

The North Royalton **Planning Commission** held a Public Hearing at the City Hall Council Chambers, 13834 Ridge Road, on **Wednesday, June 6, 2012**. The meeting was called to order by Chairman Don Willey at 7:01 pm.

Present: Chairman Don Willey, Mayor Stefanik, Tim Miller,
Cheryl Hannan, Vince D'Agostino,
City Engineer Mark Schmitzer, Development Director Tom Jordan
Assistant Law Director Donna Vozar, Secretary Julie Broestl.

Don Willey: Okay. Being 7:01 we will begin the North Royalton Planning Commission meeting. Please stand for the Pledge of Allegiance.

The Pledge was recited by all.

Public Hearing

Dr. Hart's Animal Hospital, 9528 Akins Road, PPN: 483-27-005, General Industrial Zoned.
Site plan approval for an addition.

Don Willey: Anyone from Dr. Hart's office here? Please come up here for an over view of what you intend to do to the Board and the residents.

Rick Cerrito approached the microphone.

Rick Cerrito: Rick Cerrito, 415 Kennedy Road, Akron, Ohio. I'm the General Contractor of ASAP Home Repairs. Proposing the addition for Dr. Hart's Animal Hospital. It's 40' x 30' addition off to the back with submitted engineer's drawings for site approval for ground, parking lot, water drainage, and the construction of the addition itself, to create more room.

Dr. Mike Grguric approached the microphone

Dr. Mike Grguric: Dr. Mike Grguric, 3409 Orchestra Street, Cuyahoga Falls. We just want to add a back area and lobby space, exam rooms, because with the volume a lot of people have to stand outside in the front. They can't bring the animals into the lobby because no room. We don't want to do any boarding or anything extensive like that, it's not an outdoor run facility, it's just a hospital. Any boarding will be over night, after surgeries, to monitor them and to check them out the next day before sending them home for safety reasons. Basically, it's just to add examine rooms and add a central lobby because we don't have a big enough space. We would also like to move the parking into the back. The parking in the front causes main traffic in the front yard region and then by having everyone in the back they can have direct access into there instead of milling around on Akins Road, which is so close to the road. I thought it would be better to bring everyone into the back region area of that facility.

Don Willey: Okay. Anyone else in the audience? When you come up address any question direct them to the Chair, not the applicant. Also, give your name and address for the record please.

Gale Wilson approached the microphone.

Gale Wilson: My name is Gale Wilson, 9488 Akins Road, I live on the east side of Dr. Hart's. I am concerned about the situation over there. At this point, I have customers all over my front yard. Feces

all over my yard. They do not maintain or clean. It's awful. The stench, I can't even open my windows on that side. We have to always run the air. Since she put in the driveway, and I believe some of the back is on our property from when their appraiser appraised it. We have a drainage problem. My property has a big dent there now from the water erosion and pretty soon we are going to have water in the basement. It goes off their property and goes onto our property now. We have no privacy anymore. I would like to request a privacy fence put up on my side all the way from the front to the back. Customers walk their animals into our yard. I want to make sure that the bed in front is maintained because we have poor drainage of our beds because of it. Jim sprayed Weed Be Gone all over there so that we don't have to deal with that this summer. That waste all backs up into our yard and it is awful. So, that has to be maintained. The garbage is another problem. I don't know if the garbage is going to be moved or not but at this point right now, it's right by our window. It's not enclosed, just on the side, so we have a terrible racoons problem right now. Have the times they don't close the doors. It's a problem. We also have a problem with the deer over there. They were feeding them but I do think they stopped that. We have been there over 50 years and we feel like we are being forced out. I talked with Mr. Cavanaugh that lives over on Abbey, and we feel like the City doesn't care about the lower end of North Royalton. It's like we are not important.

Don Willey: Okay. Thank you.

Jim Wilson approached the microphone.

Jim Wilson: I'm Jim Wilson, 9488 Akins Road. Which she is referring to on the parking lot problem in the back of the house by the garbage. They had to build it up to put asphalt there to make the new parking area and they have it now where it runs off onto our property. That's where we got this swale from. Not only the rain but when they plow in the winter time all the snow was pushed into our yard because they can't be inconvenienced. I've asked people who are walking on our property to please don't walk your dog over here. I've been told to F-off. I've been told to mind your own business. A few years ago I wasn't such a nice guy. I've had people park in my front yard and my wife asked them to please move your car off our yard, and it was F-you, you b-i-t-c-h. The kid didn't know I was home. I heard him and came running out there and he rolled his windows up real quick and I was going to elbow the window and drag him out of the car and teach him a lesson in manners. But, his friend was puking all over the other side of the yard so I really wanted to get them out of the yard. This is before these people got involved in this. We have been having trouble over there. I've been sitting on my couch in my underwear and I've had people walk in the house with their dog. They walk right on it. This had happened a couple of times. This was a few years ago, but it still happened. They have a big sign in front yard, but there are evergreens growing all around it that you can't even read or see the sign. You can't see the sign. They are disturbing my peace. People who have two or three dogs, and one dog has to come to the vet, they bring the whole darn family. Then they put the other dogs in the car and leave the windows down just a little and it gets to be 103-degrees and up to 120-degrees in the car. I worry about the animals getting brain damage. I love animals and I have a problem with that. It's not the Doctor's fault that their clientele are jerks. We made a flier, about 100 of them, and gave them to Dr. Hart a few years ago, and asked them to pass them out to their clients and ask them to respect the neighbor's property on both sides. I think they threw them away. It's a bad situation and hard to live next store to.

Don Willey: Thank you very much. Anyone else?

Ray Butler approached the microphone

Ray Butler: 9562 Akins Road, I'm on the west side. I just want to go over a few things that they talked about. I've been over there for 30 years. We have raccoons galore, and I hold nothing against them, more people food is going into the dumpster and I had to replace my roof this year from them, \$5,000. because of them. I would like to see the dumpster completely enclosed. Another thing is the boarding. I know he said he is not going to board, that's what she said also, and they want to move them to the upper level. I sleep on that side of my house. I hear the dogs barking now in the evening while I'm trying to sleep. What am I going to hear when they are upstairs on that side of the house? What about the feces? They don't clean the yard. They use to, and I wished they would now. When the guy comes to mow the yard, I can't sit on my deck because of the smell. It's not good for the environment. The park makes you pick it up now. I think that has to be addressed. Not only for my health, but my dogs. I don't want him to get sick. The fence needs to be put up on their side, they have no privacy. At least I have a partial fence on my side. I agree with everything else that they said. Thank you.

Don Willey: Thank you very much. Anyone else? You can address the questions at the next part of the meeting. The commission will also have questions they would ask you. Thanks.

Dan Egizii, vacant lot on Albion Road, PPN: 481-05-012. Multi-Family Zoned. **Site plan approval for Phase I of Albion Woods, ranch duplexes.**

Don Willey: Anyone here from Mr. Egizii's.

Dan Egizii approached the microphone

Dan Egizii: Dan Egizii, 15929 York Road, North Royalton. I don't have much of a speel. I have a piece of property which is zoned Multi-Family. I intend on maintaining soul possession of it. I realize that there some Engineering issues, design issues, that need to be taken care of. I'm not looking for anything to happen tonight other than probably tabling it. I did spend a fair amount of time putting something on paper that I thought would be attractive. In years past I had some units that were multi-story, I felt that the ranches would look better. That's about all I have right now. This needs some work and I have been busy with some other things.

Don Willey: Thank you Mr. Egizii. Anyone else from the audience? Name and address.

Roy Bruder approached the microphone

Roy Bruder: Roy Bruder, 6539 Fernhurst Avenue, Parma. I purchased the property next to the property that Mr. Egizii owns and is planning on developing. I'm in the process of rehabbing that piece of property, 12718 Albion Road. Anyways, I do have some issues as well as some of my neighbors about the proposed development. Obviously, there are some engineering issues as Mr. Egizii has mentioned. One of the issues I have is the number of units that are trying to put on a piece of property. To my understanding, the main bulk of the property was residential, the same size lot as mine and the next six neighbor's down. 2.2 acres, whatever it is. Anyways, it's my understanding that Mr. Egizii purchased a section behind the garage, 50-foot x 200-foot and sometime around then it was changed to Multi-Family. I don't know and no one seems to know when it was changed over to Multi-Family. The big concern that people have are,

privacy, these look to be rental properties. Any time you bring in rental you know there are always concern. After last and all the flooding we had, there are concerns over flooding because you are going to put three duplex structures on there with the roof and the water running off. There will be a parking garage that's going to be 180-foot long, and that water is going to be running off also, and where is all that water going? It's not all going to the drainage ditch in the front, it's going to swales and they are going to take it to the back of the property. All the properties are wet back there and in the front yards also. When we get a good rain it's hard to walk anywhere because it is wet and soggy. The water is a big concern. I understand that this was presented once before about in 2005, to take and have multi-Family story units on there, and I don't know what the issues were. I heard it couldn't meet Code with certain things. I don't know. Now they have resubmitted. The first thing to say is that it's not so much the people are against Mr. Egizii taking his property and building something on it, it's the quantity of what he wants to build on the property. Now, if the lot wasn't sufficient size with the 200' x 50' or 10,000 square feet, additional property purchased, to take and do the last project, if that is what the issue was, then it shouldn't be big enough to do something similar this time. Maybe it needs to be looked at as maybe doing a single development rather than a group development. Which according to the Code 1270 – a group development is more than one family, where as a single development is a one family structure on the property. As I understand right now, the structures are too small to meet the Code for rental property. They are 900 square feet per unit, 1800 square feet for the building, and they need to be 2,300 – square feet for the building. That means he has to find another 500-square feet somewhere, and is that going to impact the ability to meet the Code. If not, he will be looking at a variance. The water run off, excess culvert water, flooding, and the other is the concern over rental property. The Fire Department also has issues that they have expressed. The hydrants are not close enough, and he will have to install yard hydrants. Also, the ambulance may not have enough room. There are engineering issues and maybe sewers will be needed, they may have to run back to the rear of the property to possibly a retention pond back there. But, if that is wetlands back there, that may require the EPA to step in and approve this. It looks as though he is trying to fit 50 pounds of jelly beans into a 40 pound can. Maybe we need to start look at putting 40 pounds into a 40 pound can. Thank you.

Don Willey: Thank you sir. Anyone else on the issue?

Ken Thorkelson approached the microphone

Ken Thorkelson: Ken Thorkelson, 12652 Albion. I'm three properties east of the vacant lot. Every couple years we have to come in because he has a new idea on what he wants to do to his property. It's always a multi-family, multi-unit, dwelling. When we all moved to our properties we never realized that you could buy a 50' x 200' piece of property off a business and do anything you want with it. It's not fair to the neighbors. It's not fair to the neighborhood. One of the things we enjoy in our corner of North Royalton is the wildlife. I've seen a few different animals, and I do believe by putting this in that vacant lot is going to change that. I realized he bought this land and he can do what he wants to with it, but I think the right thing to do is like all the rest of us, build a house and live in it or you sell it, or you enjoy your property. There is no way these neighbors can put up with nine families moving in and out of this property. Another thing is the security. There is always in the crime blotter of all the apartment complexes in North Royalton and how much time the Police have to spend in there. I don't know the measurements of this room, but picture putting three dwellings on a 100-foot wide property. Now you have to have a driveway to get them in and out. His plans call for a twelve car garage. I don't know if you ever had a party over your house but try to get 12 cars in and out of your yard at one time. We are

talking about residents that go in and out all the time. I don't think anyone has looked into the traffic situation down there, but we have a lot of businesses down there. Maria Gardens, Get-Go, and the 24-hour body shop. All three businesses try to be really good neighbors, but all bring issues and all are related to traffic. Now we are going to add 12 more cars going in and out. At rush hour there could be 30 cars backed up on Albion Road. Last but not least, it's the water issue. His property is not going to add water to the neighborhood. I realize that, but I live east, water on Albion flows east. I just paid the City \$700.00 to fix my culvert because the ditch was backing up. Now, he is going to run his water into that ditch and cause more water. There is only so much water we can handle on Albion Road. It goes east then some runs down the hill. Most stays on our properties. When he builds up this lot, none of his water stays and it's going to run right on down to Roy's property, then his neighbor's, and then to mine. Some will stay on mine and then some will go on down the line. These water issues have to be addressed. We don't go in our backyards in the spring time after the thaw. He will just be adding more to this. That's all I have. Thank you.

Don Willey: Yes sir. Anyone else?

Frank Feleppelle approached the microphone

Frank Feleppelle: Frank Feleppelle, 12706 Albion Road, I'm the second property from the said property. What Roy and Ken had to say were both rightful. I think one of the important issues, for me a retired person, is that my financial prosperity is tied to my home. I've been there for over 20 years. Last year I put \$25,000.00 into my home to upgrade it. This year I spent \$5,000.00 in landscaping outside alone. That's a lot of money to upgrade the property. If we start putting up a rental development, without a doubt, it's going to devalue the property value. It's bad enough we are in an economic time where we have to work really hard and try to bring the economy back to even get our property values where they need to be let alone where your tax revenue should be. If our properties end up devalued by this development, then not only am I going to lose my financial stability as a retired person, but the City is going to lose revenue when the property values go down even further. I am not unsympathetic. As Roy said, I believe a duplex ranch income property in compliance with all the Codes, structured the way our properties are structured, will bring in rental income, God knows he has been getting nothing on the property for years, and will conform nicely to the neighborhood and hopefully we can keep some of the buffer that we desperately need so that we are not faced in the summer time with seeing it. We need the buffer zone. When we have people over our company sees the commercials and it is a huge issue, but I don't want to see him have that property and do nothing with it, but I'm not unsympathetic, I think a nice duplex rental income would look nice there and help our property and keep our valuation where it use to be. Thank you.

Don Willey: Thank you Mr. Feleppelle. Anyone else?

Mary Ann Zizak approached the microphone

Mary Ann Zizak: Mary Ann Zizak, 12550 Albion Road, I'm the fifth house from that property. I don't believe we need rentals right there. We have enough in North Royalton right now that are vacant and up for lease. We got an Abbey Road, on Rt. 82, we have them on York. Why can't they build this somewhere else where it would fit into the neighborhood. These apartments do not fit in our neighborhood. This area is a single family residential area. That is why we bought there. Will this take our property levels down? We do get all the water run off. We can not walk in our backyards until the

spring. There is going to be a safety issue with the Police and Fire Departments. The schools are really bad. Money is low and the streets need repair. They raised our sewer rates because they can't handle the sewer water now. Now we want to add more to that? I think they need to look at that and make it back to a single family residential like it was before, or make it a one family or two family but we Do not need six or eight or any more people in that house. I hope you listen because I Do not want my property value to go down. I'm retired, can we change our zoning to multi-family also? We all have the same size lots. 100 x 900 approximately. When did the multi-family go through? All we knew was it was single-family until 2005 when they tried this at that time. Thank you very much.

Don Willey: Thank you.

Mr. John Nickell approached the microphone

John Nickell: John Nickell, Councilman ward 1. 10092 Hawley Drive. I would echo the residents here tonight's concerns. The lot is small and deep. The gentleman does have rights to develop his property but I don't see you having six separate families living there. It just doesn't fit in that neighborhood. Maybe one duplex or business unit would be better off. I validate what the resident's say here tonight.

Don Willey: Thank you Mr. Nickell. Anyone else?

Mr. Dave Dix approached the microphone

Dave Dix: Good evening, Dave Dix, 12438 Albion Road. My wife and I bought our home just over three years ago. We moved from Lakewood where we lived for six years, and we lived next to row houses, and now we bought our land and our space, and this is the reason why we moved to North Royalton, to have space. That's all I wanted to say.

Don Willey: Thank you for coming. Anyone else?

Mrs. Carol Zegarac approached the microphone

Carol Zegarac: I live at 9877 West 130th Street. I'm the fourth house down on West 130th from the corner lot, which is the Getgo. My backyard backs up to this property and my question is; he came up here tonight and said he didn't have time to produce the correct information for you and wanted this tabled. My question is, why does he want to table it, and if he has problems getting time to fix said errors, when we have a meeting like this, what kind of time is he going to need if he has a problem on said property with my backyard being butted up against his? Is he going to have the time to take care of said property?

Don Willey: Mr. Jordan, how good is the application good for?

Tom Jordan: The applicant hasn't requested to withdraw his application. The Board, at your own discretion, can table it this evening. This is entirely up to the Board to table it. The expiration of the application, and the Law Department can act on this.

Donna Vozar: If I understand your question, assuming the Board decides to table this, there are time limitations that the Board has to issue. If it is tabled it can remain on the agenda for a year, but it's

unlikely that that would happen. In this case it is going to go to BZA for a variance and it would then come back here before Planning Commission and then would hear about it. Is what you are asking is how long does he have to construct?

Carol Zegarac: I'm not to concerned about the construction because I am hoping it doesn't go that far. In my opinion, he has tried twice and it hasn't gone that far, and I'm hoping it isn't going to happen again. My question is, if it does go forward and he doesn't have the time today to say to us here is my plan, I know we have some problems. He knew this meeting was coming and he's requesting it to be tabled, what is going to happen when he does get a building there. and he is the owner and there is a problem on the property, and he as the owner, how long will it take him to fix that problem?

Donna Vozar: Are you saying if there is a building violation?

Carol Zegarac: Yes.

Donna Vozar: If there is a building violation, as with any property owner, the city will notify them by letter and they will have the opportunity to correct it and has time to get in compliance and if it doesn't happen he will be cited to court.

Carol Zegarac: Let's say his tenants are not complying with what is suppose to happen in their backyard?

Donna Vozar: No disrespect, but I think you are getting way ahead of it. This Board has no jurisdiction over any violations, what they are here for is this application. This meeting is here to whether or not the application shall be reviewed and submitted. The applicant also has the right to table it, based on the issues that have come up. He may need to revise his plan and every applicant is given that opportunity to revise their plan and seek a variance if they so choose. That is what the process is all about.

Carol Zegarac: : But, I also want people to know that it also has to do with the water retention in the backyards. Everyone of us have the same deal. We are at the bottom of the hill and it's all coming down hill and it will stop at our properties. This is our concern. I agree with the rest of the people who spoke, but I'm concerned that it will not be processed as fast as needed with our properties.

Don Willey: I want to make a comment. Because this is an issue and we have about 14 letters here contesting this, I would ask the Mr. Egizii revise his plan and resubmit his plan to us for approval. I would ask the secretary to notify you so that you stay in the loop.

Carol Zegarac: Mr. Willey, I would appreciate that as the rest of us do. Thank you.

Don Willey: Anyone else?

Donna Monkovich approached the microphone

Donna Monkovich: Donna Monkovich, 12553 Albion. I'm on the south side, five houses down. My concern is that we have vacant homes all over the city because of the economy. We have four along Albion to West 130th. It's sad. Later on these homes become a blighted area. That is my fear for my

neighborhood. Then we are now going to put six, eight, I don't know how many duplex rentals here. We can't afford to do it. We are in a bad economy. Thank you.

Don Willey: Anyone else? Come up and give your name again.

Roy Bruder: Roy Bruder, 6539 Fernhurst Avenue, Parma. Everyone knows this is his property and he has a right to build something, but the point I wanted to make is if you look at that piece of that property before the 50' x 200' additional piece of property behind the auto garage was purchased, it is exactly the same size as all the rest of us down the street, or eight lots down the street, and by purchasing that extra 50' x 200' piece of property, the lot was turned to multi-family. If you look at the plans that section of property is for the parking garages. Picture on our properties we all have one house sitting on our 100' x 600' lot. He is going to have three house, three duplex houses sitting on his 100' x 860' lot. Only by purchasing that 50' x 200' section of property and having the zoning changed to multi-family, that is what we are upset with. We are upset with the number of whats going on there.

Don Willey: I understand, but as a matter of interest there is this thing called lot consolidation. All of you could sell 50-feet of your back property and have a strip go all the way to Abbey Road. Actually there is one down on York Road like that and it is an issue. People do have the right to accumulate the lots. I don't think this was zoned based on his acquisition, correct me if I'm wrong Mr. Jordan, it's commercial isn't it?

Tom Jordan: It's Multi-family.

Don Willey: County record is wrong then. Anyway, I don't think it was zoned because of his purchase.

Roy Bruder: Tell me when the zoning was changed? Has it always been multi-family?

Don Willey: Mr. Egizii has the answer, I believe.

Tom Jordan: When the rezoning map occurred then the zoning was updated. My office could easily update you on that and the map was in 2004.

Dan Egizii: For the record, I did not buy that piece of property and I didn't acquire anything in addition to that piece of property. I did not have anything rezoned. I bought that piece of property as is and it was already zoned multi-family. Had it been any other way I would not have purchased it. To my knowledge it has been that way since 1950's.

Don Willey: Thanks.

Roy Bruder: The point I'm trying to make is that with this plan it is not to Code and he needs a variance if he wants to go for a variance. We are saying that we do not like the amount of units he is going to put on there. Thank you for your time.

Don Willey: We will move onto the next item please. I would like a motion to move Dr. Hart's Hospital to the regular order of business.

Moved by Tim Miller, seconded by Mayor Stefanik, to move Dr. Hart's Animal Hospital to the regular order of business.

Don Willey: Please call the roll.

- Cheryl Hannan: Yes
- Tim Miller: Yes
- Vince D'Agostino: Yes
- Mayor Stefanik: Yes
- Don Willey: Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Moved by Tim Miller, seconded by Don Willey, to move Dan Egizii, Albion Woods, to the regular order of business.

Don Willey: Please call the roll.

- Tim Miller: Yes
- Vince D'Agostino: Yes
- Mayor Stefanik: Yes
- Cheryl Hannan: Yes
- Don Willey: Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Mann Architects/Taylor Family Holdings, 6391 Royalton Road, PPN: 487-06-027. Traditional Town Center District. Site plan approval for a building addition.

Don Willey: Anyone from Mann Architects?

Terry Hansen and Ken Sherry approached the microphone

Terry Hanson: Terry Hanson. I'm the principal developer for the contractor for this project. 2416 Manchester Road, Akron.

Ken Sherry: Ken Sherry with Mann Architects at 2611 Station Road, Medina. Our proposal is to add an additional 1500-square feet to an existing vacant building for the purpose of a dental office. It is located at 6391 Royalton. We will upgrade the front facade to enhance the front of the building. We also will upgrade the monument sign that used to be there. Two different signs and here your opinion on what you are looking for the front area signage.

Terry Hansen: We want to take the existing structure and basically use the property economically. The addition will go towards Royalton. The existing building will stand behind the addition. We will match it up so that it looks like one unified building, but professional as opposed to it's current 70's building.

When done it will look like a 2012 building.

Ken Sherry: It is going to accommodate two dentist practices. One is an adult and the other is a pediatric dental offices. That is rather rare. There are not many pediatric dental offices. In essence this pediatric dentist will be drawing from all surrounding areas. It is really a regional destination. The signage request that we have is trying to establish a good strong location finder for those folks who are coming from another city. The end product will be a professional 2012 building.

Donna Vozar: Mr. Chairman.

Don Willey: Mrs. Vozar.

Donna Vozar: If I could. Obviously it states that the three variances were approved by the Board of Zoning Appeals. I would like to point out that it is to my understanding that this is going before the ARB's next meeting. Or have you already been before ARB?

Ken Sherry: I'm not sure what meeting.

Donna Vozar: The sign must be reviewed by ARB. Those criteria that you are showing will have to be approved by ARB and this Board will have no comments on signage.

Don Willey: Anyone from the audience have any questions or comments. By the way, this is the former Pizza Hut building. There were rumors that a fast burger joint was going to be put in there and thank God it wasn't. Thank you. Okay, do I have a motion to move Mann Architect to regular order of business.

Moved by Tim Miller, second by Mayor Stefanik, to move Mann Architects to the regular order of business.

Don Willey: Please call the roll.

Vince D'Agostino: Yes
Mayor Stefanik: Yes
Cheryl Hannan: Yes
Tim Miller: Yes
Don Willey: Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Public Hearing was adjourned at 7:47 pm

The North Royalton **Planning Commission** held a regular meeting at the City Hall Council Chambers, 13834 Ridge Road, on **Wednesday, June 6 , 2012**. The meeting was called to order by Chairman Don Willey at 7:42 pm.

Present: Chairman Don Willey, Mayor Stefanik, Tim Miller,
Cheryl Hannan, Vince D'Agostino,
City Engineer Mark Schmitzer, Development Director Tom Jordan
Assistant Law Director Donna Vozar, Secretary Julie Broestl.

Julie Broestl: I need a motion to approve the minutes of April 18, 2012.

Moved by Don Willey, seconded by Tim Miller, to approve the minutes of April 18, 2012.

Don Willey: Please call the roll.

Tim Miller:	Yes
Vince D'Agostino:	Yes
Mayor Stefanik:	Yes
Cheryl Hannan:	Yes
Don Willey:	Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Old Business

Woodcroft Glen/Woodcroft Glen Phase II. final plat approval. Tabled. No action.

New Business

Dr. Hart's Animal Hospital, 9528 Akins Road, PPN: 483-27-005, General Industrial Zoned.
Site plan approval for an addition.

Tom Jordan: Mr. Chairman. Could I suggest a change in order and allow the gentleman from Akron to return and take item C first.

Don Willey: I don't have a problem with that. Does anyone else have a problem with that? Gentlemen step forward again. Give your name and address.

Terry Hansen: Terry Hansen, 2460 Manchester Road, Akron.

Ken Sherry: Ken Sherry, 2611 Station Road, Medina.

Don Willey: Thank you. I have a couple of comments. I visited the site before this meeting. The front sidewalk is broken and needs repair. The storm sewers, and there are two in the parking lot that I saw. They are lowered and they need to be raised. I assume, that when you put the new structure in there you probably will repave it. I think that was all it had. To the engineer.

Mark Schmitzer: I assume you received my comments. If the commission so chooses to grant your application, the existing retaining wall on the west side of the building is in need of repair. It appears to be falling over and would you be willing to propose a solution to that?

Ken Sherry: Yes.

Mark Schmitzer: One more item, and you have heard all the people out here tonight, storm water. Make sure you following our Code with the storm water management. We look at that in detail. We want to make sure you are in compliance with that addition as well as the existing site. Other than that I have no further comments.

Don Willey: Anyone else? Can I have a motion to approve.

Moved by Vince D'Agostino, second by Mayor Stefanik, to approve Mann Architects site plan for an addition.

Don Willey: call the roll.

- Vince D'Agostino: Yes
- Mayor Stefanik: Yes
- Cheryl Hannan: Yes
- Tim Miller: Yes
- Don Willey: Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Don Willey: Thank you gentlemen and good luck. Next item.

**Dr. Hart's Animal Hospital, 9528 Akins Road, PPN: 483-27-005, General Industrial Zoned.
Site plan approval for an addition.**

Don Willey: Gentlemen, would you like to step forward again.

Rick Cerito: Rick Cerito, ASAP Home Repairs, General Contractor, 415 Kennedy Road, Akron.

Dr. Mike Grguric: 3409 Orchestra Street, Cuyahoga Falls.

Don Willey: Do you want to state the question and then give the answers

Dr. Mike Grguric: I want to say that I just took over the practice in January and realized that there are issues with stuff and I have no problem with doing a fence along the side. I know that there is a fence already on the west side. Drainage and water flow, we submitted plans with the Engineering Department, to hopefully solve that issue. The landscaping, since I took over, it is professional now. Sunshine landscaping company. Prior to that Dr. Hart didn't have any upkeep of the property. I know they were talking about animals being locked in cars and being a vet, I totally understand and I'm not approving that at all. This is why we want the lobby. We don't have enough room for clients to sit

inside. The snow plowing, I don't know about it. The property is narrow and before I went to vet school, we would plow straight in and pull it straight out. I can't see how you would push it onto the side properties. The garbage is enclosed there already. It's gated. Obviously, with the addition it will be moved further back. That would eliminate some of the odor to the homes. Raccoons, well, its right across the street from the parkway. I don't know how we could stop raccoons from coming over to the property. There is no human garbage, just veterinarian stuff. We have to follow OSHA of how to dispose of things. It's not like we are throwing body parts in there. You have to follow OSHA rules. Again, with the parking, I agree with the front parking. It does create a problem and clients would pull in and get confused and I hope with the parking in the back will change that. The signage will also be redone. It is hard to see the existing sign. It runs parallel with the road. I understand then how people would pull into their driveway after ours. As far as the fesses goes. I think that without having the parking in the front, people usually put their animal on a leash and walk them and the parking in the front is right by their homes, but with the building being pushed back will create the parking in the rear and the animals will have a more grassy area back there to walk in and then it will not be in the front yard of the neighbors. Hopefully it will also stop some of the noise. When people parked right in the front, they would walk their animal on the side of the neighboring houses, but with the proposed addition we will be further back and the entrance will be back there and they will park right back there and come in way in the back and that will solve some problems too. I know they were told by Dr. Hart that they wouldn't be boarding. I'm not going to do boarding. There is the new animal hospital addition on Ridge which will be boarding and it is silly for me to try and compete against that. Mine is more surgery and treating pets. I don't want to board. It's a headache and I don't want to get into that. I can understand their complaints regarding that if Dr. Hart said one thing and did the other. I think that is about it. It is a straight back addition with the same aluminum siding. It isn't anything extravagant. I like the home setting and that is why I went there. I think the clients feel like they are going to a practice that is more homey then walking into the big huge building with granite floors and stuff like that. I just think a lot of clients would feel that's what they are paying for then. Not the service. I like a homey feeling like the way the vets used to be and be a community provider instead of somebody trying to ramp up prices. I just wanted to answer some concerns and I hope I clarified them. Thanks.

Dan Egizii: Excuse me, excuse me. I just got a call from my kids and my wife is very sick and I have to go to her.

Don Willey: Do you need a ride?

Dan Egizii: No, no, but I have to go right now.

Don Willey: Do you want to table this than Dan?

Dan Egizii: Yes. Real quick though. I understand that there are issues that have to be taken care of. I'm sorry fellows but I really have to go. I screwed up the size of the units so, it has to go back to the drawing board. I understand all the concerns but I have to leave.

Don Willey: I understand, go. Okay, I have a couple issues here that I want to bring up. You have a septic system system and that was a concern of one of the residents that it has not been properly cleaned and taken care of. Have you received upon transfer of the property or before, have you received help from the health department?

Dr. Mike Grguric: I had it cleaned out and it has been approved and I actually have a license from the health department.

Tom Jordan: When was the inspection from the board of health dated?

Dr. Mike Grguric: Well, the date is from July 1, 2012 to June 30, 2013. the payment was done on 5/13/12, so it was recently.

Tom Jordan: Can I see that.

Dr. Mike Grguric: Sure.

Tom Jordan: I will distribute this to the rest of the board.

Don Willey: Anyone from the board have any questions or comments?

Mayor Stefanik: Mr. Chairman

Don Willey: Mr. Mayor

Mayor Stefanik: I went out and visited Mr. Wilson I think it was back in February or March and he had a few concerns and he brought them up here. One other concern was about the driveway, pipe and ditch, needs to be replaced. I don't know if you are putting in a new driveway or anything at all with the driveway? Wait, you will get your turn.

From the audience: I'm trying to save his butt for he which he did, that's all.

Mayor Stefanik: You'll get you turn. I know the fence was also a big concern. I'm just hoping you would address it with the resident. Maybe visit him one day and find out what works for both of you, so your not putting up a fence that isn't right and being good neighbors is pretty important. This gentleman is pretty reasonable. The first five minutes I visited you was something but then we hit it off pretty good after that.

Laughter from the audience.

Mr. Wilson: You work me up!

Mayor Stefanik: You shouldn't be sleeping in the middle of the day. The other issue is with the dumpster. You need to get the dumpster that completely shuts so that animals can't get into it. I did notice when I was there customers were coming over and the dogs were doing their business on his property and that would get me pretty upset also. I think the fence would correct that. You both seem pretty reasonable and I think you could work things out. As far as the septic permit, anyone could get one of those for \$80.00. I think if the county would come out and inspect it would serve you better too. Does it have a pass or fail on it?

Dr. Mike Grguric: Right before I purchased it they had to go through all of that before I purchased it.

Tom Jordan: To clarify the point from what I see it was a permit from the county and not an inspection. You would be willing to have it inspected by the Board of Health?

Dr. Mike Grguric: I would have to check on the sale and the transfer of the warranty.

Tom Jordan: You probably had a private inspection and we would like one from the Board of Health. Would you be willing to do that?

Dr. Mike Grguric: Yes.

Mayor Stefanik: Are you going to change the name of the business?

Dr. Mike Grguric: No.

Mayor Stefanik: That's it Mr. Chairman.

Don Willey: Anyone else on the commission have any questions or comments?

Tom Jordan: A change was made to your application relative to your setback area, and we did receive it and we do have a copy with us here tonight. I didn't know if that included the concrete curb issue."

Dr. Mike Guguric: Yes. Rito Alvarez and the Engineer was who I talked to to make sure I got the drawings submitted. I gave them the revised heating, and I went from five feet to ten feet and six inches of concrete. This is on the revised drawings.

Tom Jordan: The issue with the garbage area. I'm having trouble figuring where the proposed new garbage area is on the current submitted plan. Could you describe it to me?

Dr. Mike Guguric: In the back part of the lot of this area here.

Tom Jordan: Well the back part of the lot has a detention basin and an existing shed on the west side. Where do you propose to place this.

Dr. Mike Grguric: I guess it would be to the north of the shed, on the same side.

Tom Jordan: Where is it currently?

Dr. Mike Grguric: It is on the north side on the east side of building, right where the driveway is going up. Adjacent to the building.

Tom Jordan: Okay. So, your moving the trash area from next to the building and moving it, Mr. Contractor, can you tell me how deep is that parking lot?

Rick Cerito: 68 feet from the proposed addition.

Tom Jordan: Okay, So, what you are proposing is that the garbage area is 70 feet back from its existing location because you have to take into account the addition. How wide is the addition?

Rick Cerito: It is almost 30-feet.

Tom Jordan: So, it is 100-feet back from it's existing location. You are required to enclose it. You will enclose it into a new fenced in area. The commercial ones do have lids on them. I know that racoons get into them but you do need a lid on them. You are going to enclose it in a new board on board fence, and locate it to the north of the proposed shed area next to the detention basin, is that correct? I will need a modification to the plan. Also, the Mayor's comments relative to the fence. If the Board should decide to proceed with your application this evening, you will agree to the amendments of the plans that included: privacy fence on the east side of the property?

Rick Cerito: Correct.

Tom Jordan: Where and how long? There is a distance right of way line to the building addition do you propose to take it back to the end of the parking lot or further?

Dr. Mike Grguric: I would just take it the whole length.

Tom Jordan: I'm not sure that is necessary to take it back further than the detention basin.

Mr. Wilson said to Dr. Guguric, we can by pass a lot of this and take it out in the parking lot.

Mayor Stefanik: We have to get something on the record.

Laughter from the audience.

Tom Jordan: What I'm suggesting is that you propose this evening a privacy fence that runs from the right of way line to the detention basin area. Essentially the improved area of the lot.

Donna Vozar: In the front yard?

Tom Jordan: From the buildings setback line, the front line of the building, to the rear parking lot, to the improved area of the rear parking lot. One the east side. So, we are going to get a fence and a relocated garbage area. And all those are new improvements. And you agree to an inspection from the Board of Health.

Dr. Mike Guguric: Yes.

Don Willey: Okay, any other comments? Board members? Did you have any other questions or comments?

Gale Wilson: We were deceived before with Dr. Hart when she moved in there. We were told she was going to be a traveling vet. Now you're telling us that you are not going to board animals there and unless I'm looking at the wrong plans, I see an area here where you are going to board animals, right up in the front where we sleep. Is that changed?

Dr. Mike Grguric: That is a designated recovering area for animals after surgery.

Don Willey: Wait a minute. Any questions need to be directed to us.

Gale Wilson: I don't know this doctor and we were deceived in the beginning with Dr. Hart. I just want to make sure everything is cleared up with us. That we have the fence and is it going to the end of the parking lot and are you walking dogs back there? What is going to keep them from walking their dogs up here?

Jim Wilson: This is all easy. We will take to him directly. It's a simple solution.

Gale Wilson: Okay. I want it addressed now. I want to know.

Tom Jordan: Mr. Chairman, if I could suggest a solution. She has made a comment and lets give the applicant the opportunity to address all the questions.

Gale Wilson: And another thing. You said you have a professional landscaper, and I appreciate that, Dr. Hart always kept the property very maintained. She was also great at cleaning up the fesses. We don't have that anymore. We need to address that and it has to get done. I just want to make sure you are going to maintain the property and clean up after the animals.

Jim Wilson: Jim Wilson, 9488 Akins Road. My wife doesn't know very much about a leach bed or a septic system, or anything like that. What she was complaining about was in the front down by the apron of the driveway, where that drainage pipe goes through, that whole apron and pipe underneath there was just done four or five years ago, because my grandchild's father did it. The apron closest to my house, that apron, is where the weeds and the mud gathers up and when that water can't get to that to run on down. That needs to be kept out of there because it puddles up here and that is were the odor was coming from. That is the problem. We don't want to cause you to have to invest in a new septic system, I think 1,000 gallon put in there before it was sold to Dr. Hart. I would have come up to you when you first moved in and I'm a man and would have come up and shook your hand and had talked to you about these items. We could make it a whole lot easier if we discussed it after the meeting. The only other concern I have is now there are five vets in there now, and you being from Cuyahoga Falls or whatever, and I don't know where the other vets are coming from but they are probably going to bring their clientele with them, so now it's five times the dogs and five times the traffic that we now will have to put up with. I just want to make sure it's all figured out. This does effect our home values. You haven't complained about my motorcycles yet, so I do want to just talk to you about all this.

Don Willey: Mr. Wilson, our friend from Parma Heights mentioned; you can't put 50 pounds of jelly beans in a 40 pound bag. There is another variation of that also.

Ray Butler: Ray Butler, 9562 Akins Road. I just want to address that boarding thing. I know you said that you are not going to board, but even putting sick animals up there, they still bark and I try to sleep. I have air conditioning and I hate it. I wait all year to open my windows and I want to keep my windows open and I'm just asking a concession, just to put them back further so that I could sleep. That's all. Thank you.

Don Willey: Any other questions from the Board? We need a motion to approve this predicated on the privacy fence, inspection by the County Health Department, and the garbage enclosed area.

Don Willey: And an updated plan with the reflection of those items. Can I have a motion for that

Moved by Tim Miller, seconded by Cheryl Hannan, to approve an addition to Dr. Hart's animal hospital with the conditions that a privacy fence will be put up, an inspection by the County Health Department, and the dumpster will be enclosed in the back.

Don Willey: Please call the roll.

Vince D'Agostino:	Yes
Mayor Stefanik:	Yes
Cheryl Hannan:	Yes
Tim Miller:	Yes
Don Willey:	Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Don Willey: Good luck and be good neighbors. Keep that motorcycle quiet. We have to move to table Mr. Egizii's application. He left before coming up under the regular order of business. He stated he would like to table his plan. Can I have a motion to table.

Moved by Tim Miller, seconded by Mayor Stefanik, to **table Dan Egizii's Albion Woods I duplex on Albion Road .**

Don Willey: Please call the roll.

Vince D'Agostino:	Yes
Mayor Stefanik:	Yes
Cheryl Hannan:	Yes
Tim Miller:	Yes
Don Willey:	Yes
Vince D'Agostino:	Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Don Willey: Anything under miscellaneous. Motion to adjourn.

Moved by Mayor Stefanik, seconded by Vince D'Agostino to **adjourn the Planning Commission meeting of June 6, 2012.**

Don Willey: Please call the roll.

Cheryl Hannan: Yes
Tim Miller: Yes
Don Willey: Yes
Vince D'Agostino: Yes
Mayor Stefanik: Yes

Ayes – all. Nays – none.

Motion carried. (5-0)

Adjourned at 8:23 pm

Approved: _____

Date: _____

Attest: _____