

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, April 20, 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: Chairwoman Cheryl Hannan, Tim Miller, Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, 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. **Mcllvried, DiDiano & Mox, LLC** is seeking building and site plan approval on behalf of the building owner **Arby's Corporation / Arby's Restaurant**. They are seeking site plan approval for proposed interior and exterior modifications to the current structure located at **6395 Royalton Road** also known as PPN:487-06-001, in a TCD district

Mark Mox with Mcllvried, DiDiano & Mox stated that the intent of what is being proposed is primarily to refresh the existing facility. That would include some modifications to the site which would include the ADA accessibility. This plan would include modifying the parking stalls to bring them into compliance with the slope requirements and replacing some of the ramps and sidewalk to bring up to ADA requirements. The asphalt will be milled and overlaid to improve the surface. He added that they will be refreshing the landscaping on the property. He presented a site plan showing the areas being improved in addition to interior seating and décor plans. The exterior treatments being proposed is bringing this facility more in line with their prototype building with a more modern appearance to the structure.

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

2. **Seeley, Savidge, Ebert & Gourash Co., LPA** is seeking site plan approval on behalf of the property owner, **Tribute Properties Inc. / James H. Busch / Babitt Funeral Home**, for a lot consolidation of **PPN:482-12-025 and PPN:482-12-032** currently zoned as R1-A residential district.

Mr. Kelly stated that we will be hearing from Attorney Todd Schrader with Seeley, Savidge, Ebert & Gourash Co. Mr. Kelley said that he has spoken with Mr. Schrader and with Mr. Kulchytsky at great lengths; it is our recommendation that if the Board is impressed with their request, that tonight they be given a preliminary approval subject to the determination by the Board of Zoning Appeals as to a use variance for the additional unimproved parcel which Mr. Schrader and his firm will seek at the next BZA meeting. If they are successful in obtaining a use variance which is consistent with the proposed development, they will return to PC in June for final approval. Mr. Kelly explained that the Babitt Funeral Home sits on a parcel that is zoned for single family residential use only; therefore, it is a nonconforming use. Mr. Kelly continued, because it is a nonconforming use we have ordinances which prohibits the expansion of a nonconforming use. Mr. Kelly stated that the PC will not consider a lot consolidation unless there is already an approved use variance in place that would allow for the combination of those lots that would guarantee that they will be used in an appropriate manner. The assessment that has been made of this plan is viewed favorably by the

Administration because they are proposing a very nice improvement to the parcel and to the operation. Mr. Kulchytsky said he is in agreement of the consolidation of the two parcels. He added that he has reviewed the site plan and said it is appropriate that this variance go forward to existing use as well as for safety reasons because of the plans related to the egress.

Mr. Schrader stated that the improvements being sought include an additional driveway that will be placed on the parcel to the north which ends in -032. The lot consolidation will accommodate the inclusion of an additional driveway and lighting which will improve ingress and egress to the site.

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

3. **Architectural Design Studios** is seeking site plan approval on behalf of the property owner **Tribute Properties, Inc. / Busch Funeral Homes / Babitt Funeral Home**. They are seeking building and site plan approval for proposed exterior modifications and driveway modifications to existing facility located at **9350 Ridge Road also known as PPN:482-12-025 and the adjacent vacant lot PPN:482-12-032**, in a R1-A residential district. A lot consolidation of both parcels will be necessary for expansion of a driveway.

Anthony Cerny of Architectural Design Studios stated they currently have a single width driveway that is used to access the parking in the back; at times when the facility is operating, there is an issue with traffic flow going in and out of the site. They are recommending a new drive to simplify circulation and improve safety on the site. They are improving the lighting by adding a series of LED fixtures on poles that will provide a uniform level of lighting on the site. He said they will be adding ADA accessibility to the building and will be incorporating a very long sidewalk at a very slight grade to the south side of where the entrance is located. Mr. Kulchytsky informed the Board that ADA access is not a requirement of the Board but they did choose to include it in their plans. He said the proposed lighting looks to be in compliance with a zero foot candle count at the property line. Mr. Kulchytsky asked the Applicant to explain how the new drive will work. Mr. Cerny replied that the new drive on the north side will be used for ingress to the property and the existing drive on the south will be the egress from the property.

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

ADJOURNMENT OF THE PUBLIC HEARING

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

The Public Hearing adjourned at 7:20 p.m.

REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, April 20, 2016 in regular session**. The meeting was called to order at 7:20 p.m. by Chair Cheryl Hannan.

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

APPROVAL OF MINUTES:

Moved by Mr. Miller, seconded by Mr. Antoskiewicz to **approve the March 2, 2016 minutes**. Roll call: Yeas: Five. Nays: None. **Minutes approved.**

OLD BUSINESS

1. **Woodcroft Glen**, Royalton Road, General Business and Residential Multi-family zoned. Woodcroft Glen Phase 2 - Final Plat Approval. **Tabled. Request is for a 90 day extension.**

Moved by Mayor Stefanik, seconded by Mr. Antoskiewicz to **remove from table**. Roll call: Yeas: Five (Miller, Antoskiewicz, Stefanik, Castrovillari, Hannan). Nays: None. **Motion carried.**

Moved by Mr. Antoskiewicz, seconded by Mr. Miller to **approve request for a 90-day extension**. Roll call: Yeas: Five (Miller, Antoskiewicz, Stefanik, Hannan, Castrovillari). Nays: None. **Motion carried.**

2. **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 Action.**

3. **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 Action.**

NEW BUSINESS

1. **McIlvried, DiDiano & Mox, LLC** is seeking building and site plan approval on behalf of the building owner **Arby's Corporation / Arby's Restaurant**. They are seeking site plan approval for proposed interior and exterior modifications to the current structure located at **6395 Royalton Road** also known as PPN:487-06-001, in a TCD district.

The Clerk stated no comments have been received by the Police or Fire Department regarding this applicant. Mr. Schmitzer addressed the Engineering Department's comments which were submitted to the Applicant and the Board. In addition to the written comments, he stated that because there is going to be milling of asphalt and placement of new asphalt, protection will be needed to protect the existing storm system so grindings do not go into storm sewer. Mr. Schmitzer also said that boundary lines will need to be located by surveyor and will be required to be shown on improvement plans. The Building Commissioner stated that Arby's and the ownership of the property have worked with them throughout the design.

They have taken our recommendations and implemented them. They have made significant effort to work on the designs on the sides and back of building. The Building Department is satisfied with the plans presented before the PC. Ray Shoot, project manager, stated the restaurant's drive through will be closed one week for kitchen renovations. The Dining room area will be closed two to three weeks. He added that Arby's leases the property. Discussion followed regarding a decorative rod iron fence and masonry pillars which are being used in the town center district. The Building Commissioner stated that at that point of Royalton Road, the fence and masonry pillars begin to taper off. Arby's has no adjacent neighbors that have the fences and pillars. He added that he would not recommend it; however, the PC can make that decision. He asked that the PC request the Building Department look at the fencing issue and see if there would be another option that would be acceptable.

The Law Director stated that we have a desire to want to see the uniformity of that architectural feature throughout the town center district. We have it in a number of places already. This Applicant was not aware of it and did not build it into their design. Mr. Kulchytsky said the Building Department would be willing to do an analysis on a global level to review where an appropriate start and stop point for the fencing would occur. Mayor Stefanik asked the Applicant if he was aware of the fences. The Applicant responded no. The Mayor showed the Applicant a couple pictures of businesses in the Town Center district. Mr. Castrovillari expressed his appreciation the numerous renovations that are being done on the building. He said he has a concern regarding a low roof in the back that faces the front of the apartments. He asked can they add something that can screen a portion of the large bulk unit on the roof. Mr. Kulchytsky agreed that some action can be taken on that. The Applicant responded that the trouble with this type of a wood frame building with wood trusses is that as they increase any of the parapet wall height on the existing building, it creates issues with wind load and snow. The Applicant said he will have his structural engineer look at it.

The general consensus was to recommend that the approval be given with the requirement that the ornamental fencing be installed given the analysis and review of the Building Division. The Building Division would report back to PC and the Board would decide at that point. The Mayor addressed the Applicant and stated that the City appreciates their investment. He explained that we have been trying to get a consistency throughout our Town Center district for many years. We finally are getting on the right track and we would like to continue. We will try our hardest to make it a painless renovation.

The Applicant questioned when is the right time to install the peers and fence? Mr. Kulchytsky stated that your approval is inclusive of it. When you pull your permits, it may be on your drawings or it may not be. We will talk and will then report back to the PC at the next meeting to confirm our thoughts.

Moved by Mr. Castrovillari, seconded by Mr. Antoskiewicz to **approve the building and site plan application subject to further review by the Building Commissioner as to the issue of the placement of the common architectural design fence and masonry pillars.** Roll call: Yeas: Five (Miller, Antoskiewicz, Stefanik, Hannan, Castrovillari). Nays: None. **Motion carried.**

2. **Seeley, Savidge, Ebert & Gourash Co., LPA** is seeking site plan approval on behalf of the property owner, **Tribute Properties Inc. / James H. Busch / Babitt Funeral Home**, for a lot consolidation of **PPN:482-12-025 and PPN:482-12-032** currently zoned as R1-A residential district.
3. **Architectural Design Studios** is seeking site plan approval on behalf of the property owner **Tribute Properties, Inc. / Busch Funeral Homes / Babitt Funeral Home.** They are seeking

building and site plan approval for proposed exterior modifications and driveway modifications to existing facility located at **9350 Ridge Road also known as PPN:482-12-025 and the adjacent vacant lot PPN:482-12-032**, in a R1-A residential district. A lot consolidation of both parcels will be necessary for expansion of a driveway.

The Applicant was informed that they will be seeking preliminary site plan approval at today's meeting for both applications. It will be then be necessary to go before the BZA for consideration of the "use" variance on both parcels. When received, the Applicant will return to the PC for final site approval. The Clerk read the Fire Department comments into record: The Fire Department wants to ensure that the drive, and all landscaping, light poles and overhangs will permit fire apparatus access to the back of the building, and have sufficient space required to turn apparatus around for egress out of the lot. The Building Commissioner stated that this establishment is located in a residential district; it is an existing non-conforming use. The Applicant is requesting to add an additional egress from their property which occurs on a parcel that is on a separate parcel and at this time not consolidated. We informed the Applicant that the parcels have to be consolidated. The applicant is also requesting ADA accessibility issues which are not required to go before the PC. The Building Division is in agreement with approving the two applications as they allow additional egress for safety issues to the parcel and will decrease traffic issues on Ridge Road. Mr. Schmitzer reviewed the Engineering Department comments which were previously sent to the Board and Applicant. He questioned the number of ADA parking stalls and whether based on the use more stalls are required for the existing use. Also they may want to consider the accessibility for the ADA parking stalls to be located closer to the entrance of the building. The Applicant stated that all traffic and pedestrian circulation typically goes through the back door main entrance to the facility; the front door is not currently used for anything. He stated that the north driveway will be the ingress into the site and the southern existing driveway will be the egress from the site. Mr. Kulchytsky asked if the ingress and egress will be marked clearly on the pavement and with signs. The Applicant responded yes.

Moved by Mayor Stefanik, seconded by Mr. Miller **to grant preliminary approval of the application for a lot consolidation.** Roll call: Yeas: Five (Miller, Antoskiewicz, Stefanik, Hannan, Castrovillari). Nays: None. **Motion carried.**

Moved by Mayor Stefanik, seconded by Mr. Miller **to grant preliminary approval of the application and referral to BZA for consideration of a use variance for both PPN: 482-12-032 and 482-12-025.** Roll call: Yeas: Five (Miller, Antoskiewicz, Stefanik, Hannan, Castrovillari). Nays: None. **Motion carried.**

ADJOURNMENT

Moved by Mr. Miller, seconded by Mr. Castrovillari **to adjourn the April 20, 2016 Planning Commission meeting.** Roll call: Yeas: Five. Nays: None. **Motion carried.**

Meeting adjourned at 8:10 p.m.

APPROVED: /s/ Tim Miller
Vice Chair

DATE APPROVED: May 18, 2016

ATTEST: /s/ Diane Veverka
Planning Commission Secretary