

*Planning Commission Caucus - 7:02 P.M. - Wednesday, January 20, 2010.*

Present: Mayor Stefanik, Victor Bull, Michael McCarthy, Don Willey, Vice Chairman/Council Representative to Planning Commission, Mark Schmitzer, P.E., City Engineer,

Rito Alvarez, Building Commissioner, Tom Kelly, Law Director, Nick Cinquepalmi, Tom Jordan, Economic Development Director, Julie Broestl, Matt Broestl and Brenda L. Fashempour, Secretary.

Planning Commission Agenda Reviewed.

Regular Meeting

Call to order.

Roll call. Motion to excuse Tony Sandora, second, roll call.

Opening Ceremony - Pledge of Allegiance.

Roll call.

Approval of minutes - January 6, 2010. Motion to approve the minutes of January 6, 2010 second, roll call.

Old Business

Woodcroft Glen, Ext. of Woodcroft Trace, Final Plat 2, tabled. No action.

Ordinance No. 09-126 - An Ordinance accepting the Dedication of 635 feet of Bentley Drive, 581 feet of Richland Drive and 129 feet of Yorkshire Way in the Villas of Worthington Subdivision Phase 2A from Pride One York Royalton LLC, and Declaring an Emergency. No action.

New Business

Commercial Truck & Equipment Sales, LLC, Timothy I. Finn, 13134 York Road, PPN 483-14-003, General Industrial Zoning. Site Plan Approval.

Mayor Stefanik questioned the 50" fence shown on the submittal. Mr. Alvarez and Mr. Schmitzer explained the 50" was the gate. Mr. Jordan explained that the Applicant had been before the Board of Zoning Appeals and received two variances. One variance for the material being used for the road and the second to allow outdoor sales. Mr. Jordan explained that Mr. Finn's business was to sell used equipment, large trucks, bulldozer, track machines and that the equipment will be stored outside at the facility. The equipment is usually purchased at an auction or repo by a bank and then sold by Mr. Finn's business. The equipment is brought in, cleaned up, parked, pictures taken and placed on the internet. It will not be a salvage yard. Mr. Finn does have a sales and auction license. In addition there is going to be a shadow box fence installed, the old cyclone fence will be removed, the drive apron will be widen, a portion of the drive will be asphalt and the remainder will be hard pack. Mr. Schmitzer stated that the plan calls for a 20' concrete apron, 60' of asphalt pavement and then hard pack. Discussion regarding clean tires leaving the site. Mr. Schmitzer stated that as part of the final plan for permit he will require 20' concrete apron, 60' asphalt, 10' grindings and then the hard pack. Discussion held regarding a low boy pulling in and dropping off the equipment and then backing out. Mr. Jordan stated the Applicant who is the tenant has a lease and it is hoped that this will make the front of this property more presentable.

Miscellaneous

Tom Jordan recognized Ms. Fashempour retiring and this being her last Planning Commission Meeting. Don Willey thanked Ms. Fashempour for her years of service to the City, applause from the Caucus attendees.

Adjournment

Motion to adjourn. Second. Roll call.

*Planning Commission Caucus adjourned at 7:15 P.M.*

Vice Chairman Willey stated being 7:30 will commence the meeting of the North Royalton Planning Commission, if you have cell phones, please turn them off and a will have the Secretary call order.

The Planning Commission of the City of North Royalton met in the North Royalton Council Chambers, 13834 Ridge Road on Wednesday, January 20, 2010 to conduct a Regular Meeting. The Planning Commission Regular Meeting was called to order by Vice Chairman Willey at 7:30 P.M.

Vice Chairman Willey stated Ms. Fashempour please call the roll.

**Present:** Mayor Robert Stefanik, Vice Chairman/Council Representative Don Willey, Victor Bull, Mike McCarthy, Mark Schmitzer, P.E., City Engineer, Rito Alvarez, Building Commissioner, Thomas A. Kelly, Law Director and Brenda L. Fashempour, Secretary.

Ms. Fashempour stated she needs a motion to excuse Tony Sandora for cause. So moved Don Willey. Second Mayor Stefanik. Roll call: Yeas: Four - Mayor Stefanik, McCarthy, Bull, Willey. Nays: None. Motion carried.

Opening Ceremony - Pledge of Allegiance. Vice Chairman Willey stated please stand for the Pledge of Allegiance. Pledge of Allegiance recited.

Approval of minutes: January 6, 2010. Ms. Fashempour stated Approval of Minutes January 6, 2010 if you so choose. So moved Vice Chairman Willey. Second Victor Bull. Roll call: Yeas: Four - Bull, McCarthy, Mayor Stefanik, Willey. Nays: None. Motion carried.

#### **Old Business:**

**Woodcroft Glen**, Royalton Road, GB and RMD Zoning. Woodcroft Glen Phase 2 Final Plat - Approval. **Tabled.**

Ms. Fashempour stated Woodcroft Glen, it is tabled, there will be no action.

**Ordinance No. 09-126** - An Ordinance accepting the Dedication of 635 feet of Bentley Drive, 581 feet of Richland Drive and 129 feet of Yorkshire Way in the Villas of Worthington Subdivision Phase 2A from Pride One York Royalton LLC, and Declaring an Emergency. **Tabled.**

Ms. Fashempour stated Ordinance No. 09-126, it is also tabled, there will be no action.

#### **New Business**

**Commercial Truck & Equipment Sales, LLC**, Timothy I. Finn, 13134 York Road, PPN 483-14-003, General Industrial Zoning. **Site Plan Approval.**

Ms. Fashempour stated the Applicant is here this evening.

Vice Chairman Willey stated Mr. Finn would you like to come forward and if there are any questions of the Committee or the Commission, anybody on the Commission have questions for Mr. Finn. Vice Chairman Willey stated no, is there something you want to briefly say.

Mr. Finn stated just that, he appreciates all of you coming out tonight and him being the only item on the Agenda, it is important to him and also to his business to get this accomplished, so he appreciates all the hard work everyone has put into it.

Vice Chairman Willey stated Thank You Sir.

Vice Chairman Willey stated to the Engineer.

Mr. Schmitzer stated Thank You Mr. Willey, the Applicant has submitted a site plan for the proposed improvements to this area, he has had a chance to review the site plan as submitted and the items that he had discussed at the BZA Meeting have been shown on the plan, it does meet the items that he did recommend to be placed on the plan, he just wants to make it known on the record here that the installation of the concrete and or asphalt drive area will be weather dependent, that was discussed at the BZA meeting being as cold as it is here in the winter, we did agree to allow the Applicant to go ahead and place a hard pack surface down for the time being until such a time when the weather breaks and he can install the final improvements for the asphalt and the concrete apron.

Vice Chairman Willey stated and the Applicant has agreed.

Mr. Schmitzer stated yes.

Vice Chairman Willey stated okay, Thank You, Mr. Rito, any comments.

Mr. Alvarez stated Thank You Mr. Chairman. Mr. Alvarez stated his comments basically are a geared through the Building Code, more so than zoning or planning, a, anytime you have a, a structure as a residence, an existing house and now you are using it as a business that's considered change of use in the Building Code and as a result the Building Code really requires a, a least one, one area there for a handicap parking and a submit a formal plan to see how the house is being used as far as the interior, where the offices are and so forth. Mr. Alvarez stated this is Ohio Law, it is the Building Code then the other third comment he believes that the Applicant will have to be at the ARB if he is not mistaken this coming Monday night.

Ms. Fashempour stated that's correct.

Mr. Alvarez stated okay, no further questions.

Vice Chairman Willey stated so, so you are saying, you, you need from the Applicant a, a layout of the, how the interior of the building is going to be.

Mr. Alvarez stated right, how he is using the interior of the house as a business, because it's no longer a house, it's a business use so it's under the privy of the Building Code so, he will have to submit some form of plan to the Building Department for review with regards to the Building Codes.

Vice Chairman Willey stated is that agreeable to the Applicant.

Mr. Finn stated well he thinks at the 11<sup>th</sup> hour he guessed he would have to ask you what your timing, your time table is and your allow ability of occupancy.

Mr. Alvarez stated we, we, turn it around very quickly he means, it's a matter of days, if he has a drawing, it's just a matter days, because he is very familiar with the project as it is right now so it's really not a, a, a time constraint there.

Mr. Finn stated would you be amicable to a walk through prior to him producing a drawing in some inaudible.

Mr. Alvarez stated a walk through is fine but as far as the Codes are concern you know we have to have a plan eventually but a, he can go through there with you.

Mr. Finn stated prior to him doing the plan he is saying, he would, it would be a lot easier for him to make the plan according to inaudible.

Mr. Alvarez stated yes, yes.

Mr. Alvarez stated yeah, then if he had any questions or you had.

Mr. Finn stated right.

Mr. Alvarez stated anything that, comments that he might, might ask him, he can ask him and he can answer then, that would be fine.

Mr. Finn stated would he be able to get a Conditional Occupancy Permit pending your, your approval.

Mr. Alvarez stated he doesn't know when, when are you actually going to move in.

Mr. Finn stated well, he has got, he had got a gun to his head, he has to get, within the next two weeks he has got to.

Mr. Alvarez stated well that's doable, he is sure, he doesn't see a problem there.

Mayor Stefanik stated Mr. Chairman.

Vice Chairman Willey stated yes Sir, Mr. Mayor.

Mayor Stefanik stated to the Building Commissioner, are you available tomorrow to go over there and take a look at it.

Mr. Alvarez stated that's what he is saying, he is available, just.

Mayor Stefanik stated do you want to work out a time after the meeting and.

Mr. Finn stated yeah, sure, Thank You.

Mr. Alvarez stated that will be fine.

Vice Chairman Willey stated okay, Thank You.

**Vice Chairman Willey stated make a motion to approve, approve a Commercial Truck and Equipment Sales, LLC, predicated on, predicated on the submission of the Building commissioner for the interior of the a, of the home.**

Ms. Fashempour stated that was approval for the Site Plan.

Vice Chairman Willey stated approval for the Site Plan yes, he is sorry.

So moved Mr. McCarthy.

Second Mayor Stefanik.

Vice Chairman Willey stated all in favor, or a call the roll, wrong meeting.

Roll call: Yeas: Four - Mayor Stefanik, Willey, Bull, McCarthy. Nays: None.  
Motion carried.

Vice Chairman Willey stated okay Mr. Finn.

**Miscellaneous**

Vice Chairman Willey stated Miscellaneous, anything under Miscellaneous, no.

**Adjournment**

Vice Chairman Willey stated any motions.

Mayor Stefanik stated motion to adjourn.

Vice Chairman Willey stated second.

Roll call: Yeas: Four - Mayor Stefanik, Willey, Bull, McCarthy. Nays: None.  
Motion carried.

Ms. Fashempour stated we are adjourned.

Vice Chairman Willey stated were adjourned.

Approved: \_\_\_\_\_  
Don Willey - Vice Chairman Planning Commission

Attest : \_\_\_\_\_  
Julie Broestl, Secretary - Planning Commission

Date : \_\_\_\_\_