

Special Planning Commission Minutes
July 5, 2023

Chairman McCall: The City of Parma Heights Special Planning Commission meeting of Wednesday, July 5, 2023, is called to order at 5:30 p.m. Roll call please.

Clerk Allen: Roll Call: Haase, Humphrey, Litten, Sepich, McCall.

Chairman McCall: Please stand for the Pledge of Allegiance.

Pledge of Allegiance is spoken.

PRESENT: Commissioners McCall, Haase (Council Representative), Litten, Humphrey, Sepich and Clerk Allen

ADMINISTRATION PRESENT: Assistant Law Director O'Malley, Renee Overstreet and CBO Marty Surella.

Chairman McCall: I'll look for a motion to approve the May 1, 2023 Planning Commission Meeting minutes.

Mr. Litten made the motion; Mr. Sepich seconded the approval of the May 1, 2023 minutes.

Clerk Allen: Roll Call: Aye: Humphrey, Litten, Sepich, Haase, McCall

Minutes approved

Chairman McCall: We are here to consider the Motely 7 Brew, LLC for property located at 6675 Pearl Road, Parma Heights, Ohio. Chapter 1135 Conditional Use Permit and Chapter 1195.05 (b) Commercial Use-specific regulations (drive-thru and drive-in facility). We have an interoffice memo here from Mr. Surella it says "Our office received an application for a conditional use permit for drive-thru operations. Please consider the documents enclosed for your review. Please accept the application and documents enclosed at the July 3/5th, 2023 Planning Commission. At the discretion of our Law Department, at this meeting a public hearing date must be set and then published in the local newspaper, website and posted at City Hall. The Planning Commission shall review the proposed conditional use as presented on the submittal plans and specifications and consider the written reports and public comments during the public hearing. Please reference Chapter 1135 Conditional Use Permit. Please contact the applicants with meeting details for July 5, 2023 and the public hearing meeting date when determined by the Commission." I'm not sure who all is here to discuss this but Mr. Modic, you are here representing....

Greg Modic stated that he is representing Motely 7 Brew. So, we are the current land owner for the property, and the behind it there, we're in the process of separating that. I was in close contact with these folks and some other users that were interested in the property. This user came in, it's a new business model as far as coffee service and you can picture it like going through the Chick-Fil-A drive-thru so vs. the traditional order board, it's in the back and abutting someone's property, it's all based off

the iPad taking the orders. So as the cars form there's dual lines that come up and then you place the order with someone standing there with an iPad. Then they'll bring your coffee out. I was talking with Marty a little bit with the Use District with 130th area, what about the folks that would like to walk up? I reached out to them and asked if they would add a window or how would you handle that? The response I received is that on the opposite side of the traffic area there are doors there, anybody can walk up and place an order. Coffee and smoothies can be ordered by walking up. I don't think they get extensive on the food use, from my understanding it's muffin tops that they offer with it. It's really just the idea of having folks drive in, grab a coffee, get them back on their way. The plan lays out quite well, there is a screen in the back, which lays out well. If the Planning Commission allows them to move forward as part of the final plans, we would ask for them to put a fence up. There's a lot of headlights coming through, if those trees would drop leaves or anything, the residents behind here would be getting headlights all the time. They were accommodating and willing to do that. From a business perspective they are hoping to open, I don't think they have any open yet, they have one that's started construction in Canton area now, but they are looking to open 60 stores in the Ohio market in the upcoming years. I believe this is the first one that they actually have in NE Ohio are for application, they are looking at various sites. There hope is if all goes well, they'll be able to open this store yet this year, and start serving folks.

Chairman McCall asked if this is a franchise, it's owned by somebody who owns multiple properties like that?

Greg Modic responded, that is correct. The owner for Taco Bell, Buffalo Wild Wings, they numerous across this area, just not this brand. This brand of 7 Brew came to them as a bigger franchisee, saying we don't want a bunch of small ones, we want push our footprint and get it out there. I want to say they own over 2,000 stores across the country in the next couple of years. They went with someone who has a good footprint across numerous areas.

Chairman McCall added that this is on the property that is currently being utilized for the in and out?

Greg Modic responded that the in and out just stopped. They dug the last foundation so it was used for the in and out, currently construction trailer is still there we just haven't moved it yet. Until this process starts to move along, then we'll get that out of there.

Chairman McCall asked if that met with the requirement that was set when we were talking about building out?

Marty Surella added that they knew the access driveway would be cut off by the foundation of the last building. That has been done. The entry and exit now is off of Maplewood.

Chairman McCall confirmed that there were no more large trucks driving through Maplewood? That is one of the things we talked about.

Marty Surella added that we eventually that had to be put in because they had the building the building and needed the access to the driveway. That's basically were we are at; these guys are flying over there. I think the last concrete pour has been made and after that it's been raining so the concrete trucks will come to an end very shortly if they're not already done.

Mr. Humphrey stated that he saw in the news that the same brand had talked to Middleburg Heights. Did that fall through or are they still planning on going through with that location.

Greg Modic stated that the area that they were looking at was the old Friendly's Ice Cream right by I71 and there were accessibility issues. They are looking for another site in Middleburg Heights as well.

Mr. Sepich asked if for walk up customers that walk up to the building can they get inside the building, is there service inside?

Greg Modic stated that the way they phrased it was that I don't think there is an indoor space were they're going to stand, there's an overhand above it, that goes across covers that area. Customers can walk up to that area, they'll take the order, and then serve them the drink but all of this is outside the doors.

Mr. Litten asked where in this process will the Commission received more complete drawings as far as the style, parking lot layout and different facades? Or did I miss something?

Chairman McCall added, no, because we're not at that stage right now.

Marty Surella brought forward a rendering of what the building might look like for all the members of the commission to view.

Mr. Litten ask if the property will then look exactly like this?

Greg Modic stated yes. If there are any changes, I can present it to them. My understand is that there will be a public meeting so if there's some things, I need to do some homework on and bring to that meeting, I can certainly do that.

Chairman McCall added that in the letter from 7 Brew it says that it's a pre-fabricated building?

Marty Surella stated that he can't tell from the drawing, I believe it's stick build. Some might be pre-fabricated that crown on top is storage, there's a hatch that somebody has to go up and stock that area, that's not accessible to the public. None of the interior of the building is accessible to the public.

Chairman McCall added that they say it's a 510 square foot pre-fabricated building. That's all I see, plus a 210-foot adjourning cooler.

Greg Modic added that they do have full architecture plans as well and I can get a copy to Marty as well. They were stating that they are State approved but of course it needs to come through Marty as well. I didn't understand that until I saw that letter describing it to be a prefab building.

Chairman McCall asked about the operating hours? Here it is: 5:00 a.m. to 10:00 p.m. Do you see any challenges with the 5:00 a.m. start?

Marty Surella replied no because there is no speaker system. They don't utilize the loud speaker as their way of ordering.

Chairman McCall asked about the lighting?

Marty Surella replied that he has some conditions that I would recommend that the committee consider. Greg already talked about the vinyl fencing that was one. Walk up access to pedestrian service, walk up window and we need to get some kind of crosswalk area so people can cross Pearl Road safely and then lastly on the architectural drawings the lighting should be based on the down draft style of lighting.

Chairman McCall added that he wants to be sure that the folks surrounding this location is being considered and not getting flashed by lights.

Greg Modic added that he agrees and the suggestion for the fence takes care of the headlight situation and I think as long as the parking lot area is the down lighting it will be a good thing to do.

Mr. Litten asked if there are two buildings on this drawing? What am I looking at?

Greg Modic replied yes, the primary building is where they prepare the coffee and then the small one is the cooler which is storage.

Mr. Sepich asked if the cooler building there already?

Greg Modic responded no it is not. It will be 210 ft. building.

Mr. Litten asked if the cooler, is this the edge of one of them. Silver metallic type building?

Greg Modic responded I'm not 100% sure. I think what I should do is bring that back to them so that we can have the conversation. Marty, have you discussed what materials that building is comprised of?

Marty Surella responded to the chairman just so your comfortable what the vetting process that we went through the Building Department will get this and so will the City Engineer. They comply with. There was one issue with the side yard buffer didn't comply with our ordinance, they moved the building to make that work. They moved the lot size, lot width, front yard setback, rear yard setback, parking setback, side- yard buffer, rear-yard buffer, maximum building and the parking requirements. They comply with all of those. I looked at this and so did our City Engineer and we have no need for any variances.

Mr. McCall added that I know everyone has done their due diligence on this but you know I've sat on a lot of committees and council over the years. I've had people walk in and say don't worry, don't worry, don't worry and then nothing gets built or they want to make changes half way down the road. I'm trying to get a good feel for this since it's on Pearl Road and it's important that Pearl Road looks as good as it can. I like the look of the building, it's fresh. It will be interesting to see how it fits in to our community. To the left is the old Burger King, what's to the right? Many responded with Arby's is to the right.

Greg Modic stated that its about 10' from the Burger King the side yard towards Arby's probably 50'.

Mr. Litten added that he's a little concerned about the storage area. It's half the size of the main building and I'd like to know if it's going to be a silver storage container.

Chairman McCall stated that we are not here to approve this, we are here tonight to move this to a public hearing.

Assistant Law Director O'Malley added that you are reviewing the development plans and making a recommendation on a Conditional Use Permit. It doesn't have to happen tonight; you can hold your ruling for up to 30 days after the public hearing. It's a good opportunity to review these concerns with the applicant so he knows what he needs coming back. It maybe their intention to provide more detailed landscaping plans to show the fence and what the landscape design is, materials, sizes, height of the fence for example. A Conditional Use Permit is subject to greater scrutiny than your typical development plan review. You're making a recommendation on that, that will ultimately be confirmed or not confirmed by council. I would recommend to you to approve with the imposition of any conditions that you deem appropriate that Marty might have some suggestions for you.

Greg Modic responded that it's strange because I'm applying as the applicant working with these folks for this sight, I looked at the drawing and I see what your saying, it's like one of those con-ex-boxes just sitting there.

Chairman McCall added that it reminds me of back in the day, 1970's, when I worked for McDonalds and we had a silver freezer, just sat out there. It looks like galvanized outside.

Greg Modic added that I would hope that's not their intent, and I realize that that won't slide, so let's see if we can get some kind of rendering of what that is. Is it masonry or what kind of materials are used for that.

Chairman McCall asked Mr. Modic, do you have anything within your development that is going to buffer this or are you relying on their buffer?

Greg Modic added that we would rely on their buffer. The vinyl fence I think down the property line, is where I believe it should go. I think we'll do some plantings on our side so it looks nicer so you're not looking at a wall of white vinyl for our folks.

Chairman McCall asked Mr. O'Malley just to be sure I understand this because you provided a lot of information earlier. We were going to move this to a public hearing and then we need to vote on conditional use as well?

Assistant Law Director O'Malley responded that no, not tonight. The vote on the conditional use will be at a later date. We want to hold the public hearing first.

Chairman McCall motioned to move this project to a public hearing on July 24th, 2023. Seconded by Mr. Sepich.

Clerk Allen: Roll call: Aye: Litten, Sepich, Haase, Humphrey, McCall

Motion Carries

Marty Surella asked if we are clear on the conditions that will be brought forward other than the ones already stipulated?

Chairman McCall stated that if we can get a full rendering on the width of the property and then that's going to tell us everything about this. If they can let us know what that is made of? I live off of Snow Road and every time I pull out of my street I see the back of a parking, the back of a plaza and it's all supposed to be covered, and 80 percent of time they're not. It's not in Parma Heights, but it's frustrating because you want to make sure you understand it all so that when it's done, you don't have to go back and say, can you do this? They can come back and say well, you approved it with out that and we don't want to do that. Is there anything further?

Assistant Law Director O'Malley asked is that Public Hearing going to be held at 5:30 p.m. on the 24th?

Chairman McCall responded yes; it is. Thank you.

Mr. Litten asked Mr. Surella about the nursing home. I've driven by lately and I don't see any movement on the landscaping.

Mr. Surella responded you're referring to Greenbriar? Yes, it's been a journey. I've talked to the architect this morning; I'm supposed to have drawings by this Friday. We will see. We've gone in another direction on the property maintenance because this has been an on-going saga here. I had a meeting this morning about this very issue. We're trying to resolve it. According to the architect their going to do some landscaping, tear up the assault, seed it. Make it greenspace. The parking lot all went to pieces, budgetary issues.

Chairman McCall stated that since we're asking questions, may I ask about the Convenience Store on Stump and Huffman, is that going to go forward, or no?

Mr. Surella responded that no. That project is not going to go forward. The guy that owned that property over the past 3 weeks he sold the property. That project is dead. We have a meeting on Gary Fisher, the original architect on Friday morning to bringing back the gas station idea, a bigger building with a kitchen. The developer is Joe Madrey, he owns the Speedy up the street here and several others. New project so we're going to start all over again.

Chairman McCall stated and this is why I have more questions than ever, because these things come about and everybody's excited, we go through the process, approve them and then they go quiet. I appreciate all your diligence. With no further questions, I move for adjournment; Seconded by Mr. Sepich.

Chairman McCall: Roll call please.

Clerk Allen: Roll Call: Sepich, Haase, Humphrey, Litten, McCall

Meeting is adjourned at 6:02 p.m.


Barbara Allen
Secretary, Planning Commission


Jim McCall
Chairman, Planning Commission