

**CITY OF BROADVIEW HEIGHTS
PLANNING COMMISSION
Meeting Outcome Notification**

Date: July 12, 2018

To: PC Members, City Council, BZA Members, Mayor and
Administrative Staff

From: Nancy Grattino
PC/BZA/Bldg. Department Administrative Assistant

At the Planning Commission Meeting of July 11, 2018 the following transpired (minutes will be forthcoming):

The Meeting Minutes of June 27, 2018 were UNANIMOUSLY APPROVED as submitted.

CASE # 18-PC20: LITTLE FEET CHILDCARE – 8161 BROADVIEW RD – NORTH COAST SIGN & LIGHTING - GROUND/MONUMENT SIGN REPLACEMENT & LANDSCAPING

The monument sign replacement and landscaping were UNANIMOUSLY APPROVED as submitted for the 5' sign.

CASE # 18-PC19: DANNY BOYS – 8158 BROADVIEW RD – DAVID SABOL, REPRESENTATIVE – MODIFY CONDITIONS – REPLACEMENT & EXPANSION OF WINDOWS TO OVERHEAD WINDOWS & ADD AWNINGS- CONTINUATION – FINAL APPROVAL

The replacement and expansion of windows to two overhead windows and awning was UNANIMOUSLY APPROVED with the stipulation they provide a reflective ceiling plan to represent the relocation of sprinkler heads that are compliant with the overhead windows.

CASE # 18-PC03: THE LOCKER ROOM – 1003 W. ROYALTON RD- MODIFY CONDITIONS – PRELIMINARY APPROVAL – ROOF OVER PATIO - CONTINUATION

This case was UNANIMOUSLY TABLED at the request of the applicant.

NOTE: *The next Planning Commission Meeting is scheduled for Wednesday, June 25, 2018 at 7:00 P.M.*

**CITY OF BROADVIEW HEIGHTS
PLANNING COMMISSION & CAUCUS MEETING**

**MINUTES
July 11, 2018**

(Editor's Note: These minutes are not actual verbatim transcript of the meeting but merely intended to be a detailed synopsis of the discussion that took place during this meeting. It is the belief of the author of this document that all pertinent information has been included to represent an overview of discussions and decisions reached.)

CAUCUS:

Discussion of Agenda items took place.

Planning Commission Meeting called to Order by Todd Kinzer at 7:40 p.m.

MEMBERS PRESENT: Todd Kinzer, Bill Ridgeway, Don Taylor and Bob Boldt.

ALSO PRESENT: Michael Skvasik, Building Commissioner; Rich Pignatiello, Assistant Law Director; Joe Fleming, Assistant Fire Chief; Kristina Sorensen, Economic Development Director; Tom Pavlica, Councilman; Joe Price, Councilman and Nancy Grattino, PC/BZA and Building Department Administrative Assistant.

Mr. Todd Kinzer stated there are only 3 members present this evening and in order for something to move forward three affirmative votes will be needed. Mr. Skvasik stated they could also table their case to another meeting with more members present.

CASE # 18-PC20: LITTLE FEET CHILDCARE – 8161 BROADVIEW RD – NORTH COAST SIGN & LIGHTING - GROUND/MONUMENT SIGN REPLACEMENT & LANDSCAPING

Mr. Mike Skvasik stated the applicant prepared two different signs. One is a little bit taller than the other; he believes the first one is the code compliant sign at 5' tall. The second is 6' tall but is the same as what was there. Mr. Skvasik stated he doesn't know which one she wants to present, one needs a variance and the other doesn't.

Jennifer Mullins of North Coast Sign and Lighting came forward. Ms. Mullins stated the signs are actually both the same size at 4' tall. The 5' sign has less space (1') between the sign and the ground, the one they are pushing for would have 2' below the sign to the ground; the sign itself would still be 4'. They are saying that the existing sign that is there now is 6' tall.

Mr. Kinzer asked the current sign is 6' tall. Ms. Mullins stated yes. Mr. Kinzer asked on the current sign what was originally approved. Mr. Skvasik stated he is not sure if it was approved previously at this size. Mrs. Grattino stated she does not have the original approval with her. Mr. Skvasik stated he is sorry; we do not have that information available this evening.

Mr. Kinzer opened up to the Commission for any questions or comments.

Mr. Taylor stated to clarify, the 6' sign is the one that is currently there now. Ms. Mullins stated yes, but they are putting a new one in that would still be the same size. It will still be non-illuminated.

Mr. Kinzer asked the applicant if there is any hardship that is going to cause this not to be code compliant. Ms. Mullins stated no, because they already have the posts there; they are going to top pull those and go ahead and put 3' below grade and cement with new posts. The posts are 4x4 treated with PVC covers over top the posts. There is not going to be an issue, they always tear off the old stuff. Mr. Kinzer stated he thinks and is not speaking for other Board members but they have tried to hold signs to be code compliant unless there is a hardship for the variance. Mr. Kinzer stated to Ms. Mullins the call is hers on what sign she would like to proceed with. Ms. Mullins asked if he means that it would be either the sign with the variance or the one with no variance. Mr. Kinzer answered yes and stated typically the Board tries its best to keep the signs code compliant. Ms. Mullins stated they just assumed because the sign was already 6' tall that it would be okay; but then that sign may have never even been approved at that height. They had just thought because the sign was already there at 6' it would be okay. Mr. Kinzer stated she is presenting a new sign and has to follow the codes.

Mr. Skvasik stated they should go with a code compliant sign; they have good visibility on the corner. Ms. Mullins stated after this conversation that is what will end up going in. Mr. Skvasik stated there is no visibility issue; they have good visibility with an excellent location for the sign. Mr. Skvasik stated to the applicant he would suggest that she goes with a code compliant sign.

Mr. Kinzer asked Ms. Mullin what sign she would like to proceed with. Ms. Mullin stated the 5' sign.

Mr. Bill Ridgeway asked if the overall panel is all vinyl. Ms. Mullin stated the panel itself is 3" thick with PVC with ream premium vinyl. Mr. Ridgeway stated so that is solid vinyl. Ms. Mullin stated yes.

Mr. Todd Kinzer made a Motion to APPROVE Case # 18-PC20 for the replacement monument sign for Little Feet Childcare at 8161 Broadview Road; for the 5' sign and the landscaping as submitted. Seconded by Mr. Bill Ridgeway. A roll call vote was taken as follows: Todd Kinzer – YES, Bill Ridgeway – YES and Don Taylor – YES. With Unanimous Approval, Motion carried.

CASE # 18-PC19: DANNY BOYS – 8158 BROADVIEW RD – DAVID SABOL, REPRESENTATIVE – MODIFY CONDITIONS – REPLACEMENT & EXPANSION OF WINDOWS TO OVERHEAD WINDOWS & ADD AWNINGS- CONTINUATION – FINAL APPROVAL

Mr. Skvasik stated the Board made some suggestions for some fencing, material samples and they discussed the overall height of the barrier/fence that would be put across the windows. This was basically the items the applicant was asked to bring to this meeting and hopefully they have them this evening.

Mr. Dave Sabol the architect for Danny Boys came forward. Mr. Sabol stated just for a little overview, about 4 weeks ago at the previous meeting they were asked to make some changes. Some of the things that were noted at the meeting were, one that they provide a rail fence across there and that they provided the height would be and how it relates to the window, how it relates to the opening, to provide samples, the canvas canopy, the aluminum railing and the floor plan as well. Mr. Sabol stated he showed on the new submittal a little scale below with the railing since it was a little hard to see on there and for a better visual on how it would relate to the opening at that door. Mr. Kinzer asked if he

has some samples. Mr. Sabol stated yes and showed them. Mr. Sabol stated they are going to go with black for the railing and he showed a sample of the garage door.

Matt Hollingsworth, one of the owners of Danny Boys came forward. Mr. Hollingsworth showed the sample of the garage door and stated this is the one they had in stock, they did not have the color; but they also provided colors that are available and showed them close up. Mr. Hollingsworth showed the Board the color on the sample that they were going with and stated they are going to try and match it to the railing. They also showed a sample of the awning. Mr. Kinzer asked if they are going with black. Mr. Hollingsworth stated yes. Mr. Sabol stated they showed the picture at the last meeting, there is a black awning on the elevation and showed the Board the entry point on the north edge and stated they are going to match that. (More discussion took place, the applicant approached the Board and they discussed the drawing). Mr. Skvasik asked if the door will be black as well. Mr. Sabol stated yes and passed the sample around with the color swatch.

Mr. Don Taylor asked the awning itself, are they planning on putting any writing on there or is it just going to be pure black. Mr. Hollingsworth stated pure black is their plan. Mr. Kinzer stated their picture shows 'Danny Boys' on there. Mr. Sabol showed the existing awning on the north elevation entry way and stated they are taking black for the new awning. Mr. Taylor asked if there were going to be posts or anything for the new awning. Mr. Sabol stated no and showed him on the drawing, the awning will be mounted on the wall and there will be a slight overhang at 1'4" to provide a little shade and that is on the north elevation. You can see how it kind of projects a little bit on the east elevation. Mr. Taylor asked if that fence would run all the way through the archway. Mr. Sabol stated no, it returns on each side of the opening and showed him on the drawing.

Mr. Taylor asked if they looked at the sprinkler system where the garage opens at. Mr. Sabol stated yes, they do have a couple sprinkler heads that will be there but it shouldn't impact the overall flow. Mr. Taylor asked when it's open. Mr. Sabol stated yes, he doesn't think there will be an issue with that. Mr. Taylor stated but when they open it the sprinkler heads will be above there. Mr. Sabol stated yes, they will have to come in and open the door. Mr. Taylor stated in an event of a fire how are they going to go in and close the door. Mr. Sabol stated he guesses it would depend on the situation, if you're trying to get people out of the building you are going to be doing that and then on your way out you can do that. Mr. Sabol stated it shouldn't be an issue with the code from what he understands. Mr. Skvasik stated he disagrees and thinks the Fire Department representative disagrees also. Mr. Skvasik stated the sprinkler head must be below the door. They will have to look at the drawings and that should be included with their drawings. Mr. Sabol stated in the actual drawings for the building. Mr. Skvasik stated they should contact a sprinkler designer and provide that drawing as well; they may have to modify some sprinkler heads. Mr. Sabol stated okay. Mr. Hollingsworth stated they will contact the original sprinkler installer and go from there. Mr. Sabol stated they could reflect the ceiling plan when they submit for a permit. Mr. Ridgeway stated he would agree, this is an absolute must. Mr. Hollingsworth stated they will make sure that gets done. Mr. Skvasik stated they will have to provide drawings on this anyway. Mr. Sabol stated yes, they will add the reflective ceiling plan showing that information.

Mr. Kinzer asked what the width is between rails. Mr. Sabol stated 4' on center. Mr. Kinzer asked the distance between the rails. Mr. Sabol stated about 3 1/2" between each of the rails and will kind of match the facing they have up front. Mr. Kinzer asked if the fence is also bolted to the wall. Mr. Sabol stated yes.

Mr. Skvasik asked if the other windows are going to be black as well, the ones on the north side. Mr. Sabol stated that is correct.

Mr. Kinzer asked if there were any other questions from Board Members, City Officials or the public. No response.

Mr. Kinzer stated to the applicant so they understand if they move forward there are only 3 members present this evening.

Mr. Todd Kinzer made a Motion to Approve Case # 18-PC19 Danny Boys to Modify Conditions for the replacement and expansion of windows, two overhead windows and add an awning for Final Approval with the stipulation they provide a reflective ceiling plan to represent the relocation of sprinkler heads that are compliant with the overhead windows. Seconded by Mr. Don Taylor. A roll call vote was taken as follows: Todd Kinzer – YES, Bill Ridgeway – YES and Don Taylor – YES. With Unanimous Approval, Motion carried.

Mr. Skvasik stated he wanted them to note that if there is anything written on the awnings, even a “D” for Danny Boys; it qualifies as a sign and would have to come to Planning Commission for approval first. Mr. Hollingsworth stated he understands it would have to come back.

CASE # 18-PC03: THE LOCKER ROOM – 1003 W. ROYALTON RD- MODIFY CONDITIONS – PRELIMINARY APPROVAL – ROOF OVER PATIO - CONTINUATION

Mr. Skvasik stated he believes this case is a little similar to the previous one where there were some requirements from the Planning Commission relative to the previous visit to this Board. One was to identify the parking spaces for this facility. There was some question about the occupant load and thinks this was settled as to the building; they were asked to identify the parking spaces.

Mr. James Krause, representative for the Locker Room came forward. Mr. Krause stated he believes they are trying to identify the parking spaces this evening to move forward. There were some questions at the previous meeting about some cosmetic details that he believes they have changed and updated on the drawings and have pictures of what they plan to do. He doesn't know if this is in the scope of questions this Board will ask tonight. As for parking, that is a gravel lot back there, he doesn't think they changed any square footage of the patio that is currently there so everything that is there will remain the same. He is not sure how to clarify that.

Mr. Kinzer stated to Mr. Skvasik if he is pulling from his recollection is part of that requirement on the parking also to pave that or do we allow for the gravel lot. Mr. Skvasik stated it was previous existing conditions, he thinks it can be left alone but they have to be able to at least identify it with what number of parking spaces are in the back of the lot. Mr. Skvasik stated he knows this was a matter of discussion, he knows that there are parking spaces delineated in the front and they are not shown on their drawing. They could have at least put the parking spaces in the front on the drawing. Mr. Skvasik stated his expectation was to see at least some layout in the back that would show the number of spaces back there that would be available for parking; whether they are lined out or not. Mr. Kraus stated he was at the last meeting and that was NOT a requirement. There were things that were addressed that were supposed to be looked into. Mr. Kinzer stated no, it was absolutely discussed that they needed to know the number of parking spaces and they are not seeing how many. Mr. Krause stated he guesses they could measure out and give them a number. Mr. Kinzer stated that is what they need. Mr. Skvasik

stated they have a drawing that shows dimensions, give them a layout that will identify the number of spaces back there and as well as what is delineated in the front. He realizes the lot is limited in size but they need some indication as to what is available there. Mr. Krause stated okay, they will have to talk to the Convenient and see what spaces are theirs and what can be allocated to the Locker Room. Mr. Skvasik stated he thinks they should just identify the number of spaces that could be utilized for the whole site. They realize it is a landlocked site and they are not going to generate more than what they have there but at least there will be some indication as to the limitations on what they are approving. If you have a facility and there is room for 50 people and you have 10 parking spaces then maybe that's not a good idea. You are also increasing the load with a patio, but if you are short spaces, then you are short spaces; it is just information. Mr. Skvasik stated he thought this was quite clear at the last meeting; it was clear to him. Mr. Ridgeway stated the minutes covered that specifically. Mr. Ridgeway stated they were expecting them to draft up a plan with the number of parking spaces available. Then also refer to the code that applies to their occupancy and determine what the required number of spaces are and then our Building Department would then review that and see if they are compliant or not. Mr. Kraus stated maybe he was a little confused because the pad is currently there and the occupancy shouldn't change whether the roof is there or not. He wasn't really sure how to go about that. The parking spots are common sense; he could measure them out and give them the amount that would fit in that lot. As for square footage and load capacity, he is not changing the amount of people that could fit on that pad. They are not adding to that pad, they are just covering it; this is where he was confused.

Mr. Ridgeway stated he thinks another aspect of this is just determining when and where the definition of the pad was made as a patio. Putting a piece of concrete outside a building doesn't necessarily mean that is a seating area. Mr. Krause stated that is correct and he had looked into that to see if a permit was ever pulled and he did not get any answers back from anybody on that. Mr. Skvasik stated no permits.

Mr. Neil Safran, the architect came forward. Mr. Safran stated at the last meeting they were asked to do a patio layout that shows existing furniture which reflects back to the original occupancy and they did comply. Mr. Safran stated we need to get out of the esthetics here and asked if the site plan could be marked up with literally marked at scale to show the parking spaces and submit it to the Building Department without having to return to this body. Mr. Kinzer stated he does not know who owns the plaza but it would need to be approved by them as well. Mr. Skvasik stated I guess so, he doesn't know whether we were including the occupant load of the patio with regards to the parking and asked if that was included in the occupant load of the building. Mr. Krause stated he believes they tried to touch base on that at the last meeting. Mr. Safran stated they assumed this patio was already under certificate of occupancy and they also assumed they weren't adjusting or changing the occupant load in any way, nor were they building a new restaurant; they are simply trying to put a roof over an existing patio. If this Commission wants to make sure the existing occupants of the Locker Room has parking that does or doesn't meet our ordinances, you can say that. He thinks there is a willingness here to stripe that gravel or mark it up on a site plan. Mr. Skvasik asked Mr. Safran if they have a problem with giving them a site plan, marking up the parking spaces. Mr. Safran stated they have given them a site plan. Mr. Skvasik stated that is not what he said, a site plan that delineates the parking spaces; that shows how many parking spaces you have that are code compliant at 9x19. Mr. Skvasik asked how many do they have, does he know how many they have. Mr. Safran stated no he doesn't know. Mr. Skvasik stated neither does he and as soon as they bring that information in he thinks this Board should act on it.

Mr. Safran stated he thinks at the last meeting the question came up will a survey be needed and he thinks that question has been put to bed. Mr. Kinzer asked a survey for? Mr. Safran stated the parking. Mr. Kinzer stated they don't see how many spaces are there, at the end of the day they need to know how many spaces are in that lot so that they have something that they can go by. They need to understand how many spaces are for that plaza, are there handicap spaces and are they incorporated in there; they need to understand what they have there in order for them to vote. Mr. Kinzer stated showing them a gravel lot doesn't give him anything they can vote on. Mr. Skvasik stated he doesn't understand Mr. Safrans reluctance to comply with a simple request, it is actually annoying. Mr. Safran stated he is happy to comply, in fact he is annoyed a little bit too because they aren't building the center. He perfectly as an architect understands how to read ordinances. Mr. Kinzer stated that is fine and he thinks they have been very clear on their request that they want to see parking spaces marked on a drawing that they can vote on; if they don't want to do that it is fine too and they can put this forward to a vote and stated that is his call. Mr. Safran stated he is in the spirit of complying, again he and his client both were not aware or remember them being asked to show the parking. He thought they would not need to do another site plan. Mr. Safran stated they have a gravel lot and would like some clarity, do they want the number of parking for the entire area or just the gravel lot. Mr. Skvasik stated the entire plaza. Mr. Krause asked if they will need the occupant load of the entire building. Mr. Skvasik stated all they are asking for is how many parking spaces are out front and figure out what the maximum is that they can put into the back lot. That will be in the minutes this time and he will look for it from the minutes from the last meeting. Mr. Ridgeway stated it says right here, there needs to be some more information relative to parking because of the increased occupant load for the outdoor seating.

Mr. Safran stated so the building owner will need to hire a surveyor to create a site plan. Mr. Ridgeway stated in some fashion that needs to be provided and stated they are not the ones to chase it down. Mr. Safran stated he is sorry, he thought they were just putting a roof over an existing patio. Mr. Ridgeway stated they haven't even established if the patio was ever approved for seating. Mr. Krause stated that was his next point, he believes they brought that up last time, because this whole thing would be a waste of time if it wasn't permitted and they have to go back all over stage one again and rip that out and get a permitted pad. Mr. Ridgeway stated they use the word assume a number of times and they assume this is a permitted space. Mr. Safran stated that is true, that is accurate, that is his assumption. Mr. Ridgeway stated they don't have any evidence that it was ever approved, so to say that is included in their occupant load, and they don't have anything that shows that. Mr. Safran stated didn't they ask for that assurance, wasn't there any kind of investigation. Mr. Ridgeway stated they were asked to verify the occupancy of the entire Locker Room facility. Mr. Ridgeway stated their answer to them was that they are just assuming that it is included and they are compliant; but they don't see any facts that say that. Mr. Krause stated he has called and asked because he doesn't have the permit for that, so who would have that. If he called the city and asked for that and they don't have it, the pad is null and void. He would have to start from the beginning and tear it out, get a permit for that and a load occupancy and make sure it is okay to move forward. Mr. Ridgeway stated he thinks what they have asked for is to count up the seats. Mr. Kraus stated they did do that on the drawings they submitted this time. Mr. Ridgeway stated the total seating for the entire Locker Room. Mr. Krause asked if that was part of the minutes from last time. Mrs. Grattino stated she just handed them a copy of the minutes and they can read through them again and see what was stated. Mr. Ridgeway stated it is hard to determine what the increase of the occupant load is if they don't know what the basis is of the load. Mr. Kraus stated correct. Mr. Ridgeway stated so they could say they added 20 seats, but 20 to what. Mr. Safran stated they didn't add 20 seats. Mr. Taylor stated hypothetically they are speaking.

Mr. Kraus stated so the first order of business to move forward is to find out whether that pad is permitted. Mr. Skvasik stated that would be a good start. Mr. Krause stated he believes he brought that up in the last meeting; he wouldn't have taken the steps to go this far just have to start from square one. Mr. Safran stated he is not trying to be inflexible but from their point of view aside from the occupant load of the Locker Room and aside from the parking issue he believes based on the last meeting there were a number of things that were listed as he recalls and it was brought up that in order to get approval they should make those things actual. This is what he has done; he has taken the comments from the last meeting in terms of the esthetic and options and turned them into the exact scope of work. All the comments from the esthetics standpoint he believes have been met. Mr. Safran stated if they can move on past, he means they are not going to get approval because they don't have a known occupant load for the Locker Room and they don't have a certificate of occupancy that includes the patio and asked can they discuss these drawings of the esthetics with them. Mr. Kinzer stated that is what they are asking for, yes. Mr. Ridgeway stated they can answer those kinds of questions but he would say that absent of the information regarding the parking they are unable to make a complete analysis of the project.

Mr. Safran stated he would like some clarity in the minutes to point out, if they are showing the exact total number of parking in the entire parking lot for the next submittal and if they are trying to show the number of occupants of the Locker Room as part of an existing center that already has an existing parking lot. Mr. Safran stated he would like some clarity in terms of. Mr. Kinzer interrupted and stated they have given him that clarity and is not sure where the disconnect is. Mr. Safran stated this tenant will have to hire a surveyor to engage and probably \$1,000 to \$2,000 to prepare a site plan that shows the total number of parking. Mr. Safran stated then you are him, the architect to show compliance like he is building a brand new restaurant with how many parking spaces. Mr. Kinzer stated they are adding to the occupancy load of the Locker Room, therefore they need to understand if they have enough parking spaces. Mr. Kinzer stated he thinks it is pretty clear here what they are looking for. Mr. Safran stated it is clear. But in order to be compliant they would have to show the total occupant load of the center and just show that the current parking per our ordinances meets the occupant load for the entire center; all the different use groups and then based on that yes or no if the entire centers existing striped parking is in compliance. Then they would have to give the occupant load for the Locker Room and show what portion of the existing painted striping is allocated to the Locker Room and then show that it meets our compliance with the ordinances and then any striping that needs to take place on the gravel. Mr. Safran stated when it started out he was kind of put over with that, the Locker Room does have a certificate of occupancy, they have a patio. He understands the patio may not have been included in the original certificate of occupancy but they are putting a roof over it. His site plan that was based on a very old survey will not be adequate to show the parking that is in place now in the front; so they will have to get a survey. Mr. Safran stated they will comply and then he will have to show based on the breakdown of the area of the Locker Room how many current occupants they have to put a roof over this patio.

Mr. Kinzer asked Mr. Safran if he is asking to Table this case for now. Mr. Safran stated absolutely.

Mr. Todd Kinzer made a Motion to TABLE Case # 18-PC03 at the request of the applicant so he can gather the necessary information required. Seconded by Mr. Bill Ridgeway. With Unanimous Approval, Motion carried.

Mr. Skvasik stated he wanted to point out on page 6 of the previous minutes that Mr. Emling stated 'that he thinks this starts with confirming and understanding what the occupant load is whether it is in place now, including the patio and what the parking count is existing'. Mr. Skvasik stated this is right out of the minutes from the March 14th meeting. Mrs. Grattino stated to Mr. Krause that she emailed a copy of the minutes to him after that meeting. Mr. Krause stated he has called, not that it is her fault but he has asked some other questions as well that have not been identified and answered as of yet. He has called the Fire Marshall, he believes there were some questions on that. There were some other violations that may be in place right now that may hinder the permits potentially. Mr. Krause stated again, he has called to see if that pad was ever permitted because he doesn't want to waste his time if it was never permitted. Mrs. Grattino stated she did not see a permit and could only do as much research as she could and did not see one. Mr. Krause asked if he could call, say tomorrow and they could discuss what would have to be done to get rid of that pad and start all over. Mr. Skvasik stated yes he could call and said they wouldn't have to demo the pad that is there. Mr. Fleming stated they would just need to get a permit for it. Mr. Skvasik stated they are just asking for some basic information; what the occupant load is for his current facility, including the patio and the number of parking spaces. Somebody can prepare a simple layout based on the dimensions they have available there. Mr. Skvasik stated they can only fit so many pounds in a five pound bag. You have a space that is 150x80 feet and their aisle ways are 24' wide that they require for parking and parking spaces are 9x19. It is not an overwhelming task. Mr. Kinzer stated he does not want to speak for the Building Department but even if the pad was not permitted, it doesn't mean you can't go and apply for the permit and not have to rip out the old one. Mr. Skvasik stated no, he doesn't know that it is necessary to rip out the patio. Mr. Krause stated he was just stating worst case scenario. Mr. Skvasik stated if you're not going to use it then yes you can rip it out, but the simple fact that it is already here you can add it on to this submittal to the Planning Commission to modify conditions and it is something that this Board can take care of. It is not the order we like to see things done, but it is the order that we have. Mr. Skvasik stated he thinks they have some of the basic information already and work with what they have, we are not asking for specific drawings; we are asking for counts, something that will show what is available there. Mr. Krause stated is the layout an aerial view showing the parking spots, the footage and dimensions okay. Mr. Skvasik stated someone has to layout the parking, the dimensions, showing the aisle ways needed, the turning radius needed to get in and out of the parking spaces and whether they need an engineer for that is up to them. Mr. Krause stated okay. Mr. Skvasik stated 24' is the aisle width requirements.

Mr. Safran stated he knows worst case scenario some of the municipalities have 9x18 parking, so in the event that these striped spaces are not 9x19 what happens then. Mr. Skvasik stated already existing parking spaces that are delineated in the front are fine whatever they are, they are existing. Mr. Skvasik stated if they lay out the back, they must lay them out to code because there are none laid out there. Mr. Fleming stated there are 23 spaces in front; he just counted them from google earth. Mr. Safran stated 23 parking spaces in the front. Mr. Fleming stated that is what he counted with the lines that are drawn on google earth. Mr. Safran asked for the entire center. Mr. Fleming stated for the front, it is the only place you paint; the back is gravel. Mr. Safran stated okay. Mr. Safran asked if they will have to show for any accessibility per our ordinances as well for the existing patio. Mr. Skvasik stated he thinks that handicap available spaces is a consideration because it eats up some additional room. Mr. Safran stated this would all be very important if he was building a restaurant. Now it is basically all coming into play, because he doesn't think they have the information as a city so they will have to provide that information for an existing center, so that they will have that information and be satisfied that this center is in compliance as well as this tenant. Then they will have to show that the patio based on the known furniture lay out is in lieu of the calculated occupant load will be satisfied additional to the

existing occupants for the Locker Room. Then they will show that there is parking for the Locker Room that is like to your earlier point based on a land locked condition they will have X number and whether or not it is enough they will both be able to tell. Mr. Skvasik stated they will know that as soon as they find out how many they have; he doesn't know whether we have 100 or whether we have 40; no one knows. Mr. Safran stated and they will have to provide that now. Mr. Skvasik stated they had to provide that before, that was what was requested on March 14th. Mr. Safran stated yes, if you are building a new restaurant you would have to do that. Mr. Kinzer stated no, it was what was requested at the last meeting. Mr. Ridgeway referred again to page 6 of the minutes from March 14th. Mr. Safran stated he is not disputing that. Mr. Ridgeway stated this was already discussed and stated to Mr. Safran that they have come back here and rebutted what they had listened to previously. Mr. Safran stated there was a lot they listened to. Mr. Ridgeway stated and it is all written here in the minutes for you to review before coming back to this Board this time. Mr. Safran stated he reviewed everything; apparently they missed the part about the parking. Mr. Ridgeway stated it is in a number of areas in the minutes from the beginning to the end of the case.

Mr. Ridgeway stated one last thing, on the resubmitted drawing it shows in the picture 7 seats total on the patio, so these tables are only going to have one chair at each table. Mr. Safran stated that is the exact footprint based on the exact furniture that is out there now. If the owner decides to make each two top a two top then they will submit that in revised drawings.

Mr. Kinzer stated they are Tabled. Mr. Safran stated thank you.


NEW BUSINESS / OLD BUSINESS:

Mr. Boldt stated the Charter Amendments all went through Council and will be on the November ballot; no issues there. They are done for the summer.

Mr. Todd Kinzer made a Motion to APPROVE the minutes of June 27, 2018 as submitted. Seconded by Mr. Don Taylor. With Unanimous vote, Motion carried.

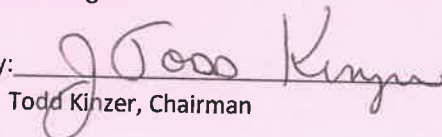
Mr. Todd Kinzer made a Motion to Adjourn, Seconded by Mr. Bill Ridgeway. With Unanimous Vote, Mr. Kinzer adjourned the meeting at 8:25 P.M.

Respectfully Submitted,



Nancy Grattino
PC/BZA/Bldg. Department Secretary
City of Broadview Heights

Attested to by:


Todd Kinzer, Chairman

Date:

7/25/18

