

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, September 7, 2016 to conduct a Public Hearing**. The hearing was called to order at 7:00 p.m. by Chair Cheryl Hannan and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Cheryl Hannan, Tim Miller, Mayor Stefanik, Larry Antoskiewicz, Frank Castrovillari, Secretary Diane Veverka. Administration: Law Director Thomas Kelly and City Engineer Mark Schmitzer.

PUBLIC HEARING:

Public hearing notices were sent to property owners within 500 feet of the property in question and posted for the required period of time.

1. **Woodcroft Glen Inc. and Royalton Place, LLC** is seeking site plan approval for revision to Woodcroft Glen Phase II located on PPN: 482-31-002 in a multi-family zoning district.

Richard Porter of Gross Builders/Royalton Place, LLC spoke on behalf of Woodcroft Glen. He stated that Woodcroft Glen Phase II final plat had a contingency that in order for the Phase II plat to be approved, the extension street would be installed from the end of Woodcroft Trace to York Road. He explained that what they have done with the Royalton Place Development is granting the same utility access easement that was originally planned for Woodcroft Trace and the residents but moved it through Royalton Place along a different corridor. The reason is because of the development use of the property in Royalton Place. In the area where the access road was planned, they now are putting the regional detention facility. This allows them to make the regional basin bigger, provide for detention for Phase II of Woodcroft and still allow access for the residents. At the end of Woodcroft Trace drive, they have spoken with the Engineering and Fire Department and will be putting a T-shaped turn there so the fire trucks will have enough room to maneuver and back out.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

2. **Huntington Park Subdivision Phase 4 – Zillich Interiors Inc.** is seeking final site plan approval for Huntington Park Subdivision Phase 4. The subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A Zoning District. Phase 4 will be an extension of Angelina Drive.

Greg Zillich stated he is here to seek final plan approval for Huntington Park Subdivision Phase 4. They previously received approval but it has since then expired.

Terese Kaminski, 11331 Villa Grande Drive, stated that her property backs up to the proposed subdivision. She questioned if the 50 ft. buffer zone of trees between their properties and those of the new development is still included in the plan. Mr. Zillich responded that nothing has changed from the original plan other than a change in the elevation which was raised 30 inches.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

3. **Best Equipment Company Inc./Matrix LLC** – Campbell Construction, Inc. on behalf of Best Equipment Company Inc. / Matrix LLC is seeking approval for a revised building design and revised site plan for a proposed commercial building located at PPN: 483-05-003 / PPN: 483-06-023 on York Delta Drive in a General Industrial District. **Withdrawn.**
4. **Abraxus Royalton Supply** is seeking site plan approval to construct an accessory structure to be located at 11528 Royalton Road also known as PPN: 483-11-007 in a General Industrial district. The applicant is seeking to construct a 35 ft. x 60 ft. accessory structure on a 60 ft. x 80 ft. concrete pad. The proposed structure will measure 27 ft. tall.

Mark Boncella spoke on behalf of Abraxus Royalton Supply. He stated they are seeking approval for a proposed temporary accessory structure on a concrete pad.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

5. **Thomas Toth and Brian and Sonya Pifer** are seeking site plan approval for a lot split of PPN: 485-12-020, a consolidation of PPN: 485-12-016 and PPN: 485-12-020 which are zoned rural residential, and a consolidation of PPN: 485-12-020 and PPN: 485-12-019; the latter parcel is zoned local business. Contingent upon approval by Council to rezone a portion of PPN: 485-12-020 from rural residential to local business.

Brian Pifer 9675 Edgerton Road and Tom Toth 16420 Bennett Road. Mr. Pifer stated they acquired a vacant lot between the two properties. He said he is seeking to split that lot and consolidate a portion to Mr. Toth and the other portion to his existing property. He explained it is a “Y” shaped lot. There is an easement on the property for Mr. Toth’s property, the split would place that easement containing Mr. Toth’s septic tank onto his own property as well as eliminate an encroachment issue regarding his driveway. The City is opposed to dual zoning. The lot in question is zoned RRZ; Mr. Toth’s property is zoned LB. The portion being split off to Mr. Toth would revert to the zoning of LB which would conform to Mr. Toth’s current property.

Bill Kessler, 16551 Bennett Road, questioned if the purpose is to accommodate the driveway and septic system, why wouldn’t the zoning be changed from LB to residential. He feels it is making it a bigger LB lot. He doesn’t want additional businesses in the residential area. Kent Stohorsky, 16731 Bennett Road, stated he is not against the project but was for having the property stay as RRZ rather than LB.

Moved by Mr. Miller, seconded by Mayor Stefanik to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

6. **Pierre Zanin** is seeking site plan approval for a proposed 52 ft. x 82 ft. concrete parking lot to be installed over the present retention basin located at 13688 York Road, PPN: 483-15-024 in a General Industrial District.

Claudio Zanin spoke on behalf of Pierre Zanin. He stated that they are seeking approval of creating an overflow parking lot for the Jump Yard. They would be creating a parking lot over the present retention basin which is located directly behind the Jump Yard.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **move this item to the Regular Order of Business**. Roll call: Yeas: Five. Nays: None. **Motion carried.**

7. **OH Exchange Facilities Network, LLC** – seeking preliminary site plan approval for a wireless telecommunications facility located in the public right of way at the northwest corner of Gregory Lane and Albion Road adjacent to PPN:481-17-027 in a R1-A District. **Withdrawn.**

Mr. Kelly stated that the Applicant has formally withdrawn their application. He added that if the Applicant reapplies and comes back at a later date, the residents will receive a second notice.

ADJOURNMENT OF THE PUBLIC HEARING

Moved by Mr. Miller, seconded by Mr. Castrovillari **to adjourn the Public Hearing.** Roll call: Yeas: Five. Nays: None. **Motion carried.**

The Public Hearing adjourned at 7:24 p.m.

REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, September 7, 2016 in regular session.** The meeting was called to order at 7:24 p.m. by Chair Cheryl Hannan.

PRESENT: Planning Commission: Chair Cheryl Hannan, Tim Miller, Mayor Stefanik, Larry Antoskiewicz, Frank Castrovillari, Secretary Diane Veverka. Administration: Law Director Thomas Kelly and City Engineer Mark Schmitzer.

APPROVAL OF MINUTES:

Moved by Mr. Miller, seconded by Mr. Castrovillari **to approve the July 6, 2016 minutes.** Roll call: Yeas: Five. Nays: None. **Minutes approved.**

Secretary's Edit: Ms. Veverka advised the Board that an error was made in the June 22, 2016 documentation for the application of David Aulger of Campbell Construction representing Best Equipment Company. The error was that one numeral was misplaced in a permanent parcel number. A "5" was used when in fact a "6" was needed in a permanent parcel number. The Law Director determined it to be a minor scrivener's error. In all places where the incorrect 5 appears, it has been corrected and replaced with the intended "6". This report is simply intended to place you all on notice of this corrective action and to correct the record. (Recent note: Per Cuyahoga County Fiscal Office, parcel 483-05-023 has been consolidated by the Appraisal Department. The data concerning this parcel is now a portion of the information regarding parcel 403-06-023.)

OLD BUSINESS

1. **Carmen Matteo / Matteo Business Park**, 12492 York Road, also known as PPN:483-06-011, General Industrial zoned. Site Plan approval for an addition and an accessory structure. **Tabled.** No new information submitted or known.
2. **Woodhill Properties, Inc.** – Is seeking preliminary site plan approval for Indian Trails Subdivision Phase II. The subdivision will consist of 13 lots on PPN: 481-26-051, 481-26-050, 481-26-011 and 481-25-014 in a R1-A Zoning District. Phase II will tie into Indians Trails Phase I. **Tabled.** No new information submitted or known.

3. **Woodcroft Glen**, Roylton Road, General Business and Residential Multi-family zoned. Woodcroft Glen Phase 2 – Final Plat Approval. **Tabled.**
4. **Royalton Place Ltd.**
Is seeking site plan approval for a proposed multi-unit senior living facility located at PPN: 482-31-003 on the NE corner of York Road and Roylton Roads, in a Senior Citizen District. **Tabled.**

NEW BUSINESS

1. **Woodcroft Glen Inc. and Royalton Place, LLC** is seeking site plan approval for revision to Woodcroft Glen Phase II located on PPN: 482-31-002 in a multi-family zoning district.

Richard Porter of Gross Builders/Royalton Place, LLC spoke on behalf of Woodcroft Glen. He stated they are changing the access location for the Woodcroft Glen Phase II final plat from the location north of their site to a location in a shared access drive pedestrian utility easement through Royalton Place. Subsequent to this site plan and the changes here, he is seeking Woodcroft Glen Phase II final plat approval.

The Building Commissioner stated that the Fire Department requested verification that the turnaround "T" would be sufficient to handle their largest piece of equipment. He also stated the Building Department feels they are simply bringing their Phase II development in line with the proposed senior development in the future. The City Engineer questioned Mr. Porter regarding the Fire Departments concern. Mr. Porter stated that he will work with the Fire Department and the Engineering Department to be sure they have the appropriate necessary size. Mr. Schmitzer stated they are cleaning up matters that were not known in 2007 when they originally received approval for Phase II. The PC had a future access road connect as a second point of entry into the development to York Road. With the new Royalton Place development that is being proposed, the drive has changed. It does suffice as a second access point to that development and meets the PC requirements. He added that our code for streets states that a cul-de-sac shall not exceed 600 ft. in length. By extending the road as they originally approved to York Road, that would have been one continuous road from Rt. 82 north west over to York Road. So it was not considered a cul-de-sac. By cutting off and making it a "T", it is not a stub street; it is considered a cul-de-sac, so it exceeds that length. The length is about 1,948 feet. He added that we have other streets in the city that are similar. He stated that he does not see a problem with it in this case and recommends approval. Mr. Castrovallari asked if the extended road would impact the traffic pattern. Mr. Schmitzer said a traffic impact study was originally done for that development. It considered both Woodcroft existing and Phase II. He said that study shows no improvements required on either York Road or Rt. 82 from now or the future build out of those developments including the commercial area towards the south end of the property. Mr. Porter said that is correct. Mr. Schmitzer added, the location of the proposed drive is now located with a better queuing distance between the Industrial Park Drive and Rt. 82 on York Road. It will center the traffic there instead of pushing it up near an industrial drive where there is a lot of tractor trailers backing up. This is a better result for the City. Mr. Kelly stated that the Law Department received the new easement agreement and appreciates their effort to submit it as rapidly as they did. Mr. Porter stated that the final plat for Woodcroft Phase II had a contingency requiring the road be put in before the plat would receive PC approval. He stated that he currently has asked for extensions and he would come back later for approval at a later date. Mr. Schmitzer asked Mr. Porter what is the status of the Royalton Place project. Mr. Porter responded that he just received positive information from the Army Corps of Engineers and expects a permit possibly next week. He said he is reviewing improvement drawings and will be forwarding to the City's Engineering Department. The

contingency placed on Royalton Place was that the access drive is open for use by Woodcroft residents by the occupancy of the first building.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **approve Woodcroft Glen Phase II revised site plan** Roll call: Yeas: Five (Antoskiewicz, Stefanik, Miller, Castrovillari, Hannan). Nays: None. **Motion carried.**

2. **Huntington Park Subdivision Phase 4 – Zillich Interiors Inc.** is seeking final site plan approval for Huntington Park Subdivision Phase 4. The subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A Zoning District. Phase 4 will be an extension of Angelina Drive.

Greg Zillich of Zillich Interiors Inc. stated there was no physical buffer or easement delineated in the original plan. The submitted plan is identical to the original plan. The builders/homeowners can make the final decision of whether they choose to save the trees or cut them down as they deem necessary. Mr. Schmitzer stated that the original development plans showed a clearing limit on the site; to clear only the amount of trees necessary by the developer in order to make the grading work to develop the site. He said there was no condition on the plans that trees were to remain forever. Mayor Stefanik asked Ms. Kaminski to speak to the question of what her understanding was. She stated that she wanted to verify that the storm sewers which were moved away from the back property lines are still the same as approved in the original plans. Mr. Zillich stated that is correct. Mr. Zillich responded to a comment in the Engineering Departments report regarding maintenance of the retaining wall. He stated that the retaining wall is 2 ft. x 2 ft. x 5 ft. concrete modular blocks with a cap and should not need maintenance. Mr. Schmitzer stated that even though it is a small portion, the City has no interest in maintaining a wall which was for the developer's purpose to hold back some earth in that area. He added if PC approves the plans, we will be sure that it is noted on the plans and recorded with the plat that the HOA has maintenance responsibility of the retaining wall. Mayor Stefanik asked Mr. Zillich if the HOA has been turned over to the residents. Mr. Zillich responded no. He said he would start collecting dues; and put aside money for future maintenance of the retention basins. Mayor Stefanik said the City would like to be at that meeting with the Law Department so we know everything is done that is needed and the residents know what is expected of them in regards to the future maintenance of the basins and upkeep of the common area, etc. Mr. Zillich stated he would like to meet with the Law Director prior to that meeting so he knows what is needed to be done. Mr. Kelly agreed.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **approve final site plan for Huntington Park Subdivision Phase 4.** Roll call: Yeas: Five (Antoskiewicz, Stefanik, Miller, Castrovillari, Hannan). Nays: None. **Motion carried.**

3. **Abraxus Royalton Supply** is seeking site plan approval to construct an accessory structure located at 11528 Royalton Road also known as PPN: 483-11-007 in a General Industrial district. The applicant is seeking to construct a 35 ft. x 60 ft. accessory structure on a 60 ft. x 80 ft. concrete pad. The proposed structure will measure 27 ft. tall.

The Building Commissioner stated that this type of structure is not uncommon for a landscaping company. He asked the Applicant to locate the structure as far north as possible towards the highway and away from Royalton Road. He stated they have one such structure already up and it is well out of site. He said a pile of soil exists which came from a different site; it apparently was part of their purchase agreement. He asked the Applicant since this is a temporary structure, what are his future plans. Mr. Boncella responded that this is a temporary structure and they are awaiting approval from their company for a permanent structure which

will replace only this one temporary structure. They are awaiting the removal of a pile of dirt by their tenant. Mr. Boncella stated that they tried to move the location further north toward the access driveway from Abbey Road, but cannot since there is a catch basin in that area. Mr. Schmitzer stated that when the plan comes in for permit to the Building Department, they will review the drainage from the roof structure. He added they should try to capture the run off and get it into the existing storm sewers that are on the property and be sure there is not a freezing condition to any exposed areas. Mr. Kulchytsky showed a photo of a view from Abbey Road of their current structure and where the new structure would be located. Mr. Schmitzer clarified that it is due southeast of the existing bins and north of the existing driveway. Mr. Schmitzer stated that we will work with the Applicant on the actual location when the final permit comes in. The Applicant agreed. The Applicant stated as of right now, he does not plan on storing any salt in it; it is for storage of top soil. Mr. Schmitzer informed the Applicant that if he uses it for storing salt, he would like to work with him to be sure that the salt is covered and does not leach out. Mr. Kelly stated that a resident in the audience is present and would like to be given the opportunity to be heard. Mrs. Shirley Boyer, 11398 Royalton Road, stated that they are right next door to the applicant. She stated that her house was built in 1852. She stated she is concerned about the company. She feels she has been spoken to several times by them trying to pressure her into selling her house or a portion of her property to them. She stated she has no intention of moving. She also said if they put an arch building up and keep it as far back as possible, she has no objections. Mayor Stefanik asked the Applicant to relay to the owner not to confront Mrs. Boyer regarding selling her property. The Applicant agreed to communicate the Mayor's request to the owner.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **approve final site plan for a temporary accessory structure**. Roll call: Yeas: Five (Antoskiewicz, Stefanik, Miller, Castrovillari, Hannan). Nays: None. **Motion carried**.

4. **Thomas Toth and Brian and Sonya Pifer** are seeking site plan approval for a lot split of PPN: 485-12-020, a consolidation of PPN: 485-12-016 and PPN: 485-12-020 which are zoned rural residential, and a consolidation of PPN: 485-12-020 and PPN: 485-12-019. The latter parcel is zoned local business. Contingent upon approval by Council to rezone a portion of PPN: 485-12-020 from rural residential to local business.

The Building Commissioner provided a history of the parcel. He said the Y-shaped parcel was originally zoned LB. It was rezoned by an act of Council to RRZ. This had appeared before PC in 2010 to make that occur. The proposal as it stands before us would essentially be reverting a smaller portion of that parcel back to LB keeping it consistent with the original approved layout. Mr. Kelly stated per North Royalton Charter, it specifically states that any zoning that was created by the vote of the people must be returned to the electorate for a vote. He added, this parcel was rezoned to RRZ by vote of Council not by vote of the people. That gives Council the authority to reverse it. He said the law does not normally support split zoning. The Toth's and the Pifer's have worked diligently with the Building Department and with Mrs. Haller in the Council office to create this opportunity for them to resolve this nagging problem that they have been dealing with for years. The septic tank and filter bed/leach field with no sewers are on that piece of property. The solution appears to be an appropriate and good resolution to a long-standing problem. Mr. Schmitzer stated that they will do a final review and have the final document recorded at the County office. Mr. Castrovillari stated that certain setback restrictions exist between a business and a residential parcel. If you take those setbacks into account, there is not much left to build on. It would also be necessary for a potential builder to come before the PC to acquire a variance in order to build on the easement. Mr. Kulchytsky stated the required setback is 40 feet. Mr. Pifer reiterated that this split is simply to resolve the easement issue and existing problems. He added that neither he nor the Toth's have plans to sell their property.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **approve the lot split and consolidation contingent upon approval by Council to rezone a portion of PPN: 485-12-020 from rural residential to local business.** Roll call: Yeas: Five (Antoskiewicz, Stefanik, Miller, Castrovillari, Hannan). Nays: None. **Motion carried.**

- 5. **Pierre Zanin** is seeking site plan approval for a proposed 52 ft. x 82 ft. concrete parking lot to be installed over the present retention basin located at 13688 York Road, PPN: 483-15-024 in a General Industrial District.

Claudio Zanin stated they are taking an adjacent overflow parking lot and moving it directly behind the building where the Jump Yard is and located it on top of the retention basin that is currently there. He said it is being designed to maintain the integrity of the retention basin. Mr. Schmitzer stated that they have met with Mr. Zanin and they have clarified some issues which are noted in the Engineering Department Report. The Building Commissioner stated that striping will need to be on the parking area that is in compliance with our Codified Ordinances. He added that any areas elevated 30 in. above water surface or grade are required to have guard rails to prevent someone from falling off and injuring themselves. Mr. Zanin stated that he agrees with everything that was said and will incorporate it into the final plan.

Moved by Mr. Miller, seconded by Mr. Castrovillari to **approve final site plan for a concrete parking lot to be installed over the present retention basin.** Roll call: Yeas: Five (Antoskiewicz, Stefanik, Miller, Castrovillari, Hannan). Nays: None. **Motion carried.**

MISCELLANEOUS

Mayor Stefanik and Ms. Hannan stated they would not be present for the September 21, 2016 PC meeting. Mr. Antoskiewicz stated he would not be present for the October 19, 2016 meeting.

ADJOURNMENT

Moved by Mr. Miller, seconded by Mr. Antoskiewicz to **adjourn the September 7, 2016 Planning Commission meeting.** Roll call: Yeas: Five. Nays: None. **Motion carried.**

Meeting adjourned at 8:25 p.m.

APPROVED: /s/ Timothy Miller
Vice Chair

DATE APPROVED: October 19, 2016

ATTEST: /s/ Diane Veverka
Planning Commission Secretary