, Ohio 44142. The project is a franchise. They have been franchised in the US for a few years. They just started getting big now. There are quite a few locations that will be in the Cleveland area and Strongsville is one of them.

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, since the proposed restaurant would be located within the existing building and no changes are being

proposed to the parking lot, there are no setback or site plan issues associated with this request and approval is recommended. 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 subject to the following comments; Waste Oil (used cooking oil) shall be stored in an approved container within the space or in an approved underground container if stored outdoors. Above ground storage of waste cooking oil is prohibited. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, per the Fire Code, cooking appliance hood will require a dedicated fire suppression system. It is approvable subject to the Fire Department review of the final submitted plans that conform to the Ohio Fire Code and Strongsville Fire Code. This plaza will need to have a knox box for after hour's emergency Fire Department access. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. We are in a position to act on this, if an approval is forthcoming it needs to be made subject to the Building and Fire Department Reports this evening. Thank you.

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

Mr. Pfahl – Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

Mr. Pfahl – I move to give favorable consideration for 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 subject to the reports of the Building and Fire Departments.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

NEW APPLICATIONS:

GIANT EAGLE, INC. / Nick Catanzarite, Agent

Lot Split and Consolidation for PPN's 398-28-002, 006, 007, 009 and 010 property located on the northwest corner of Royalton Road and Webster Road, zoned Public Facility and Motorist Service.

Mr. McDonald – Item Number Two, Giant Eagle, Inc., please step forward and state your name and address for the record.

Mr. Hunt – Todd Hunt, Walter Haverfield, 1301 E. 9th St., Cleveland, Ohio. I think it is pretty straight forward, the lot split and consolidation plat that is before you and as reported in Caucus, I believe all zoning requirements have been met for the lot split and consolidation.

Mr. McDonald – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.
Mrs. Daley – Thank you Mr. Chairman. From the City Planner, Parcel "A" is a consolidation of several existing parcels to create a parcel of approximately 25.3 acres zoned PF Public Facilities District and is intended to be used by the Metroparks. Parcel "B" is a new 4 acre parcel that is zoned MS Motorist Service District that is intended to be used for the proposed gas station. Parcel "C" is a new buildable parcel consisting of 20,000 square feet in area with 100 feet of frontage on Webster Road. This parcel is zoned R1-75 Single Family Residential District and will conform to the minimum lot requirements of the R1-75 Single Family Residential District. Approval is recommended. From Engineering the lot split and consolidation 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 – 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. We are in a position to act on this matter this evening. Thank you.

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

Mr. Pfahl – Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

Mr. Pfahl – I move to give favorable consideration for Lot Split and Consolidation for PPN's 398-28-002, 006, 007, 009 and 010 property located on the northwest corner of Royalton Road and Webster Road, zoned Public Facility and Motorist Service.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called All Ayes APPROVED

Mr. McDonald - Any other business to come before this Commission this evening?

Mr. Pfahl – Mr. Chairman.

Mr. McDonald – Mr. Pfahl.

Mr. Pfahl – I would like to motion to Amend our Rules to give the Planning Commission Chairman flexibility in scheduling the Planning Commission Caucus start time.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called All Ayes APPROVED

Mr. McDonald – Is there any other business to come before this Commission? Seeing and hearing none the meeting is adjourned.

Greg McDonald, Chairman

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

Approved