



CITY OF OLMSTED FALLS
PLANNING AND ZONING COMMISSION
MINUTES
NOVEMBER 18, 2020
7:30 PM
VIRTUAL MEETING

Commission Members Present: Brett Iafigliola, Gary Pehanic, Garry Thompson, Dave Fenderbosch, Peter Carpenter, and Michelle Hawkins. Cornel Munteanu was excused. Others Present: Andy Bemer, Law Director, George Smerigan, City Planner. Audience: 2

Chairman Brett Iafigliola called the meeting to order at 7:33 p.m.

1. Planning & Zoning Case #25-2020 - A request by Ken Martin, Agent for LeBistro Restaurant Location, PP# 281-22-043 for an informal discussion and review of site improvements and three season porch.

Mr. Martin indicated that the individual purchasing the building could not be present this evening and suggested that he move forward without him since this is an informal discussion to discuss three site plans and a three seasoned porch to be added to the existing building. Obviously, this is located in a historic district in a C-3 zoning. He indicated that he will go through the drawings dated 11/02/2020 one at a time.

He stated that drawing one shows an existing site plan plus a site plan of the owner's preference. The existing building has an 8-car parking lot on the south side, central brick patio that is enclosed with wrought iron fencing and along Mill Street there is a bocci court in the upper west corner. In the back in relationship to the Cutting Garden there is a walkway that comes in from Mill Street and there is a enclosed dumpster area and aside from that it is all landscaped. The new owner would like to upgrade the exterior, interior and add a three-season porch. He would like to put the parking across the front of the building to run north/south, so the brick courtyard would be eliminated and an exit onto Mill Street going towards Columbia Road and down Mill Street to the west would be added. The incoming entryway would remain the same. On the southside of the property line you would see three cars on the west side of the parking lot and then the trash area would be moved to clean up the northwest corner. This site plan would include extensive landscaping added along the inside of the stone fence as well as between the parking area in order to obscure some of the parking. The new parking area would give enough parking for 15 cars. There would need to be some new ramping to get into the restaurant and the three-season porch. He stated that Gibbs in/out drive will remain the same.

Mr. Martin stated that Scheme "B" shows no access of the extended parking area onto Mill Street. In other words, the in/out would remain where it currently is but would need some sort of turnaround before the preferred exit onto Mill Street. There would be some manipulation with this plan to install a ramp to the front or side door. In both Scheme "A" and "B" all of the parking area would be hard surface either concrete or asphalt as

well with curbing, new lighting, new landscaping, and new drainage. This plan does not include an exit onto Mill Street.

Mr. Martin stated that Scheme "C" includes what he believes is a plan that the Architectural Board of Review found acceptable. The idea is to keep the central brick outdoor dining area and have that connect to the three-season porch through the front door. A new space would be added to the existing entry and exit way with a new space added on the extreme west side. The trash enclosure would also be moved to clean up the Mill Street side of the property. He stated that the new owner has indicated that he does need an exit out onto Mill Street and that would be potentially a deal breaker because he is putting so much money into the building and site improvements. The new owner also suggested that no matter what would happen that he would like to install hard surface parking.

Mr. Martin indicated that he is happy that Mr. Dixon is present this evening because he believes that if Gibbs parking does not work then there will be a problem getting out onto Columbia Road. He believes that there is a problem now because the current owner had to go into the Mexican restaurant before it was Gibbs and have people move vehicles and feels that is inappropriate at this point so we need to determine some type of solution.

Mr. Martin stated that the next scheme shows the building as it exists right now. If you notice the front door to the restaurant is recessed and the outside frame of that has a definite shape.

The building has relatively new siding, roofing, and windows because of the fire a few years ago. The three-season porch will be added to the end of the building and will mimic the front entry. The doors will be recessed three feet into the building space so there will be little or no rain that will enter into the space. These doors are exterior bi-fold doors so they can open all the way to one side or the other. You will also be able to see through the building from the three-season room.

Mr. Smerigan stated that the idea of adding a three-season porch to enhance the ability to serve makes a great deal of sense particularly in the situation we are in today. He believes that the site can use some enhancements. He believes there are some advantages with Scheme "A" to having the flow through traffic, the problem he sees and is something we would have to address, would be that the on-street parking will be lost. You will gain some on-site spaces but you will lose on-street spaces. There is also the issue of whether or not you are creating a problem in terms of site distance while exiting the site. He also sees an advantage to pulling straight through the site.

In Scheme "B" essentially accomplishes the same thing except you would have to turn around to exit, if there are no parking spaces in there that could be an issue at times because there is no easy exit. He stated that Scheme "C" does not make sense to him. If you are going to have a three-season room he does not understand the advantage of retaining the patio area as well. If you do one of the other schemes you would enhance

the landscaping and create an additional dining experience plus you would add parking, which he believes is advantages.

Mr. Smerigan indicated that he understands that we are suppose to give the applicant direction this evening and in general he is in support of the idea of enhancing this site. He believes that it is time to be upgraded and believes the new owner has an excellent opportunity but we would have to work out some of the details.

Mr. Bemer stated that Scheme "A" is superior because it gives parking accessibility and parking is a premium. He understands why ABR was interested in "A" and that is for the green space. You are maintaining an area that apparently does not have the utilitarian purpose and everybody loves outdoor seating and based on whatever metrics the potential owner is getting regarding how much this area was used by the former owner would be another question. Adding the three-season room he imagines will have collapsing or patio doors which are attractive and a major inducement. He would defer questions to Mr. Smerigan regarding any setbacks but "A" is so far superior. Frankly he would add that the owner should present what he wants and see if there are issues rather than present land use Commissions with options. He wonders if there was a way to enhance the green space in A to try and add some separation from the amount of hard surface. He would defer to Mr. Smerigan regarding the number of spaces needed but see if you can maintain some green space or add another tree something to break up the concrete a little bit. He asked if there was a timeline for occupancy. Mr. Martin replied that they are in negotiations. Mr. Bemer stated that any deal is conditional on the purchase.

Mr. Martin stated that he believes some variances will be necessary for the front yard as the front yard is supposed to be essentially 15 feet from Columbia Road also the same for Mill Street where it is considered a front yard. Mr. Smerigan stated that in terms of the setback off of Columbia Road he is not coming any closer with the parking then it is today and there would be more parking. Mr. Martin replied that would be proven in engineering. He stated that basically there were 4 to 6 people using the existing front yard space for parking and if Scheme A is chosen essentially those spaces will move and operate the end of three-season porch so its kind of a balance. This is a historic area and Planning Commission can consider the land that you have and availability for parking, the Commission considers the street parking and public parking within 300 feet so it's a combination of stuff that is not set in stone in terms of what is absolutely necessary. Mr. Smerigan stated that he believes the three-season room gives a chance to enhance the appearance from Mill street, which he feels is important.

Mr. Pehanic stated that the potential buyer indicated that Scheme "A" would be his preference and he believes that should be taken into consideration. He also agrees with the comments that Scheme "A" seems to be the most practical. He stated that if there is closed in parking that would present problems if you cannot find a space you would have to turn around but having the opportunity to exit onto Mill Street is a key factor.

Mr. Thompson stated that he concurs with all the comments regarding Scheme "A". He would hate to see the front area turn into parking. He would like to see if the city could come up with some type of parking arrangement with Mill River Plaza which is across the street and where everyone parks anyways. This is a large enough lot to service most of the downtown area for most events. He stated that the city could maintain an area of the parking lot if they would allow the area to be used for public parking. He understands that this would not answer the zoning questions of how many spots are needed for the restaurant. He stated that the owners of Mill River just assessed all the stores with parking maintenance costs and the stores in the plaza indicated that if they have to pay for the maintenance then they do not want anyone else parking in the lot. We have Mr. Dixon with Gibbs and the parking is a premium there and people will park where they are going to park and if they will take their chances at being towed, or stop at Drug Mart to purchase something, so how would this be policed. For years we have not done anything and believes that it would behoove the city to come up with some type of solution. He also would prefer Scheme "A" and exiting onto Mill Street.

Mr. Carpenter stated that he would like to suggest to the potential buyer with what he is planning to invest in the building and site improvements he thinks we certainly owe him the opportunity to go ahead.

Mr. Iafigliola stated that he would like to start with the three-season porch. He believes it is appropriate and Mr. Martin has done an excellent sketch. He believes that a setback variance may be needed due to the sidewalk area but does believe that this porch is appropriate for this location. He asked if the three-season room would be heated. Mr. Martin stated that you could operate it through the Fall but not in the dead of Winter. He stated that all the doors and the roof will be insulated and be screened to a certain degree. He believes the idea is that the interior materials, for example, the floor would be some sort of clay tile and the ceiling would be sloped with a wood finish as opposed to a drywall finish. He stated that the Bistro has a tin ceiling on the inside so this three-season room would be up to the potential new owner. He believes that all of this will be looked into as the job progresses. Mr. Iafigliola stated that the only thing that makes this a three-season room is that you can open the doors which is advantageous but it could also be heated and used year-round.

Mr. Fenderbosch asked about the proximity to the stop sign and the exit onto Mill Street. Mr. Martin replied that he believes there would be 2 parking spots before Mill Street and the stop sign. Mr. Fenderbosch indicated that he is concerned about that with the traffic flow since that is the way people get back and forth from this side of town to the post office, etc. He does not know if there could be an arrangement made or a thought process put in because that is a log jam every morning and evening.

Mr. Iafigliola stated that he has some concerns with Scheme "A". He understands why the potential owner would be interested in additional parking and he sees the parking spaces are marked but it would appear to him that the exit being proposed would lose somewhere between three and four on street parking spots. The drawings show 12 spaces but with the loss of the on street parking you would in effect have 8 or 9. His bigger concern is not so much the people who are going to the restaurant but having the

existing outdoor dining area because it is a unique setting and the more he serves on the commission the more he realizes that having outdoor seating in the front of a building is exactly what builders and developers want. The way it is drawn in "A" essentially eliminates all that and puts in a parking lot. He knows something will be done for landscaping and the wrought iron fence will remain, for the most part, and the stone wall, which is a unique feature, but it feels like we have this unique cute restaurant right in our downtown and its going to become a big parking lot. He does recognize that the three-season porch may pick up some of the slack of that outdoor dining but he really thinks something needs to be said about having eyes on the street and people eating outside, especially in these pandemic times that we find ourselves in. He believes that outdoor dining may become more popular and he certainly understands the fact that you may only be able to eat outside three or four months of the year based on weather. He stated that Scheme "B" eliminates the Mill Street concerns but he does believe that we are probably unanimous that it really has a lot of flaws because if you come in and have to back out then it just looks like it creates a lot of trouble. For him, that eliminates Scheme "B" from consideration although it was worthwhile to consider. He stated that going back to what Mr. Thompson stated we have the unusual benefit tonight of having the southern neighbor who he understands is leasing his property but is there any way we could do something to access Gibbs driveway so its not one way in for Gibbs and one way out; is there some way we could maximize the parking for both sites even if each site individually was a little bit unusual and maybe that means you only go in one way and go out the other way. He walked the property today and parked to see if he could do it and although it is tight and not sure if it's the perfect answer but he is asking if the potential new owner has considered any other option maybe slightly off the property for the benefit of both. Mr. Martin replied yes; but it really has to do with who's involved with the parking solution because we are talking about a purchaser of a building and Mr. Dixon's site is owned by Scott Williams. He stated that what Mr. Dixon is proposing tonight may provide some answers to that solution and he believes if the potential buyer does acquire the site there will be further evaluations of the parking and how it gets shared and laid out, but at that point the players become Frank and Jim to Scott so it becomes pretty convoluted. Mr. lafigliola stated that in Scheme "C" he is not sold on the fact that the existing outdoor dining area is the best and has some serious reservations about reducing the entire front of the building to be between a busy Columbia Road and a full-fledged parking lot.

Mr. Martin stated that basically if everyone works carefully together there potentially would be eight spaces against the wall of Gibbs restaurant and there would be one in and one out or some combination but again there are too many players making decisions that he can't answer for.

Mr. lafigliola stated that Mr. Martin indicated on Scheme "A" and "B" that the potential buyer was desirous of putting in drainage, hard scaping pavement, curb and gutter. Would Scheme "C" have the same or would the gravel remain. Mr. Martin stated that the potential to that is that the patrons of this restaurant the new owner sees as high end and in high heels so with that being said gravel does not work so well.

Mr. Thompson stated that ideally, he would love to see no parking in front of the building at all because he believes it takes away from the area. He stated that we are trying to look at two properties, separately, but all dealing with the same problem and in some ways, we have to deal with each individually but collectively we have a parking problem and we have always had a parking problem. As long as he has been around here no one has taken any action. He understands why the potential buyer has to put parking in, due to the code, he believes that paving would be great. He stated that he believes that Scheme "A" is the best solution but ideally, he would want additional landscaping or more wrought iron fencing to make it look nicer. He is a little concerned that 12 spots could even be squeezed into the area and will be hard to get in and out of.

Mr. Bemer stated that parking is an age-old problem. We have rules and regulations according to the code along with different philosophies and believes that each member on the Commission brings an understanding that parking is primarily a convenience and secondarily a necessity. Some other communities magnify shared parking agreements among the different property owners based on their hours of operation. For example, the hardware store shares with the tavern next door because one closes at 6:00 and the other starts their activities around the same time. He has represented the city of Rocky River for 15 years and they have gone back and forth with parking not being in the front but in the rear of the structure but then changed to back in the front because that is what all the proprietors want for accessibility to their business versus a community like Lakewood where parking isn't even a consideration because of street parking and if you have to walk five blocks to get there so be it. There is a lot of different ways of doing it and the suggestion of this new owner, assuming he consummates the deal, getting together with Mr. Williams and figure out if we can magnify that one entry access parking that Gibbs is using and have that be a potential use for both property owners maybe there is some other kind of arrangement that can be done. He also believes that Mr. Thompson had a good idea with the large parking lot across the street and again most of the businesses are not active in the evening hours so like he said his philosophy has always been individual property owners doing shared arrangements according to their particular need that fits the entire community in that particular area. He thinks that having Gibbs next on the agenda is a prime position of that particular issue because this new owner is interested in adding parking and Gibbs is eliminating parking.

2. Planning & Zoning Case #26-2020 - A request by Jim Dixon, Gibbs Butcher and Brews, of 8054 Columbia Road, PP# 291-22-009 for a Conditional Use Permit and site plan approval for outdoor seating.

Mr. Smerigan indicated that this issue is not in front of the Commission for action this evening as the Commission needs to set the public hearing date. We can have some discussion but the Commission is in no position to act until the public hearing is held.

Mr. Iafigliola stated that the public hearing will be scheduled and take place on December 16th at 7:30 p.m.

Mr. Dixon stated that in May the Mayor and the City granted him permission to use the parking lot as outdoor dining and we created an outdoor kitchen for barbequing and to serve outside. The liquor department agreed and the health department. We created this outdoor dining space, with live music and it was very popular. We received two 90-day temporary permits for the structure and outdoor dining and those came to an end on October 31st. We would like to do the same thing next year and utilize the parking spaces for seating and not parking. He stated that when this area is used as parking it is not accessible and only has three spaces one being a handicapped space and in order to get out you have to back out. Once the spaces are full and someone pulls into the driveway, they have no other way out but to back out, so, its not very practical parking. He has moved the handicapped spot into the driveway so a handicapped individual could access the concrete and the ramp easier. As everyone is aware, he is currently leasing seven or eight spots from the French restaurant which helps but if we lose those spots he will have to come up with another plan. He stated that valet parking is a consideration and there are two pretty large lots on Orchard. We have a busy restaurant and if this French restaurant opens up with a three season room he is going to need more spaces as well, these small parking lots do not do a lot and once they fill up they become very impractical to get people in and out. He likes the idea of speaking with the Mill Plaza owners to see what we can do there but he thinks we are going to have to consider valet parking in the winter on Friday and Saturday nights and utilize the lots on Orchard.

Mr. Iafigliola stated that as he understands it there are a couple of requests, the first is to retain the BBQ Shack and continue serving throughout the year, weather permitting. Mr. Dixon replied that is correct. Mr. Iafigliola indicated that the second is a parking issue and Mr. Dixon is currently being creative and leasing spots from the French restaurant and if those are lost he is providing very few now which is not the best parking because you have to back out which he is sure is frustrating for customers. Mr. Dixon replied that is correct. Mr. Iafigliola stated when the restaurant is doing well on a normal day how many employees are in the facility. Mr. Dixon replied 10. Mr. Iafigliola asked where they parked. Mr. Dixon replied either in the lots on Orchard or Drug Mart. Mr. Iafigliola stated that if there were no customers walking in the door Mr. Dixon would need seven to 12 parking spaces just for employees and basically he has three. Mr. Dixon replied yes but those three spots would never be used for employee parking. Mr. Iafigliola stated that he is pointing out for the Commission's sake that we are dealing with a larger need for parking and we need a better solution than what we have been doing.

Mr. Dixon stated that he has already spoken to Mr. Martin regarding using Gibbs single laned driveway and combining with the French restaurants parking lot to try and create one large area for in and out parking, which again we do not have much to deal with so we have to make it work the best way we can. Mr. Iafigliola stated that when he pulled out of the French restaurant earlier today he was concerned that someone would be pulling out of Gibbs lot at the same time, which is not an ideal situation.

Mr. Smerigan stated that we have a multiple property issue and believes that the solution needs to make sense for all of downtown and he will look at trying to find some

amenable solutions that can hopefully enhance both of these properties and work together towards some type of parking solution.

Mr. Iafigliola asked if Mr. Dixon could include additional dimensions showing how big the BBQ Shack is and how far his building is from the property line. Mr. Dixon replied that he would.

Mr. Iafigliola also asked for pictures showing the property from all sides so there is an understanding of what the property looks like. Mr. Dixon replied he would.

Mr. Thompson stated that the good news is that we have a problem; if we were not talking about this problem it would mean that there is no business; so the fact that we have several successful restaurants downtown and we have this problem makes it easier to find a solution to a good problem rather than not having a problem at all. Hopefully we can find a solution to appease everyone and make it good for the people that come to Olmsted Falls and spend their money here.

COUNCIL LIAISON REPORT – *No Report*

OTHER BUSINESS – *None*

APPROVAL OF MINUTES – Mr. Thompson moved to **approve** the minutes of November 4, 2020; Mr. Pehanic **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

ADJOURNMENT: Mr. Iafigliola moved to **adjourn**; Mr. Pehanic **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Meeting adjourned at 8:36 p.m.

Planning & Zoning Commission Clerk

Date