

September 22, 2016

Lyndhurst, Ohio
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The Planning Commission of the City of Lyndhurst met in Regular Session on Thursday, September 22, 2016 at 7:30 p.m., in the Conference Room of the Lyndhurst Municipal Center, 5301 Mayfield Road. Mayor Patrick Ward presiding.

Members Present: Commissioners: V F DeCrane,
D J Sirk, D A Frey, P A Ward

Others Present: P Murphy, Director of Law
J Maichle, Building Commissioner
C J White, Secretary

The following clarification was made to the minutes of February 25, 2016:

Page 3, second paragraph should read: It was moved by Mr. DeCrane seconded by Mr. Jones that recommendation be made to Council to modify Chapter 1329.03, Fences, to allow only board on board type fences (fifty percent open) in the side yard from the side lot line to the rear lot line of residential properties.

It was moved by Mr. Sirk, seconded by Councilman Frey that the reading of the minutes of the Regular Meeting held February 25, 2016, copies of which were mailed to all members, be dispensed with and said minutes stand approved as amended.

The question was put to a voice vote and passed unanimously.

Motion carried.

5564 Mayfield Road

Review proposed plans of Nick Teriaca, owner of Plum Market for land development.

Mr. Jake Szaraz, Ray Fogg Building Methods representing Nick Teriaca, owner of Plum Market, presented proposed plans for a two thousand six hundred square foot (2,600) addition to the existing building and stated that this proposal was reviewed by the Architectural Board of Review and was it was recommended that the proposed parking lot and curb cut along Mayfield Road be redesigned to be directly across from Ford Road; the redesigned parking lot and curb cut are presented in the proposed plans this evening.

Mr. Sirk stated that many of the required documents as stated in Chapter 1156.03, are missing, and that according to the proposal, some variances are needed.

In answer to Mr. Sirk's question, Mr. Mike Novacek, Ray Fogg Building Methods, stated that a proposed landscape plan was submitted to the Architectural Board of Review.

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Mr. Nick Teriaca explained the proposed landscape plan and stated that the proposed monument sign area will have a mulch bed with low shrubbery along the front of the building. He then stated mulch beds are proposed throughout the area, including along Mayfield Road with low shrubbery and flowering bushes, to allow visibility to the building and trees will be added throughout. He then stated that landscape screening will be around the cooler.

Mr. Sirk stated that the proposed cooler location encroaches into the setback.

Mayor Ward stated that there is a variance request for the front setback as well as the rear setback requirements. He then recommended that the proposed boundary fence be upgraded from stockade to a solid vinyl fence.

Mr. Sirk quoted from Chapter 1168.11 (b), stating that a six (6) foot high masonry wall be erected.

Mr. Murphy stated that all variances needed are required to be formally requested with the proposal.

Mr. Novacek stated that the variances needed are: Use, setbacks, and fence.

Required number of parking spaces was discussed, Mr. Sirk stated that the entire building, including the proposed addition and the mezzanine is six thousand two hundred twenty-nine (6,229) square feet. It was noted that the proposal meets the parking requirements.

Mr. Sirk stated that since the proposal exceeds the parking requirements, he would like to see a larger front setback area (landscaped buffer) than proposed, and to use the excess parking spaces to achieve that goal.

Mr. DeCrane suggested land banking the excess parking spaces to use as green space, until such a time when it is proven that that space should be used as parking.

Mr. Teriaca stated he feels he needs the increased parking spaces, and that it would be a struggle as it is now, as proposed, even with the additional spaces.

Mayor Ward explained that the city had tried unsuccessfully to contact the property owner immediately to the east, inquiring if he would sell.

Mr. Murphy stated that the Planning Commission can review the practical difficulty being shown by the applicant; given the way the property is currently situated, being land locked to the east, they can't expand due to the nature of the business, they are indicating that the parking requirements should be reduced.

Mr. Sirk cited Chapter 1168.10, Loading, and stated that as proposed, the semi-truck would be blocking the aisle.

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Mr. Teriaca stated that deliveries are made prior to the store opening; there would be no parked cars hindering the delivery vehicle. He then stated the vehicle would enter from Mayfield Road.

The topic of the rear fence was discussed. The proposed plans show that the existing fence remain. Mayor Ward stated he would like to see the existing fence replaced with a solid vinyl fencing which has worked well in the past.

Mr. Maichle stated that the required fence height is six (6) feet, but Planning Commission has the authority to raise the height.

Councilman Frey recommended that the fence be higher at some point, to hide the proposed ten (10) foot high cooler in the rear, and to the east of the property.

Mayor Ward recommended that a new fence be erected and be eight (8) feet high for approximately sixty-five (65) feet from the eastern property line and decrease to six (6) feet in height for the remainder of the property width, heading west.

It was noted that the square footage of the proposed monument sign is code compliant; however the digital display portion of the sign, and the required fifteen (15) foot setback is not. Mr. Novacek stated approval of the sign is not being requested at this time, but will be sought in the future.

Mr. Sirk pointed out that the parking spaces shown on the proposal are nine (9) feet by eighteen (18) feet, the code requirement is nine (9) feet by twenty (20) feet.

It was moved by Mayor Ward, seconded by Councilman Frey that recommendation be made to Council to approve the proposed site plan of Plum Market, dated August 31, 2016 (revised September 21, 2016), to be located at 5564 Mayfield Road, with the following requested variances by the applicant:

1. A six (6) foot nine (9) inch area variance in the rear yard setback to accommodate the free standing cooler;
2. Area variance to eliminate the forty (40) foot front yard buffer;
3. A use variance from Low Rise Office Building Class A to Community Business District Class A;
4. an eight (8) foot high solid vinyl fence erected from the eastern property line, extending sixty-five (65) feet west, and graduating down to a six (6) foot high solid vinyl fence for the remainder of the property;
5. an area variance allowing the parking space depth to be eighteen (18) feet in lieu of the twenty (20) feet required, and;

6. an area variance allowing a drive aisle at twenty-three and a half (23 .5) feet instead of the twenty (24) feet required, approval contingent upon the traffic lieutenant's approval of the driveway apron cut location on Mayfield Road and its proximity to Edgefield Road and the circulation plan to accommodate a fifty-three (53) foot semi-truck delivery prior to regular business hours.

Roll Call: Yeas: DeCrane, Ward, Frey,
No: Sirk

Motion carried.

Dr. LePore, owner of the property immediately to the east of the property in question, stated his concern with the existing driveway and parking area. He asked if signs can be placed in his parking lot that prohibits parking for other establishments.

Mayor Ward recommended that he speak with the traffic officer to reference the ordinance which prohibits parking. He further stated that there is no ingress or egress on the east side of the property in question, nor any defined access from Dr. LePore's property, so increased traffic on his driveway would not be an issue.

5332 Mayfield Road

Review request of Timothy Meseck, Architect, for a Conditional Use Permit for a retail banking center with a remote ATM drive thru along with necessary variances including, but not limited to an encroachment into the front yard setback to allow for a 12.2' front yard setback and a 25 square foot monument sign in lieu of a smaller sign.

Mayor Ward stated that this proposal was before the Architectural Board of Review last week.

Mr. Tim Meseck presented proposed plans and explained that the property will be redeveloped for Chase Bank. He stated that the proposal shows a three thousand five hundred (3,500) square foot building and will be a full service banking center. He then stated he is proposing two (2) drive thru ATMs. He further stated that the existing building and concrete will be demolished, and is underway with an environmental review regarding the underground tanks. He stated there will be full access from Mayfield Road, and Winchester Road, which are currently existing; he also presented and explained the traffic pattern around the building, including the queuing lanes for the drive thru ATMs.

Mayor Ward stated that the traffic lieutenant had reviewed the traffic pattern on the proposed plans, and recommended that the clockwise traffic pattern remain, as presented.

In regards to the landscaping, Mr. Meseck stated that many of the existing shrubs will be replaced with a more salt tolerant species. He also stated that trees will also be replaced on the site, and more will be added along the Winchester Road portion of the lot. He then presented a revised proposed landscape plan.

In answer to Mayor Ward's question regarding the height of the ATM roofs, Mr. Meseck stated it is fifteen (15) feet, four (4) inches.

Mayor Ward suggested that the rear fence be higher than the required six (6) foot high fence. Mr. Meseck stated they are proposing a sealed natural cedar fence with a metal post, in lieu of the recommended vinyl fence. He then stated that if the Commission would prefer the vinyl fence he would comply, however he feels the cedar fence which is replacing the existing fence, is more aesthetically pleasing, and will match the ATM enclosure. In answer to Mayor Ward's concern on the maintenance of the proposed fence, Mr. Meseck stated that Chase has a facilities management team that will be responsible for this site and its upkeep.

Mr. Sirk stated his concern about a space between the primary fence and the dumpster, which should be eliminated.

Mr. Meseck stated that the back side of the trash enclosure will be cast stone base with brick veneer to match the building.

Regarding the fact that the property to the west is a residential use, Councilman Frey suggested the fence delineate that property as well.

Mr. Meseck stated that due to the grade of the property, the asphalt paving will be pitched toward the catch basins capturing the water so as not to sheet drain towards Mayfield as it does now. He then stated that the parking lot lighting and the lighting under the canopy of the ATMs are code compliant.

Mr. Meseck stated that the building signage, which will be on the north and east sides of the proposed building, are code compliant. He then presented the proposed internally illuminated monument sign, which is larger than the code allows and therefore, is requesting an area variance regarding size; the proposed monument sign plan shows twenty-five (25) square feet per side, six (6) feet in height, and nine (9) feet wide. He then stated there will be a twelve (12) foot two (2) inch landscape area at the front portion of the site. He then stated that another area variance he is requesting is the placement of the proposed sign, which is encroaching into the required front setback. He then requested an area variance to encroach into the corner side yard setback in lieu of the required (20) feet; he is asking for twelve (12) feet with the intent of meeting the landscape requirements.

It was moved by Mr. Sirk seconded by Mr. DeCrane that recommendation be made to Council to approve the request of Timothy Meseck, for a Conditional Use Permit, based upon the plans submitted to the City and dated July 13, 2016 (revised August 16, 2016), for a retail banking center with a remote ATM drive thru along with necessary area variances including, but not limited to:

1. An area variance of the sign to allow for a 12.2' front yard setback;
2. A twenty-five (25) square foot monument sign in lieu of a smaller sign, as submitted;

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3. The approval of the requested setbacks to encroach into the fifteen (15) foot front setback; and
4. An area variance due to the fact that the lot is one hundred forty-two (142) feet wide instead of the required one hundred fifty (150) foot width.

Roll Call: Yeas: DeCrane, Sirk, Ward, Frey
 Nays: None.

Motion carried.

It was moved by Mr. Sirk, seconded by Councilman Frey that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

Motion carried, meeting
adjourned at 9:15 p.m.

Chairman

Approved: _____

Attest: _____