

STRONGSVILLE PLANNING COMMISSION

MINUTES OF MEETING

August 24, 2017

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, August 24, 2017 at 7:30 p.m.**

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

The following was discussed:

SWEET FROG PREMIUM FROZEN YOGURT: Mrs. Daley stated that this is going in at the Mall in the old Five Guys spot so they are here for a Conditional Use Permit for the outdoor eating. They are using the same patio that they had for Five Guys I think that they are just adding four more seats, one more table. From the City Planner, there are no issues with it. All the existing fencing, the bollards are all going to remain here. From Engineering there is no report. Mr. Biondillo stated that from Building it is in approvable form. Mr. French stated that there is no report from Fire. Mr. Kolick stated that the Commission could act on this matter.

SOUTHPARK MALL: Mrs. Daley stated that this is the amendment to the Master Sign Program for Sweet Frog. The signs are going into the same places that they were for Five Guys and on the awnings just like Five Guys had so we are just swapping that out for this signage. ARB did give them favorable recommendation and the City Planner is okay with approving that change. From Engineering there is no report. Mr. Biondillo stated it is in approvable form from Building. Mr. French stated that there was no report from Fire. Mr. Kolick stated that the Commission could act on this matter and since it is consistent with what was there it does not need to go to City Council.

LINDA AND TONI MOORE: Mrs. Daley stated that this on Buccaneer Creek Trail and I will defer to Dan on some of the history on this. These are condominiums. Right now this is all one parcel owned by each homeowner, they own just where the footprint of their condominium is that is three parcels and then the surrounding area is the condo association which I understand is no longer around. The representative stated that it was originally designed as condominiums and the developer went under. Three of the units are attached and those are the three that we are trying to do a lot split for. There is a fourth standalone unit. We are trying to remove the condo classification so that it would help out the owners to sell the properties and help them to achieve lending. Mrs. Daley stated that they are going to split them into the three lots that are shown here. This is zoned single family, Residential Single Family so there are a number of

variances that they are going to need. These lots are a lot smaller than what is designed by Code; the setbacks obviously, since they are going to be right on the property line, the building ground coverage area; minimum lot width, so again there are a number of variances that the City Planner points out that will have to be granted by the BZA. From Engineering the plat is in approvable form subject to the BZA granting those variances. Mr. Biondillo stated that from Building it is in approvable form. When these were constructed they would have had to meet a minimum of 1 hour separation between those three units. You could do that with a three family attached single family dwellings. Mr. French stated that there is no report from Fire. Mr. Kolick stated that historically as we noted, this was all supposed to be one condominium association surrounding this common ground in the middle and it probably would have worked if everything would have gone in there after they developed these first three and one other unit here. This is actually three and this one is part of the same association and these are part of a different association. So if they were together it probably would have worked but being as small as they are, they couldn't be and they exceeded the time period in which it could expand it so they couldn't go into one association. They are asking to be broken up, it is unusual, they are going to need a ton of variances to do this. I don't know what BZA will do with it but we can place it before them and see how they are going to handle it. You obviously can't do anything with it until they would grant the necessary variances because there is a zero lot line, they have common walls on these things and they have to have a common wall agreement which I am seeing that they did do some of the initial legal work that needed to be done but we need to see what BZA will do with it so you will need to turn it down tonight. Mr. McDonald stated that they also talked to the Condo Association on the other side to see if they could join but they were not interested.

T-MOBILE: Mrs. Daley stated that this is just an upgrade and removal and replacement of antennas on an existing pole that is located on Alameda. There are no new shelters or anything. The City Planner is good with it. From Engineering it is in approvable form. Mr. Biondillo stated that from Building it is in approvable form. Mr. French stated there is no report from Fire. Mr. Kolick stated that the Commission could act on this matter. We are going to look at some Code changes to see if we can move these out of the Commissions hands so that you don't have to see all of these items in the future but that will take a Code change.

Mayor Perciak stated that a week from today there is a celebrity in the room that will be celebrating his 60th birthday. I don't want to forget about our Building Commissioner, Tony Biondillo so a week from today I am sure you will be celebrating I am sure in some form or another or will have celebrated several times but we want to wish you a Happy Birthday!

ORDINANCE 2017-111: Mr. Daymut stated I appreciate the consideration of Planning Commission. I was able to meet with the residents on Tuesday. I must say that not only did the developer present it well at the meeting with the residents that were very engaged, I believe that almost all the questions were at least addressed. We are just dealing with the zoning at this particular time but should the project move further on, the developer is working with the residents that had their concerns. The only thing that is going to be difficult to address will be something that we will have to do as a City with traffic. It always comes up in these particular subjects but it was a very positive meeting and I can tell you how proud I was of the residents of Ledgewood. They were very nice people and had some very pointed questions and we saw some very good answers to that. I would ask that the Commission send this favorably back to Council. I thank you for your time and indulgence on this. Mr. McDonald stated that the ordinance before us is no different than the one that we saw three weeks ago. Mr. Daymut said it was the same presentation that we had 3 weeks ago. Mayor Perciak stated he would like to walk everybody through this a little bit more and in a little more depth. Councilman Daymut is correct, at this point we are addressing the rezoning issue. However, we have an office building there and we have an office building that is now vacant and not generating any income for this community and I have no idea what type of income it's going to be generating for our schools. I do know that the developer has promised 6 million dollars into that building and bringing in over 600 hundred jobs into that building. Today it's just not a matter of putting up a building and thinking people are going to come. You have to draw or have some attractions there for people to come. You have to have the proper restaurants and you have to have the proper retail. The developer has done extensive studies as to the Strongsville market area which includes the 6 surrounding suburbs plus and Strongsville still is by far the most vibrant of all of that and the only way this continues to make sense for this office building is to add the retail up front. Of course, Planning and BZA and everybody else will go through that and engineering but the boulevard effect that it is going to create right there and the difference that it is going to make is going to be tremendous. As far as we are concerned at the City and speaking strictly for the administration, not for the Council, 86% of our General Funds comes from income tax dollars and that is what that building will generate for us. The retail part of it generates little if any income tax dollars for us but it creates jobs for all or our high school students, our college students and for our retired people. It creates a base for our school system of course which they live off of the real estate tax base. As far as this community is concerned and as far as this administration is concerned it is a win providing it is going to be done the right way. As of now, from what we understand and from what has been presented to us today, it looks like a win win for everybody. As a business man and as a banker I have to tell you, one does not go without the other and today in today's world and especially since we've gone through the real estate crisis, that is part of why this building is in the mess

that it is in, anyone who is lending dollars today has to be cognizant to where they are putting that money and how they are going to service that debt. Without the proper tenants and without the proper leases and the proper structure there will be no one to service that debt. Therefore, I don't care whether they use a bank or they use private LLC's, private investors, you have to be able to demonstrate a success to any new development that goes in. It is up to us to take something that is really non-income producing for the City, for the its residents or for its schools and turn it into an income producing piece of real estate which will service us for years and years to come. Keep that in mind when you are voting.

Mr. Kolick stated that there was one other thing that was just noticed in the minutes that a new members name got left off our minutes so we will add him on to the minutes.

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. Daymut
Mr. David
Mayor Perciak

Also Present: Mr. Biondillo, Bldg. Com.
Mrs. Daley, Asst. Engineer
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. Kaminski 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 July 27, 2017. If there are no additions or corrections they will stand as submitted with the one correction that we discussed in Caucus.

PUBLIC HEARINGS:

SWEET FROG PREMIUM FROZEN YOGURT, Charles Miller, Agent

Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(A)(6) and 1242.07(b) to utilize 500 SF as an outdoor patio for Sweet Frog Premium Frozen Yogurt with a maximum seating for 40 for property located at 500 South Park Center, Space HL90, Part of PPN 396-20-001 zoned Shopping Center.

Mr. McDonald – Item Number One, Sweet Frog Premium Frozen Yogurt, anyone wishing to speak in favor, please step forward and state your name and address for the record. 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, the proposed outdoor dining area would be 500 square feet in area with a maximum seating capacity of 40 persons. The former restaurant had patio dining in the same area and the existing fencing will remain. Approval of the Conditional Use Permit 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. 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 can act on this if the Commission is in favor, there is nothing substantially different from the prior use. Thank you.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Sweet Frog Premium Frozen Yogurt.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Conditional Use Permit pursuant to C. O. Sections 1258.04(a), 1258.03(a)(3)(A)(6) and 1242.07(b) to utilize 500 SF as an outdoor patio for Sweet Frog Premium Frozen Yogurt with a maximum seating for 40 for property located at 500 South Park Center, Space HL90, Part of PPN 396-20-001 zoned Shopping Center.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

NEW APPLICATIONS:

SOUTHPARK MALL/Chuck Miller, Agent

Amendment to the Master Sign Program for South Park Mall adding (2) signs and (5) awnings at locations M48 thru M54 for Sweet Frog Premium Frozen Yogurt, property located at 500 South Park Center, PPN 396-20-001 zoned Shopping Center. *ARB Favorable Recommendation 7-25-17.

Mr. McDonald – Item Number Two, Southpark Mall, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the proposed wall and awning signs comply with the Code and have received a favorable recommendation from the Architectural Review Board. The awning signs are relatively small and will not be readable from off the premises. It is recommended that the Planning Commission approve the amendments to the Master Sign Program for Southpark Mall. From Engineering there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form. 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. Again, you are in a position to act on this, there are no substantial changes from the prior use therefore it would not need to go to City Council if approved here this evening. Thank you.

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

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Amendment to the Master Sign Program for South Park Mall adding (2) signs and (5) awnings at locations M48 thru M54 for Sweet Frog Premium Frozen Yogurt, property located at 500 South Park Center, PPN 396-20-001 zoned Shopping Center.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

LINDA AND TONI MOORE/ Erick Nevin, Agent

Parcel split of PPN 399-32-8026 located at 18602 Buccaneer Trail, zoned R1-75.

Mr. McDonald – Item Number Three, Linda and Toni Moore, please step forward and state your name and address for the record.

Mr. Nevin – Erick Nevin, 11221 Pearl Road, Strongsville, Ohio.

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 subject property is currently zoned R1-75 Single Family Residential District. The three new lots to be created do not comply with the minimum lot area, minimum lot width or maximum building ground coverage requirements of Section 1251.05 and would therefore require variances. The proposed lots would also require various building setback variances for the existing dwellings. Since multiple variances are required, the Planning Commission will need to deny this application and refer it to the Board of Zoning Appeals. From Engineering the plat is in approvable form subject to the BZA granting the necessary variances. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form. As discussed in Caucus, when this was originally constructed these would have had 1 hour fire separation walls between the units so the Building Department has no issue with it. 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. This would need to be denied since it does not comply with the Code and they could then proceed over to the Board of Zoning Appeals.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Linda and Toni Moore.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Parcel split of PPN 399-32-8026 located at 18602 Buccaneer Trail, zoned R1-75.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Nays

DENIED

T-MOBILE/ Bryan Eaton, Agent

a) Determination that the proposed modification does not substantially change the physical dimensions of the tower or base station for the facility located at 12609 Alameda Drive PPN 392-23-024 zoned General Industrial.

b) Site Plan approval for the removing 3 antennas, 3 TMAs, 2 system modules and 1 submodule and installing 3 new antennas, 3 FRBG RRU'S, 1 system module and 1 system sub module on an existing telecommunications tower located at 12609 Alameda Drive PPN 392-23-024 zoned General Industrial.

Mr. McDonald – Item Number Four, T-Mobile, please step forward and state your name and address for the record.

Mr. Eaton – Bryan Eaton, 470 Davison Rd., Pittsburgh, PA.

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

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, since everything is taking place on the existing tower and within the existing compound, there are no zoning setback issues associated with this request. Approval of the antenna and related equipment replacements is recommended. From Engineering on Item “a” there is no report. On Item “b” 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. 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. You are in a position to act on these two items this evening. Thank you.

application from General Business. We did have a presentation at our last Planning Commission meeting and I had asked that, as I always do, to meet with the residents about a particular project even though we are only voting on the zoning this evening and not the development itself but I thought it was important that we always hear from the residents that are going to be impacted by this. I think that the presentation was adequately done, more than adequately done on Tuesday night. The residents of Ledgewood, the three cluster units on Otani, Iami, Akita and of course Ridgecreek, the single family development were well represented there. I believe that all their questions were at least presented to the developer and answered. There was a commitment on the developers' part to address all the issues because there is always concern about buffering. The buffering now with the office building is somewhat lax for the record here I want to indicate that the developer has indicated that they are going to enhance that mounding and treeing or whatever it has to be. There is a problem with drainage in Ledgewood, they're going to expand their retention area to the back and they are going to leave up all the trees that are there now against the residential to make sure that there is no impact as far as that goes. So the commitments have been made. If this would go forward through Council, I can't speak for them, I can only speak for myself and what did come up is traffic as it always does. We have to take a look at that administratively. We did take a look at it very extensively when the Mall went in. The one thing I will say is something for the project itself, it has no entrance onto the residential streets. This is self-contained with the traffic light on Rt. 82 so I think it is imperative that all these issues be addressed further down, if the Ordinance goes through Council. I would ask that we give a favorable recommendation so that we can accommodate the residents in that particular area and make sure that they are adequately buffered, more than they are right now and to make sure that all their concerns are addressed and I've gotten that commitment from the Developer and I believe that will happen in the future.

Mr. McDonald – The rezoning is consistent with what we saw 3 weeks ago. Are there any questions for Mr. Daymut? ORDINANCE NO. 2017-111 as Amended. 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 property located at 17800 Royalton Road (A portion of PPN 396-12-002) in the City of Strongsville, from OB (Office Building) Classification to GB (General Business) Classification and R-RS (Restaurant-Recreational Services) Classification and Declaring an Emergency, As Amended.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

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

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

Greg McDonald, Chairman

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

Approved