

**Planning Commission Caucus - 6-21-06 at 7:10 P.M. - 7:25 P.M.**

**Present:** Mayor Cathy J. Luks, Chairman Edward McGrath, Victor Bull, Tony Sandora, Vice Chairman, Don Willey, Council Representative, Denise Bobulsky, Council Ward One, Lisa Uffman-Kirsch, Council Ward Six, Residents, Applicants.

Planning Commission Agenda for 6-21-06 reviewed and discussed.

Discussion held regarding Ground Signs at subdivisions and how they are required to be 100' for a occupied residence.

Discussion held regarding Avis Rent A Car, who, what, where, when, why.

**Caucus ended 7:25 P.M.**

The **Planning Commission** of the City of North Royalton met in the North Royalton Council Chambers, 13834 Ridge Road, on **Wednesday, June 21, 2006 to conduct a Public Hearing. The Public Hearing was called to order by Chairman Edward McGrath at 7:33 P.M.**

Chairman McGrath stated it is at least 7:30 on June 21<sup>st</sup>, we will call the Public Hearing portion of the meeting to, to order, will the Secretary please call the roll.

**Present:** Chairman Edward McGrath, Mayor Cathy J. Luks, Tony Sandora, Vice Chairman, Don Willey, Council Representative, Victor Bull, Rito Alvarez, Building Commissioner, Clark Merdes, P.E., City Engineer, Thomas P. O'Donnell, Law Director and Brenda L. Fashempour, Secretary.

**Opening Ceremony - Pledge of Allegiance. Pledge of Allegiance recited.**

**Public Hearing**

**Conditional Use Permit**

The Public Hearing will be on the question of granting a Conditional Use Permit for Avis Rent A Car Systems, Inc., Property Owner Gary Stinnett, Royalton Automotive, 10050 Royalton Road, General Industrial Zoning. Avis Rent A Car Systems, Inc., has requested to lease office space for the purpose of operating a car rental office. Normal hours of business will match those of Royalton Automotive, Monday through Friday 8:00 A.M. to 5:00 P.M. and Saturday 9:00 A.M. to 1:00 P.M. Mr. Stinnett and Avis Rent a Car request a Conditional Use Permit because they feel that this type of business will enhance the quality of life for North Royalton residents.

Secretary read the Public Hearing Notice. Public Hearing Notice posted at City's Public Posting Places and mailed to Property Owners.

Chairman McGrath stated is there anyone wishing to be heard at this Public Hearing. Chairman McGrath stated one more time, anyone wishing to be heard. Chairman McGrath stated if there is no one wishing to be heard, is there a motion to refer this matter to the Regular Order of Business.

So moved Mayor Luks.

So moved Don Willey.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, further discussion, will the Secretary please call the roll.

Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.

Adjournment

Chairman McGrath stated is there a motion to adjourn the Public Hearing.

So moved Don Willey.

Second Tony Sandora.

Chairman McGrath stated moved and second to adjourn the Public Hearing, Secretary please call the roll.

Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated Public Hearing is adjourned.

*Planning Commission Public Hearing adjourned at 7:36 P.M.*

The **Planning Commission** of the City of North Royalton met in the North Royalton Council Chambers, 13834 Ridge Road on **Wednesday, June 21, 2006 in regular session.** The meeting was called to order by Chairman Edward McGrath at 7:37 P.M.

Chairman McGrath stated we will now call to order the Regular Meeting of the North Royalton Planning Commission, will the Secretary please call the roll.

**Present:** Mayor Luks, Don Willey, Council Representative, Tony Sandora, Vice Chairman, Victor Bull, Chairman Edward McGrath, Rito Alvarez, Building Commissioner, Clark Merdes, P.E., City Engineer, Thomas P. O'Donnell, Law Director and Brenda L. Fashempour, Secretary.

**Approval of minutes:** June 7, 2006. Chairman McGrath stated is there a motion to approve the minutes of the meeting of June 7<sup>th</sup>.

Ms. Fashempour stated she needs a motion to excuse Mr. Willey for cause please.

Mayor Luks stated move to excuse Mr. Willey for cause.

Tony Sandora stated second.

Chairman McGrath stated moved and seconded to excuse Don Willey from the Approval of the Minutes of the meeting, Secretary please call the roll.

Roll call: Yeas: Four - Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.

Ms. Fashempour stated and a motion to approve those if you so choose.

So moved Mayor Luks.

Tony Sandora stated second.

Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.

Roll call: Yeas: Four - Sandora, Bull, Mayor Luks, Chairman McGrath.  
Nays: None. Motion carried.

Chairman McGrath stated minutes are approved.

#### Old Business

Speedway Super America, LLC., 9191 Royalton Road, Motorist Service Zoning. Cooler Approval. Tabled.

Ms. Fashempour stated it is tabled, the Applicant is here this evening, if you so choose, she needs a motion to remove it from the table.

So moved Tony Sandora.

Second Don Willey.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Bull, Mayor Luks, Willey, Sandora, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated does the Applicant have anything he wishes to share.

Chairman McGrath stated step forward, state your name, your home address, speak into the microphone, remember you are being recorded please.

Okay, my name is Rick Schmitt, he is with Diamond Z Engineering, do you want my home address.

Chairman McGrath stated yes please.

Mr. Schmitt stated the home address is 6081 Paisley Drive, that's North Olmsted, Ohio.

Chairman McGrath stated Thank You and what is it you wish to share with us.

Mr. Schmitt stated okay Speedway, he is here representing Speedway Super America and they wish to build a new 22, approximately 22 by 16' cooler expansion on the back of the existing property, it would be a walk-in cooler, an extension to the you know the original footprint to the building, this would be open to the customers that would walk in to pick up the product from the inside of the cooler. Mr. Schmitt stated it would be built on footers, pad, back of the property there by the

Turnpike so he knows the last discussions we have had about the, some issues were with the sidewalk, we have revised the drawings to show the addition of the sidewalk across the front of the property. Mr. Schmitt stated he has some pictures here of what the finished product would have looked like if, let him pass.

Mr. Schmitt stated here's one.

Chairman McGrath stated that's good, Thank You.

Mr. Schmitt presented pictures.

Chairman McGrath stated Thank You.

Don Willey stated and they would a, enter from inside the store correct.

Mr. Schmitt stated correct.

Mr. Schmitt stated there would also be an issue of an setback variance that we just, actually he just gave the information to Brenda to apply for that meeting so that would also be pending.

Chairman McGrath stated good Thank You.

Chairman McGrath stated to the Building Commissioner, anything please.

Mr. Alvarez stated a, it's been a while since we looked at this.

Mr. Schmitt stated about a year.

Mr. Alvarez stated he doesn't know if he actually did a plan review or not on this for, he doesn't know if plans were ever submitted to the Building Department.

Mr. Schmitt stated well the actual full set have not been submitted no.

Mr. Alvarez stated oh, okay.

Mr. Schmitt stated we have submitted a site plan and then revised it and resubmitted with the sidewalk so we have not done a full set yet.

Mr. Alvarez stated okay, well upon approval by the Planning Commission and the BZA, submit construction plans to the Building Department for Plan Review and that's pretty much all he has.

Chairman McGrath stated Thank You, to the Engineer please.

Mr. Merdes stated Thank You Mr. Chairman. Mr. Merdes stated between the revised drawing and the Applicant's statement tonight, all of his comments have been addressed.

Chairman McGrath stated Thank You.

Chairman McGrath stated to the Law Department it's his understanding that this still requires a variance is that correct.

Mr. O'Donnell stated yes.

Chairman McGrath stated and therefore it would be appropriate to refer to the BZA, is there any further action Madam Secretary that we should take prior to that referral.

Ms. Fashempour stated no.

**Chairman McGrath stated is there a motion to refer.**

**Tony Sandora stated motion to refer this to the BZA.**

**Victor Bull stated second.**

**Tony Sandora stated Board of Zoning Appeals.**

**Chairman McGrath stated moved and seconded, Secretary please call the roll.**

**Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated referred to the BZA, Good Luck there and then we will see you after that.

Mr. Schmitt stated okay, one question.

Chairman McGrath stated certainly.

Mr. Schmitt stated when we go through that process, he just wants to be able to report back to the customer accurately on the timing of this, would he then have to attend another Planning Commission meeting.

Chairman McGrath stated yes.

Mr. Schmitt stated oh he would, okay.

Chairman McGrath stated after you finish with the BZA, you will come back to us.

Mr. Schmitt stated come back here, okay.

Chairman McGrath stated in the meantime as the Building Commissioner indicated, he has not seen plans, so there is no plan approval yet so somewhere along the line you probably, once you are done with BZA you might want to get plans to him before you come back to us.

Mr. Schmitt stated okay.

Chairman McGrath stated so that we can discuss it fully and completely otherwise it will be tabled again until he can review the plan.

Mr. Schmitt stated okay, Thank You.

Chairman McGrath stated Thank You.

Ms. Fashempour stated can she get a motion to table.

Tony Sandora stated motion to table.

Don Willey stated second.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.

**Ordinance No. 05-166** - An Ordinance amending the Codified Ordinances of the City of North Royalton, Part 12 Planning & Zoning Code, Chapter 1284 Signs, Section 1284.18 Banners/Pennants in Local and General Business Districts; Permit; Fee, Paragraph (a), and Declaring an Emergency. Tabled.

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

Recreation Allocation - **Abbeyville Townhouses**, Hinckley Ridge Ltd., Laurie Pribish, 11349 Abbey Road, PPN 481-27-021, RM-D Zoning, submitted to the City of North Royalton and that it be approved by the Commission pursuant to Section 1246.08 Allocation of Areas for Public Use (b) although less than the minimum area required by Section 1246.08 Allocation of Areas for Public Use (b) is to be dedicated to the City for public park or recreational uses - Approval. Tabled.

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

**Abbeyville Townhouses**, Hinckley Ridge Ltd., Laurie Pribish, 11349 Abbey Road, PPN 481-27-021, RM-D Zoning. Preliminary plan approval for 38 Townhouses. Tabled.

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

**Columbia Gas of Ohio** plans to install 2560' of 3" and 520' of 2" new plastic distribution main in Glen Drive south, Berkshire Way and Bentley Drive- Approval. Tabled.

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

**Columbia Gas of Ohio** plans to install 1080' of 3" and 1800' 2" new plastic distribution main on Bentley Drive, Richland Drive and Yorkshire Way - Approval. Tabled.

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

**Columbia Gas of Ohio** plans to install 1620' of 3" and 540' of 2" new plastic distribution main on Bentley Drive and Coventry Court - Approval. Tabled.

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

River's Edge Properties, LLC, **Rivers Edge Subdivision**, PPN 485-12-006 and PPN 485-11-001, Bennett Road, Rural Residential Zoning. Sketch Plan Approval. Tabled.

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

Huntington, York/Royalton, LLC., York Road, Sign Approval. Tabled.

Ms. Fashempour stated it is tabled, this was the request that we asked the Applicant to go back and change the name of Huntington, they have come back with Villas of Worthington, it's tabled, the Applicant's are here, if you so choose she needs a motion to remove it from the table.

So moved Tony Sandora.

Second Don Willey.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Sandora, Bull, Mayor Luks, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated and if the Applicant will step forward then please.

Good Evening, Laurie Pribish, for York/Royalton LLC, 1425 Center Road, Hinckley, Ohio 44233. Ms. Pribish stated we are here tonight for our sign approval for the Villas of Worthington, we made the name change as requested, we do need a variance for which she has submitted an application to the Board of Zoning Appeals and she does have a letter from the neighbor whose house it does infringe on that she doesn't have any issues with the placement of the sign, Thank You.

Chairman McGrath stated Thank You.

Chairman McGrath stated to the Engineer please any comment.

Mr. Merdes stated no, there, actually two variances required.

Ms. Pribish stated correct.

Mr. Merdes stated and that, that's all.

Chairman McGrath stated good, Thank You.

Chairman McGrath stated and you have applied to BZA for the variances.

Ms. Pribish stated yes she has.

Chairman McGrath stated and you realize that we can't do much until you get finished with BZA.

Ms. Pribish stated yes she does.

Chairman McGrath stated we can however make a motion to change the name can't we.

Ms. Fashempour stated you can.

Chairman McGrath stated is there then a motion to change the name from Huntington to Villas of Worthington.

So moved Don Willey.

Second Tony Sandora.

Chairman McGrath stated moved and seconded, to change the name as a matter of record from Huntington to Villas of Worthington, any further discussion, Secretary please call the roll on the name change.

Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated that is, that is done, is there now a motion to table.

Tony Sandora stated motion to refer this to BZA.

Mayor Luks stated and table.

Tony Sandora stated and table.

Mayor Luks stated second.

Chairman McGrath stated moved and seconded to refer to BZA and tabled, Secretary please call the roll.

Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated referred and tabled.

Ms. Fashempour stated and may she also get a ninety day time extension because they will probably fall into the August recess.

So moved Mayor Luks.

Second Tony Sandora.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Sandora, Bull, Mayor Luks, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated that is extended.

**Transport Services, Inc.**, Albert T. Therrien, 10499 Royalton Road, PPN 483-24-004, General Industrial Zoning. Site Plan Approval for an Addition. Tabled.

Ms. Fashempour stated it is tabled, there will be no action this evening, she is going to request a ninety day time extension.

Chairman McGrath stated he will move to extend 90 days.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, discussion, will the Secretary please call the roll.

Roll call: Yeas: Five - Bull, Mayor Luks, Willey, Sandora, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated it is extended.

**Main Street Bar & Grill**, Thomas Marzella, 6031 Royalton Road, Town Center District - 2, Site Plan Approval for a Pavilion. Tabled.

Ms. Fashempour stated it is tabled, the Applicant is here, you did receive new plans, if you so choose, she needs a motion to remove it from the table.

So moved Victor Bull.

Second Don Willey.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.

Tom Marzella, 5460 Riverview Drive, North Royalton. Mr. Marzella stated how are we doing tonight?

Chairman McGrath stated we are doing well, how are you?

Mr. Marzella stated we changed from the original pavilion to the existing plans that everybody has a copy of, what we are proposing this time was right on the side with a canvas awning, 3' wall going around a 3' fence with a fire exit, the comments that we got from Fire Marshall Bohovic and he did have his attorneys research this, we are not going to be able to smoke out there which as a restaurant owner he is going to feel kind of stupid telling customers outside that they have to go inside the restaurant to have a cigarette.

Laughs.

Mr. Marzella stated this isn't Mr. Bohovic this is an Ohio Ordinance and apparently it has to do with the material that we want to make the roof out of and knowing that we want, and as he explained two weeks ago, we want to be able to put this up in the spring and take it down in the fall so the alternative then would be to make it out of aluminum which would be and after talking with Mr. Alvarez, we know the problems that's going to be with putting it up and taking it down. Mr. Marzella stated it's, would be flame retardant material but he understands that we can't get around this Ohio Ordinance so with the plans that they want, they are existing right now and the way the plans show the wall as a 3' wall we are thinking now, make it a 5' wall and forget the roof and just put the tables out there with umbrella's which Ohio Ordinances will allow you to smoke with an umbrella 6" from your head but not an awning 13' over your head.

Chairman McGrath inaudible.

Mayor Luks stated that's what term limits have done to our legislature.

Laughs.

Mayor Luks stated she is sorry.

Mr. Marzella stated we can still accomplish what we want but without the actual roof which is really what he wanted originally because if it's raining it's going to help the business a lot but he can still get, he can still satisfy the customers with outdoor seating with the umbrella, providing it's not raining and we can make the fence you know any color that the, that the Architectural Review Board wants it's, and keeping in mind that this will go up early spring, and it will come down late summer.

Chairman McGrath stated but if it's raining it handled the smoking issue to.

Mr. Marzella stated well, ironically we are not allowed to smoke out there but he has to have fire extinguishers out there.

Chairman McGrath stated he hears you, it just get's stranger and stranger doesn't it.

Mr. Marzella stated so what he is looking for tonight is an approval on with the plan that you have with the exception of.

Tony Sandora stated 5'.

Mr. Marzella stated we are not going to put the canopy over it and we will raise the height of the wall 2' and, and he did call Mr. Alvarez and find out if he needed to try to get plans redone, he didn't get these comments until Saturday afternoon so there wasn't a whole lot he could do with his Architect by today.

Mayor Luks stated Mr. Chairman.

Chairman McGrath stated Mayor.

Mayor Luks stated if she may ask the Applicant, will you be able to if we do approve it and note in the approval those changes will you be able to, to have a, a copy showing those changes filed with us.

Mr. Marzella stated yes, Mr. Alvarez is going to want 3 sets of construction plans so.

Mayor Luks stated okay.

Mr. Marzella stated we will have, we will just raise it by 2' and eliminate the roof.

Mayor Luks stated okay.

Mayor Luks stated Thank You.

Chairman McGrath stated Thank You.

Chairman McGrath stated and to Mr. Alvarez just to confirm the change, it is satisfactory to you.

Mr. Alvarez stated Mr. Chairman it is, his one comment still holds, you need a seating pattern out there.

Mr. Marzella stated which he did today and he will bring you copies of that, he will call you this week and make an appointment with you.

Mr. Alvarez stated yeah, good, that's pretty much it.

Chairman McGrath stated so three copies of the revised plan to you.

Mr. Alvarez stated yes, correct.

Chairman McGrath stated you are good to go.

Mr. Alvarez stated yes Sir.

Chairman McGrath stated Thank You, to the Engineer any comments.

Mr. Merdes stated Thank You. Mr. Merdes stated now some of the parking spaces are, are being lost to this, can you still share National City Bank.

Mr. Marzella stated National City Bank is allowing him to park there, they have been, we run a lot of money through the bank and they have been really, they actually have proposed to him that 4' piece of grass between us to put a driveway through there because when they designed their parking lot, the east driveway you can only turn right and it's a problem for people coming out of the bank when they want to make a left turn onto Royalton Road, they are coming around the drive thru, they are basically going in a full circle to get back to where they started and if someone is walking around that corner it's dangerous over there and if we take it, they are open to taking out a piece of that curb and making their parking lot part of this which would actually probably eliminate two parking spaces but then open up another 50 or 60.

Mayor Luks stated that's a good idea.

Mr. Marzella stated and then they can turn right onto Route 82 from the east driveway rather than only west, he means only east.

Mayor Luks stated uh um.

Mr. Merdes stated Thank You.

Chairman McGrath stated Thank You.

Chairman McGrath stated as a customer of National City and a customer of Main Street, he, he concurs that makes an awful lot of sense if we can do it that way, that, that would really be better a win win for both businesses, inaudible talking about.

Mr. Marzella stated when they were laying the curb, when they were actually pouring the curb, he was on vacation with his family and they came to the construction guys and said we don't know if that's what he wants to do or not and they poured the curb otherwise it would have been like that all along.

Chairman McGrath stated okay.

Mr. Marzella stated which really would have been a really good move for everybody.

Chairman McGrath stated for everybody.

Chairman McGrath stated Thank You.

Chairman McGrath stated anyone on the Commission, any further questions.

**Mayor Luks stated Mr. Chairman she moves to approve with the modifications as discussed with the change in height on the fence to 5' and the elimination of the awning.**

**Mr. Marzella stated right.**

**Mayor Luks stated and on the condition that the Applicant satisfies the Building Commissioner with the requested documents.**

**Tony Sandora stated second.**

**Chairman McGrath stated moved and seconded, any further discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.**

Tony Sandora stated Good Luck.

Chairman McGrath stated Good Luck to you.

Mr. Marzella stated Thanks, have a good night everybody.

Chairman McGrath stated you too.

Don Willey inaudible.

## **New Business**

### **Conditional Use Permit**

**Conditional Use Permit for Avis Rent A Car Systems, Inc., Property Owner Gary Stinnett, Royalton Automotive, 10050 Royalton Road, General Industrial Zoning.** Avis Rent A Car Systems, Inc., has requested to lease office space for the purpose of operating a car rental office. Normal hours of business will match those of Royalton Automotive, Monday through Friday 8:00 A.M. to 5:00 P.M. and Saturday 9:00 A.M. to 1:00 P.M. Mr. Stinnett and Avis Rent A Car request a Conditional Use Permit because they feel that this type of business will enhance the quality of life for North Royalton residents, Approval.

Chairman McGrath stated okay, please state your name, your home address, speak into the microphone and remember you are being recorded and share with us what you will.

Okay, Debra Bernier, 14216 Bridle Trail, Strongsville, Ohio.

Gary Stinnett, Owner of Royalton Automotive, 10050 Royalton Road.

Chairman McGrath stated Thank You.

Chairman McGrath stated and as he recalls, understands this is a change in franchise, there is no other significant change in anything else that's going on currently is that correct.

Mr. Stinnett stated that's correct.

Mrs. Bernier stated yes, we are just leasing office space bringing in computers, desks and then we are just going to run out of there.

Chairman McGrath stated to the Engineer comments.

Mr. Merdes stated no comments Mr. Chairman.

Chairman McGrath stated no comments Mr. Chairman.

Chairman McGrath stated Thank You, Building Commissioner, comments.

Mr. Alvarez stated Mr. Chairman a, since it is still basically a rental business that was there before you.

Mr. Stinnett stated yeah rental.

Mr. Alvarez stated do you know if there is a Certificate of Occupancy or occupant load in the establishment.

Mrs. Bernier stated a what.

Mr. Alvarez stated a Certificate of Occupancy for the existing place.

Mr. Stinnett stated a he doesn't think so.

Mr. Alvarez stated okay.

Don Willey stated should be.

Mr. Alvarez stated should be.

Don Willey stated should be on file.

Mr. Alvarez stated if there isn't, we normally being it's just a change like that, he doesn't ask for a very detailed plan but basically the square footage of your tenant space and we try to give you a Certificate of Occupancy so we make you legal with the State.

Mrs. Bernier stated not a problem.

Mr. Alvarez stated so that a.

Mrs. Bernier stated now would you want a, one for his whole building or just Avis, our portion of it.

Mr. Alvarez stated just for Avis, yeah, just for your portion.

Mrs. Bernier stated that's not a problem.

Mr. Alvarez stated so just submit something to the Building Department, a plan and, and then a, we will take it from there.

Mrs. Bernier stated okay.

Mr. Alvarez stated all right.

Mrs. Bernier stated we will have that drawn up first thing next week.

Mr. Alvarez stated Thank You.

Mrs. Bernier stated Thank You.

Chairman McGrath stated Thank You, any other comments.

Tony Sandora stated Mr. Chairman.

Chairman McGrath stated Mr. Sandora.

Tony Sandora stated Sir, what is the, what is the length of this lease for this Avis.

Mr. Stinnett stated 3 year.

Tony Sandora stated he is sorry.

Mr. Stinnett stated 3 years.

Tony Sandora stated 3 year, you have a 3 year signed lease.

Mrs. Bernier stated with an option to extend.

Mr. Stinnett stated with an option, another 3 year option to extend.

Tony Sandora stated with an option to extend.

Mrs. Bernier stated the lease we haven't sign on our part yet, you know waiting for the blessing of the City of North Royalton.

Tony Sandora stated uh um, understandable.

Mrs. Bernier stated it's all be prepared but it hasn't been signed yet.

Tony Sandora stated okay, he has a problem with some of these Conditional Use Permits to be honest, he thinks that this Conditional Use Permit should be, should be part of a the length of the lease, in other words if you are going to sign a lease for three years then the Conditional Use Permit should go with the length of the lease.

Mrs. Bernier stated okay and then re-apply for an extension.

Tony Sandora stated and then re-apply for it.

Mayor Luks stated Mr. Chairman, she has a question.

Chairman McGrath stated certainly.

Mayor Luks stated of the Applicant a, you don't basically have a lot of cars stored there correct.

Mrs. Bernier stated no, a.

Mayor Luks stated you just have them arrive as needed.

Mrs. Bernier stated pretty much, on Sunday evenings there would be maybe 5 or 6 that would be delivered you know for early morning reservations but as far as storing the cars there, no.

Mayor Luks stated uh um, okay, all right.

Mrs. Bernier stated we want them rented not parked.

Mayor Luks stated okay, good, good, Thank You.

Chairman McGrath stated Thank You, anyone else, questions, comments, motions.

Don Willey stated motion to.

Tony Sandora stated Mr.

Don Willey stated oh he is sorry, go ahead Mr. Sandora.

**Tony Sandora stated go ahead, he will make a motion to grant a Conditional Use Permit for Avis Rent A Car for the length of time of the lease.**

**Chairman McGrath stated of the original lease.**

**Tony Sandora stated of the, of the original lease.**

Chairman McGrath stated rather than the option period.

Tony Sandora stated right.

**Chairman McGrath stated Thank You he will second.**

Ms. Fashempour stated which is.

**Tony Sandora stated 3 years.**

**Don Willey stated 3 years.**

**Ms. Fashempour stated from the date of.**

**Mrs. Berner stated from the date it is signed and they move in.**

**Chairman McGrath stated which will be within the next 30 days.**

Mr. Stinnett stated yes.

Mrs. Berner stated yes, absolutely.

Chairman McGrath stated perhaps, Thank You.

**Mayor Luks stated is there a second.**

**Chairman McGrath stated he will second.**

**Mayor Luks stated second.**

**Don Willey stated second.**

**Chairman McGrath stated moved and seconded, any further discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated Good Luck to You.

Mr. Stinnett stated Thank You.

Tony Sandora stated Good Luck.

#### **Sign Approval**

**Subway, 12786 Royalton Road, Local Business Zoning. Sign Approval.**

Chairman McGrath stated the Applicant or their Representative here please.

Chairman McGrath stated again, state your name, your home address, speak into the microphone and remember you are being recorded.

Cindy Hamlin, 7249 Center Road, Valley City, Ohio.

Ms. Hamlin stated she is the Owner of Subway.

Chairman McGrath stated okay, anything else you wish to share with us.

Ms. Hamlin stated just looking for sign approval and the sign complies with Code and we have owner approval.

Chairman McGrath stated to the Building Commissioner please.

Mr. Alvarez stated okay, the maximum allowable square footage is 20 square foot for that tenant space and their sign is 15 so it meets Code. Mr. Alvarez stated the only other comment again, plans should be submitted to the Building Department for permit if it's approved by this Commission. Mr. Alvarez stated that's pretty much it.

Chairman McGrath stated good Thank You.

Ms. Hamlin stated Thank You.

Chairman McGrath stated no, not quite yet.

Ms. Hamlin stated oh sorry.

Chairman McGrath stated Engineering anything.

Mr. Merdes stated no comments.

Chairman McGrath stated Thank You.

Chairman McGrath stated Law Department anything.

Mr. O'Donnell stated no, no comment.

Chairman McGrath stated anyone on the Commission, questions, comments.

**Tony Sandora stated motion to approve.**

**Don Willey stated second.**

**Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Mayor Luks, Willey Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated now you are approved.

Tony Sandora stated now you are approved, Good Luck.

Ms. Hamlin stated Thank You.

Chairman McGrath stated Good Luck to you.

**Pine Hill Subdivision, State Road and Brookhaven, Sign and Wall Approval.**

Chairman McGrath stated and again, the Applicant is there, state your name, your home address, speak into the microphone, remember you are being recorded.

Good Evening, I am Scott Goldberg, 31180 Emery Road, Moreland Hills, 216 351 7210.

Chairman McGrath stated and share with us what you will please.

Mr. Goldberg stated well you have before you a proposal to enhance the subdivision entrance of Pine Hill Subdivision on State Road, very similar to what we have done in Pinestream Subdivision more like the Edgerton Road entrance to that subdivision, whereby we are constructing a masonry wall, brick wall with columns and within the main section of the wall, on each corner of the subdivision embedded within it a, a masonry lettered sign which would say Pine Hill and the lettering itself, each block is a letter, it's 8" wide by 10" high, so the total square footage of that part of it that's within the wall is 5 square feet and we would also be planting landscaping and around the wall and columns as well.

Chairman McGrath stated your previous effort done there is very attractive and he is sure this will be equally as well.

Mr. Goldberg stated Thank You.

Chairman McGrath stated to the Building Commissioner anything.

Mr. Alvarez stated Thank You Mr. Chairman.

Mr. Alvarez stated the initial plans didn't have any dimensions at all whatsoever today he received a letter both, the City Engineer and himself addressing some of their comments and he is only going to address what comments he had made, it seems like the area of the word Pine Hill does, is within the allowable 80 square feet of course and one question he had was you submitted another site plan, this letter was from Saks and Goldberg Companies.

Mr. Goldberg stated right, that's us.

Mr. Alvarez stated oh okay.

Mr. Goldberg stated he faxed it to you yesterday and, and sent it through the mail, he couldn't make it.

Mr. Alvarez stated all right, we still didn't have a dimension showing the, from the street edge on this particular one that you submitted to us.

Mr. Goldberg stated okay.

Mr. Alvarez stated minimum is 25 feet, you need and he presumes it probably does meet it but he would like to see the dimensions on the plan to actually make a determination.

Mr. Goldberg stated all right, well, our intention is to install it 13' outside of the right of way and if you are referring to the distance from the pavement to the sign.

Mr. Alvarez stated right, right.

Mr. Goldberg stated then in the tree lawn is he believes it's 12' so you would be at 25'.

Mr. Alvarez stated so you are saying that you do have the 25'.

Mr. Goldberg stated yes.

Mr. Alvarez stated okay.

Mr. Goldberg stated but we weren't aware of that requirement but he thinks it would work out that way, it might actually, and maybe the Engineer would know better but he believes it's at least 12'.

Mr. Alvarez stated yes, he could respond to you, he would have told you that had he had time to look at it so.

Mr. Goldberg stated no, he understands, but he knows from at least the street that they constructed the tree lawn is 12'.

Mr. Alvarez stated okay.

Mr. Goldberg stated so, and then we are 13' and then you hit the right of way and then we are 13' away from that.

Mr. Alvarez stated right.

Mr. Alvarez stated right, and then the other point would be if, to submit the construction details of the your sign to the Building Department for review as well.

Mr. Goldberg stated like profile.

Mr. Alvarez stated yes, construction.

Mr. Goldberg stated yeah, okay, that was an oversight, he apologizes for that.

Mr. Alvarez stated no, that's fine, those are the only two comments that he has.

Chairman McGrath stated Thank You, and you would be comfortable with us approving it contingent upon Code requirements being met subsequently.

Mr. Alvarez stated particularly that 25' dimension that should be kept.

Chairman McGrath stated Thank You, to the Engineer please.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated with the additional information that we received, he believed that the location of the, of the sign is, is compliant, he is, he would also like to know that, one of his concerns was that the sign wasn't going to be in the detention facility and he still has that concern about the landscaping, even the large trees that you are going to plant, he would like them not to be put inside the retention area.

Mr. Goldberg stated well that's, that's definitely doable and we wouldn't want to, to get the better, the affect we would want to keep it on higher ground anyway.

Mr. Merdes stated yeah, they will look nicer on the, on the top of the bank.

Mr. Merdes stated and he had to scale this off of, off a drawing but it appears that you will be at 100' away from the existing residence so he just needs you to know that, that the requirement of the Code and a like he said it appears that, where you proposed it's going to be adequate but you want to make sure that once it get's placed there, it stays at 100' away from the existing residence or you will have to get a variance.

Mr. Goldberg stated okay, he understands and, and just for the record, we own the home that's on subplot 41 which is an older home and, and it's currently under lease so, but he, but he believes to the footprint of that house is at least 100' away from the proposed sign on that corner.

Mr. Merdes stated Thank You Mr. Chairman.

Chairman McGrath stated Thank You.

Chairman McGrath stated anyone on the Commission anything.

Tony Sandora stated Mr. Chairman.

Chairman McGrath stated Mr. Sandora.

**Tony Sandora stated he makes a motion to approve the sign for Pine Hill Subdivision with the condition that it meets all the Code as required, 100' from that residence and the 25' front yard setback.**

**Don Willey stated second.**

**Chairman McGrath stated moved and seconded, any further discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated approval is granted with the aforementioned conditions.

Mr. Goldberg stated Thank You very much, appreciate it, Thank You.

Chairman McGrath stated Good Luck to you, Thank You.

**Century Bank, 6160 Royalton Road, Town Center District - 2. Sign-Awning Approval.**

Ms. Fashempour stated the Applicant is here.

Chairman McGrath stated step forward, state your name, your home address, speak into the microphone and remember you are being recorded.

Yes, Greg Harris with Brilliant Sign Company, 4811 Van Epps Road, Cleveland, Ohio 44131.

Chairman McGrath stated Thank You.

Chairman McGrath stated here on behalf of a Century Bank to propose the awning that is being proposed over their new live teller pneumatic tube additional drive thru unit, have a small clearance sign on it, he thinks it's what 1 square foot basically, very small and the awning is their logo color, it's there, intended to protect the public from the elements because it does extend out from the existing canopy, it's adding an additional lane of traffic, essentially.

Mr. Harris stated he would be happy to answer any questions.

Chairman McGrath stated Thank You, to the Building Commissioner please.

Mr. Alvarez stated Mr. Chairman he, after reviewing it, he really doesn't have any comments negative towards it, he recommends.

Chairman McGrath stated size wise.

Mr. Alvarez stated size wise its fine.

Chairman McGrath stated its fine.

Mr. Alvarez stated he would recommend approval.

Chairman McGrath stated Thank You, to the Engineer please.

Mr. Merdes stated no comment.

Chairman McGrath stated Thank You, anyone on the Commission any comment.

**Mayor Luks stated Mr. Chairman, she moves to approve.**

**Don Willey stated second.**

**Chairman McGrath stated move and seconded, Secretary please call the roll.**

**Roll call: Yeas: Five - Willy, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated approval is granted, Thank You, Good Luck to you.

Mr. Harris stated Thank You very much Mr. Chairman.

**Ivy Ridge Subdivision**, Wallings Road and Ivy Ridge, R1-B Zoning. Sign Approval.

Ms. Fashempour stated she believes that the Applicant is here this evening.

Jim Shear, A Sign Above, representing Ivy Ridge Homeowners Association, 72 Maple Avenue, Northfield, Ohio.

Chairman McGrath stated Thank You.

Mr. Shear stated this is a sign replacement, there is an existing sign there that's worn, the Homeowners Association would like to replace it, it is the same square footage as the existing sign, it would be placed in the exact position of the existing sign and as you are aware that's on subplot 27, it stands now, the existing sign stands within an easement that presently is on that subplot and there is a home there now when the sign was put there, there was not a home, there is a home there now so he believes the question would be whether there is a need for a variance or this could be grandfathered in to the exiting sign, he does not believe that there is any issue with the present homeowner with the sign that's presently is there so he is sure they would be pleased if the sign would be improved which, which it will be, if this goes in.

Don Willey stated Mr. Chairman.

Chairman McGrath stated Mr. Willey please.

Don Willey stated Mr. Shear you said there is an easement so there is an easement for the sign now on the property recorded on the deed.

Mr. Shear stated that's is correct, well he, the Building Department had provided him with landscaped drawing that was apparently approved that the Builder has submitted and it states on there yes there is a landscape easement granted to Ivy Ridge Homeowners Association subplot 27, Ivy, Ivy Ridge Subdivision.

Don Willey stated so, so that's a recorded easement, so it's currently.

Mr. Shear stated he believes so, yes.

Don Willey stated so it currently is in existence.

Don Willey stated Thank You.

Chairman McGrath stated to the Law Director please, do you care to opine on that situation.

Mr. O'Donnell stated he would say let sleeping dogs lie, he means it was approved before there was a house there.

Don Willey stated right, he would say there is an easement.

Mr. O'Donnell stated just, don't, you know there is no sense getting into the issue at this point, it will just cause us brain freeze.

Chairman McGrath stated Thank You.

**Tony Sandora stated motion to approve.**

**Don Willey stated second.**

**Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Sandora, Bull, Mayor Luks, Willey, Chairman McGrath. Nays: None. Motion carried.**

Chairman McGrath stated Good Luck to you.

Mr. Shear stated Thank You.

**Honeygirl Bake Shoppe, Inc., 5895 Royalton Road, Town Center District - 2. Sign Approval.**

Ms. Fashempour stated the Applicant is here.

Chairman McGrath stated would the Applicant step forward then please.

Chairman McGrath stated state your name, your home address, speak into the microphone and remember you are being recorded.

Stuart, S T U A R T, Lenehan, L E N E H A N, 4751 Sweetwater Drive, Brecksville.

Chairman McGrath stated Thank You.

Chairman McGrath stated and you are here to share what with us this evening.

Mr. Lenehan stated this is our first time applying so he was unclear but it looked like it was approved but there was a question about the placement of the sign requiring a variance, it says 14' and when he sketched it out, what he meant was 14' from the sidewalk so it would have been about 25' which he thinks your requirement was so he wasn't looking for a variance or a special placement, he thinks his sketch was unclear, he wanted it, he walked off the distance from your street to the other signs up and down the street and he thought he was placing it where they were equal distance from the, from the curb so he wasn't looking for any special placement.

Chairman McGrath stated before we go further, you are here in what capacity Sir, you are the owner, the Sign Company.

Mr. Lenehan stated no Maureen Murphy, his significant other is the owner, she asked him to come, he runs the place also.

Chairman McGrath stated fine, okay fine, okay fine, Thank You.

Chairman McGrath stated a, to the Engineer then.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated when he reviewed this he, he had a number of comments, first of all the telephone number appearing on the sign, that's up to the discretion of the, the Planning Commission Members.

Mr. Lenehan stated all right, well that's allotted for.

Mr. Merdes stated following that, he had that a ground sign is a sign not exceeding 7' in height which may have a supporting base as an integral part of the sign resting totally on the ground or on two more short poles or columns not exceeding 25% of the total sign height, basic outline of this would be that the sign would be at least as wide as it is high, he couldn't determine how high the post were from the information on the application.

Mr. Lenehan stated he is not sure either but the fellow, the sign maker, he thinks it is Global, he thought he had included that but, whatever the requirements are, is what the sign would be of course.

Chairman McGrath stated just as a matter of clarification, the sign that is up now.

Mr. Lenehan stated there is no, no.

Chairman McGrath stated that's not the sign we are talking about.

Mr. Lenehan stated no, there is no sign up, there is just a banner on the building.

Chairman McGrath stated all right, wasn't there a sign that said number one best.

Mr. Lenehan stated that's just a banner that's hanging.

Chairman McGrath stated that's a banner, okay.

Mr. Lenehan stated yeah, no, no, no the sign would be where the 82<sup>nd</sup> Street Market sign was from what he understands it would be virtually if not the exact same spot.

Chairman McGrath stated okay.

Mr. Lenehan stated so a you know we were unclear we, we were just relying on the sign maker to draw the sketch but whatever, whatever the Code is, is whatever we would do.

Chairman McGrath stated have you discussed this sign with either the Building Department or the Engineering Department because there are certain parameters which of course the sign maker should be aware of if either he believes it is the Building Department that will give you or is it the Engineering that would help.

Mr. Alvarez stated it would be us, yeah in our Department in the Zoning.

Chairman McGrath stated and your Building Commissioner would be glad to tell you what you can do and guide you in that direction.

Mr. Lenehan stated yeah, he apologizes, we asked the fellow to do something and we filled out the forms and dropped it off and that was the extent of the involvement so.

Chairman McGrath stated understood.

Mr. Lenehan stated we have no frequency of notation as long as it meets Code we are happy with it.

Chairman McGrath stated and we, and we likewise, we appreciate your, flexibility and your application and we simply try to encourage local business and we will work with you to the extent that the Codes and Ordinances permit us to do so.

Mr. Lenehan stated sure, Thank You.

Chairman McGrath stated so you would probably need, and he is always saying if he were your, he would talk to the Building Commissioner and find out what you can do and then come back to us perhaps at the next meeting with what you would like to do and then go forward from that point, that's only one persons opinion, if there anyone else on the Commission, this would be the time to say that.

Mr. Merdes stated yeah he thinks additional information is needed before we, before we are able to actually review in terms of the certainly the location and the height and the size of the sign.

Mr. Lenehan stated right.

Chairman McGrath stated as you have heard there are certain parameters, guidelines as to how wide, it must be wider than it is high and the question would be how high in relation to the setbacks from the street, if you would get with the Building Department and the Engineering Department between now and the next meeting perhaps we could certainly nail this down and bring it to the next meeting.

Mr. Lenehan stated okay, so does he schedule an appearance now for then or go through the Building Department.

Chairman McGrath stated no, you are automatically on the Agenda for the next meeting here, this rolls over as Old Business.

Mr. Lenehan stated okay.

Tony Sandora stated Mr. Chairman.

Chairman McGrath stated Mr. Sandora.

Tony Sandora stated can he ask the Applicant, you said you had a sign, is there a regular Sign Company doing this for you.

Mr. Lenehan stated yes.

Tony Sandora stated okay, a, what's, why don't you have the sign man call the Building Department, they will tell them exactly what what the Codes are, what they should be and he will put that, he should have that on the sketch and maybe he should be here the next time to present it.

Mr. Lenehan stated yeah he apologizes, he means, he is right down the street from the Building Department, Global he thought you know again it's his first experience with it.

Tony Sandora stated a.

Mr. Lenehan stated he would have hoped that he would have known what to do so it's his, his fault for just accepting his.

Tony Sandora stated well it will save you time and trouble and you know get your sign up and get you going you know a, that would probably be the best thing wouldn't you say.

Mr. Alvarez stated he would say that, that would be prudent.

Tony Sandora stated you know just have the Sign Company call him tomorrow and tell him that you were here, we asked all these questions, for him to submit, he knows the Codes or he could go right to the Building Department get the permit and whatever and he can go get a copy of what's needed, put it on your sketch and then we can get you in and out of here the next time.

Mr. Lenehan stated all right terrific well Thank You very much.

Chairman McGrath stated Thank You and much Good Luck to you.

Mayor Luks stated Mr. Chairman if she may.

Chairman McGrath stated Mayor.

Mayor Luks stated she just wanted to mention that your bakery is incredible.

Mr. Lenehan stated well Thanks, Thank You very much.

Mayor Luks stated we are happy to have you.

Mr. Lenehan stated Thanks.

Don Willey stated well you should change the phone number though to 237BUNS

Mr. Lenehan stated he will see if it's valid.

Laughs.

Mr. Merdes stated Mr. Chairman.

Chairman McGrath stated Mr. Merdes.

Mr. Merdes stated excuse me Sir.

Everyone said Sir.

Mr. Merdes stated the, the report that the City Engineer's Report, the second last page is a copy of a drawing that, that may help in locating your sign as far as, because it certainly shows the roadway, it shows the property lines a little better than, than the sketch that you had and that not that the sketch isn't fine but this is better with where the roadway is as it's just been built and the sidewalks and as far as getting it the right distances, it is also a scale drawing.

Mr. Lenehan stated he saw it. Mr. Lenehan stated he knows, that's terrific because he didn't have this when we went to the sign maker so this will help him as well.

Mr. Merdes stated okay.

Mr. Lenehan stated Thanks a Lot.

Mayor Luks stated Mr. Chairman if she could add.

Chairman McGrath stated yes please.

Mayor Luks stated when were telling about meeting the Codes, she wants to mention in case it hasn't been mentioned and maybe she missed it but there was a variance granted to the previous business for that sign location where the 82<sup>nd</sup> Street Market sign was that variance stays with the property so if you place your sign in that same location your, you're, the variance holds and you won't have to meet Code in respect to distance from setbacks.

Mr. Lenehan stated okay, very good, Thank You, he will look into that as well Thanks again.

Mayor Luks stated okay, all right, good, Thank You.

Tony Sandora stated you just have to worry about the height of it.

Mr. Lenehan stated oh.

Mr. Lenehan stated is he excused now.

Mayor Luks stated yes.

Chairman McGrath stated Good Luck to you, Good Luck to both of you.

Mr. Lenehan stated Thanks.

**Chairman McGrath stated motion to table.**

**Tony Sandora stated second.**

**Chairman McGrath stated moved and seconded Secretary please call the roll.**

**Roll call: Yeas: Five - Bull, Mayor Luks, Willey, Sandora, Chairman McGrath. Nays: None. Motion carried.**

Doran Signs & Graphics, Inc., **CB Richard Ellis**, 9621 York-Alpha Drive, General Industrial Zoning. Temporary Real Estate Sign Approval.

Ms. Fashempour stated we have a letter requesting their application be withdrawn if you so choose she would like a motion to withdrawn from the Agenda and then also your choice on the refund.

Tony Sandora stated motion to remove from the agenda.

Mayor Luks stated second.

**Chairman McGrath stated moved and seconded to remove from the agenda, is there any further discussion.**

**Don Willey stated motion.**

Chairman McGrath stated there was some thought about refunding all or part of the fees paid to date.

Mayor Luks stated Mr. Chairman she thought we should do two, two motions in case somebody disagrees, then we can get it off the Agenda in any event.

Laughs.

Tony Sandora stated there may only be one.

Chairman McGrath stated okay.

**Chairman McGrath stated ready for the discussion, Secretary please call the roll.**

**Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.**

Tony Sandora stated motion to refund the money that was provided for this application.

Mayor Luks stated second.

Chairman McGrath stated moved and seconded any discussion, Secretary please call the roll.

Ms. Fashempour stated that would be the \$60.00.

Mayor Luks stated yes.

Roll call: Yeas: Three - Sandora, Mayor Luks, Chairman McGrath. Nays: Two - Willey, Bull. Motion carried.

#### Subdivision Approval

Villas of Worthington formerly known as Huntington, York/Royalton LLC., Laurie Pribish, York Road, PPN 481-24-009, 481-24-010, 481-29-001, 484-29-009, 481-29-012 and 481-29-013. Final Plan Approval.

Ms. Fashempour stated and the Applicant's are here this evening.

Good Evening, Laurie Pribish, York/Royalton LLC., 1425 Center Road, Hinckley, Ohio. Ms. Pribish stated we are here tonight for Final Plan Approval of she guessed she will call it now the Villas of Worthington slash the old Huntington for the Final Plan Approval.

Chairman McGrath stated to the Engineer please comments.

Mr. Merdes stated a, Thank You Mr. Chairman. Mr. Merdes stated this motion hopefully was created out of discussion with the Applicant, with the Law Director, himself and the Planning Commission Secretary to bridge the gap between the Code, the PUD Code and the other Chapter 1240 sections of the Code, and allow allow the process to go forward without cutting, with getting all the required steps done, without deleting any steps, with keeping Planning Commission's role and Council's role in tact.

Mr. Merdes stated Thank You.

Chairman McGrath stated so at this point you are good to go with Final Plan Approval.

Mr. Merdes stated yes.

Chairman McGrath stated other, Building Commissioner.

Mr. Alvarez stated no comment Mr. Chairman

Chairman McGrath stated Thank You, anyone on the Commission, questions, comments, queries, posers, motions.

Mayor Luks stated Mr. Chairman.

Chairman McGrath stated Mayor.

Mayor Luks stated she makes a motion to approve the Final Plan of the Development Area for Huntington/Villas of Worthington PUD with the conditions that once the Development is completed, Villas of Worthington PUD will come back to Planning Commission for Final Plat Approval and dedication incorporating all agreements, contracts, deed restrictions, dedications, declarations of ownership and other documents as required by the City Engineer are executed.

Tony Sandora stated second.

Chairman McGrath stated moved and seconded, is that your, Mr. Sandora did you have question beyond that.

Tony Sandora stated no, he was going to do the same thing.

Chairman McGrath stated so moved and seconded, any further discussion, will the Secretary please call the roll.

Roll call: Yeas: Five - Sandora, Bull, Mayor Luks, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated Final Plan Approval is granted, Good Luck to you.

Ms. Pribish stated Thank You and Good Night.

Chairman McGrath stated Thank You.

#### **Miscellaneous**

Ms. Fashempour stated Mr. Chairman, under Miscellaneous, she just has one item and that would be a motion for Planning Commission to recess the August meetings if they so choose.

Chairman McGrath stated he moves that we recess the August meetings.

Tony Sandora stated second.

Chairman McGrath stated it's been seconded, moved and seconded, Secretary please call the roll.

Roll call: Yeas: Five - Mayor Luks, Willey, Sandora, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated the August meetings are recessed and it should be noted that our next July meeting will be on.

Ms. Fashempour stated 12<sup>th</sup>.

Chairman McGrath stated 12<sup>th</sup>, the second Wednesday in July.

Ms. Fashempour stated she has nothing else Mr. Chairman.

Chairman McGrath stated he has nothing further.

Adjournment

Chairman McGrath stated is there a motion to adjourn.

Tony Sandora stated motion to adjourn.

Don Willey stated second.

Chairman McGrath stated moved and seconded Secretary please call the roll.

Roll call: Yeas: Five - Willey, Sandora, Bull, Mayor Luks, Chairman McGrath. Nays: None. Motion carried.

*Chairman McGrath stated we are adjourned.*

Planning Commission Meeting for Wednesday, June 21, 2006 adjourned at 8:25 P.M.

Approved: Edward McGrath  
Chairman - Planning Commission

Attest: Brenda L. Fashempour  
Secretary - Planning Commission

Date : July 12, 2006