



CITY OF OLMSTED FALLS
PLANNING AND ZONING COMMISSION
MINUTES
FEBRUARY 19, 2020
7:30 PM
COUNCIL CHAMBERS

Commission Members Present: Brett Iafigliola, Gary Pehanic, Garry Thompson, Peter Carpenter, Cornel Munteanu, Dave Fenderbosch, and Michelle Hawkins. Others Present: Andrew Bemmer, Law Director and George Smerigan, City Planner. Audience: 0

Chairman Brett Iafigliola called the meeting to order at 7:30 p.m.

1. **Planning & Zoning Case #05-2020** - A request by Mary Frances Mahoney, owner of 7707 Main Street for a lot consolidation for PP Nos: 281-23-040 and 281-06-014.

Kevin Roberts indicated that he is the attorney representing the Mary Frances Mahoney Revocable Trust. He stated that Ms. Mahoney would like to consolidate a small unbuildable parcel with her larger parcel that have been used together since 1963. In 1963 Doc Mahoney, who was the Mayor, purchased the remainder of the quarry lot from the City. They purchased that lot in order to move the driveway to the Water Street side of the property and have used it this way for 57 years. This consolidation is approximately 56 years overdue. This was precipitated when they received a sewer assessment for both parcels and the smaller parcel is unbuildable. If you review all the setbacks and requirements, the minimum lot width for a parcel to be buildable has to be 67 feet and this parcel is only 54 feet to the street; the lot width at the building line requirement is 150 feet; this parcel 54 feet; the lot size minimum is 20,000 feet, this lot is only 10,550 feet; the house and garage have to be set back 50 feet from the road and 30 feet from any adjoining lot; the side setback must be 10 feet; when you put all these requirements together there is only 903 square feet to build on. In his opinion this is an unbuildable lot. This parcel also abuts Plum Creek and has riparian setback requirements as well. A new survey was completed as well as a legal description that the county engineering and map departments have approved.

Mr. Smerigan concurs with Mr. Roberts. This consolidation is overdue. The lot is non-conforming and the consolidation will eliminate that situation. He would recommend approval.

Mr. Iafigliola moved to **approve** a lot consolidation for PPN #281-23-040 and 281-06-014 as shown on the consolidation plat dated January 27, 2020; Mr. Thompson **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

2. **Planning & Zoning Case #06-2020** – A request made by Joseph Wagner, owner of 9696 Columbia Road, for an informal discussion of a 60x75 4500 square foot steel building pursuant to Section 1232.06(g).

Mr. Wagner stated that his property is zoned commercial and most of it is being unused. Currently there is a very old carriage barn on the property that is leaning towards the street and would like to remove it. He would like to utilize the property and is considering building this type of building to generate revenue and perhaps rent it out to businesses that are appropriate for the zoning. Or, he is also considering building a large garage for personal use. He appeared before the ABR and believes that he could get this built. The ABR did have suggestions but really no objections. He wanted to appear before the Commission to show the layout of the site and determine if there were any concerns with this type of building.

Mr. Smerigan stated that after completing a preliminary review of the site plan the building meets the code requirements, the setbacks will be code compliant, the parking will be code complaint, therefore it is possible to build the proposed building. He did speak with the applicant regarding appearing before ABR but frankly given that this will be behind his office building and there is an industrial building behind it along with the cell tower next door. He does not believe there are a lot of concerns with the design of the building. If you were to drive down the street this building would conform with what buildings are currently there. This property is zoned C-2, general commercial, and would allow the applicant to use the property in a more affective fashion. Whether it is used to store vehicles or as a contractor's offices are uses permitted in this district and does not foresee any zoning use issues.

Mr. Munteanu asked if the entrance for the building would be on Chapin Street. Mr. Wagner replied yes. The building would have three bays with garage doors which would face Chapin. He is not 100% sold that this is the building he wants to build.

Mr. Iafigliola stated that since this is preliminary and conceptual but would like to know how Mr. Wagner established the approximate size of the building. Mr. Wagner replied that he is considering building a smaller building as finding contractors to submit bids is difficult. As of right now, this would be the largest sized building that he would propose for this lot, if he cannot build this type of building he will submit another set of plans. Mr. Smerigan indicated that Mr. Wagner cannot propose anything larger than this and be code complaint. What he has proposed is the largest he could build but is considering building something smaller.

Mr. Iafigliola indicated that a couple of properties to the south is the proposed Dollar General store. He stated that the Dollar General did have some difficulty getting a "nice building" approved through ABR. Mr. Wagner indicated he was present at that meeting and is what sparked this proposal as he was bitter about the Dollar General store being built especially everything he had to go through with ABR to get his renovations approved. He stated that if a Dollar General store can be built two lots down why could he not build a commercial use building. Mr. Iafigliola stated that ABR and the Commission worked for quite sometime with the developers for Dollar General in order to produce a building that may have a higher standard than just a straight metal building. Mr. Wagner replied that north of his property is the Olmsted Falls Service Center and is the exact building he is proposing.

Mr. Iafigliola stated that the building Mr. Wagner operates his business from is a beautiful building. The Commission should also be reminded that there was a situation a couple of months ago where a code compliant garage was build, in a residential neighborhood and not a commercial zoned area, but he believes that the Commission got an awakening of how ugly those buildings are and how out of context they could be without proper screening. This is why he is taking the trouble of pointing out, for the applicant's sake, the other buildings that are in the immediate vicinity, Dollar General and a metal stamping plant. Another issue was lighting when it came to his neighbor, who is 100% retail. He would advise that the applicant keep in mind the lighting, both in terms of how he will light the building for safety of employees or tenants and how that light affects the houses across the street. Again, he completely recognizes that what the applicant is proposing and what the other building proposed are very different but the applicant has to recognize that he cannot flood this with light like a normal industrial parking lot. Associated closely with that is landscaping, if you are looking from Columbia Road, and he does realize that the building will be in the back with other semi industrial uses but it will be very visible from Columbia Road so anyway he could not create an eyesore whether through landscaping or architectural treatment particularly on the Columbia side would be appreciated. Essentially, what will be built is a parking lot with a very blank facing wall, by the applicant's own description all the doors will be facing the north elevation and so if you that is not taken into consideration that will be a problem. Mr. Wagner replied that he **does understand**.

Mr. Iafigliola stated that the barn currently on the property that is leaning is a structure that compliments the applicant's main property. He knows that it probably interferes with how you would tie all the buildings together but it would be a same to see the loss for extra parking spaces. Mr. Wagner stated that he is contemplating a design that would allow him to keep the structure. As Mr. Smerigan pointed out he is proposing the "worst case scenario" to the Commission in order to determine what objections the Commission may have.

Mr. Iafigliola indicated that the applicant did provide samples of colors and indicated that color is important to some people. Mr. Wagner replied that the color would be similar to his existing building.

Mr. Iafigliola asked what the building height would be. Mr. Wagner replied that the eaves would be 12 feet and the peak will be 14 feet. Mr. Smerigan indicated that in a C-2 district the permitted height is 25 feet.

Mr. Iafigliola asked if Mr. Wagner would consider installing sidewalks in front of his property. Mr. Wagner asked if the Commission would consider not requiring storm drains. Mr. Iafigliola asked what the applicant would do with the storm water. Mr. Wagner replied that currently there are no storm drains to the back property as everyone drains into the ground and he would continue that practice. Mr. Iafigliola stated that the plans show 100 feet of storm drains out to the street but there is no storm on Chapin. Mr. Wagner replied correct. Mr. Iafigliola stated that is a tough question as the city engineer will have to weigh in on that request due to the fact that the applicant is proposing a fairly substantial building. The building will generate some

fairly heavy water. Mr. Wagner replied if the building was smaller would this perhaps be something that could be discussed and entertained. Mr. Iafigliola replied that the city engineer will have comments regarding that type of a request. Mr. Smerigan replied that this would be difficult because at some point the site is almost entirely impervious and we will need to control that in some fashion. He does not believe that he would be permitted to not have a storm connection. Mr. Wagner stated that he would discuss with the city engineer. Mr. Iafigliola suggested a bio-swale.

Mr. Pehanic asked what the manufacturing business did with their storm water. Mr. Wagner replied that it drains onto the ground. Mr. Bemmer indicated that based on the site plan with the building and additional parking the site will be over 80% impervious surfaces, so he would have to make sure that the water run off does not run onto the neighboring properties. Mr. Wagner stated that Chapin Street is all impervious, all the buildings are impervious and all the water drains onto the ground. He stated that the 20,000 square foot steel building just north of his property all drains onto the ground. Mr. Iafigliola indicated that their property is significantly larger and Mr. Wagner's neighbor is five feet to the south.

Mr. Carpenter asked if Mr. Wagner has spoken to his neighbor's regarding this proposal. Mr. Wagner replied yes and they have voiced no concerns. He is still considering other options but did want to present the worst-case scenario to the Commission.

3. Planning & Zoning Case #07-2020 – A request made by Foundations Health Solutions, representing Zodiak Realty, LLC, for final site plan approval for a skilled care center expansion located at 9027 Columbia Road, pursuant to Section 1232.06.

Mr. Bower stated that Foundations Health Solutions is operating the current building and would like to add 30 additional beds to the facility as rehabilitation beds. The proposed addition would be 16,700 square feet and will maintain 30 new resident beds; all but one would be private occupancy; will have a small physical therapy component to the interior of the building. The proposed addition would be connected to two of the existing wings of the existing building which will create an enclosed court yard for the residents to utilize and will be a secure area. The proposed addition will match the character, material and finishes of the existing building. The utilities will be extended from the existing building into the addition, the sanitary currently comes out of the north end of the existing building and runs to the west so this line would need to be relocated. There will be roof top units but there will be a recessed area in the roof so this unit will be screened entirely. Therefore, he would request the Commission's approval of the site plans and additions.

Mr. Iafigliola asked if a preliminary site plan was approved. Mr. Smerigan replied that this applicant was permitted to combine preliminary and final site plan applications, which is typically done for additions and permitted by the Zoning Code.

Mr. Smerigan provided a summary of the project to the Commission. This facility will increase from 101 beds to 131 beds. Healthcare facilities are a permitted use in the district therefore they do conform with the code. They are expanding the parking area and adding

41 new spaces. The site plan also indicates an area of land banked spaces but they are in compliance with the parking requirements. Since this facility is in the MUTND district the Commission provides approvals for architectural review as well as the site plan. As indicated the addition will match all existing building materials and style. The overall height of the addition is 29 feet and the permitted height is 35 feet. The site lighting is being accomplished with pole mounted lighting fixture that are a combination of eight foot and 16-foot poles. We have light spillage requirements that requires an applicant to bring the lumen levels to a certain point and they are compliant with the code. He would recommend that the Commission grant final site development plan approval subject to final approval of the construction drawings by the City Engineer.

Mr. Bemer asked how frequent would the fire walls be placed? Mr. Bower indicated that there are two fire separation walls, one at the end of each one of the existing wings. When you add to an existing facility you either have to upgrade parts of the existing facility or separate with a two-hour separation wall which is what they are doing. The separation wall is buried within the roof form therefore you will not see them projecting.

Mr. lafigliola stated that the photometric drawing shows no neighbors to the south, east, and north with current lighting as HPS (high pressure sodium); and asked if those would be switched with LED's. Mr. Bower replied yes. Mr. lafigliola asked if there was lighting at the doors. Mr. Bower replied yes, there is a porch with a soffit light. Mr. lafigliola replied that the lighting does not appear on the drawing. Mr. Bower replied it does not.

Mr. lafigliola stated that there are two handicapped spaces with a curb ramp. The entry/exit door on the west face of the proposed addition when you would come out that door there is little patio and asked if there was any reason why the curb ramp and the striped-out spot could not be in front of that door. In other words, switch around the handicapped spaces so they are a little further north. Mr. Bower replied that part of the reason is where you see the striped area part of the sidewalk that is immediately in front of that is at the level of the parking lot, so you would roll directly from the asphalt parking lot to the concrete sidewalk and then it slopes up six feet in either direction. He believes that rather than putting that right in front of where the sidewalk is sloping out of the building, we tried to avoid that and keep those slopes away from the sidewalk. Mr. lafigliola stated that anytime he has gone to visit relatives he usually has young kids with him and when you are walking into the building you follow the path of least resistance and often times that involves walking in between cars which quite frankly he does not like. It would seem to make the most sense if you could walk through the parking space that is un-parkable because of the handicapped spots that way you have a clear shot to the door; otherwise you are always inviting people to sneak through. So, if that could be changed, he would make that suggestion but if there is some other overriding reason, code wise, he wouldn't ask to change the whole site for this one thing. Mr. Munteanu stated this is not the main entrance of the facility when you go into the facility you will go into the reception area to get into the other parts of the building. Mr. lafigliola stated that he understands but there is a reason they have the handicapped spots near that door so they must be thinking someone is going enter through that door. Mr. Munteanu stated that he would imagine this would be used for someone coming out and this door will mainly remain locked. Mr. lafigliola stated that his point remains the same even on an exit scenario. Mr. Pehanic stated that the parking layout at

the main entrance is no different than what is being proposed for the new addition. They are both offset to the entrance. Mr. Iafigliola replied that all he is saying is on any parking lot design if you could not put people in harms way you would be wise to do it. Mr. Bower replied that he will take this into consideration when we move forward with engineering.

Mr. Iafigliola asked what was a land banked parking area? Mr. Smerigan replied that it is parking space that is provided for on the site plan but not installed, in other words, it remains green area until it is needed. Rather, than pave more than needed this area is landscaped and stays as green area, if at some point the parking becomes necessary it can then be paved and used.

Mr. Iafigliola moved to **approve** Planning and Zoning Case #07-2020 for final site plan for the skilled care center expansion located at 9027 Columbia Road pursuant to Section 1232.06, as shown in the applicant's submittal; Mr. Pehanic **seconded**.

Mr. Thompson asked if the engineer's approval should be added to the motion. Mr. Smerigan replied that it is not essential to add to the motion because as part of our administrative procedure is the applicant will apply for his building permits and as part of the building permit review the engineer will review the actual site drawing. Poll: 7 ayes; 0 nays. **Motion carried**.

COUNCIL LIAISON REPORT – No Report

OTHER BUSINESS – Mr. Bemer stated that there is a planning and zoning regulation concerning garage size in lots less than an acre. An amendment went through Council but unfortunately it should have been referred to this Commission prior to final approval. This will be placed back on Council's agenda which will then be referred to the Commission. Mr. Iafigliola stated that the Commission will review then make a recommendation to Council. Mr. Munteanu indicated that this was brought up in December to Council. Mr. Iafigliola asked if the Commission has to approve or offer comments. Mr. Bemer replied comments and/or recommendations. This is from the fall out of the one particular issue of the large garage that was built on Lantern and backed up to the back yard of a residence on Briarpatch.

APPROVAL OF MINUTES – Mr. Thompson moved to **approve** the minutes of November 20, 2019, as written; Mr. Pehanic **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mr. Pehanic and Mr. Thompson indicated typographical errors within the minutes of January 15, 2020. Mr. Munteanu moved to **approve** the minutes of January 15, 2020, as amended; Mr. Thompson **seconded**. Poll: 7 ayes; 0 nays. **Motion carried**.

Mr. Munteanu moved to **approve** the minutes of February 5, 2020; Mr. Carpenter **seconded**. Poll: 6 ayes; 0 nays; 1 abstain (Hawkins). **Motion carried**.

ADJOURNMENT: Mr. Iafigliola moved to **adjourn**; Mr. Pehanic **seconded**. Voice vote: 7 ayes; 0 nays. **Motion carried**. Meeting adjourned at 8:55 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date