

The North Royalton **Planning Commission** met in the Council Chambers, 13834 Ridge Road to hold a **Public Hearing**, on **Wednesday, May 4, 2011**. The meeting was called to order by Chairman Tony Sandora at 7:04 P.M.

Chairman Sandora: Good evening everybody and welcome to the North Royalton Planning Commission meeting for Wednesday, May 4th, this is the Public Hearing portion. Mrs. Broestl, please call the roll.

Present: Mayor Stefanik, Chairman Tony Sandora, Don Willey,
Victor Bull, Building Commissioner Rito Alvarez,
City Engineer Mark Schmitzer, Law Director Tom Kelly,
Secretary Julie Broestl

Moved by Don Willey, seconded by Victor Bull to **excuse Mike McCarthy for cause**.

Chairman Sandora: It has been moved and seconded to excuse Mike McCarthy for cause. Mrs. Broestl, please call the roll.

Don Willey: Yes
Victor Bull: Yes
Mayor Stefanik: Yes
Chairman Sandora: Yes

Yeas: four – Nays – none.
Motion Carried (4-0)

Chairman Sandora: Please stand for the opening ceremony, The Pledge of allegiance.

The Pledge of Allegiance was recited by all.

Public Hearing

State Road Community Church of the Nazarene, 8600 State Road, Public Facility Zoned.
PPN: 489-03-006. **Site Plan Approval for an addition and alterations,**

Chairman Sandora: the gentlemen are here. Could you please step forward and make your presentation for us and give us your name and address for the record.

Pastor Phil Hurlbert approached the microphone.

Mr. Hurlbert: My name is Phil Hurlbert and I live at 8632 State road, here in North Royalton. About three years ago, actually it was three years ago this very meeting, we came and presented a plan. At that time our primary concerns were to eliminate the steps as the main entrance into the church and making it handicapped accessible and putting restrooms on the main floor. Right now the only set of restrooms that we have are down stairs in the basement and what we call handicapped restroom, which really isn't that at all because if you wheeled chair in there you would never be able to get it back out. We would have to call the Fire Department to get it back out. So, obviously, that is not even close to ADA compliant, We have a couple issues with the entrance as it is right now; the carport really has to be repaired just because of some deterioration and the steps are also are in need of serious repair. What we are hoping to do is change that so the entrance is on the north side of the property which

would give us ground level entrance into the building and would give us new restrooms. Three years ago we began that process with you and looking forward to today because really it's a new set of downs, it's a fresh slate for us. There were some problems with that original plan and we have reworked all of that and have a different construction company that we are working with and this will give us what we need without any of the extra stuff and I think we have a plan that will serve our church and our community well.

Chairman Sandora: anybody else want to speak on this? Anybody in the audience have anything on this? Make a motion to move to the regular order of business.

Moved by Don Willey, seconded by Victor Bull, to move **State Road Community Church of the Nazarene** to the regular order of business.

Chairman Sandora: It has been moved and seconded to move this to the regular order of business. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes
Victor Bull: Yes
Don Willey: Yes
Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

**McDonald's Corp./Donald Bohning and Associates, 5304 Royalton Road, PPN: 488-19-011,
Site Plan Approval for side by side, two station drive-thru.**

Chairman Sandora: The applicant is here. Please step forward and make your presentation to us and explain what you would like to do and why.

Mr. Eric Kramer approached the microphone.

Mr. Kramer: My name is Eric Kramer and I'm with the consulting firm of Don Bohning Associates. The proposal is to modify the existing McDonald's which now has a single drive-thru, and their new concepts is to have a side by side, which would then provide two order stations and an island between the two and which the cars would then pull up. Similar to what happens today as a point which the cars have a choice of which lane they would drive into. They can take either lane at any time and come up to the order station make an order and then move forward. The concept is to help the clients when there is heavy traffic. There would be a car set at the primary station and there is a car behind it and these two cars are in position and the first person would make his order and then move forward during the time that the next car behind is making orders, and they are already taking an order from the other station and as they complete their order they would then move in and move forward. McDonald's would make sure that the right order would get to the correct car because they will have cameras. As they take the orders they are keening to the vision of the front of the car. So, as that order moves forward they can prepare what they had ordered. This is primarily a way to provide a better experience through the drive-thru. The balance system has changed. In today's world there is a greater portion of almost 60% or 70% actually goes through the drive-thru. Today's economy, today's world is so busy and we tend to rush and this is simply a way to enhance that system more efficiently. I can answer any questions.

Chairman Sandora: Okay. Under the next portion of the meeting we will do that. Anybody else in the audience want to say anything on this? Make a motion to refer this to the regular order of business.

Moved by Don Willey, seconded by Victor Bull, to **move McDonald's to the regular order of business.**

Chairman Sandora: It has been moved and seconded to move this to the regular order of business. Mrs. Broestl, please call the roll.

Don Willey: Yes
Victor Bull: Yes
Mayor Stefanik: Yes
Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

Chairman Sandora: Can I have a motion to adjourn the Public Hearing.

Moved by Victor Bull, seconded by Don Willey, **to adjourn the Public Hearing.**

Chairman Sandora: It has been moved and seconded to adjourn to the Public Hearing. Mrs. Broestl, please call the roll.

Victor Bull: Yes
Mayor Stefanik: Yes
Don Willey: Yes
Chairman Sandora: Yes

Yeas: all. Nays: none.

Motion carried. (4-0)

Chairman Sandora: We are adjourned.

Public Hearing was adjourned at 7:08 P.M.

The North Royalton **Planning Commission** met in the Council Chambers, 13834 Ridge Road to hold a **Regular Meeting**, on **Wednesday, May 4, 2011**. The meeting was called to order by Chairman Tony Sandora at 7:09 P.M.

Chairman Sandora: I would like to call to order the regular order of the North Royalton Planning Commission meeting to order for May 4th. Mrs. Broestl, please call the roll.

Present: Mayor Stefanik, Chairman Tony Sandora, Don Willey,
Victor Bull, Building Commissioner Rito Alvarez,
City Engineer Mark Schmitzer, Law Director Tom Kelly,
Secretary Julie Broestl

Moved by Don Willey, seconded by Victor Bull to **excuse Mike McCarthy for cause**.

Chairman Sandora: It has been moved and seconded to excuse Mike McCarthy for cause. Mrs. Broestl, please call the roll.

Don Willey: Yes
Victor Bull: Yes
Mayor Stefanik: Yes
Chairman Sandora: Yes

Yeas: four – Nays – none.

Motion Carried (4-0)

Julie Broestl: I need a motion and a second to approve the minutes of April 20, 2011.

Moved by Don Willey, seconded by Victor Bull, to **approve the minutes of April 20, 2011**.

Chairman Sandora: Moved and seconded to approve the minutes of April 20, 2011. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes
Don Willey: Yes
Victor Bull: Yes
Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

Old Business:

Woodcroft Glen, Royalton Road, General Business Zoned. Woodcroft Glen Phase II, Final Plat Approval.

Moved by Chairman Sandora, seconded by don Willey, **to remove Woodcroft Glen from the table for discussion**.

Chairman Sandora: It has been moved and seconded to remove Woodcroft Glen from the table for discussion. Mrs. Broestl, please call the roll.

Don Willey: Yes
Mayor Stefanik: Yes
Victor Bull: Yes
Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion Carried (4-0)

Chairman Sandora: The applicant is here. Step forward sir, and state your name and address for the record.

Richard Porter approached the microphone.

Mr. Porter: Good evening. I'm Richard Porter, I'm an architect with Gross Builders. 14300 Ridge Road, North Royalton. With me is Chris Koots. He is our marketing director, also with Gross Builders. We were asked today to come here tonight to discuss Woodcroft Glen. No one would like to start up this project again more than we would. We've been in town building and our corporate office has been here since I think 1973, 1974. Obviously, with the state of the economy, we have had this tabled. We would like to have it continued to be tabled on your agenda. I can answer any questions to that.

Chairman Sandora: What have you done so far in the number of years that you haven't come forward on that project?

Mr. Porter: Actually, we sold off some of the existing inventory, I believe in 2008. We sold some of the inventory that hadn't been sold yet. Since then we have been maintaining the property by keeping things cut and looking nice. We have not done any new construction work.

Chairman Sandora: You know Mr. Porter, the problem that I have, and I am only one person up here, but the problem I have is that this project came before us in 2005. In 2007, you were back here and there were a number of items that were suppose to have been done and needed to be done. One of them, in fact, was the road out to York Road which has never, never, materialized. I do realize that the economy is down and the economy is bad. This has been going on forever and we just can't continue giving you 90 day extensions on this. I mean, this is, you have not received approval of it. You had a major problem with the utility lines going in there, where they came in. Has that been solved?

Mr. Porter: I believe all utilizes been accepted.

Chairman Sandora: There was a problem with the location of it coming off of 82 going back there. There were some serious problems that you ran into over there. The last time that you were here. There was a problem with the Army Corp of Engineers, the last time that you were here because the layout that you had presented you were unable to build it as it was presented to us.

Mr. Porter: That was through all of Phase I and Phase II, when we came here with our previous approvals. We had Army Corp approvals already done. We have people living there and using the utilities so we have them all the way down the road to our Phase II area. We also have the street in question that runs with this plat out of this Phase II plat approval. That's also been bonded all these years. We obviously will continue that bond to run with this.

Chairman Sandora: You talking about the bond for the road that goes out to York Road.

Mr. Porter: Correct.

Chairman Sandora: You continue using that bond? You rolling it over each time?

Mr. Porter: Yes. Last time we rolled it over for two years, up to 2011. I just was in contact with our bonding company last week to continue that. I just have to get back with her the number of years to continue that. I was waiting for this meeting to advise them further.

Chairman Sandora: Well, what does it look like you are going to do with this project?

Mr. Porter: We are going to build it. We have longevity not only in North Royalton, but the company started in 1916 and a very strong company. That was a great project for us. It's a great location. We like being in North Royalton. Out of the subdivisions we have in Ohio right now, when things pick up our intentions our to start with that one first.

Chairman Sandora: I agree with you. I don't have any problems with your company. I have no problems with what they have done, but this has been on here so long and we have these 90-day extensions that we have to keep a very close on eye or else we get into a major problem ourselves. This is just a concurring situation here. When you come back before us you are going to have to present everything again. I don't know if the Codes have changed or additional legislation has been in place. There could be things that you may not even be able to do anymore. You might have to make this entire presentation all over again.

Mr. Porter: As far as the building code. Whatever changes with the building code we would have to conform with that anyways. As far as your Ordinances and your subdivision rights, I don't think anything has changed in the past few years. Having this tabled would allow us to do is when things do turn around we could get right back into construction without having to go through that phase. Constructing the road at this time out to York that would also put an unnecessary burden on the Homeowner Association and the homeowners that currently live there because they would have additional maintenance fees to cover that road. Whether it is snow plowing or just general maintenance, reserve monies to keep that road. We don't want to encumber them with any other fees either, so, we appreciate continuing to be table so that we could jump right back into this project when the economy allows.

Chairman Sandora: I could be wrong, and correct me if I am, but the road that we are talking about is from this Phase out through where the strip center was suppose to go out into York road, so why would the association have to maintain that part of it?

Mr. Porter: Because that is still part of this property. That leg that goes from what is the end of where the houses are in Phase II to York Road, that extension that we still have yet to put in and that we have bonded, that extension is still actually part of the Woodcroft property and therefore runs with the common area and the streets for the homeowners association. And the idea was when there is 110 houses there it is divided up into 110 right now and it would be divided up into 53.

Chairman Sandora: How many homes are there now?

Mr. Porter: I believe there are 53 occupied. Or 52.

Don Willey: Mr. Chairman.

Chairman Sandora: Mr. Willey.

Don Willey: If you have less than 50% occupied, as a matter of interest, this is new to me anyway, and I don't know if any other member, normally they don't turn the association over to the owners until it is 90%.

Mr. Porter: The homeowner association isn't turned over to the homeowners at this point. Woodcroft Glen Homeowner Association, which Gross Builders has controlling stake in that company that controls the HOA and keeps it maintained. However, the homeowners that are there still pay a fee into that HOA.

Don Willey: That includes the bond on that road, I assume?

Mr. Porter: No. The bond is paid is paid strictly by the developer of the site. The entity that builds Woodcroft Glen is separate from the entity that runs the HOA. However, when the street would be platted along with the other Phase II lots, the way the HOA document is written, once that is platted and that rolls over into the HOA. And then the fees that are associated with maintaining that would be divided by each homeowner that is there.

Don Willey: As the Chairman indicated, and I believe I was at the last meeting and I think his name was Kurt Updgraft was here, and there were several unresolved issues. Number one, the road. Number two, whether or not there would be a traffic light for a safety issue. I don't recall, unless I missed a meeting, you having approval from the Corp of Engineers for the north section of that road. Because I believe that was part of the wetlands also as you drive in off to the west, I believe, was part wetland. I haven't seen any approval. Have you Mr. Chairman?

Chairman Sandora: No, I haven't that is why I am bringing this up.

Mr. Porter: That street was designed and approved for that which included the Army Corp permits. I want to say back in 2007 or maybe the end of 2008, when the final design of the street was approved. We had it basically engineered and ready to build and then the economy slowed down.

Don Willey: So, what burden would the City put you on if we do not extend this?

Mr. Porter: If you don't extend then you would take a vote to approve the plat or not approve the plat for Phase II, as it is written here, and then I believe I would have a year in which to construct the road, if I'm not mistaken, according to the Code of Ordinances. So, if the plat is approved that would give me a year to construct that. The burden being more so on the homeowners because I don't know when this is all going to turn around and get back in there to build. I want to do it but.

Don Willey: You are currently building in other areas, discounting Geauga Portage, correct?

according to the real estate adds on Sunday, Correct?

Mr. Porter: We have ads out for sold. That's the only active property we are constructing on now in Ohio.

Don Willey: So, what is the difference, if I may ask, in the marketing between North Royalton and Solon?

Mr. Porter: different style house. This is an attach town house here in North Royalton, as a detached and 55 and over zoned area which gives us a different market.

Chris Katz approached the microphone.

Mr. Kutz: Chris Kutz. I am the sales manager for Gross Builders. The Solon project is a detached sort of semi custom build to order product. It actually very similar to what we built in North Royalton in Southampton Woods.

Don Willey: They are Clusters?

Mr. Kutz: Yes. That market is a little more fluid because those buyers tend to have some financial reserves from retirement funds and things like that. Woodcroft appeals to the first time buyer who in many ways was hardest hit by economy. Bigger down payments that younger buyers weren't saving for. That slows down the market.

Don Willey: We have one builder, in fact there is ten houses constructed down off of York Road and there, who is that? Ryan Homes.

Mayor Stefanik: Mr. Chairman.

Chairman Sandora: Mayor.

Mayor Stefanik: We are all hoping that the market turns around quickly sometime this year, but I can understand why they are coming before us to get another extension and whether it is 90 or 180 days. They are taking care of their property. I have been back there and there are many other eyesores in our City besides vacant lots in the back of Woodcroft Glen. I just think it would be the prudent thing to do would be to extend them the extension this evening and let's hope the market turns around. It looks like it is, a little bit, and it remains to be seen the rest of the year. Thank you.

Chairman Sandora: Anybody on the Board have anything?

Don Willey: Mr. Chairman, the only other comment I have is that there has been a four years gap between what they presented back then and I believe that everyone on the Planning Commission now was not a part of it then. If that is not the case, I would have no opposition to extend this but when they do move forward I think we will need a full review.

Chairman Sandora: Wait a minute. Let me just say this Mr. Willey. We gave them a 90-day extension last meeting. It is in effect now. We are giving them nothing tonight. All we are doing is listening to what they have to say and why they need to continue doing this. So, we are not really giving them anything tonight.

Don Willey: I understand. Gotcha.

Chairman Sandora: See our dilemma here gentlemen? This has been going on for so long. You only come to us when we send you a letter that asks you what you are going to do. You have not stepped before to make any presentation to this Board about anything that has been

happening over there. I understand the economy, but you have to understand the situation that we are in here too. It is very cumbersome for us to continually have to be very diligent to watch this 90-day period. Mr. Kelly, if you would, and I don't know if this could be done but, could you consider waiving these 90-days?

Mr. Porter: We appreciate you continually tabling this for us, but I am not sure about waiving the 90-day.

Chairman Sandora: If we by chance miss these 90-days could your company send us a letter in writing that if something occurs, see what is happening here is not only you with and the economy, but also with other people. So, there are times when we don't have a regular meeting here, and if we don't catch this we would have a big problem here. That is why we extended this last month because we are not sure from month to month how many meetings we have and if everyone is going to be present. So, if it comes to a point where you need a 90-day extension and we don't have a meeting we have a big problem, both of us.

Mr. Porter: I apologize. I wasn't under the impression that every 90-days there was another vote. The vote I guess is to extend this?

Tom Kelly: Mr. Chairman.

Chairman Sandora: Mr. Kelly

Tom Kelly: The Ordinance that the Chairman is referring to says that in the event that an application is not rejected within the 90-day period, then it is granted. So, there is an automatic grant to you and to your company to move forward, even though for argument sake, you may not have satisfied the Commission relative to all of the questions that they have. In order to protect the Commission's right to review your plans and not to have you simply go forward by default, bearing in mind that passage of four years is a considerable period of time, and in that period of time you can do the math and see how many times they have had to vote on this. What they are suggesting is that, or what the Chairman is suggesting I think is, that Gross Builders extend to the City a waiver of that provision. Mr. Chairman, I'm not so sure that they can even do that. I wouldn't have great confidence that a voluntary waiver by them would abrogate the operation of the Ordinance.

Chairman Sandora: Thank you Mr. Kelly.

Mr. Porter: I apologize and in no way were ignoring this commission and no way were we just trying to roll with anything. We have always kept up and maintained the property and maintained our records and make sure that we do everything appropriately.

Chairman Sandora: Believe me, we have no problem with that. But this is the dilemma we have here.

Mr. Porter: We would be more than happy to show up in 90-days or 180-days or have communications with Julie, to make sure where things are at. Give you updates.

Tom Kelly: Mr. Chairman. What we might do is look at the Code and see if we don't want to amend the Ordinance that default in favor of the applicant. And there by deprive the Planning Commission of its opportunity to serve its function. I guess what I am to the councilman that are present tonight that we consider the possibility of at least exploring whether or not we

could modify the Code. I would have to look at the Charter too, but whether we could modify that provision so as to not deprive the commission of its opportunity to do its duty.

Mr. Porter: If there is a

Chairman Sandora: Mr. Kelly, that was enacted way back when and it was for the opposite reason. It was for the applicant so that the City couldn't play games with an applicant that came forward and because they didn't want something they would just automatically let it run out. That's in the charter that way.

Mr. Kelly: If it is specifically in the Charter then the likely hood of making any modification of that would be slim and none.

Mr. Porter: If there would be a way to waive that I would be happy to look at it.

Mr. Kelly: Mr. Porter, as much as we appreciate your cooperation and offering to do that and recognize this sincerity with which it's offered; you can't waive it. And the Commission can't waive it either.

Chairman Sandora: Well, you have another 90-days. We gave an extension of 90-days at the last meeting. Which will make it...

Mr. Kelly: It wasn't to go into effect until I think this meeting. So, May the 4th or May the 5th. And the 90-days from there.

Chairman Sandora: Okay. So, I would ask you this then Mr. Porter, you have the 90-days at this time. We voted on that last meeting. As Mr. Willey suggested or stated, and I whole hardly agree with him, before your next 90-days will be granted to you, I would suggest that you come here and make the entire presentation with what you have, what is in there, and bring everything forward again, because I am not exactly sure who was on this Board last. I was here and you were here. Victor was here also.

Lots of mumbling from Commission members.

Mayor Stefanik: Mr. Chairman. I could just say, I don't think it makes much sense to have them come up with the whole presentation if they are not ready to start construction again. And when they are ready to start construction. I would say that would be the time to come up here again. If they see things turning around, I'm sure that they want to sell houses, nobody wants to sit on vacant property when they plan to put houses there four years ago. I'm not trying to give anybody a break here but I'm just saying it is common sense will tell you when they are ready to go. They will be up here knocking on the door, pulling at Rito and the Engineer, wanted to get started, I would imagine.

Mr. Porter: If it would please the Commission, what I can do is gather some of our approvals, some of the information that we have that we have gone through with the City. I can talk with Mark, submit him a package and we can get both parties up to date where things are at, If Mark would than want us to come back in front of the Commission we would still probably stay remained tabled, and still keep getting the extensions granted. We will be happy to provide additional information. Thank you for the extensions. Thank you again for understanding our position.

Chairman Sandora: I hope you respect our wishes.

Mr. Porter: I hope that we could just start building.

Chairman Sandora: Me too. Thank you. Make a motion to table.

Moved by Don Willey, seconded by **Mayor Stefanik, to table Woodcroft Glen.**

Chairman Sandora: It has been moved and seconded to table Woodcroft Glen. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes

Don Willey: Yes

Victor Bull: Yes

Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

Koch Properties, Ltd./Royalton Supply Landscape center, 11528 Royalton Road, PPN: 483-11-007 and 483-11-014. General Industrial zoned. Site Plan Approval for a Topsoil Shredding/Screening Machine.

Julie Broestl: This is tabled. No action.

Zillich Interiors and George Glus, 11645-11755 State Road, Residential District Zoned. Sketch Plan Approval for Proposed Subdivision for Quarry Park.

Julie Broestl: This is tabled. No action.

New Business

Public Hearing

State Road Community Church of the Nazarene, 8600 State Road, Public Facility Zoned. PPN: 489-03-006. Site Plan Approval for an addition and alterations,

Chairman Sandora: The applicant is still here. Could you please step forward and give us your name and address for the record. Both parties.

Pastor Phil Hurlbert approached the microphone.

Mr. Hurlbert: My name is Phil Hurlbert and I live at 8632 State road, here in North Royalton.

Jeff Craven approached the microphone.

Mr. Craven: My name is Jeff Craven with Craven Construction. 9671 Millhaven road, Canal Fulton, Ohio.

Chairman Sandora: Is there anything to add to what you stated before, or explain anything?

Mr. Craven: We brought renderings. As Pastor Phil explained the design that was applied for before we took and simplified a few things.

Chairman Sandora: Sir. Could you grab that microphone because we are recording this. Take the top piece off and walk with it if you want.

Mr. Craven: So, anyways, we simplified it. Before they had some flat roof issues with the new building, and we got rid of this and I think that the architects have done a good job, We have one gentleman that we pride ourselves on making buildings look like when we put an addition on that it was meant to be that way from the beginning, and I think we have come up with that this time. This was their main entrance before. Pastor Phil wanted to do away with it because there were a bunch of steps there and it is a terrible location, so, we are still having it as an entrance but as a secondary entrance, Enclosed. So, the main entrance now becomes this section over here and we added a couple of classrooms, a meeting area over here for gathering before the services and after the services. Some handicapped restrooms. We have the handicapped parking right up by the building. I think it looks well and meets all their needs.

Chairman Sandora: It looks very nice.

Don Willey: Mr. Chairman. The last time you were here we discussed parking and there was an issue and I noticed that Sunday mornings the parking lot is filled up. Will you be extending the parking lot at any time?

Mr. Hulbert: Yes we will be adding on some parking with this and then when we go on to add on the worship center, which will be down the road somewhere, that we will need to add on additional parking at that time. But, we will be adding on one of these three handicapped spots by those doors. Can you see up here in the picture up there?

Don Willey: whose sports car is that in the parking lot?

Mr. Hulbert: That's mine. Thank you for noticing that sir.

Don Willey: Okay.

Laughter

Chairman Sandora: Mr. Schmitzer.

Mark Schmitzer: Thank you Mr. Chairman. Three years ago when you first presented this, I think at that time there were some improvements shown in the parking lot, particularly some islands, and you are not doing that now at this time?

Mr. Hulbert: No. The way that it was going to be designed, we were still going to have to have a car drop off area in back. We were going to put in a planter and put curbs around that, but because of the way we turned the building to the north, we don't have that same issue.

Mark Schmitzer: Okay. I just wanted to make sure. I recall that we had some discussion on that. This would mean that I would need so much less of you with this if the commission would approve it from my end. Other than that, as I stated in my comments, gutters and downspouts must be tied in so that they are not free flowing across that parking lot. There is a lot of drainage that comes off there and hits State Road and we have some issues there and we just

want to make sure that we are not adding to that. Obviously, when you come up with your final plans, spot grade your handicapped, make sure that we are not ponding water near the building or causing any issues. Details of your asphalt and concrete, etc., etc. Drainage is to flow away from the building. Our Code states that you have that six inches of fall within the first ten feet, and that is more for residential, any grassy areas so that water doesn't pond. As a contractor you understand that you don't want ponding water up there or there will be problems.

Chairman Sandora: Thank you Mr. Schmitzer. The materials that you are going to use on this will all match the existing that is there, am I correct?

Mr. Hulbert: Yes.

Chairman Sandora: Mr. Alvarez, do you have anything?

Rito Alvarez: Mr. Chairman, the only comment I have is that upon approval, submit four complete sets of construction plans to the Building Department for review of the Building Code.

Chairman Sandora: Thank you Mr. Alvarez. Mr. Schmitzer, there is no additional storm water detention or anything else needed at this time that you know of.

Mark Schmitzer: We would have to look at a calculation of how much impervious is existing to propose. It is really hard to tell. Initial look you see more impervious, but by the time they are adding grass in and parts areas and what is stone right now that is going to be grass, we need to see that. Our Code does state that there is a percentage increase, I don't remember that exact number, that some storm water management is required. All your water drains northeast towards that catch basin up by State Road there. It would most likely require some work in that area to store some additional water and maybe some excavation, but submit the calculation when you submit the plans we will look at it and see what needs to be done to meet the Code.

Chairman Sandora: And you have no problem with that for the record?

Mr. Hulbert: No.

Chairman Sandora: Anybody else on the Board have anything? You will have to go before the ARB on Monday at 6:00 on the 9th.

Moved by Chairman Sandora, seconded by Don Willey, **to approve the site plan as proposed with the conditions that Mr. Schmitzer has made for State Road Community Church of the Nazarene addition and alterations.**

Chairman Sandora: It has been moved and seconded. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes
Don Willey: Yes
Victor Bull: Yes
Chairman Sandora: Yes

**Yeas – all. Nays – none.
Motion carried. (4-0)**

Chairman Sandora: Thank you gentlemen and good luck to you.

Don Willey: Pastor Phil, is that really your car?

Mr. Hulbert: No. I have an old man mobile.

Laughter.

**McDonald's Corp./ Donald Bohning & Associates, 5304 Royalton Road, PPN: 488-19-011.
Site Plan Approval for side by side, two station drive-thru.**

Chairman Sandora: The applicant is still here. State your name and address for the record please.

Eric Kramer approached the microphone.

Mr. Kramer: Eric Kramer, with the consulting firm Don Bohning & Associates, 7979 Hub Parkway, Valley View.

Chairman Sandora: Mr. Kramer is there anything else you would like to add?

Mr. Kramer: No, I don't.

Chairman Sandora: Mr. Alvarez do you have anything on this?

Rito Alvarez: Mr. Chairman, I normally say upon approval submit four sets of construction plans, but they have already submitted them. We will continue to review them.

Chairman Sandora: Thank you. Mr. Schmitzer.

Mark Schmitzer: Thank you Mr. Chairman. I did notice that the site plan that you are presenting in front of us here is slightly different than what was submitted. Can you explain that

Mr. Kramer: McDonald's did a re-review, and what they found is a little modification. They had a pinch point in this area. The problem that we were concerned about is that a car at an order station must have enough space for a car to be sitting behind it in which that car wouldn't block the traffic to pull into the other lane. We were a little on the tight side there. They recommended that we make another modification to that, which we have done here, so that we didn't want a car that was in this lane trying to move out around that car which would put him into the traveling traffic point. So, because of that we made slight modification to get rid of that pinch point and made it a little more symmetric and actually has made more green space behind the building and pushed it further back. There is specific geometry that we have to meet to satisfy McDonald's relative to how this works. There is a specific distance they want from the cash booth to where the order station is so that there is the appropriate number of cars and not too much or too little space for that staging to work. So, you are right. We made a slight modification to address that fact. I brought more copies and I did want to bring that out to show the detailed modification plans.

Mark Schmitzer: Thank you for explaining that. I noticed that when you were presenting it. And what we reviewed here I actually think it's for the better. More green space in an area that typically when doing a commercial development there is a lot of asphalt and we prefer a little

more green if you can, especially in that area. I appreciate you explaining that. Other than that, you did say you submitted detailed plans to the Building Commissioner?

Mr. Kramer: Yes. We received a letter, and I apologize if we got confused, we received a letter from the Building Department that they wanted full sets of plans. We thought we did a booboo, and we needed to get the full set of plans in prior to the meeting so we actually had the plans completed and we submitted them to you. Hopefully that didn't create some confusion.

Rito Alvarez: Mr. Chairman. Typically, I don't know if you were fast tracking it or not, but

Mr. Kramer: Yes. But I also would have liked to start yesterday.

Rito Alvarez: I also like to explain to the applicant that they are welcome to submit something for us to review, but we will not give permits out until all the other approvals are obtained through the commissions, ARB.

Chairman Sandora: The plans that they submitted to you is this one now?

Mr. Kramer: Yes. We completed total detailed plans. We thought it would make everyone comfortable that this is going to work and not create any problems. We just created more green which you can see to make the site work. The traffic pattern that McDonald's was concerned was addressed.

Mark Schmitzer: Okay. There is no need to submit any additional sets to my department. I will utilize the sets that you have submitted to the Building Department for our review and it helps us keep a permanent approved set together when we approve it. And it actually does appear based on the revised plan that versus the existing it actually looks that you have more green space than what was there with just the one drive-thru. So, based on that which always comes up with storm water management at that point. I believe that we won't need any storm water management; I probably would ask if you haven't submitted with the package to the Building Commissioner, just to show the existing impervious to the proposed impervious to make sure we don't have a net increase. So that we can satisfy the requirement of storm water management.

Chairman Sandora: So, for the record, you are agreeing and will send that in.

Mr. Kramer: We will send that data in to the Engineering Department.

Mark Schmitzer: I have nothing else.

Chairman Sandora: Thank you Mr. Schmitzer. I was kind of concerned the way both those lanes were going to come back around and go into the one lane, but the way that you have explained it before and the way I understand this is that they are going to use one at a time. So, they will take the order at one, and then go to the other, which will give that car enough time to move forward for the other car so that there is not a problem over here.

Mr. Kramer: Right, right. That is exactly what happens. Take the order, one moves forward, and then the next in position and give the order. Even the position of where these two order stations are, the distance to this island and this would be the merge point. I'm sure McDonald's

probably spent millions of dollars studying this. But they give us all this criteria on how to make this functionally work.

Chairman Sandora: That was my concern, but you seem to have explained it.

Mr. Kramer: The newest sight I think of is in Parma, Pleasant Valley and Snow. There is where they took the whole building down and built a whole new facility. That has a side by side. This building is not that old. This is the second building on that site. There are some sites where they are on their third building.

Don Willey: West 57th and Memphis.

Mr. Kramer: There are a bunch.

Chairman Sandora: Anyone else on the Board have anything? Any comments or concerns? Nothing?

Paul Marnecheck: When are they going to start on this?

Mr. Kramer: As soon as we are able to acquire everything for a building permit and the will immediately start.

Paul Marnecheck: How long for them to complete this?

Mr. Kramer: For this, probably thirty days. Hard to believe, they can take a whole site down, build a whole new building in 76-days. They will functionally work around this construction. They have specific contractors that they work with that know the procedures. There is one at Pleasant Valley and Broadview. It is on Broadview Road.

Chairman Sandora: You will have to go to the Architectural Review Board.

Mr. Kramer: No.

Chairman Sandora: What about the landscaping?

Mr. Kramer: I'm not aware that we have to go. I see the secretary saying no.

Julie Broestl: I heard that they don't have to go.

Rito Alvarez: Mr. Chairman. Sometimes when the project is not fronting the main road and is all in the back and not being seen, typically they don't have to go to ARB.

Chairman Sandora: Okay.

Mr. Kramer: the landscaping will be the same elements that exist on the site now.

Chairman Sandora: No additional signage?

Mr. Kramer: There is two menu boards. There is a menu board there now. So, there will be a new menu board. The way that the order stations will be a new device. There will be a sign here that says "any lane any time", so there are a couple of little signs, will we need to go?

They are directional indicators. No new emblems or anything on the building.

Chairman Sandora: Mr. Alvarez has the call on that.

Rito Alvarez: Typically, other businesses, like Taco Bell which has small signs, we understand what they are for. Like the overhead height, we don't look at that as signage per say that need approval. Just directional and informational signs.

Chairman Sandora: As long as you don't feel that they have to go to ARB.

Rito Alvarez: It's fine.

Chairman Sandora: Anybody else have anything?

Don Willey: Do I understand that you are going to have two menu boards?

Mr. Kramer: Yes.

Don Willey: Okay. One in the outside lane and one where it is now?

Mr. Kramer: The one that is there now will be in the same position but a little farther out from the building. With much larger green space behind there.

Don Willey: It should be nice. Especially in the morning.

Chairman Sandora: Anyone else?

Moved by Don Willey, seconded by Mayor Stefanik, to **approve McDonald's side-by-side, two station drive-thru.**

Chairman Sandora: It has been moved and seconded. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes

Don Willey: Yes

Victor Bull: Yes

Chairman Sandora: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

Chairman Sandora: You're approved. Good luck to you.

Don Willey: Is Ken still in business with his brother, Ken Bohning?

Mr. Kramer: Yes. Ken is still one of the partners. I'm one of the principals.

Don Willey: Tell him I said hello. I've known him for 500 years as so. Have you ever been to his house? He has a big picture of me over his fireplace. No, just joking.

Mr. Kramer: That's a big deer head over his fireplace.

Laughter.

Don Willey: That's a cousin of mine.

Chairman Sandora: Motion to adjourn.

Moved by Don Willey, seconded by Victor Bull, to adjourn the Planning Commission meeting of May 4, 2011.

Chairman Sandora: Moved and seconded to adjourn. Mrs. Broestl, please call the roll.

Don Willey: Yes
Victor Bull: Yes
Mayor Stefanik: Yes
Chairman Sandora: Yes

**Yeas – all. Nays – none.
Motion carried. (4-0)**

Meeting adjourned at 7:56 PM

Approved: _____ Chairman Tony Sandora _____ Date: _____ June 15, 2011

Attest: _____ Secretary Julie Broestl