

The North Royalton Planning Commission held a Public Hearing at the City Hall Council Chambers, 13834 Ridge Road, on **Wednesday, October 3, 2012**. The meeting was called to order by Chairman Don Willey at 7:02 pm.

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

Don Willey: Okay. Being 7:02 we will begin the North Royalton Planning Commission meeting. Please stand for the Pledge of Allegiance.

The Pledge was recited by all.

Old Business

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

Dan Egizii, vacant lot on Albion Road, Multi-family zoned. Site plan approval for Phase I of Albion Woods. Tabled.

Julie Broestl: I need a motion and a second to have an extension of six months.

Moved by Vince D'Agostino: D'Agostino, seconded by Don Willey, to approve an extension of six month for Phase I of Albion Woods.

Don Willey: Call the roll.

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

Ayes – All. Nays – None.
Motioned carried. (5-0)

Chickie Investments, Squeaky Chair Productions. PPN: 483-06-018. York-Beta Drive. General Industrial zoned. **Site plan approval for a recording studio.**

Don Willey: Please step forward and give us your name and address and a review.

Dave Moorhead: Dave Moorhead, I'm with Chickie Investments. My son was here in July to get your approval for a site plan on York-Beta Drive for a state of the art music studio. You granted the approval and that upset me cause I wasn't here and I apologize for that, so I've changed things around so I could get back here to meet you all. Joe is on tour with his band and apologizes for not being here. After you gave us your approval we went through a process and first went to county soil and water and their requirement was that someone walk that property and tell us whether we had wet lands. After doing that, we determined that we did. This is the site plan on the easel, that you approved. It's parcel 018.

On the west side of the cul-de-sac, we had the building located there and the water basins down here. This is Kim Kerber, she is with MacKay Engineering. I asked her to be here with me tonight. This is my lovely wife Chickie. This is the wetlands that were determined. We had Todd Randall from Davey Resource Group come out and take a conservative approach on what was on the property, and you can see by this arm just how this reaches up into the property, and we are limited with what we can do without actually violating the wetlands. So, Kim actually overlaid the best we could to determine what we were really up against with relation to applying for a nationwide permit. We were less than a half an acre which meant we violated the wetlands by a half acre. This includes the partial down here as well as up here on the top. We didn't file for a wetlands approval, for two reasons. One, for the time, and one for preservation of the wetlands. We decided to talk with our neighbors, who also had a parcel for sale, and we negotiated a contract. This time we didn't buy the property, we put an offer on the property to get through the process with the City. I had Todd go back out and look at that parcel as well, to determine what was on there from a wetlands standpoint. This is what was on parcel two. So, you can see this is pretty extensive as it relates to the two parcels and the wetlands on the combined parcels. When we put them together this is what it looks like. If we went into the setbacks we would have to litigate the setbacks. The one thing we couldn't litigate was upstream the setbacks that we were going to violate. We were through last week and gained approval from the Board of Zoning Appeals to actually violate the setbacks with the layout that I'm going to show you here, but in conversation with Tom Jordan, we talked about this parcel of land, which is land locked parcel from the City. This is 017, this is 018 and 019, when I refer to them. Our plan was to litigate and buy this parcel from the City and take this and use it as litigation. This is 2.25 acres, which we would litigate roughly a half of acre into the setbacks. So, just to show you really quick how this lays out. If we were to live by the 75-foot required setback this area right here on 7 acres of land is what we are able to actually build upon. So, the City has a prime piece of land, 7-acres, that would be totally useless, quit honestly. We got the approval from the Board of Zoning Appeals. Again, we tucked the building into the wetland area, that is the gray area. This is a category one, which we could go right up to the wetlands. This wetland here, which reaches up in here, is a category two, which is the 75-foot required setback area. So, we flipped the building and that is why we are in front of you here tonight, and we also had to move the detention ponds to make this all work. Again, we are not touching the wetlands in the area, but we are going into the required setbacks. When we flipped the building we also had to flip the parking to the opposite side and it allowed us to pull this into this area over here. The taller part of the building was previously on the left and now it's on the right, and that's the really the only change that had been made. We moved this detention pond which was down here and we came up with the design that would have two smaller detention ponds. One that is adjacent to the parking, so that we could catch all the storm water and flow into the first pond, and from there into the second pond, and then from there out into the sewer system for the city. That's the changes. Again, we got roughly 7.5 acres of land here, and 2.25 of it we are going to make it a conservation easement and it won't be built upon. You can see we were able to fit a very small building that is 4800 square feet, and 20 parking spaces. Any questions from anyone?

Don Willey: It's very creative. Good use and imagination. Anyone on the Commission have any questions? To the Engineer.

Mark Schmitzer: I don't have any comments. I'm very pleased with what they have done. We worked with Mr. Moorhead here, myself, and Tom Jordan, and the Building Department, to come up with a very unique, creative solution to a pretty much unusable land. Unusable is a broad term, but time and money and the willingness to step out and grab another parcel, and take a landlocked piece and work to conserve that is ideally what we like to do with developments in the City. This is probably one of the

smartest developments that I've seen since I came here to work in 2008. I applauded them for their work. I have no other comments.

Don Willey: Thank you. Anyone else.

Tom Kelly: Mr. Chairman.

Don Willey: Yes Sir, Mr. Kelly.

Tom Kelly: I just want to review with you, and I'm sure you are probably already aware of it, that for all of your sacrifice in coming to pick up the extra piece and so forth, you are aware that you are going to be taking on the maintenance of that storm water easement as well.

Dave Moorhead: Yes. I also found out that there were assessments on the property.

Tom Kelly: Okay. On a long term basis, what would concern us is that storm water easement. I hate to burden it with you, and the City would hates to burden you with it, but it goes with the parcel. Okay. Thank you. That's all Mr. Chair.

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

Moved by Mayor Stefanik, seconded by Vince D'Agostino, **to approve Chickie Investments, Squeaky Chair Productions, site plan approval for a recording studio.**

Don Willey: Call the roll.

Vince D'Agostino: Yes

Don Willey: Yes

Mayor Stefanik: Yes

Tim Miller: Yes

Cheryl Hannan: Yes

Ayes – All. Nays – None.

Motioned carried. (5-0)

Don Willey: Okay. Thank you and Chickie.

Dave Moorhead: I would just like to say something.

Don Willey: No, we are out of time.

Dave Moorhead: I want to say first of all, thank you for the approval. More importantly, I just want to say I built properties all over the country. I have probably 30 properties in 15 states. I have to tell you that this City is the best City to work with. The gentleman sitting down there and this lady and all in the office have been phenomenal and Mark through the engineering standpoint. I appreciate it and this could not have happened without them. It has been great. Thank you.

Mayor Stefanik: Mr. Chairman.

Don Willey: Mayor

Mayor Stefanik: I appreciate the comments. We know we have a great team here in North Royalton, and we thank you for considering North Royalton, and I want you to know that there is a lot of other vacant property around town.

Laughter.

Don Willey: Thank you again Mr. Moorhead. Miscellaneous?

Tom Kelly: Mr. Chairman. In regards to the agenda tonight, the two matters that were tabled, I just want to ask because I didn't hear it correctly; did you call for an extension on both of them?

Don Willey: No, we didn't. Just on Mr. Egizii.

Tom Kelly: Is the other not up yet?

Julie Broestl: In November. Rick Porter already knows and he is coming.

Tom Kelly: Okay. Sorry.

Don Willey: Any motions.

Moved by Mayor Stefanik, seconded by Tim Miller, **to adjourn the Planning Commission meeting of October 3, 2012**

Don Willey: Call the roll

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

**Ayes – All. Nays – None.
Motioned carried. (5-0)**

Adjourned at 7:18 pm

Approved; _____

Date: _____

Attest: _____