

Minutes of the Planning Commission Meeting

May 2, 2019

6:00 P.M.

Mayor Gallagher called the meeting to order.

PRESENT: Katie Gallagher, Mayor
Jim Oper
Steven Coyle
Sue Grodek

ABSENT: Ron VanKirk, Council Representative

APPROVAL OF MINUTES:

Motion by Gallagher second by Grodek to approve the minutes of April 4, 2019. **Vote Resulted:** *To APPROVE:* YES: Gallagher, Oper, Grodek, Coyle. No: None. **(APPROVED)**

Amendment to the prior approved plans from Epic Signs & Graphics for a LED message board on existing freestanding business identification sign for Valley College at 8720 Brookpark Rd. PP# 43319004. Commissioner Kulcsar explained that they are looking to add signage going down the pylon of the sign and they are also wanting to utilize all four tenant spaces on the other signage. There will be zoning variance required for this amount of signage on the freestanding sign. Building Department does not have any objection to the request. Lynn Mizanin from Valley College stated the reason is they are putting Valley at the top of the LED sign and there is no space for the word college. She stated they are also next to Golden Corral sign and they are just trying to make their sign stand out a bit. Planning Commission had no questions. Public comments: Pat Tamburro asked if there have been any studies does about sign distraction. Lynn from Valley College mentioned they do not have flashing or motion in their sign to distract drivers. Commissioner Kulcsar further explained that these concerns were addressed in the original approval. Standards are set by ODOT for signage. Tamburro then asked when they got original approval. Commissioner Kulcsar explained on January 22 at a special Planning Commission meeting. After further discussion, **Motion** by Gallagher second Coyle to **APPROVE PENDING ZONING APPROVAL** the request. **Vote Resulted:** *To APPROVE:* YES: Gallagher, Oper, Grodek, Coyle. **(APPROVED)**

A request from Blink Signs for an internally illuminated wall sign for Loving Cup a Child Care Center at 4476 Ridge Rd. PP# 43223018. No one present from Blink signs. After further discussion, **Motion** by Gallagher second Grodek to **DEFER** the request. **Vote Resulted:** *To DEFER:* YES: Gallagher, Oper, Grodek, Coyle. **(DEFERRED)**

A request from OLIO Development Group for final site plan and sign approval for a Raising Cane's restaurant at 5180 Tiedeman Road PP# 43317015. Commissioner Kulcsar explained this is for final. Plans have been approved by City Engineer and also a nonconformance approval by Plans Examiner. If the Commission has no further concerns he recommends we grant final approval. No questions from the Commission. The public had no question. Kayla Holbrook from Raising Cane's questioned if this approval would cover the signage also. Commissioner Kulcsar explained it did. After further discussion, **Motion** by Gallagher second Coyle to **APPROVE** the request. **Vote Resulted:** *To APPROVE:* YES: Gallagher, Oper, Grodek, Coyle. **(APPROVED)**

A request from Swensons Drive-in for preliminary site plan approval for a drive-in restaurant at 4660 Ridge Road PP# 43307004. Commissioner Kulcsar stated this is for a new restaurant at this location. The existing strip mall would be taken down and Swensons would be built. He went over an email he sent out to the Commission; he

would ask the Planning Commission to determine a Similar Use per 1141.05; this property has an existing easement for use of city parking lot property which will continue; concerns from this meeting with the neighbor, Jason Hammond of 7328 Glencoe. This is for preliminary approval only. Ron Dee from Swensons went over a brief history of the business and the current business goals. They would like to build a 1711¹ square foot building. He wanted to point out the current building is 9600² square feet. This proposal is for a significantly smaller building. He showed photos of the proposed site and went over the plans. They plan to keep existing curb cuts/openings. They plan to keep the no right turn out of Glencoe Ave. They plan to repave the entire parking lot and have 76³ parking spaces. The proposed building is 100% kitchen. There is no seating inside nor patio seating outside. If you dine at Swensons you are served and dine at your car. Many people call in orders pull into a parking space and take the food to go. Food is brought to the cars via our curb servers. Curb servers have a mantra of sprint and smile. All are required to run to provide fast service and must be a full-time college student. They must take 12 credit hours per semester and keep a certain grade point average to work for Swensons. The curb servers generally get tips for their services on top of their hourly wages, they have a very competitive pay rate, more other “fast food” type restaurants do not offer tips to workers. He then explained the red canopy is on the spaces closest to the building to help if the weather is inclement. About concerns of noise, Friday and Saturday night they would generally have around 6-7 curb servers and one of their jobs is to “police” the parking lot for loud music or nuisances. Curb servers will address any noise issues. Their CEO has been with them for 18 years, he is now 36 years old; he started as a curb server. Ron Dee stated that the older generation finds Swensons nostalgic and the younger generation finds them quirky and weird. -He then went over plans a little more. He went over the placement of the fence and mentioned they prefer the fence at the north of the property to not be there, they prefer a nice line of sight to and from the gazebo. If they are approved to not have fence they will commit to twice a day to “police” the trash in the park. They would like to keep the elements of the park like the pathway and bench in place. The handicap parking is in the back of the building because they are closer to the restrooms. Employee parking will be on the west property line to keep the most visible spots for their customers. Ron Dee also stated they will work with the city to have park only parking spaces wherever the city wants with signs stating such. He went over the signage plan. He stated that they will not ever put signage on the front glass windows. Ron Dee then went over the materials used in the building. He also stated they do not have vertical curbs because they do not want their curb servers to trip over anything. Mayor Gallagher expressed the concerns she has heard from the residents were traffic and noise because of the hours of operation. She then asked what their peak times are and what do you foresee as far as a traffic problem. Ron Dee stated they open at 11 am and they generally have people waiting for them to open. He then said their peak times for lunch are 11 am till 1 pm and 5 pm-7: 30 pm for dinner. Swensons is open 11 am till midnight Sunday thru Thursday; on Friday and Saturday they are open till 1:30 am. He stated 60 percent of their business is conducted at lunchtime from 11-1 and the other 40 percent is scattered throughout the rest of the day. Ron Dee then went on to say that as far as traffic concerns the fact that they are a drive-in restaurant they do not have a queue of cars. People pull into spaces and park to order. The average stay is about 31- 32 minutes. So because of this, parking and eating in the car, the pace of traffic here feels a lot slower than a traditional fast food restaurant. Ron Dee then addressed the concern on noise as stated earlier one of the jobs as a curb server is to “police” the parking lot for loud music or nuisances. He also stated generally in the summertime customer have their air conditioning on, and in the winter they have their heat on, so their windows are rolled up most of the time. As far as food delivery and trash pickup, Swensons will ensure these are made after 7 am as stated by Brooklyn’s noise ordinance and before they open at 11 am. Mayor Gallagher asked if they would be open to reducing their hours of operation seeing as most fast food restaurants around here are not open that late. Ron Dee responded they would prefer not to, they close intentionally at 1.30am to not draw the after-bar crowd; but they are open for discussion. Jim Oper stated that the location in North Olmsted has a similar location layout next to a residential area. He was curious if they would be putting up a higher fence as they have in North Olmsted for the Hammonds. Ron Dee stated there is an existing fence at that location, they will change it if requested. Commissioner Kulcsar explained that the resident just

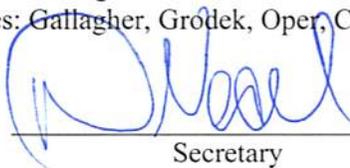
¹ Sectary note: Proposed building has 1,732 square feet

² Sectary note: Current building is 14,112 square feet

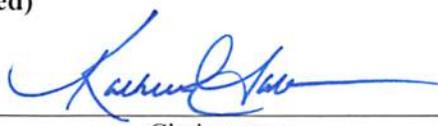
³ Sectary note: Proposed site has 82 parking spaces.

installed their fence. -Mayor opened the session to the public. Kathleen Pucci read parts of an email from Kevin Butler relating to Similar Use. Commissioner Kulesar agrees the Commission will have to vote to see if to clarify if this is similar to a drive-thru, then they would have to vote for Conditional Use. Mayor Gallagher mentioned that our code needs to be updated. She stated it is antiquated and creates a lot of ambiguity just for the fact the way a word is used in a code does not mean it fits that description. She then mentioned a discussion that was had to seeing if this particular business is considered a restaurant or a drive-thru. She said after the discussion this weighs more toward a drive-thru, in her opinion. She stated Commissioner Kulesar feels this is more a restaurant and if she asked 5 other people they will each have their own opinion and weigh a different way; that is why she feels the code is ambiguous. Rob Slattery mentioned he is concerned about the traffic and he asked if a traffic study has been completed. Ron Dee stated not for this site. Slattery then asked is it possible to get one done. Ron Dee stated if it is required by the City they will. Oper agreed a traffic study does sound good. Slattery asked if they looked at another site. Ron Dee said they had but this is the site that they like the best. Pat Tamburro asked if there was going to be parking for the park area. Ron Dee replied yes they will work with the city to have assigned/signed park parking spaces. There was a discussion about walk-up service and that this not something they do. There was a discussion about the college curb servers policing the noise in the parking lot. Christine Hull asked if the drive on Glencoe is going to be no right turn including trucks. Ron Dee stated they will make it for all vehicles. Larry Hull asked who is enforcing that. Mayor Gallagher replied is it in the agreement that comes with the property and, it was a stipulation set in the past that would have to be enforced by our Police Department. There was a discussion on the traffic, no right turn and parking concerns on Glencoe. There was a question about putting a new curb cut on Ridge. Commissioner Kulesar explained that there used to be one in the past they moved it to Glencoe. He feels that it would cause more problems to add an additional cut on Ridge. He also stated that going from a multi-tenant strip mall to a one tenant restaurant that traffic will not increase. Mayor Gallagher stated initially there would probably be an increase in traffic just like any business grand opening. Jason Hammond stated he had been to the North Olmsted on a couple of times, once at lunch and once at dinner, he said the traffic was not busy. He also had concern about servers yelling orders from the back of building to the front and also he stated they allow walk-ups. Ron Dee replied that if they yelling happens here it will be addressed and as far as to walk-ups, North Olmsted required them to put in a bike rack. Swensons did not want it but it was required by the City. Ron Dee believes this is what causes the problem with walk-ups at that location. There was a discussion on employee and park parking locations. There was a discussion on signage and lighting. Margaret Hammond spoke on concerns on parking for the park for prom and homecoming. There was a discussion on current park parking and future parking. Swensons will work with residents on parking during special occasions. Terry Hammond stated she changed her shift because of the daycare; she used to work nights, now she works 6:30 till 2:30 she is in bed at 7:30 at night. She asked how we (her household) will cope with them being open till midnight during the week and 1:30 am on the weekend. Ron Dee said they will manage noise as best they can. They will also put up more greenery to help buffer noise. Jason Hammond stated that would be nice. They were promised that when the daycare opened. He also stated that he would like 12 feet from the sidewalk with no greenery to allow him to exit his drive safely. Kathleen Pucci asked again about lighting and hours of operation. Ron Dee stated again they do have shielded lighting. Randy Hammond mentioned putting a driveway/road on the northwest corner going to Biddulph Road. There was a discussion on that design. Mayor Gallagher requested a traffic study. After further discussion, **Motion** by Gallagher second Oper to **DEFER** the request. **Vote Resulted: To DEFER: YES: Gallagher, Oper, Grodek, Coyle (DEFERRED)**

There being no further business, **Motion** by Coyle second by Grodek to adjourn. **Vote Resulted: To ADJOURN: Yes: Gallagher, Grodek, Oper, Coyle. (Meeting Adjourned)**



Secretary



Chairperson