

Brunswick City Planning Commission

September 21, 2017 - Caucus

7:00 p.m.

Jeff Arona, Vice Chairman  
John Rocha, Recording Secretary  
Abbas Hasan, Member  
Brad Saeger, Member  
Patricia Hanek, Council Representative  
Matt Jones, Consulting City Engineer  
Pamela Plavecski, Planning & Zoning Coordinator  
Santo Incorvaia, Assistant Law Director  
Grant Aungst, Community & Economic Dev. Director  
Rich Kassouf, New Hope Realty, 4092 Tudor Avenue, Brunswick

Vice Chairman Jeff Arona called the meeting to order at 7:08 p.m.

The first item was the discussion of the public hearing for the Tire Express Discount conditional zoning certificate, 4248 Center Road. The Commission discussed the Staff Review Comments for this project. Mr. Arona noted more information is needed, such as a site plan, traffic flow pattern, and façade drawings, to which the Commission agreed.

The second item was the review of the public hearing for the Zula retail and apartment building conditional zoning certificate amendment, 1339 Kent Drive. Mr. Arona noted the two remaining commercial units, if being used for residential space, must comply with the minimum size of 800 sq. ft., as stated in Section 1286.02(b)(1). Mr. Rich Kassouf, New Hope Realty, stated each unit is approximately 1,000 sq. ft. He commented these units already have a kitchen and bathroom. Mr. Arona inquired if additional parking could be installed; Mr. Jones responded the retention basin is too small to handle additional water run-off.

Mr. Arona adjourned the meeting at 7:35 p.m.

Respectfully,

Pamela Plavecski

Brunswick City Planning Commission

September 21, 2017

7:30 p.m.

Jeff Arona, Vice Chairman  
John Rocha, Recording Secretary  
Abbas Hasan, Member  
Brad Saeger, Member  
Patricia Hanek, Council Representative  
Matt Jones, Consulting City Engineer  
Pamela Plavecski, Planning & Zoning Coordinator  
Santo Incorvaia, Assistant Law Director  
Grant Aungst, Community & Economic Dev. Director  
Rick Dlugoz, Cenco Gas Station, 3769 Center Road, Brunswick  
George Zula, Jr., 1522 St. Andrews Circle, Brunswick  
Mike Morse, 4385 Bagdad Road, Medina  
Rani Banna 493 (road name illegible), North Olmsted  
Samuel Banna, 6078 Stafford, North Olmsted  
Tomail Banna, 21654 Oakwood Drive, North Olmsted  
Ahmad Albanna, 3780 Foxwood Terrace, #205, Brunswick  
Jamie Bailey, 5484 East 141<sup>st</sup> Street, Maple Heights  
Richard Kassouf, New Hope Realty, 4092 Tudor Avenue,  
Brunswick  
Persa Zula, 1339 Kent Drive, Brunswick

Item 1

Vice Chairman Jeff Arona called the meeting to order at 7:39 p.m.

Ms. Plavecski called the roll; 4 members present; Mr. Shirilla absent.

MR. HASAN MOTIONED TO EXCUSE CHAIRMAN SHIRILLA FOR JUST CAUSE.

Mr. Rocha seconded the motion. The vote was 4 Ayes 0 Nays.

Item 2

There were no announcements or correspondence.

Item 3

MR. ROCHA MOTIONED TO APPROVE THE MINUTES OF SEPTEMBER 7, 2017.

Mr. Saeger seconded the motion. The vote was 3 Ayes 0 Nays 1 Abstain (Mr. Hasan)

#### Item 4(a)

Regarding the public hearing for the Tire Express Discount conditional zoning certificate, 4248 Center Road, Mr. Ahmad Albanna was present.

Mr. Jones commented the dumpster enclosure also needs to be indicated on the site plan.

Mr. Albanna explained they have hired an architect to address the Staff Review Comments. He said they currently have a store on Pearl Road near Foskett Road in Medina Township. Mr. Arona commented the Planning Commission needs further information, such as a site plan showing where the parking spaces will be located, parking aisle width, façade elevations, and traffic flow pattern, to which Mr. Albanna agreed.

Mr. Arona declared the public hearing open.

Mr. Richard Kassouf, 4092 Tudor Avenue, Brunswick, stated he has been to their facility on the corner of Foskett and Pearl Road. He said the proposed site in Brunswick is an older building, which the applicant will be refurbishing.

Mr. George Zula, Jr., 1522 St. Andrews Circle, said he has also been a customer of Tire Express Discount and has been pleased with their service.

Mr. Mike Morse, Medina Auto Parts, said he and his brother have owned the building since 1959. He explained the building has always been for auto parts; thus, automotive repair is not much of a difference in use.

There was no further public comment, so Mr. Arona declared the public hearing closed.

Mr. Arona asked Mr. Albanna if he would like the Planning Commission to table the application until further information is provided, to which he responded yes.

MR. SAEGER MOTIONED TO TABLE, AT THE APPLICANT'S REQUEST, THE TIRE EXPRESS DISCOUNT CONDITIONAL ZONING CERTIFICATE, 4248 CENTER ROAD.

Mr. Hasan seconded the motion. The vote was 4 Ayes 0 Nays.

#### Item 5

Concerning old business of a public hearing for the Zula retail and apartment building conditional zoning certificate amendment, 1339 Kent Drive, Mrs. Persa Zula, Mr. George Zula, Jr., and Mr. Richard Kassouf were present.

Mr. Zula explained the tenants will help with the maintenance of the property.

Mr. Kassouf commented there is insufficient parking for commercial tenants on the site. He said currently there is one family helping Mrs. Zula consisting of a single father with children who live upstairs; his mother, who has a disability, wishes to live downstairs to help raise the children.

Mr. Arona asked what is the size of the two remaining first floor units; Mr. Kassouf replied each unit is approximately 1,000 sq. ft. that currently has space for a kitchen and a bathroom. He explained the center unit was originally designed as a reception area, but it can be used as living space. He said both first floor spaces will each have a front and rear door.

Mr. Incorvaia emphasized, pursuant to Section 1280.05, that this amendment will allow for both the north and center commercial spaces on the first floor to be used for living quarters for the owner, lessee or manager of the business, or quarters for a watchman or caretaker. Such living quarters shall conform to regulations therefore as specified in Chapter 1286. He stated the tenant must have some connection with the activity of the building, as stated above.

Mr. Jones commented there is a parking concern, but it would not be as simple as adding a few spaces. He said this would require additional stormwater management and the existing retention basin is too small. Mr. Arona questioned if there will be any impact on the retention basin created by the additional caretakers; Mr. Jones answered no.

Mr. Rick Dlugoz, owner of the adjacent Cenco gas station, said he was concerned that if he expands his business, will there be additional restrictions due to residents living there. Mr. Incorvaia stated it will be still be a commercial business that is providing quarters for a watchman or caretaker.

Mrs. Jaime Bailey, 5484 East 141<sup>st</sup> Street, Maple Heights, explained she currently travels back and forth between Maple Heights and Brunswick to help her son raise his children. Her son is currently cutting the grass on Mrs. Zula's property and she would help her with whatever she needed.

There was no further comment, so Mr. Arona declared the public hearing closed.

MR. HASAN MOTIONED TO APPROVE THE AMENDMENT TO ITEM 9 OF THE CONDITIONAL ZONING CERTIFICATE FOR THE ZULA RETAIL AND APARTMENT BUILDING, 1339 KENT DRIVE, PURSUANT TO SECTION 1274.06(e). CONDITIONS 1 THROUGH 5 OF THE CERTIFICATE SHALL BE COMPLIED WITH, INCLUDING THE ADDITION OF ITEM 6 TO AMEND ITEM 9 OF THE ORIGINAL CONDITIONAL ZONING CERTIFICATED DATED APRIL 19, 1990. AS PERMITTED BY SECTION 1280.05, THIS AMENDMENT SHALL ALLOW FOR BOTH THE NORTH AND CENTER COMMERCIAL SPACES ON THE FIRST FLOOR TO BE USED FOR LIVING QUARTERS FOR THE OWNER, LESSEE OR MANAGER OF THE BUSINESS, OR QUARTERS FOR A WATCHMAN OR CARETAKER. SUCH LIVING QUARTERS SHALL CONFORM TO REGULATIONS THEREFORE AS SPECIFIED IN CHAPTER 1286.

Mr. Rocha seconded the motion. The vote was 4 Ayes 0 Nays.

Item 6

There was no new business.

Item 7

No one appeared at the public comment period.

Item 8

Councilwoman Hanek stated there was no Council Representative's Report at this time.

MR. ROCHA MOTIONED TO ADJOURN THE MEETING.

Mr. Hasan seconded the motion. The vote was 4 Ayes 0 Nays.

The meeting was adjourned at 8:28 p.m.

Respectfully,

Pamela Plavecski

# PLANNING COMMISSION STAFF REPORT

September 21, 2017

## **Tire Express Discount**

(Public hearing – conditional zoning certificate)

Location: 4248 Center Road  
C-G District

### **Proposed Use & Background:**

A conditional zoning certificate application has been submitted by Tire Express Discount to operate an automotive repair business for the sale and installation of new and used tires. Hours of operation will be from 8:00 a.m. to 8:00 p.m. Monday through Saturday, and 8:00 a.m. to 6:00 p.m. on Sunday.

A new 10' x 12' overhead garage door will be installed on both the north and south elevations of the building to allow access to three interior car lifts.

Automobile repair is a conditionally permitted use under Section 1260.04(k), subject to Section 1274.08(a), (d), (f), and (g) of the city's zoning code.

### **Staff Review Comments:**

1. All structures and activity areas shall be located at least 100' from a residential district or from a multi-family property line, pursuant to Section 1274.08(a).
2. As required by Section 1274.08(d), all permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, any individual, or to the community in general.
3. All activities shall be carried on inside the building. If work is performed on a vehicle, such vehicle shall be entirely within the building, pursuant to Section 1274.08(f).
4. Loudspeakers causing a hazard or annoyance to adjacent residential properties are prohibited, in accordance with Section 1274.08(g).
5. Verify there is a minimum of eight striped parking spaces on-site, including one van-accessible handicap space, as required by Table 1276-1(d)(7) of the Zoning Code and Section 1106.5 of the 2011 Ohio Building Code. Parking aisle width shall be a minimum of 24' for 90° angle parking for two-way traffic.
6. Verify there is a minimum 0.6 footcandle lighting level for parking and pedestrian areas, pursuant to Section 1276.14(a).
7. The gravel area to the east of the building that extends to Manhattan Avenue shall be paved in accordance with Section 1276.10(c).

8. Per the Fire Department's request, provide information regarding on-site storage of tires.

**Staff Recommendations:**

Staff withholds recommendation until information is provided on the above items.

**Zula retail and apartment building conditional zoning certificate amendment**

(Public hearing – conditional zoning certificate amendment)

Location: 1339 Kent Drive  
C-G District

**Proposed Use & Background:**

The applicant is seeking an amendment to Condition 9 of the conditional zoning certificate issued on April 19, 1990 which states "This use is approved for two second story apartments, in addition to the first floor commercial units. The two apartment units are allowed by virtue of Section 1246.05(r) (pre-1997 Zoning Code, now Section 1280.05) of the Codified Ordinances and can be occupied only by the owners, lessees or managers of the first floor businesses. The apartment shall conform to the regulations therefore in Chapter 1264 (pre-1997 Zoning Code, now Chapter 1286) of the Codified Ordinances".

The owner of the property lives in one of the second story apartments and has her tailor shop on the first floor. She wishes to amend the conditional zoning certificate whereby both the north and center commercial spaces on the first floor could be used for tenants that would assist with the maintenance of the property. The owner has stated due to the limited number of on-site parking spaces, consisting of eight exterior spaces and three interior spaces inside the three-car garage (second 2-car garage on site plan was never constructed), she has been unable to find tenants for the two unoccupied commercial spaces on the first floor. Table 1276-1(d)(3) requires a minimum of thirteen parking spaces for retail stores and services.

Section 1274.06(e) permits the owner of a business or property to request an amendment to a conditional zoning certificate.

**Staff Review Comments:**

1. The applicant is requesting the Planning Commission, pursuant to Section 1274.06(e), to amend Item 9 of the original conditional zoning certificate dated April 19, 1990. As permitted by Section 1280.05, this amendment will allow for both the north and center commercial spaces on the first floor to be used for living quarters for the owner, lessee or manager of the business, or quarters for a watchman or caretaker. Such living quarters shall conform to regulations therefore as specified in Chapter 1286.

**Staff Recommendations:**

Staff withholds recommendation pending the Planning Commission's ruling on the proposed conditional zoning certificate amendment.