

THE CITY OF PARMA HEIGHTS
PLANNING COMMISSION MINUTES
MAY 3, 2021

PRESENT: Chairman Schwachenwald, Commissioner McCall, Stavole, Litten and Secretary Bohdan.

ABSENT: Commissioner Kelly

ALSO PRESENT: Director of Public Service Patten, Asst. Law Director Schneider, Law Director Pokorny and Kris Hopkins, CT Consultants.

The meeting was called to order by Chairman Schwachenwald at 5:30 p.m.

Pledge of Allegiance.

Chairman Schwachenwald closed the regular Planning Commission meeting and opened the Public Hearing to discuss the Conditional Use Application for Extreme Auto Pros.

Director Patten stated that he doesn't have any communications from anybody other than who are here today. No one has contacted me regarding this, so it is open to the public now if they have anything to say.

Secretary Bohdan stated that she did not receive anything in her office regarding this Public Hearing. Letters were sent to the contiguous properties.

Chairman Schwachenwald asked given that this is a public hearing to discuss Extreme Auto wanting to have the car sales on their lot, do we have anything from outside of this public hearing?

Director Patten replied there are no comments in the chatbox on the live stream.

Chairman Schwachenwald asked the applicants if they any other words that they would like to say.

The applicants replied they did not.

Chairman Schwachenwald stated the Commission will have a discussion after the public meeting on this proposal. We will be able to take questions and have a discussion after the public session. We will give the public a couple of minutes to chime in.

Assistant Law Director Schneider stated we can verify that this public meeting was posted properly.

Secretary Bohdan replied the meeting was properly posted and my office did not receive any comments.

Chairman Schwachenwald closed the public hearing and reopened the regular Planning Commission meeting. The Chairman asked if any of the members had questions for the gentleman from Extreme Auto Pros.

Director Patten stated there were 9 items listed for the Conditional Use that were brought to the Planning Commission. They can add to, they can subtract, they can remove, they can do what your pleasure is with them. So, it is strictly up to them.

Commissioner McCall asked if Director Patten was talking about the general criteria for Conditional Use, or the recommendations.

Director Patten replied the recommendations.

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Commissioner McCall commented that the one thing that I was just asking is, what kind of process is there going to be, in any Conditional Use, this is new to this city, right? So – what kind of processes are going to be put in place as a check-and-balance? Is it going to be quarterly, half-year, or every year? That we monitor these conditions so that one day we do not wake up and say, “Oh boy, they are not meeting these conditions, what are we going to do? “If we see one or two out of place, we say, “Okay, this is what you have agreed to, you need to scale it back or you have to modify to meet these.” I just want to know what that mechanism looks like so that when this does get approved or gets voted on, what is next.

Director Patten replied one of our inspectors, this would be something quarterly that would be checking up to see where everything is at, but also the inspectors are in here every week, so they will also be keeping an eye on how things are, so if something were to change that stands out, we will see them.

Commissioner McCall asked I know there are a lot of vehicles moving in and out of there that are not for sale and are not going to be tagged, and I would just be kind of curious to see how those are going to be identified versus something that they are going to bring in. Does that make sense?

Director Patten replied he did talk to Abe about that, and he said that he would come up with something before this is passed on how to identify a car that is there for detail, service – other than for sale – that there would be something on the car that we would know that this is what it is.

Mr. Abe Eadeh replied in regards to that, I appreciate your question, it is a very good one too. For the sake of organization in our business, obviously with 3 acres sitting there, the way we came about it is that we would partition certain areas for certain things. Like, the cars that are pending service are here, the cars that are pending detail are over here... Another way we said we could do it is if it is not for sale, and it is here for service, then we could mark the windshield with the kind of markers – they could put a star in the top corner of the windshield, and then we could scrape it off when we bring it in for servicing. At least you could kind of identify it. If you drove through the lot, you would know what belongs to what, what division, to simplify things.

Commissioner McCall commented that one of the things that stuck with me at the last meeting and kind of was in my head was when you said something about an overflow lot. When you had your dealers busy, they like to bring cars to you because you do good work and manage that, but what we don't want is to have cars sitting there that are not going through the process. We don't want it to be a storage lot. That is not what we are approving here or what we are talking about approving here. What we are talking about approving here is for you to have the ability to sell cars within the context of the building. Not storing cars in the lot. That kind of stuck with me a little bit. The last time we were talking, because you guys had that ability to do that and do a good job as well, so I did not know if there were any kind of agreements that you would be their overflow, but I don't think that is what we are approving this for.

Mr. Eadeh replied yes, I apologize for that being ... we don't store any cars for dealerships. So, if you are looking at the building and you see the showroom, the showroom extends to the left and the south. So, that part right there are all incoming cars for detail from the dealerships, and the right side is customer parking right now and that will be customer details. So, those will all have hard plates, and that will be like the manager's park there. Then, the bottom where it goes down and the river is in the back, that is where we would have our workers park – back there. Then, toward the building, those are all outgoing

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cars that have had final inspection or are ready for photos. That is how we have it sectioned out right now. Then, obviously, the front showroom inside is, obviously, where we have our personal cars that we are selling. So, again, looking at the building, we have a big garage door going out, to the right, we have 6 spots, and those are all cars that will be serviced. For the future, that is how we have it. So, even our workers and we know what is going on when we come onto our lots, and we have it sectioned out in that way right now.

Commissioner McCall replied I appreciate the clarification, thank you.

Commissioner Litten asked number 6 – about window signage. I noticed that when I by there today, there was a list of things – I think you list things that you do there.

Mr. Eadeh replied right. We have it in three sections. The far south side of the building of the showroom, the north side, and then in the middle.

Commissioner Litten asked has that signage gone through the site code? Or will that be something that will happen? Or how will that work?

Mr. Eadeh replied when I spoke to, I forgot who the old lady was, when I spoke to her, when I did is that I measured the whole entire building, and we are allowed certain percentage of the square footage there, and we met all of that.

Mr. Tim Tsirambidis replied and if we do any other signage, it will go through the City. I believe that the City told us it is 25%, and this does 10%, but I could be wrong on that. I thought it was 25% of the building could be signage, but that includes everything that we have existing right now, so if we wanted to add something. Like, we will put up banners for specials, and then, on the inside of the window, like what we have now, is driving special – now hiring because we are looking for a lot of workers. So, we will have those see through.

Commissioner Stavole asked Asst. Law Director Schneider, if we are using this memo as what the client is going to work off of, can you clarify this 10% total window area or 25% of the whatever that number is. Do we need that for clarification?

Asst. Law Director Schneider replied his understanding is that the City is not asking permission to take any actions this evening, is that correct, Mr. Patten?

Director Patten replied correct.

Asst. Law Director responded to Commissioner Stavole so there will be time to clarify that if you would like that laid out.

Commissioner Stavole stated he did not want to jam them up if the number is 10% but they put 25% - I would just like clarification so everybody is on the same page.

Director Patten replied we will add that to it.

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Chairman Schwachenwald asked if anyone else has questions. Let's request this to be placed on the next Planning Commission Meeting agenda for a vote. That gives you some time to get your answers, and we will vote on it next time.

Law Director Pokorny stated that Ms. Hopkins from CT Consultants is going to come in and discuss the next agenda item that you have, which is the consideration of amendments to Chapter 1131, Chapter 1185, and Chapter 1195 of the Planning and Zoning Code, and she is here to explain the amendments to you, and then answer any questions you may have. The City is not asking for any action on this tonight. Again, this is more informational for you to consider, and next month, at your next meeting on June 3rd, we would propose to schedule a public hearing for formal consideration and then your recommendation regarding these amendments, which needs to go back to Council, and then Council has a process where there are three readings and a public hearing before any of these amendments, if you recommend them, can be effective. Ms. Hopkins is on a Zoom call right now.

Commissioner Stavole asked if he has a suggestion to some of the language, is that brought up at this junction?

Director Pokorny replied absolutely. The Director replied he would offer it to her, as we all know, Kris is an expert in Planning, and your question would be good, and she could answer or provide guidance to us on how to handle that. So, I would encourage that. Please.

Director Pokorny explained to Ms. Hopkins that he just briefed the Commission on why you are here, and what I told them was that you would go through the proposed amendments to each one of these sections and explain to them the reasoning behind that and also that if they had any questions, they should be asking them, and you would answer their questions or give them guidance on whatever concerns they may have.

Ms. Hopkins explained there are three amendments being proposed, and in order to allow self-storage in an existing building, that is the purpose of the amendment, the first amendment is being made to Chapter 1185, Table 02 (1185.02) at the bottom of the first page of the table, we are adding "Storage Self-Service as a Conditional Use only in the West 130th Mixed-Use District." So, that would be the only place it would be permitted, and it would be permitted, then, as a Conditional Use. Then, as a Conditional Use, then, there is a set of conditions that have been drafted to ensure that there are very limited locations where this type of a use would be appropriately permitted. There are a number of these conditions that are in place. They are somewhat tailored to the proposed location that is being anticipated, but in my mind, they make sense in the sense that they are not uncommon. There are other communities that are doing very similar things. Then, the third amendment is to check your 1131 definition, so that is adding a definition for Self-Service Storage Units, and then Mini Self-Service Storage Units. So, if I may, I will go through the conditions and just briefly comment on them. Then, I think the definitions are pretty self-explanatory, so after I go through the conditions, then, if there are any questions... So, under 1195.5, we are adding a new subitem I that deals with self-service storage units. As I mentioned, it is really an adaptive reuse allowance. So, it only would be permitted in a building that already exists. The idea is that you are not going to be attracting a lot of new storage units. It is a way to reoccupy an existing building that might not otherwise have a valid reuse, and that is related to the 40,000 square feet and the 2-acre minimum area, and a minimum setback of 300 feet. So, the idea is

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that when we first discussed establishing these mixed-use districts, the idea was to provide some regulations that made it easier to redevelop Pearl Road and West 130th for retail and multifamily mixed uses like that. In this situation, or in a situation where the building is set very far back, 300 feet or more, from the street, it is not providing that sort of street environment that we had talked about a couple of months ago. So, as long as there is a 300-foot setback, which then allows for additional building to take place in what would be an existing parking lot, that is the idea with Item 1a and b. Under I-2, additional single-story mini storage facilities, when you think of mini storage facilities, those are the types of buildings that have garage after garage that have the overhead doors. So, you can have a single row of multiple units attached. Those are what a mini storage facility would be. So, this allowance under I-2 would permit up to 20% of the ground-floor area of the existing building, so there could be an additional amount of floor area constructed; so, new construction; but that too, that new building, would have to be at least 300 feet back from the public right-of-way. Item number I-3 addresses issues related to how and what types of uses can go on, knowing that and keeping an eye on that the West 130th mixed-use district does allow retail and office uses and things like that, but it limits automotive and other sorts of production-type uses. The idea is that there are certain things that can go on and then others that are restricted. So, as long as any additional use is already permitted in the district, then that could be a dual use, but it has to be approved as part of a development plan and go through the process with the Planning Commission as part of that Conditional Use review. The other item is that no outdoor storage would be permitted. From my research, it is common to have a self-service storage facility also providing outdoor places for you to park an RV or a boat or things like that. What is being proposed is that that would not be permitted, and that that sort of outdoor storage is not permitted.

Commissioner Stavole asked on that Section A, #3, where it says "All items stored on site shall be kept within enclosed building or structure. No outdoor storage items including boats, RVs, ..." We would also like to add construction equipment.

Ms. Hopkins replied okay, that is in line with what ... okay, and then under I-3c, Power Tools, and things like this. The idea is that somebody, if they are storing ... let's say they are renting a space and somehow, they are able to store their car inside, which is permitted, which is not outdoor storage, but that person is not able to work on their car or anything else – their lawnmowers or whatever – so it is not going to become a repair facility at any of those individual storage places. The storage of hazardous materials is prohibited. That is a very common provision. No place for housing or any form of residence. Based on my research, about 50% of self-storage facilities have someone living on site, so it makes sense to not permit that here. Then, the last one, under Item 3, is that there is an allowance for a sale of the contents of a unit up to 4 times a year and that there would need to be a permit issued that is related to a temporary sales permit. Item I-4, this is related to how the building is oriented and what can happen on the side of the lot if it is adjacent to a residential district, and in this case, no loading docks or exterior access. So, you could not put loading areas off the back of the building that backed up to a residential lot. So, that is the purpose of that, to minimize the amount of activity that can go on up close to or adjacent to a residential district or house lot.

Commissioner McCall asked if there is a dock currently in the building that they are renovating, does that mean they are going to close off that area? I imagine behind that building, there has to be some type of loading area, right?

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Director Patten replied there are two loading areas that are presently there today. I do not believe that DealPoint has any intentions of having any kind of loading docks at all. So, I imagine they would be eliminated, but today, they are there today.

Commissioner McCall replied he is just trying to have a vision on how people get their goods into this existing building without taking it around the back.

Director Patten replied my understanding is that I don't believe it goes around the back, that there is anything behind the building.

Commissioner McCall asked we can make that conditional that if there is anything in the back that they remove it.

Director Patten replied right, I don't believe that is their intention at all. This is all inside storage, so it won't be that type of delivery that would be using that type of equipment.

Commissioner McCall commented I am just thinking that if someone is bringing their household goods in for storage, they are not going to take them to a door that is just two doors and open. Somewhere, there has to be an access to a larger area, and then to at least get to it to get in. I was just kind of curious... Ms. Hopkins, when you were reading the additional single-story mini-storage facilities, so they are not going to be connected. They would be erected so long as they do not exceed 300 feet, right? Then, I imagine that we would have some sort of requirement for the maximal height that those single-storage units can be? Even though they say this is what they usually are, we should probably have a maximum height and maximum width to a mini storage area.

Ms. Hopkins replied yes, that is a good point, because right now in the West 130th Mixed-Use District, the maximum building height is 60 feet, so there is no maximum on a single story up to the 60 feet. That is a consideration.

Commissioner McCall replied I mean, I would think we would want to have something that states what defines a single-story mini storage unit.

Chairman Schwachenwald stated they will be building those.

Commissioner McCall replied that is what I am saying

Chairman Schwachenwald asked Asst. Law Director Schneider, this will go through us and then it will come back to us for recommendation of Council, Council will do three public readings on this. Then, it will have to come back here to be approved on their plans. That is when we would discuss loading docks and specs and those types of questions, am I correct in assuming that?

Director Schneider replied yes, ultimately, and again, this is another agenda item where no action is being asked of the Commission today, but ultimately, the next step for this Commission would be the recommendation to Council for Council's consideration.

Chairman Schwachenwald asked once they have had their three public readings and they start moving forward, they would still have to come back through the Planning Commission with drawings of what they plan on doing to the property.

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Director Schneider replied correct.

Director Patten stated what you are saying what you are saying is you want a maximum height, so we can do that. So, we will get that information.

Commissioner McCall replied right. It could be right in there, single-story mini storage facilities may be erected up to ...

Commissioner Litten asked what is behind it, I can't get a vision. That is Olde Time Pottery, the place next door to it, right?

Commissioner McCall replied the old MC Sporting Goods?

Commissioner Litten asked what is behind that?

Chairman Schwachenwald replied residents.

Commissioner Litten asked what residents?

Chairman Schwachenwald replied Maplewood.

Commissioner Litten asked it goes all the way back that far.

Chairman Schwachenwald replied yes.

Ms. Hopkins stated if you want to pass this around, this will give you a little bit of the properties behind where you can see some, what I would imagine are garages, right up against what we view as their rear lot line.

Chairman Schwachenwald commented there is not that much room there.

Commissioner McCall replied it's not like you are building a new building. It is there already.

Ms. Hopkins stated and it looks like the loading is actually on the sides of the building, so, it could fall on each of the side walls toward the back in the back corner.

Chairman Schwachenwald commented outside self-storage....

Commissioner Litten stated it is not just a loading dock, it is also a garage door.

Chairman Schwachenwald stated you couldn't get a truck back there. You would have to be in the center...

Ms. Hopkins replied right, it does not look like you could turn into and pull out of....

Ms. Hopkins asked Director Patten to check with them to see what the height of the...

Director Patten replied yes, we will get a number for everybody on that.

Ms. Hopkins stated also, and this would apply to this CubeSmart future location, the public access, when it abuts up against a residential district, then access to the site would be limited so that 6 a.m. is the earliest and then 10 p.m. would be the latest in terms of activity that could go on when it is adjacent to

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a single-family residential district. Then, under 5, Fencing and Screening, the concern here is, again, the visual impact from the street and what the Mixed-Use Districts were intended to try to incentivize or encourage new development to do, and that is to bring buildings closer to the street and provide something more aesthetically pleasing and much more pedestrian friendly. In this case, with buildings that are set back 300 feet or more, then, the way 5-A is written is that if these buildings are visible from the street, if there is not enough new construction done in front of the building, then the Planning Commission can require landscaping and screening, and the reference is to the landscaping and screening in Chapter 1185, so there are some screenings and buffering for parking areas and that from the street. Then, Item 5-B is restricting fencing so you cannot have barbed wire.

Commissioner McCall asked I guess this is a general question that I am sure you can answer this again when we get to the next process, but are they going to secure the whole area where you have to sign to get in.

Director Patten replied I would think that they will for the outside storage buildings.

Commissioner McCall replied the only reason I ask that question is, Mr. Patten, is that yes, I am very concerned about how 130th looks, but I am very concerned about the residents that abut the back of the building because they may need to fence that as well, and I think that we need to make sure that not only do we limit the fencing that was noted here, but we should eliminate chained-link fence.

Director Patten replied the back of the building should be masonry building to begin with that is behind the residents.

Commissioner McCall replied I'm thinking that if they secure the whole... would they secure it all the way around it – I don't want it to be secured with 8' chained-link fence. I don't know what is back there now, but I would not think there would be anything like that back there.

Director Patten commented he think that they would have them built where there is only a gate in the front, and the rest would be all built ...

Commissioner McCall replied I don't know if they want anybody to – because you can walk right in. So, I don't know what their thought process is, but it would be nice to understand what their ... again, I know that is another part of the process, but ...

Director Pokorny commented one additional piece of this process is that we are in the early stages of, in addition to the Conditional Use that you are considering and the conditions that you may put on this process, we are also going to have a development agreement with the developer that will recite some of the provisions that we are discussing here and that Ms. Hopkins is discussing, but address, in addition, I know we have talked about the issue that you have just raised about fencing and securing the entire facility.

Ms. Hopkins stated there are requirements also in Chapter 1185 that address screening when lots abut residential districts, so there is a requirement beyond what is in these proposed regulations for self-storage units, there are requirements that would apply also. In 1185.08, there is screening, and there is a requirement for a wall or a fence or some other treatment so that it is screened, and it makes sense,

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then, for the Planning Commission to add the condition to determine whether it is a wall for a fence and the kind of fence. Those are all reasonable things for the Planning Commission to impose to address in their additional conditions that you can impose.

Ms. Hopkins stated the last item is that the Parma Heights Fire Department have access to the grounds so that if there is anything that would come up, then they could get inside and address it from a safety standpoint.

Commissioner McCall asked if there was any way to change the access time to 7 a.m. from 6 a.m., since most commercial people don't do anything and they don't start picking up trash and such until that period of time versus someone being able to get on that property at 6 a.m.?

Director Patten replied you could make that part of that condition.

Commissioner McCall stated it says 6 a.m. to 10 p.m. right now.

Director Patten replied you can change it.

Director Pokorny stated this provision that you are referring to is a draft proposed amendment. So, if you choose, as a Commission, to say make that a different time, this would be the time to discuss it and do that. You are not going to decide it tonight. I'm not saying you have to do that tonight at all, but it is done here before you recommend it to the City Council for their consideration.

Chairman Schwachenwald asked if there was anything else.

Commissioner Stavole stated he agrees with Mr. McCall on the 7 a.m. as most of our ordinances follow the lawn cutting and light construction, they all follow that 7 a.m., he believes Saturdays and Sundays, have different time, but I don't know if you want to get that far into this.

Chairman Schwachenwald stated he had some questions on some things that have gone through this Commission in the past, like Nathan Hale Park. Where is that sitting at now.

Director Pokorny replied we are still working with the National Park Service to answer some additional questions that they had on the presentation that we made to them back last July 2020. That is all I am going to say about it right now. We actually have been in communication with the Park Service recently, and we are still waiting to hear back from them.

Chairman Schwachenwald asked what about the residences on Stumph and Snow that we approved, have we heard anything back from them.

Director Patten replied yes, he is just getting his addresses and will be applying for permits, and he is moving.

Commissioner McCall asked if Director Patten could ask him to fix his signs.

Director Patten replied yes.

Chairman Schwachenwald what about the Church in the Woods property. We approved that five years ago.

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Director Patten replied we repealed all of those approvals.

Chairman Schwachenwald asked they will have to come back for that.

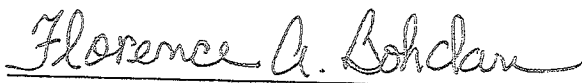
Director Patten replied correct. There are no approvals pending there now today. So, they have been repealed. We have had discussions with some other developers that are interested. That is as far as it has gotten.

Chairman Schwachenwald motioned seconded by Commissioner McCall to adjourn


Aye: Stavole, Litten, Schwachenwald and McCall

Nay: None

Planning Commission meeting of May 3, 2021 is adjourned at 6:15 p.m.



Florence A. Bohdan
Florence A. Bohdan
Planning Commission Secretary



Rick Schwachenwald
Rick Schwachenwald
Chairman, Planning Commission