

The North Royalton Planning Commission held a Public Hearing on **Wednesday, February 16, 2011**, in the Council Chambers, 13834 Ridge Road. The Vice-Chairman Don Willey called the meeting to order at 7:13 P.M.

Don Willey: Call the meeting to order for the North Royalton Planning Commission.

**Present: Mayor Robert Stefanik, Don Willey, Victor Bull,  
Mike McCarthy, Law Director Tom Kelly,  
City Engineer Mark Schmitzer, Building Commissioner Rito Alvarez,  
Secretary Julie Broestl**

Don Willey: Motion to excuse Mr. Sandora for cause.

Moved by Victor Bull, seconded by Mike McCarthy, to **excuse Tony Sandora for cause.**

Don Willey: Call the roll.

Don Willey:	Yes
Victor Bull:	Yes
Mayor Stefanik:	Yes
Mike McCarthy:	Yes

**Yeas – all. Nays – none.**

**Motion carried. (4-0) – Tony Sandora excused for cause**

Don Willey: Please stand for the opening ceremony, the Pledge of Allegiance.

The Pledge of Allegiance was cited by all.

**Public Hearing:**

**Towne Tavern, 11300 State Road, PPN: 488-03-019, Local Business Zoned. Site Plan Approval for a Privacy Fence.**

Laura Skullen approached the microphone.

Don Willey: Please step forward and state your name and address and any comments you have regarding the application.

Ms. Skullen: Laura Skullen, Towne Tavern, 11300 State Road. I would like to address the commission to put a privacy fence up to replace the twelve and some odd trees that were unruly removed from my property in the summer by the tenant behind me. So, I would like to replace them with a privacy fence.

Don Willey: Okay. Would it be electric?

Ms. Skullen: I would like it to be, yes. Can I? It's up to you.

Don Willey: Mr. Building Commissioner?

Rito Alvarez: I believe that electric fences are illegal in this City Mr. Chairman.

Ms. Skullen: Just high enough and thick enough to divide us. That's all we would like. We would like to stay in our own neighborhood.

Don Willey: Anything else?

Ms. Skullen: No. That would be it.

Don Willey: Okay thank you. Anyone else from the audience have a comment on this? If not, a motion to move to the regular order of business.

Moved by Mayor Stefanik, seconded by Don Willey, to **move Towne Tavern to the regular order of business.**

Don Willey: Call the roll.

Victor Bull:	Yes
Mike McCarthy:	Yes
Mayor Stefanik:	Yes
Don Willey:	Yes

**Yeas – all. Nays – none.**

**Motion carried. (4-0)**

**City of North Royalton / North Royalton City School District, 10789 Royalton Road, PPN: 483-22-002, General Industrial Zoned. Site Plan Approval for a Paved Parking Lot for Bus and Staff Parking.**

Jim Presot and Jeremy Hinte approached the microphone.

Mr. Presot: Good evening, I'm Jim Presot, Assistant Superintendent of North Royalton City Schools, 6579 Royalton Road. We are here tonight for the plan approval for the paved parking lot and improvements to what is known currently as the compost facility that we are going to be leasing from the City of North Royalton for our bus storage facility.

Mr. Hinte: Jeremy Hinte, I'm the landscape architect and designer on the project. 1215-B West 10<sup>th</sup> Street, Cleveland, Ohio. All we are doing is taking what is there currently, moving the compost facility or the compost that is in the parking lot as it is. Cleaning it, restriping it so that the school district can put around 50 plus buses on that site, and then adding a paved parking lot for the staff drivers. The other item that we are going to be including is 24 bus warmer outlets, so there

is a little electrical within this project, as well as a storm water detention pond that meets the requirements that the City Engineer pointed out. In a nut shell that is pretty much all we are doing.

Don Willey: Okay. Anyone else? We have a correspondence from one of the residents across the street from where the proposed bus parking would be. Would you like to read that into the record?

Julie read the letter attached to the back of these minutes.

Don Willey: Thank you Julie. Anyone else want to speak on this issue? If not, motion to move to the regular order of business.

Moved by Mayor Stefanik, seconded by Victor Bull, to **move North Royalton City School parking lot to the regular order of business.**

Don Willey: Please call the roll.

Mayor Stefanik:	Yes
Victor Bull:	Yes
Mike McCarthy:	Yes
Don Willey:	Yes

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

Don Willey: Under miscellaneous, the school board at the last meeting, was it the last meeting?

Mayor Stefanik: Yes.

Don Willey: You wanted to request relocation at one of the storage sheds, would you like to come forward and summarize that for us?

Jim Presot approached the microphone.

Mr. Presot: At the last Planning Commission meeting we were given approval for a site plan for our new stadium renovation project and as part of that we indicated that we were finalizing the financial deals in terms of the costs and that one of the items on the proposed renovation may or may not happen, and that is the locker room complex, which is that large brown building to the south of the field and stadium. After leaving the Planning Commission we met with our architecture construction manager and got our final cost estimates and it was determined by the Board of Education that we could not afford that at this present time. However, we did indicate at the Planning Commission and we continue to look to provide the underground improvements necessary for that and continue to fund raise in the future years and ultimately build that complex, but again at this time it is not feasible. In doing so, by the relocation of the field and with not being able to build that locker room storage complex, we still have a lot of our track and high jump pits, our hurdles, and other miscellaneous things that we utilize for the field that is necessary to be stored. So, what we are requesting is that we have an existing pole barn on our property that needs to be taken down, we would like to relocate that next to our existing bus garage complex and put it the same size pole barn shed, whatever you want to call, and it would meet the guidelines of local code and that would be the modification of the existing plan.

Don Willey: Thank you. Any questions or comments from the members? We need to make a motion that we approve this based on the original plan. Mr. Kelly, do we have to do this retroactively or?

Tom Kelly: No Mr. Chairman. A motion to approve this is an amendment to their existing application and the plan that was previously submitted.

Don Willey: Okay. I'm having a senior moment.

Laughter

Victor Bull: Mr. Chairman.

Don Willey: Yes sir.

Victor Bull: I would like to move that we amend the application from last week.

Moved by Victor Bull, seconded by Mike McCarthy to **amend the application previously submitted last meeting.**

Don Willey: Please call the roll.

Mike McCarthy:	Yes
Mayor Stefanik:	Yes
Victor Bull:	Yes
Don Willey:	Yes

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

Don Willey: Okay. Motion to adjourn the Public Hearing.

Moved by Victor Bull, seconded by Mayor Stefanik, **to adjourn the Public Hearing.**

Don Willey: Please call the roll.

Victor Bull:	Yes
Mayor Stefanik:	Yes
Don Willey:	Yes
Mike McCarthy:	Yes

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

**Public Hearing adjourned at 7:27 PM**

The North Royalton Planning Commission met on Wednesday, February 16, 2011, to hold a **Regular Meeting**, in the Council Chambers, 13834 Ridge Road. The meeting was called to order by Vice-Chairman Don Willey at 7:27 P.M.

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

Don Willey: Motion to excuse Mr. Sandora for cause.

Moved by Mayor Stefanik, seconded by Victor Bull, to **excuse Tony Sandora for cause.**

Victor Bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Don Willey: Yes

Yeas – all. Nays – none.

Motion carried. (4-0)

Julie Broestl: I need a motion and a second to approve the minutes of February 2, 2011.

Moved by Victor Bull, seconded by Mayor Stefanik, to **approve the minutes of February 2, 2011.**

Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Victor Bull: Yes  
Don Willey: Yes

**Yeas – all. Nays – none.**

**Motion carried. (4-0) - Minutes of February 2, 2011 approved.**

#### **Old Business:**

Julie Broestl: Woodcroft Glen Phase 2 Final Plat Approval. Royalton Road, GB and RMD Zoned. I need a motion and a second for an extension of 180 days.

Moved by Mike McCarthy, seconded by Victor Bull, to **approve an extension of 180-days for Woodcroft Glen**

Don Willey: Call the roll.

Mayor Stefanik: Yes  
Don Willey: Yes  
Victor Bull: Yes  
Mike McCarthy: Yes

**Yeas – all. Nays – none.**

**Motion carried. (4-0) – 180 day extension for Woodcroft Glen Phase 2**

Ordinance No. 10-105 – An Ordinance accepting the dedication of 639 feet of Yorkshire Way and 175 feet of Butternut Lane in the Villas of Worthington Subdivision Phase 2B from Pride One York Royalton LLC, and Declaring an Emergency. Tabled.

Julie Broestl: I need a motion to remove from the table.

Moved by Don Willey, seconded by Mayor Stefanik, to **remove Ordinance No. 10-105 from the table.**

Don Willey: Please call the roll.

Mike McCarthy: Yes  
Victor Bull: Yes  
Don Willey: Yes  
Mayor Stefanik: Yes

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

Don Willey: Will the applicant please come forward.

Doug Loehr approached the microphone.

Don Willey: Please state your name and address for the record and what you would like to discuss here tonight.

Mr. Loehr: Doug Loehr from Pride One, 387 Medina Road, Medina, Ohio. I'm here for Plat approval for the Villas of Worthington Phase 2B.

Don Willey: Okay. To the Engineer.

Mark Schmitzer: Thank you Mr. Commissioner. This is actually the third phase, if you want to look at it totally, for the Villas of Worthington. There has been Phase One, Phase 2A, and Phase 2B, which was just recently constructed. I have provided every member on the Planning Commission my dedication approval site walk comments. I apologize for labeling that as Phase 2A, it should be Phase 2B. The comments, in general, are very minor as they were in the last phase, Phase 2A. The items for the most part items that I would recommend that the developer rectify or fix when the weather gets better, particularly with the settlement of the utility trenches that typically go in last. We would like to see those settle with the spring thaw. Let the ground shift a little bit and then come back and final grade those areas. Sanitary has no deficiencies. The storm, we have one catch basin that was compromised most likely from one of the franchise utilities, hitting it with their truck. It is a very minor fix. The water item actually we did get that letter from Cleveland Water accepting the water main. A couple curbed damaged areas, which is typical in any development, and they will take care of those items. But doing that right now with the freeze is probably not the best idea. Sidewalks, there is a sidewalk as we did have in Phase 2A, there was a common area sidewalk. There was a portion in Phase 2B again, I would recommend waiting until the weather gets better because the sidewalk is adjacent to a trench that was recently dug. I would rather have that settled and then not have any problems with the sidewalk. Everything is in, seeded, strawed, and the developer should just make sure that the disturbed areas are reseeded and strawed. The large trench under miscellaneous has already been taken care of since I wrote this. The speed limit signs and other signage had been put in. Landscaping the street trees always typically go in last once the houses are up so there is no damage from construction.

Removing the dirt, we had snow at the time. Again, when the weather breaks they said that they would take care of it and maintaining all erosion control measures. I know that there was one other item outstanding from previous discussions which were the common area and the riparian preservation easement. I have received information from a third party that it is being entered into it is in the process of being recorded and it should be done within the next few days. So, that cleans up a long outstanding item that was for all the villas. Based on that, I would recommend to this Commission to go ahead with the approval of the dedication of the Villas of Worthington Phase 2B.

Don Willey: Okay. Any other commission members have a comments or questions?

Mayor Stefanik: Mr. Chairman.

Don Willey: Mr. Mayor.

Mayor Stefanik: Questions about the homeowner associations. Will each phase have a separate association?

Mr. Loehr: The Villas of Worthington should all be one association when the project is complete.

Mayor Stefanik: So, everything off of York Road to the final dead end street will be one big association?

Mr. Loehr: Yes.

Mayor Stefanik: And they will be in charge of the retention basins and the common area?

Mr. Loehr: Correct.

Mayor Stefanik: Okay. And when will that get turned over to them, probably it won't be for years, I would imagine, until you build everything out before you turn it over?

Mr. Loehr: I believed it is 75% of homeowners occupying the lots sold, three quarters of the lots that are in there are sold off. I can get the exact number.

Mayor Stefanik: When that time does come, if we could all sit down with the Engineer and everybody to make sure that everything is brought up to the way it should be functioning . Especially the retention basin so that we don't leave the homeowner associations with a mess. Thank you.

Don Willey: Anyone else?

Tom Kelly: Mr. Chairman.

Don Willey: Mr. Kelly.

Tom Kelly: If it pleases the commission, Mr. Loehr, I just have a question. That Butternut Lane stub that was supposed to originally cut through to Cinnamon Lakes but will not connect now because we have the gap there. Are you making any effort at that point to identify that there is no through traffic there? Do you know what I'm talking about?

Mr. Loehr: Yes, the stub to the north of Cinnamon.

Tom Kelly: Correct.

Mr. Loehr: I believe we go to our property line; Cinnamon does not connect to theirs.

Tom Kelly: So, there will be a gap there?

Mr. Loehr: A gap. The ground and the natural woods.

Mark Schmitzer: If I could. There is currently a guard rail on the Cinnamon Lakes property, there is currently a guard rail installed as part of the Villas, and they have the three attenuator signs that indicate that it is a dead end street.

Tom Kelly: I wasn't aware of that. I'm sorry. Thank you sir.

Mr.. Loehr: I didn't know if you wanted something additional to it.

Don Willey: Anyone else? Mr. Alvarez, do you have anything?

Rito Alvarez: I have no comment Mr. Chairman.

Don Willey: Okay. Motion to approve as recommended by the Engineer.

Moved by Victor Bull, seconded by Mayor Stefanik, to **approve Ordinance No. 10-105 – An Ordinance accepting the dedication of 639 feet of Yorkshire Way and 175 feet of Butternut Lane in the Villas of Worthington Subdivision Phase 2B from Pride One York Royalton LLC.**

Don Willey: Please call the roll.

Victor Bull:	Yes
Mayor Stefanik:	Yes
Mike McCarthy:	Yes
Don Willey:	Yes

**Yeas – all. Nays – none.  
Motion carried. (4-0) – Ordinance No. 10-105 Approved.**

Don Willey: Okay. Good luck.

Mr. Loehr: Thank you.

Don Willey: I hope you sell them all off in the next six months.

**Ordinance No. 10-131 – An Ordinance amending the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1220 Planning Commission, Section 1220.06 Matters to be Considered, by deleting Paragraph (d) Location of Utilities, and Declaring an Emergency. Tabled.**

Julie Broestl: This is tabled. I need a motion and a second to have an extension of 90-days.

Moved by Don Willey, seconded by Victor Bull to approve an **extension of 90-days for Ordinance No. 10-131.**

Don Willey: Please call the roll.

Don Willey: Yes  
Mayor Stefanik: Yes  
Victor Bull: Yes  
Mike McCarthy: Yes

**Yeas – all. Nays – none.**

**Motion carried. – 90 Day extension for Ordinance No. 10-131 granted.**

New Business:

**Towne Tavern**, 11300 State Road, PPN: 488-03-019, Local Business Zoned. **Site Plan Approval for a Privacy Fence.**

Don Willey: Anyone here from Towne Tavern who would like to step up and review. This is standard. The Public Hearing section is separate. That is for anyone that may protest anything or any comments. This is the regular order of business. You come up and make the request so that it can be official when we approve it.

Laura Skullen approached the microphone.

Don Willey: Name and address.

Ms. Skullen: Laura Skullen, Towne Tavern, 11300 State Road. I would like to request permission to build an 8 foot high, 56 foot long, board on board, stained, electric privacy fence.

Don Willey: To the Engineer.

Mark Schmitzer: I don't have any serious comments. Thank you.

Don Willey: Thank you. Mr. Alvarez?

Rito Alvarez: Mr. Chairman. I'm okay with everything but the electric part.

Don Willey: Sorry Laura.

Ms. Skullen: Wouldn't charge the City. CEI has a big pole on our property with a light. We could plug it right in.

Don Willey: Yes. We are going to buy electric cars and we could come plug into there.

Ms. Skullen: I'm kidding. It's not that bad.

Don Willey: I know. Anyone else? Motion to approve.

Moved by Mayor Stefanik, seconded by Victor Bull to **approve a 56 long, 8 foot high, privacy fence for Towne Tavern.**

Don Willey: Please call the roll.

Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Victor Bull: Yes  
Don Willey: Yes

**Yeas – all. Nays – none.**

**Motion carried. (4-0) - Towne Tavern approval for 56-foot long, 8-foot high, privacy fence.**

Ms. Skullen: Thank you.

Julie Broestl: Laura. You will be going to ARB, you know that right?

Ms. Skullen: Will they send me a letter?

Julie Broestl: I will get in touch with you. I know your number. Also, remember you are going to need a permit also. Make sure that you go to ARB though.

Ms. Skullen: Okay. Thank you.

**City of North Royalton / North Royalton City School District, 10789 Royalton Road, PPN: 483-22-002, General Industrial Zoned.**

Jim Presot and Jeremy Hinte approached the microphone.

Mr. Presot: Jim Presot, North Royalton City Schools, Assistant Superintendent. 6579 Royalton Road. We are here tonight to seek approval for our proposed improvements to the bus storage facility at the existing compost facility.

Mr. Hinte: Jeremy Hinte, I'm the Project Landscape Architect. 1215B, West 10<sup>th</sup> Street, Cleveland, Ohio. As Jim said; we are looking for site approval for expanding the paved area for the staff parking. We have worked with, and had preliminary discussions with the City, including the City Engineer and how to deal with storm water retention/detention, as well as we have determined to make a right turn only out of this facility for busses. So, we do plan on putting a stop sign at the drive now and adding that sign there below it to tell them that they can only turn right, and that they will not be allowed to make left hand turns out of the facility.

Don Willey: Thank you. Are you aware that you will have to, based on our Ordinances, have to go to BZA based on our current Code for the fuel tank that you will be putting in there? You will have to get a variance and approval for the size of that tank you want to put in there.

Mr. Hinte: We are aware of that. We are not including that in this project. On the drawings I have it basically noted as others. The only thing that this project here will be putting in is the pad for it. I think, if they go down that route, the

fueling company will have to go and apply for that variance. I had some questions regarding the codification that I am still waiting for answer from the City on.

Don Willey: So, you are not going to put a fuel tank over there? Yes you are?

Jim Presot: Yes we are.

Mr. Hinte: But not a part of this project. It will be a separate submission is what I am trying to say.

Don Willey: Okay. Why?

Mr. Hinte: Time. We need to get buses in here as fast as possible in order to make the stadium project hit its submission dates.

Don Willey: I just hope that you don't run out of gas. Mr. Alvarez?

Rito Alvarez: Mr. Chairman. I have some comments that are really not major comments. When you submit plans to our office again you will have the dimensions on there for the parking area, and for the parking spaces themselves. The other comment is the general lighting. If you are going to do any general lighting for the parking area you need a permit and since you are installing electric that will have to be reviewed by the Ohio Building Code. Those are the main concerns I had.

Don Willey: So, when in approving this I would see no reason why they would have to come back here.

Rito Alvarez: The only issue again, that they already addressed, is the size of the tanks and how they are going to address it.

Don Willey: So you would send them to BZA correct?

Rito Alvarez: Yes.

Don Willey: Okay.

Jim Presot: May I ask, and I can't recall, I know that Jeremy had send to either Mr. Rito or who, but

Jeremy: It was Tom.

Jim Presot: Oh, it was to Tom Jordan about the size of the tank and so forth in the terms of capacity. I think that is really what it is. We currently have a 10,000 gallon underground tank. Given the scope that we are only going to be over there for a short time period, we don't want to invest the dollars into putting another tank into the ground. We wanted an above ground tank, which would have ballads to protect it from an accident. Is there a clarification on the size of the tank that we can put in there without going to get a variance?

Rito Alvarez: Mr. Chairman. Under the Fire Prevention Code, and again I will rely on the fire officials to make the final decision. Obviously that is their Code. But 300-gallons are what are allowed above ground under their Code sections.

Mr. Hinte: The e-mail I sent to Tom Jordan asked for clarification. I interrupted that section because the first paragraph of it refers to residential districts. So, my interruption is that it is meant for residential districts only. We are in an Industrial District. I was looking for a clarification from the City as to what the requirements there. That is what I was trying to get out of Tom. I haven't received anything back on that yet.

Don Willey: Any other comments or questions?

Tom Kelly: Mr. Chairman.

Don Willey: Mr. Kelly.

Tom Kelly: Mr. Hinte, is it?

Mr. Hinte: Yes.

Tom Kelly: Mr. Hinte. Mr. Jordan is very helpful in every way that he can be as a Development Director. On the other hand it isn't really his area. That is a matter that you ought to be discussing with our Fire Marshall and Mr. Alvarez.

You might want to take it up with them tomorrow and give them a phone call.

Mr. Hinte: I spoke with Rito before the meeting and I told him that I would just forward that on because it isn't part of this project. It isn't an issue in order for us to get the parking in, but we will see what their decision is out of that. I understand that.

Jim Presot: I know for fact that Mike Fabish and Ken Bohovic did tour the property and talked about location and looked at everything else. I didn't foresee an issue. We will leave it up to them to determine the size and so forth of it.

Tom Kelly: Mr. Chairman. All I want to do is just direct you and call the right people, that's all. Mr. Jordan, obviously, is out of town at the moment and so he can't be of assistance to you in that regard, but I would call the Fire Marshall and Mr. Alvarez and try to work with them.

Mr. Hinte: Will do.

Don Willey: Anybody else?

Victor Bull: Mr. Chairman.

Don Willey: Yes sir.

Victor Bull: To the Engineer. The applicant talked about the fact that they were not allowing left hand turns out of there. In addressing the residents concern, should we have a traffic study or was there a study done? Or are you satisfied that we will not undo harm to the residents,

Mark Schmitzer: To answer your question. I did receive word from the school districts consultant, Engineering Consultant that they discussed the matter and decided that they would not allow left hand turns out of there. I had

asked that a site distance study be performed they wanted to do left hand turns to see if it was warranted or not. In lieu of doing that they just decided that since we only would have a few buses going left we will just have everyone go right, so that takes care of the traffic turning out of there the buses. Whether a traffic study is warranted, it's difficult to determine. I mean the use is slightly changing, but there is currently a lot of traffic that already comes in and out of that facility. We have landscapers coming in and out of there. Large trucks coming in and out because back there they have all kinds of material. I don't want to say that it's necessary to have a traffic study done. I know that there are some accidents in that area, but there are accidents in other areas, and we have had traffic studies in other areas that have shown everything is fine and we still have accidents. I'm satisfied because recently east of that driveway the property owner there actually did a lot of clearing of trees that were over-hanging the roadway and they cut a lot of trees within the right of way. If you go up there now your sight distance, which is hard part looking up east there, is a lot better now. Since they are only going to be turning right out of there the distance to your left is very clear because it is straight. Based on what I see, I don't think at this point that a traffic study is warranted and I am satisfied that they have done everything that they needed to do.

Mr. Presot: Thank you Mr. Engineer.

Tom Kelly: Mr. Chairman.

Don Willey: Mr. Kelly.

Tom Kelly: If I might. Following up on Mr. Bull's point, while the busses will only be turning to the right. The drivers in coming to pick up their busses may be coming in and making left hand turns to enter the property, depending on where they live and which direction. How many drivers are we talking about?

Mr. Presot: Well, we have 50 busses there. In terms in total routes it is 46 or 47 total routes.

Tom Kelly: So, you are going to have 50 people roughly coming out.

Mr. Presot: About 50 people coming and going on a daily basis.

Tom Kelly: And usually at peak hours. 7:00 and 8:30 and 2:30 to 4:00, or something.

Mr. Presot: Correct.

Tom Kelly: That will be your high traffic volume time.

Mr. Presot: Correct.

Tom Kelly: Mr. Chairman. At least additionally it might be wise to encourage, Mr. Presot and the district, to consider the possibility of engaging some of off duty officers to do some traffic control there. You use to do that on Ridge Road, I know. I don't know if you do anymore.

Mr. Presot: We did it when we had our levy defeat and had no bussing going on at all. Because of the mass amount of students being dropped off by their parents and exiting the facilities we did it for several weeks and then it actually went away. The levy passed and the need was not there. The people actually control themselves. It was hectic around there but it kind of controlled itself.

Tom Kelly: Well just as a suggestion maybe initially you want to give some thought to that simply because it will be a new thing for everybody else driving 82 during those hours. They will have never encountered this before.

Mr. Presot: We presently employ some off duty officers and with the City's discretion or ability we could talk about having a vehicle or whatever you want to do just to alert drivers that this is a new change and be aware of that.

Don Willey: Where do the busses that are on 82 now, do they come out, do they only

Mr. Presot: They come out both ways. What I mean by that is predominately the morning, or so forth, they go out onto Rt. 82, and then in the afternoon time, if they are at the high school or the middle school, some will come up the back hill and come out on Rt. 82 and some will exit onto Ridge Road. So, they come out a variety of different ways.

Don Willey: They spread it out a little.

Tom Kelly: Mr. Chairman. It might be desirable, at least as a heads up, to let the traffic officers at the Police Department, Officer Fyock, I think is one, just let them know. Or have you already done that Mark, I don't know.

Mark Schmitzer: No I haven't. Patrolman Fyock or Patrolman Kolsicki, if I may Mr. Chairman?

Don Willey: Go right ahead.

Mark Schmitzer: Would the school board be open to possibly putting a sign on both sides of the driveway on Rt. 82, so that the traffic coming each way, warning that traffic entering and exiting ahead. Just to give them a warning.

Mr. Presot: Are you talking about Rt. 82 or the bus garage facility?

Mark Schmitzer: On Rt. 82.

Mr. Presot: My question is that it is a County road so I wouldn't know what the application process is, and what it deems to do.

Mark Schmitzer: It is all handled here at the local level. So, we would work with you being our right-of-way.

Mr. Presot: Is there like a caution type thing, vehicles exiting, or that type of implying?

Mark Schmitzer: It is usually a yellow warning sign. We work with the Police Department and make sure that they are satisfied with it.

Mayor Stefanik: Mr. Chairman. We could also utilize our traffic trailer for the first couple weeks to say that there are school busses entering highway, or something like that. So people will get use to it.

Mr. Presot: We are not opposed to any of that, absolutely.

Don Willey: Anything else? Motion to approve as presented.

Moved by Victor Bull, seconded by Mayor Stefanik, to **approve the City of North Royalton, 10789 Royalton Road, Site Plan Approval for a Paved Parking Lot for Bus and Staff Parking.**

Don Willey: Call the roll please.

Don Willey: Yes  
Mike McCarthy: Yes  
Victor Bull: Yes  
Mayor Stefanik: Yes

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

Don Willey: Okay. You're all set. Good luck.

Tom Kelly: Mr. Chairman. Before the school representatives leave, it might be wise in this business portion of the meeting to have an appropriate motion approving their application for the amendment or addendum to their prior application regarding the pole barn.

Don Willey: Mr. Bull, would you like to make that motion again officially?

Moved by Victor Bull, seconded by Mayor Stefanik, to **amend the previous application that was approved last week for the movement of the pole barn.**

Don Willey: Please call the roll.

Victor Bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Don Willey: Yes

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

Don Willey: I guess we are all finished for the night. Oh, Mr. Zillich is here.

**Zillich Clusters, 11645 - 11755 State Road, PPN: 488-09-002, 012, 044, 003, R1-A Zoned. Sketch Plan for Cluster Development.**

Don Willey: Mr. Zillich would you like to step forward please.

Greg Zillich approached the microphone.

Mr. Zillich: Greg Zillich, 7619 Pleasant Run, Seven Hills, Ohio. I'm here to present this and I really don't have the zoning for this here, it's just a concept here and I am looking for opinions. It really doesn't fall under a PUB zoning or a residential subdivision, so I really don't know what to ask for here. It is a cluster development that falls through the cracks. There is some green space. It is short of a PUB zoning, I think there is 50-acres. They are substandard lots, but there is a large green area with the wet lands behind there.

Don Willey: Collectively, Mr. Zillich, with the additional land, wet land, and green space, and so forth, it compensates, correct me if I am wrong, for the smaller lots?

Mr. Zillich: I believe so.

Don Willey: If you took the total acreage and divide it by the proposed number of lots

Mr. Zillich: It would be over 20,000 square foot for a subplot.

Don Willey: Right. Okay. I had a question, I have a colored coded map here, and I see the blue, and I assume it is water. The red is what? Over here.

Mr. Zillich: The red is a wet land.

Don Willey: That is wetlands. So, that would have to be abated?

Mr. Zillich; Yes.

Don Willey: I assume because it wouldn't be in the middle of cul-de-sac right? This would be one of the issues we would bring up; since this will be a private development, nondedicated streets, is that correct?

Mr. Zillich: Yes.

Don Willey: One of the things we discuss for City, for dedicated streets, was to have a space to store the snow in cul-de-sacs, because it becomes a real problem. But you don't have to do that you might think about a place to put the snow in the winter time.

Mr. Zillich: What's probably going to happen here, and I talked with Mark, is that the entire thing will slid forward 60-feet. This is a preliminary drawing here. Sublot 21 will probably have the water centered right there. Come off the wet lands there. We would lose subplot 34 and four. One and two will be combined as a single family lot. But it would slide forward 60-feet. So probably subplot 21 would be where we would push the snow so, that subplot would no longer exist. I would probably need a lot of different variances. A variance setback, because of this line going through here and there is a wet land going through right here. We talked about this category, and I don't want to say the wrong number here, but it is either two or three, Mark you might know what it is, it's either two or three?

Mark Schmitzer: There are categories two and three wet lands there.

Mr. Zillich: Behind those sublots are two, I think three is high, but being a two touches a three they consider it all a three.

Mark Schmitzer: That is correct.

Mr. Zillich: So, it extends the setbacks, so my thought is, and I tried to squeeze every inch out of this, is to push everything forward and give myself some more space there, I lose three lots. But, I think it would be a better design. I'm just going to take this and shift it all forward. Does this make sense?

Don Willey: It does to me.

Mr. Zillich: Otherwise there is a whole long list of variances that would be really hard to get and sell here. I had some concerns and I talked to Mark. The snow and the curb is one. To straighten out that curb and being so close to the wet lands is another thing and it leaves me more room from the well, which I know nobody likes. I think by splitting that subplot three I lose that water feature in the front there, which I want to try and keep there. It's only about three or four feet deep right now. I wanted to save that but I think in the long run if I pull that forward everything makes more sense.

Don Willey: that was one of the questions I had; what are you proposing to do with that Greg, fill it?

Mr. Zillich: Which part?

Don Willey: On subplot three there is an indication that there is a pond there.

Mr. Zillich: It was a quarry there and they had permission to fill it at one time. It is not a wet land. It was made and dug out. They had permission to fill it. In order to make this work, I liked how it looks but it made more sense in the back to get around all the areas. Sublot twenty and twenty-one and twenty two, would be difficult because of the water there already. The size there just to fit something on there. If this slides over, that entire water that is surveyed there fits on subplot twenty one. Make sense to you?

Don Willey: Yes.

Mr. Zillich: And then that is one left in that cul-de-sac. (In audible for a while. Greg moved away from the microphone and members were opening the plans in their microphones) If I go to the Board of Zoning Appeals I'm not asking for everything but it won't be 75-feet away which I think it is now. I think it is 150-feet because it's a three. So, I'll ask for a variance for that. I'm not sure because of all the things we talked about and different numbers I don't want to say anything out of line here but I believe it is a lot easier to ask for when it's off of that lot completely then when it is right off of somebody's back step there. It is right on top of somebody's house there.

Don Willey: Well, if you cut 60-feet off of subplot 4 and 34, and you shift that over and that is 21 and assuming, and I'm just looking, you would pretty much be centered in that subplot 21.

Mr. Zillich: I talked about open trench drainage and I'm not familiar with everything, and it would give some room behind there for possibly that trail behind there because it would give some room from the back property line and the riparian setback. So, it opens it up completely. They are looking for a straight line across here. The red and blue lines are the boundaries of the wetlands. Here is the park area. I think I also have to provide an access off of this street whatever it would be, to get back to this here, this driveway in block B. By coming forward everything would wrap around here. (In audible for a while). All these lot lines would slide down and touch the edge of this water feature here which would increase the distance between subplot 16 and block A. A bigger easement here, it's just a sidewalk there now. I don't think it's more than five feet, so it would leave enough for a vehicle to drive here. I was looking for more room

here to maintain this here. So, I don't see the Fire Department or and I went through this last time being that close to the well, we have issues with that. I would take everything forward and I think everybody could live with that.

Don Willey: You shift the whole cul-de-sac 60-feet west, right?

Mr. Zillich: Yes. The other thing is that the subplot 24 has a sharp curve and they did it just for the paving, and my thoughts are to change that curb there to make it less dramatic there, and in and out access. That little bit of paving there instead of making the lot so much longer; the additional paving there would make more sense to get vehicles in and out of there. (In audible)

Don Willey: You could have commercial vehicles going down there and delivery vehicles.

Mr. Zillich: The radius of this comes from an existing subdivision actually, they worked. It's in a different community the street curves and works. But in looking at this with Mark and my own thoughts I would change this part.

Don Willey: Yes. That would make sense.

Tom Kelly: Mr. Chairman.

Don Willey: Mr. Kelly.

Tom Kelly: Mr. Chairman. I want to suggest to Mr. Zillich and bring to the commission's attention, that under 1270.33 "Single Family Cluster", D(1): Minimum Development Area. The language says, single family cluster development must have a minimum development area of ten acres, which I am sure you do. Single family cluster developments are permitted as part of a conventional single family development, provided that the single family cluster portion is ten acres.

Mr. Alvarez and Mr. Schmitzer and I, have been very lightly talking about what this means. It is not clear necessarily on its face what it means, and as Mr. Schmitzer kindly pointed out to me, there is no definition of conventional single family development in the Code. On the other hand, it does seem to imply, at least, that there is some other experienced to which the clusters being attached, the cluster development. What I am going to suggest to Mr. Zillich is that he consider the possibility when he goes to BZA of asking for a variance that would encompass that particular provision so that there is no doubt but that it has been addressed. It is an area variance, which is to say it says a minimum development area we are talking about area if the BZA is satisfied that the minimum development area of this proposed development is satisfactory then they have the authority to grant a variance on the question of the area. Mr. Alvarez, do you agree.

Mr. Zillich: I understood absolutely none of that. I was going to ask a couple of questions but I understood nothing of that. It has to sink in a little bit.

Rito Alvarez: Mr. Chairman. I could ask the Law Director. There is some gray area here; what is a conventional single family development? We simply say lot one and two are a standard R1-A, which is a single family development. There is room here to discuss this but that is where we are coming from. If we didn't have any at all we would have a serious problem.

Mr. Zillich: Sublot one and two will be combined to one conforming single family lot of 20,000 square feet. Is that what is stated regarding your question? Can any of that be attached to a 10-acre cluster parcel am I right in

saying that? None of the lots in here will be conforming as a single family residential lot under your current Code.

Tom Kelly: No. And I'm not suggesting that they need to be or should be. The cluster development is a permitted use. The question is whether or not one single family home that is part of the development qualifies as a "conventional single family development". I'm not rendering an opinion on this subject I am just simply bringing it to everybody's attention, but I guess Mr. Alvarez was already aware of it.

Rito Alvarez: Again, Mr. Chairman, I'm not trying to make the issue up here, but just saying a one single family development here and then tacking on everything else.

Mr. Zillich: I don't know how else to present this because there is really no zoning that this would comply with. I fall between all the cracks I believe. I don't think that there is anything for this.

Rito Alvarez: Obviously the safest route would be to go to BZA, in my opinion.

Mayor Stefanik: Mr. Chairman.

Don Willey: Mr. Mayor.

Mayor Stefanik: I'm trying to understand this myself. I see subplot one, two and three on the map right now. You are talking about making subplot one a conforming lot?

Mr. Zillich: One and two would have to be combined to be a conforming lot.

Mayor Stefanik: So, you are still going to have just two lots there (terrible noise of rustling papers)?

Mr. Zillich: Sublot three would be split and part of it would come off the back and part would come off of State.

Mayor Stefanik: So, you would still have three lots up front, one, two and.

Mark Schmitzer: Would you make one and two just one?

Mr. Zillich: Explained to Mark what he was thinking of doing but he approached the bench and it was in audible.

This would conform to the 20,000 square foot so it conforms to the 100-foot frontage. It's all talk now. It's just a suggestion right now. This is all a discussion now. I don't know what is possible and that is why I am pretty much here. I have been working on this for quite a while. Where do I go from here? This is why I am here today.

Mayor Stefanik: Mr. Chairman.

Don Willey: Mr. Mayor.

Mayor Stefanik: Are you here tonight to try and get a flavor of whether or not we like this?

Mr. Zillich: Absolutely. I don't expect anything to be approved or disapproved tonight. This is merely a beginning of a discussion to see what can be done here.

Mayor Stefanik: The concepts with the wet lands in the back and the walking trails that connect s to the YMCA and to the proposed library would be a great addition to the City, but you are going to have to make it work up front somehow to make it work in the back.

Mr. Zillich: I'm not done with this yet. This was an opening volley here to see where it ends up. After talking with Mark at a couple of meetings, there was some suggestions he had and I tried to squeeze in as much as I could in the beginning and now I see something's have to be moved around a little bit once I get the wet lands surveyed there. It came farther out than I expected. I'm just looking to see where I fit in here. What would be my next step do I go to the Law director? Do I go to Mark? What variances would I need?

Mayor Stefanik : Mr. Chairman.

Don Willey: Mr. Mayor.

Mayor Stefanik: I believe more than likely if you put together, sounds like you are going to need a new drawing because you are moving things around again. I think if you would come up with a new drawing and present it to the Engineer and he could look at it and perhaps the Building Commissioner would figure out what variances you might need.

Mr. Zillich: I think I came out answering questions before you ask them. There are some things I noted that were addressed last time, riparian setback, the well, the curve and the size of the lots. Those are things that I was prepared to answer before they were even asked. Those were pretty my answer on how I was going to fix that. How I propose this as a sketch plan, I'm not real sure. Is it a single family development, is it a cluster development, I'm not real sure at this point yet where I fit in. By your answer to me you suggest the BZA that would answer that.

Tom Kelly: Mr. Chairman, if I may.

Don Willey: Mr. Kelly.

Tom Kelly: Mr. Zillich, I'm not sure myself. You want to know the truth, I'm reading this Chapter was amended in 1996 a whole section was repealed. Some people, including Mr. Sandora, who is not here tonight, seem to think that clusters are not permitted in R1-A Districts. Well, that's plainly not the case. R1-Districts will permit a cluster. The only question really is; what does the Code mean by the use of the phrase conventional single family development? And I don't have an answer for that tonight. I think I need to talk to Mr. Alvarez. I think I need to talk to Mr. Schmitzer. We need to have a little more time to put our heads together and figure out what that phrase means.

Don Willey: This issue came up with Woodcroft Glens, and the fact that they are basically clusters. Originally when they came out with the proposal one of the issues that were brought up they wanted to put a strip in commercial and make it mixed use, where you would have some double houses, some large single family, and some clusters. That would never be now. To me, very honestly, wasn't practical. I would concur with you Mr. Kelly. I think that R1-A does allow for this. The condition is that the total density be equal to R1-A square footage, so 100 x 200 lots. So, that is 20,000 square feet times the number of units you have and shouldn't be less than 17 acres or thereabouts. I'm sure it is less than. Then of course you have the sets sides and you can plan on the wet lands and walking trails and so forth, so I would think that fits within that based on some quick number crunching. Mr. Schmitzer?

Mark Schmitzer: If I could just offer some information. When Mr. Alvarez and I researched this plan and looking at the Code vs. what was presented, just want to offer some information to the Planning Commission on what we found. It is a little over 16 acres total land area that Mr. Zillich proposes to develop. When we looked at the Section 1270.33 regarding Clusters as part of the single family, we looked and saw that the cluster portion had to be a minimum of 10 acres, so we felt that he met that already. The question that still needs to be discussed is whether it is part of the single family subdivision. Aside from that he does have to meet the overall density of the development for R1-A, which is 1.9 units per acre. When you multiply the acreage out times 1.9, it allows 34 units in a development. Cluster development allows within that cluster portion 6 units per acre, which are 40-some units. Overall you take the lower of the numbers and you can't exceed that. He would be allowed at most 34-units. Based on what he is proposing he is going to be somewhere around a 30 to 31 unit range. There are variances that he will need for the size of the lot for the cluster with what he proposes to do and he will have to, and I will be more than happy to sit down with him with the revised plan and tell him what variances he will be needing with the BZA, but we did discuss moving the entire development towards State Road eliminating those two lots. It is a way of opening up and saving the riparian setback area from a variance, as well as opening and keeping homes further away from the oil and gas well. Part of the Code does ask that measures be taken to keep homes away from obstructions or natural features. I think he has done that as well as getting subplot 21 away from the lake or pond there. I just wanted to offer this information to the Planning Commission. I know we are not here to approve anything. It is just an open discussion so I wanted to share what I found during my research.

Don Willey: Thank you Mr. Schmitzer. Very informative.

Mike McCarthy: Mr. Chairman.

Don Willey: Yes Mr. McCarthy.

Mike McCarthy: A question. What the Engineer just stated, it's a 10-acre minimum for the cluster portion?

Mark Schmitzer: That's correct.

Mike McCarthy: Is this cluster portion 10-acres?

Mr. Zillich: The entire property is more than 10-acres. The cluster portion is more than 10-acres.

Mark Schmitzer: The way that the Code reads is that the development area has to be 10-acres. Development acre is defined as the total land that will be part of the subdivision. I understand that and I believe Mr. Alvarez understands that as well. I don't think it actually what you may be looking at as what area he is he building on. Leaving the wet land alone in that area what he is going to develop on they consider it the whole land mass area.

Mike McCarthy: Thank you. Mr. Chairman, another question. For Mr. Zillich, parcels 30 and 29, that portion of the road that is stubbing from the south, usually suggests that there will be another phase because there is not a cul-de-sac there, it just sort of ends at that property line there, is there any intent on having a subsequent phase that that will hook into?

Mr. Zillich: Possibly. If the neighbors would want to sell. At this time they don't have interest in selling off. I talked to them. The one directly south does want to, but the one south of that does not want to sell at this present time. They sold some parcels to the back over here, but at this present time they do not want to sell. There is not enough to put a cul-de-sac in there. There is enough to put two more lots in there past the stub, then I get into a temporary turn around, more than 200-feet. It wouldn't be worth it to purchase that property

just for those two lots it is just 200-feet and the service department would have a hard time with a temporary turn around. So it would be 60-foot wide lots with out the turn around.

Mike McCarthy: Thank you.

Don Willey: Another other comments or additions? Mr. Zillich do you have anything else that you would like to bounce off of us?

Mr. Zillich: No. I was just looking for some opinions and some direction.

Don Willey: Have we been helpful?

Mr. Zillich: Yes. I'm not sure what to even ask for right now. I just needed to start. I have been sitting on this for awhile.

Don Willey: Well as you are fine tuning this as Mr. Schmitzer indicated, you can run these things through him. We would rather someone come to a meeting and be ready to move forward rather than rejecting it and saying that this doesn't work or that doesn't work, I don't think anyone benefits from that. Okay, thanks Greg. Motion to table this sketch plan from Zillich clusters.

Mayor Stefanik: Mr. Chairman, was this a sketch plan or was it a talk, should this be tabled?

Don Willey: According to the Engineer it was a sketch plan. We are not approving this. You want to call it a presentation?

Tom Kelly: Mr. Chairman. Bearing in mind it is not a formal application for approval. Correct?

Mr. Zillich: Correct.

Tom Kelly: There is nothing really to approve or nothing to table. This was simply a discussion give and take at Mr. Zillich's request.

Don Willey: Thank you.

Mr. Zillich: Thank you.

Don Willey: Anything under miscellaneous? You look like you have about 150 questions.  
Motion to adjourn.

Moved by Mayor Stefanik, seconded by Victor Bull to **adjourn the Planning Commission meeting for February 16, 2011**

Don Willey: Call the roll.

Victor Bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Mayor Stefanik: Yes

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

**Approved:** \_\_\_\_\_ **Don Willey** \_\_\_\_\_

**Date:** \_\_\_\_\_ **March 16** \_\_\_\_\_

**Attest:** \_\_\_\_\_ **Julie Broestl** \_\_\_\_\_