

Lyndhurst, Ohio
December 11, 2013

The Planning Commission of the City of Lyndhurst met in Special Session on Wednesday, December 11, 2013 at 7:30 p.m., in the Conference Room of the Lyndhurst Municipal Center, 5301 Mayfield Road. Mayor Joseph M. Cicero, Jr., presiding.

Members Present: Commissioners: V F DeCrane, R S Febo,
D J Sirk, J M Cicero, L A Schlessel

Others Present: P T Murphy, Director of Law
C J White, Secretary
L M Puskas, Building Inspector

It was moved by Mayor Cicero, seconded by Councilman Schlessel that the reading of the minutes of the Workshop Session held October 30, 2013, copies of which were mailed to all members, be dispensed with and said minutes stand approved as circulated.

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

Motion carried.

It was moved by Mr. DeCrane, seconded by Councilman Schlessel that the reading of the minutes of the Special Session held October 30, 2013, copies of which were mailed to all members, be dispensed with and said minutes stand approved as circulated.

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

Motion carried.

**5288 Mayfield Road
PP# 713-14-006**

Consider request of Sam Abounader, to construct a free standing restaurant and bar.

Mayor Cicero stated that some concerns which were discussed at the previous Workshop Session have been addressed on tonight's proposal. He then asked Mr. Abounader to explain those proposed changes.

Mr. Richard Seigfried, RSA Architects, presented proposed plans to the Commission, pointing out the changes made from the previous presentation. He stated that the building size has decreased approximately twenty (20) percent from the original proposal, approximately twenty-five (25) seats were removed and a buffer area was created in the back for a fence and snow dump area; there is some green space in front with shrubs, however is not the required amount of green space. He stated that the frontage is still one hundred (100) feet, instead of the

required one hundred fifty (150) feet. He further stated that the outdoor patio area has also been scaled down from what was previously proposed, and the dumpster area has been relocated, and a surround has been added. More green space has been added to the northwest corner, with the ability to add some shrubs.

Mr. Febo explained the history of this portion of Mayfield Road, stating that when it was zoned commercial, after being zoned residential, it was inevitable that there will be non-conforming lots on which to build commercial buildings. He stated that this particular lot is one of those lots; not having the required width, nor the required green space, nor the parking requirements, among other requirements. He further stated that he doesn't feel this property owner should be penalized because of the history of the zoning, and therefore will accept the proposed plans for a free standing restaurant and bar, knowing full well of the required variances needed.

Mr. Seigfried stated that this proposal is showing the number of parking spaces required based on the number of seats in the restaurant. He explained that presently, the proposal shows thirty-seven (37) parking spaces; but there is no possible way to reach the required number of parking spaces.

In answer to Mr. Sirk's question regarding purchasing adjacent land for a bigger lot, Mr. Abounader stated that adjacent property owners were asked if they would sell, however, no one was interested.

In answer to Mr. DeCrane's question regarding parking overflow, Mr. Abounader stated he is unsure about overflow parking at this time.

Councilman Schlessel stated his concern regarding the rear patio area and the dumpster area being in such close proximity to the residential area.

In answer to Mr. Sirk's question, Mr. Abounader stated that a fence will be erected to screen the rear of the restaurant from the residential area.

Mr. Abounader stated he is considering putting up a three (3) foot to four (4) foot ledge to enclose the patio a bit. He stated that the purpose of the patio area is to defer people from smoking in the parking lot.

Mr. Sirk recommended that the patio area be screened even more so than what was previously stated, while being in the confines of the smoking regulations. He further recommended some type of screening around the dumpster area, for both aesthetic purposes and to minimize the amount of noise when being emptied.

Mr. Abounader stated that a concrete wall around the dumpster can be erected to help minimize the noise; he further stated that the opening of the dumpster area can be turned toward the building.

In regards to the rear fence, the Commission recommended a decorative vinyl fence.

In answer to Mr. DeCrane's question regarding the mechanical equipment, Mr. Seigfried stated that most will be in the basement, but there is a well on the roof for the exhaust hood and condensers.

After discussion, it was determined by the Commission that the proposal will need two (2) variances; frontage proposed is one hundred (100) feet in lieu of the required one hundred fifty (150) feet, and the proposal does not show forty-eight (48) feet of green space in front of property. It was determined that the number of parking spaces is code compliant.

It was moved by Mr. Sirk, seconded by Mr. DeCrane that recommendation be made to Council to approve the proposed plans, dated November 8, 2013, of Sam Abounader to construct a free standing restaurant and bar, located at 5288 Mayfield Road, and additionally approving the variances needed: 2 items under Section 1168.06; minimum development area, accepting 18,974 in lieu of the twenty thousand square feet required, recommend accepting the variance from Section 1168.06, 150' minimum lot frontage, to 100 feet as proposed, accepting the setback of an eight (8) foot green space buffer in lieu of the forty (40) foot requirement per Section 1168.11 (c). And, conditioned that an eight (8) foot fence, identical to Aldi's existing fence, be erected in the rear, between the commercial and residential zoning.

Roll Call: Yeas: DeCrane, Febo, Sirk, Cicero, Schlessel

Nays: None.

It was moved by Mr. DeCrane seconded by Mr. Sirk that the meeting be adjourned.

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

Motion carried, meeting
adjourned at 8:15 p.m.

Chairman

Approved: _____

Attest: _____