

*Planning Commission Caucus - January 3, 2007 - 7:00 P.M.*

*Present:* Clark Merdes, P.E., City Engineer, Mayor Cathy J. Luks, Victor Bull, Vice Chairman Tony Sandora, Don Willey Council Representative to Planning Commission - Ward 3, Denise Bobulsky, Council Ward One, Joe Hartman, Zoning Inspector, Building Department, Residents from Timber Ridge, Resident from Royal Haven Drive, Applicants from ManorCare, Joe Golubic, Carlo Chiuchiarelli, Sign Applicants, Tom O'Donnell, Law Director, Larry Antoskiewicz and Brenda L. Fashempour, Secretary.

Regular Meeting -

Call to order.

Roll call.

Opening Ceremony - Pledge of Allegiance.

Approval of minutes - December 13, 2006.

Old Business:

Recreation Allocation - Abbeyville Townhouses - No Action.

Abbeyville Townhouses - Preliminary Plan - No Action.

Columbia Gas of Ohio - No Action.

Columbia Gas of Ohio - No Action.

River's Edge Subdivision - No Action - 90 Day Time Extension.

Honeygirl Bake Shoppe, Inc., - No Action.

Applicant ManorCare Health Services, Inc., Lot Split/Consolidation -

Applicant ManorCare Health Services, Inc., Parking Lot Improvements -

Applicants present. Discussion on both property split and parking lot improvements at the same time on the floor. Residents to speak.

Councilwoman Bobulsky stated that she would like to speak to the question of the conservation easement, how that's going to work, residents have questions. Discussion held on who the property will actually belong to after split, Parma or North Royalton. Law Director O'Donnell stated that the property will remain in North Royalton even though it's combined to Parma, the boundaries have not changed.

Examples given, Current Councilwoman's property, Mayor's property, Briarwood Golf Course, completing separate issues.

North Boston Homeowners Association - No Action.

Ordinance No. 06-151 - No Action.

Elizabeth Orosz - No Action.

New Business

Sign Approval

JerZeys - Sign Approval. Color picture presented.

Soak Up The Sun Tanning - Signs Approval. Color pictures presented.

Howard Hanna Smythe Cramer - Signs Approval. Color picture presented.

Color questioned should be red not green.

Rockside Café - Signs Approval. Color picture presented.

Len's Heating & Air Conditioning - Sign Approval.

Site Plan Approval

Joseph A. Golubic - Site Plan Approval. Councilman Willey stated that there was no Permanent Parcel Numbers on the plans or application. Mr. Chiuchiarelli representing Mr. Golubic went on record with the two parcel numbers which have been consolidated by the City Engineer.

Utility Plan Approval

at&t - 4933 Royalton Road. Floor discussion - Action.

at&t - 9001 West 130<sup>th</sup> Street. Floor discussion - Action.

at&t - 13991 Stoney Creek Drive - Floor discussion - Action.

Miscellaneous - None.

Adjournment.

Tony Sandora stated that the ARB is having concerns about Applicants thinking that ARB approval is not essential. Feel that the Applicant think having Planning Commission Approval is enough. Would like some backing from Planning Commission. Sign motions to include conditioned upon having ABB approval. Ms. Fashempour stated that without ARB approval she does not approve the sign application for permit through the building Department. If they are putting up the signs without a Building Permit they are illegal.

Dale Markowitz and Kathleen McGervey are present for ManorCare.

*Planning Commission Caucus ended at 7:25 P.M.*

*Vice Chairman Tony Sandora stated Good Evening Ladies and Gentlemen, welcome to the North Royalton Planning Commission meeting for January 3<sup>rd</sup>, Happy New Year to everybody.*

The **Planning Commission** of the **City of North Royalton** met in the North Royalton Council Chambers, 13834 Ridge Road on **Wednesday, January 3, 2007 in regular session. The meeting was called to order by Vice Chairman Tony Sandora at 7:30 P.M.**

Vice Chairman Tony Sandora stated Secretary please call the roll.

**Present:** Vice Chairman Tony Sandora, Mayor Cathy J. Luks, Don Willey, Council Representative to Planning Commission Ward 3, Victor Bull, Joseph Hartman, Zoning Inspector - Building Department, Clark Merdes, P.E., City Engineer, Thomas P. O'Donnell, Law Director and Brenda L. Fashempour, Secretary.

**Opening Ceremony - Pledge of Allegiance. Vice Chairman Tony Sandora stated please stand for the Opening Ceremony. Pledge of Allegiance recited.**

**Approval of minutes - December 13, 2006. Ms. Fashempour stated Approval of Minutes - December 13<sup>th</sup>, 2006 if you choose. So moved Victor Bull. Vice Chairman Sandora stated is there a second. Don Willey stated second. Vice Chairman Sandora stated Ms. Fashempour please call the roll. Roll call: Yeas: Four - Willey, Bull, Mayor Luks, Vice Chairman Sandora. Nays: None. Motion carried.**

**Old Business:**

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 of recreational uses - Approval. Tabled.

Ms. Fashempour stated Recreation Allocation - Abbeyville Townhouses, tabled, 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 Abbeyville Townhouses for the Preliminary Plan - tabled, no action.

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

Ms. Fashempour stated Columbia Gas of Ohio, tabled, no action.

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

Ms. Fashempour stated Columbia Gas of Ohio, tabled 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 Rivers Edge Subdivision, tabled, no action. Ms. Fashempour stated she is however going to request a 90 day time extension on Rivers Edge if she can get that.**

Vice Chairman Sandora stated we have a ninety day extension please.

Mayor Luks stated so moved.

Don Willey stated second.

Vice Chairman Sandora stated any discussion, Secretary, Ms. Fashempour please call the roll.

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

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

Ms. Fashempour stated Honeygirl Bake Shoppe, it is tabled, no action.

**Applicant ManorCare Health Services, Inc.**, Property Owner Lifestyle Neighborhoods Co./Innovative Contractors, PPN 482-05-002, Rainbow Lane, R1-A Zoning. Lot Split/Consolidation Approval. Tabled.

and also

**Applicant ManorCare Health Services, Inc.**, Property Owner Lifestyle Neighborhoods Co./Innovative Contractors, PPN 482-05-002, Rainbow Lane, R1-A Zoning. Parking Lot Improvements Approval. Tabled.

**Ms. Fashempour stated Applicant ManorCare Health Services, Inc., Property Owner Lifestyle Neighborhoods, Co., lot split/consolidation and parking lot improvements approval, tabled, she needs a motion to remove both those from the table.**

Don Willey stated so moved.

Victor Bull stated second.

Vice Chairman Sandora stated Thank You, Ms. Fashempour, please call the roll.

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

Ms. Fashempour stated and the Applicants are here this evening.

Vice Chairman Sandora stated will the Applicants step forward please, state your name, home address and give us a brief description of what you want to do.

Kathleen McGervey with R.E. Warner the Civil Engineer on the projects. Ms. McGervey stated we have two items on the Agenda this evening, the lot split and then also the parking lot addition. Ms. McGervey stated for the lot split we are splitting a parcel, she assumes you have the latest up to date plans right, the December 15<sup>th</sup>, we are, we have that large parcel that was Block B in the Timber Ridge Subdivision and that parcel will be split and then the the smaller parcel will be used for the parking lot and the large parcel will be put into a land conversation easement so that we will not be able to improve the property without, well at all, that's the way it is written up and if you have any question on that Dale Markowitz is the one who wrote it up and he can answer those. Ms. McGervey stated so basically we have added the parking as you can see on, on C2, we do show four trees on C2 but the Architectural Review Board requested four additional trees and they have stipulations about what type of tree and we will comply with those, they want the trees staggered, six foot high, we are not planning to remove any trees that are, that we do not need to remove in order to install the parking lot so most of the trees that are there now will remain and they had one question on lighting and we will comply with the City's lighting standards so.

Vice Chairman Sandora stated Thank You. Vice Chairman Sandora stated Mr. Merdes.

Mr. Merdes stated Thank You Mr. Chairman. Mr. Merdes stated on the lot split and consolidation, he had one comment remaining, it had to do with Permanent Parcel 482-01-007.

Ms. McGervey stated okay, yes, and she was just looking at that before she left the office, she did bring the lot or the Timber Ridge Subdivision, that parcel is part of the, of the lot that will be put into the land conservation easement and the legal descriptions show that but we should probably list that parcel number on the lot split drawing to clarify any a confusion there.

Mr. Merdes stated so that revised drawing would be clarified somewhat to show.

Ms. McGervey stated well we will show that.

Mr. Merdes stated it's disposition.

Ms. McGervey stated right, that is going to be part of the land conservation easement and we can add a line there and just say that that's that parcel number and you know she, will that satisfy your comment.

Mr. Merdes stated yeah, he thinks that some of the materials that you submitted included the purchase agreement or something that included.

Ms. McGervey stated oh it showed the tax map right so that.

Mr. Merdes stated it actually showed two permanent parcel numbers and it appeared as though they were both purchased and from one owner to another owner it just, when it came to the drawing.

Ms. McGervey stated it didn't show that parcel.

Mr. Merdes stated right, it was missing and, and he didn't know what was going to be it's fate and as long as it's going to be clarified the way that you explained, that satisfies his comment, Thank You.

Ms. McGervey stated okay.

Audience Member stated is, is that part of the acreage we are talking about.

Vice Chairman Sandora stated Sir, Sir, there will be a time for you to speak, you will have to come to the microphone and you will address the Board.

Vice Chairman Sandora stated go ahead Mr. Merdes.

Mr. Merdes stated Thank You a.

Ms. McGervey stated then you also had a comment on the concrete, precast concrete bumpers she thinks that was.

Mr. Merdes stated on the Site Plan there was still a, there were a couple of comments, a lot of them had to deal with, that he just put parts of the Code in the report more less leading to discussion because they more or less toward the screening and landscaping and, and all the Members have the report it, it, they are more or less discretionary things left to the, just like the ARB had some discretionary, the Planning Commission has some, yeah, he did have a couple of others, one did still deal with the a, the whole parking area and the access driveways were it appears that they need to be have a concrete curb around the entire perimeter.

Ms. McGervey stated okay and.

Mr. Merdes stated they could have the, it does say or, or those precast concrete barriers, but it appears that, there were some deficiencies around he thinks the perimeter of the parking area.

Ms. McGervey stated okay, so it, so we would need to add maybe something on the driveway. Ms. McGervey stated we showed them on C2, and she wonders if those are sufficient, she didn't label them so she thinks maybe that.

Mr. Merdes stated well he thinks what you show on C2 isn't because you show only, you show the precast concrete barrier defining the spaces what would be on the southern boundary.

Ms. McGervey stated right, you want them all the way around.

Mr. Merdes stated the east, yeah, the east and west have nothing because it looks as though that there is just a little bit that says new curb and then it stops.

Ms. McGervey stated okay.

Mr. Merdes stated the Code would require that, that curbing continue around the east side, the south side, the west side for the parking lot.

Ms. McGervey stated and okay and concrete bumpers would, would work there as well like.

Mr. Merdes stated well he doesn't think the concrete bumpers, the concrete bumpers more less intent is at a parking space.

Ms. McGervey stated right, can we do something with a gap then in the curb, just for drainage because she.

Mr. Merdes stated um.

Ms. McGervey stated just in case, she didn't want any ponding along the edge and then she doesn't want to have to regrade it.

Mr. Merdes stated a, he thinks most of your parking lot has positive drainage towards the interior collection area.

Ms. McGervey stated yes but, yes, sometimes, sometimes things don't always built that way.

Mr. Merdes stated well he is sure.

Ms. McGervey stated so you think that will be okay, if we just put a curb there and it, and it, and it drains down to center of the parking lot.

Mr. Merdes stated yeah you could have like a gap which would be like a safety.

Ms. McGervey stated yeah just something just in case.

Mr. Merdes stated a factor yeah, safety in case that those catch basins are both covered with leaves and it would be more of a safety measure.

Ms. McGervey stated okay.

Mr. Merdes stated a, and that would be okay. Mr. Merdes stated and the last paragraph was also just talked about the lighting, maybe you could say just what, what has changed or, you said you would comply with lighting but the way he reads it, the Code, it more or less allows for lighting or allows for there to be not lighting, it is more or less something that the Applicant proposes and then the Board decides whether they are comfortable with what's being proposed.

Ms. McGervey stated okay, she knows the Architectural Review Board has a, particular comments and she hasn't had the chance to review what our, what our client has submitted or proposed to us as far as what they want to show for lighting but she guessed they would like to have approval based on you know, based on it meeting the Code and having the proper shielding so that the residents would not be seeing too much light.

Mr. Merdes stated uh um.

Mr. O'Donnell stated Mr. Chairman.

Vice Chairman Sandora stated Mr. O'Donnell.

Mr. O'Donnell stated on the lighting issue, we have, we have, discussion of lighting briefly in our Zoning Code but another section of our Code that covers lighting is in our, in our Criminal Code and it limits the amount of light that can you know, cross the property line to so many foot candles and he thinks that is what you are speaking about, because he made that comment to Counsel for ManorCare that they would have to comply with the lighting requirement and typically that just means that they have to shield it so that the light shines down and doesn't flood the neighboring properties.

Ms. McGervey stated right.

Mr. O'Donnell stated but it is his understanding that's your intent to do that.

Ms. McGervey stated right.

Mr. O'Donnell stated okay.

Mr. Merdes stated Thank You Mr. Chairman.

Vice Chairman Sandora stated anything else, Mr. Merdes.

Mr. Merdes stated that's all Thank you.

Vice Chairman Sandora stated that's all, Building Department Mr. Hartman.

Mr. Hartman stated no comment Mr. Chairman.

Vice Chairman Sandora stated okay, anybody at the Board at this time any comments, Mayor.

Mayor Luks stated Mr. Chairman, we, just for the record, we only received the conservation, the proposed conservation easement this evening and so while we may have, the need to have further discussion about those, she doesn't feel it's appropriate to really get into questions or, or picking that apart until this Board has a chance and the Law Department has a chance to review that as well as the Councilperson for that Ward so she guessed what she is saying is we will reserve that conversation for later after we review it, Thank You Mr. Chairman.

Vice Chairman Sandora stated Thank You, anybody else on the Board have anything.

Vice Chairman Sandora stated anybody in the audience, what he would like you to do is come forward state your name, your home address and speak briefly of what you have to say, he will request that if a number of people are going to speak that we don't repeat ourselves, if you can bring something new up, something that's appropriate then please do, anybody want to come forward anybody, Gentleman here.

My name is Bob Barberio he is here with his wife Kayanne and some of our neighbors.

Vice Chairman Sandora stated you want to give us your name and your address please.

Bob Barberio, we are at 8051 Valleyview Court.

Vice Chairman Sandora stated Thank You.

Mr. Barberio stated on the cul-de-sac.

Mr. Barberio stated his comment would be, when that property was sold it was sold because of its location for a premium price. Mr. Barberio stated so we paid a premium price for the location, we have a deck on the top of the hill which goes down to a gazebo which goes down to a stairwell that runs down into the wooded area and it's a very beautiful area so anything that we would do and he would agree with the Mayor that now as far as the conservation piece of this goes, we really have to take a look at it but we wouldn't want to do anything to devalue the property that we paid a premium for. Mr. Barberio stated what he would suggest rather than looking at blue prints and so forth, when the committee is comfortable on where they think we should be, to actually have somebody from the Building Committee come out to our property with with the citizens and the neighbors who are going to be affected by this and actually take a look on site at what's plan and how damaging and devaluating it might be. Mr. Barberio stated that's all he would have, Thank You.

Vice Chairman Sandora stated Thank You Sir.

Vice Chairman Sandora stated anybody else have anything they would like to say.

Vice Chairman Sandora stated the young lady back there.

My name is Karen Kara, 8394 Royalhaven Drive. Ms. Kara stated she had a couple questions about, how many parking spaces are currently available to ManorCare including the new building and why is this parking lot needed. Ms. Kara stated the second question she had was why are two driveways needed for this parking lot, could one driveway be sufficient and that way it would push the whole thing a little bit further away from our property. Thank You.

Vice Chairman Sandora stated Thank You, would the Applicant like to, would the Applicant like to step forward and try and answer that.

Ms. McGervey stated sure.

Ms. McGervey stated currently we show on the drawing that a we are adding 23 spaces and basically that is just for visitors to the nursing home, the owner wanted to have some additional parking available for people visiting, it, probably mostly during the holidays or whatever when they get more traffic there, they wanted an additional driveway just to make it a little nicer if you are pulling in and pulling out and there is not a spot there, it, it really, the additional driveway will have no impact on, on how large the parking area is, since all that would do is just eliminate the driveway, it wouldn't change the number of parking spaces added or the size or the footprint of the lot and really probably out of anything that you could imagine being proposed at this location, this is probably the smallest footprint that you could possibly come up with we, you know, 23 parking spaces and then a land conservation easement, she means there's, and leaving the existing trees, there is very little grading going on it's really, it seems like kind of a win win situation to her but she is just the Engineer, she is not a.

Ms. Kara stated excuse me, do you know the amount of parking that is already there.

Vice Chairman Sandora stated Ma'am, Ma'am, you have to address the Board and then she will answer.

Ms. Kara stated okay, yeah, she would like to know how many parking spots are available including the new building without this parking lot being there.

Ms. McGervey stated she is sorry, what's that exact question again Ma'am.

Ms. Kara stated how many parking spots are currently available around and including the new building without this parking lot being put in.

Ms. McGervey stated she doesn't know, she thinks it might be something like 100, it's whatever the Code requires in, in Parma, she thought she had it listed on the drawing but she does not a, so, and 17 anyway, she said there was 23 parking spaces being added, there are 17 being added in North Royalton so, some of the parking is being in the, on the Parma side.

Ms. Kara stated she had one more question, what is the alternative plan in the event that this proposal would fall through, is there another area being considered and if so where.

Ms. McGervey stated she has not heard any discussion of any alternative.

Vice Chairman Sandora stated Thank You, anyone else.

Vice Chairman Sandora stated this Gentleman.

Yes, my name is Don Groves, he is at 8050 Valleyview Court, Mr. Groves stated it would be adjacent to the property that we are considering and his question is to the City Engineer, one question would be, what's that difference between a detention basin and a retention basin, he understands that they already have one up on Sprague Road and he just wanted to know if it would be similar to that type of a basin.

Vice Chairman Sandora stated Mr. Merdes.

Mr. Merdes stated sure, they are more or less similar, for the most part they are retention in that they retain water for a given period of time and then slowly release it after a storm is, has come and gone, detention more or less implies that they store water and hold it there and don't release it, they are really generically all retention basins, the one they have now by Sprague is probably, what happens is every time you change, you develop, you make some difference in both North Royalton and in Parma whatever, whatever, the water that moved off of your property before you did anything should be held at the same so his guess is that the basin they have now is for what they have currently built and now they are proposing an additional parking area and the basin must not have an excess capacity so in order to build this additional parking they need to provide additional retention so therefore along with the parking lot about the only other improvement it looks like is being proposed is a retention basin for that parking lot.

Mr. Groves stated okay and as far as your expertise that makes sense to you as a Civil Engineer right.

Mr. Merdes stated yeah it does make sense yes.

Mr. Groves stated and his other question is on the drawing that there were a lot of trees being removed, are they going to be working with the City on that right as to what they are going to put in as far as green space in that area.

Mr. Merdes stated Mr. Chairman maybe you could answer that better.

Vice Chairman Sandora stated Mr. Merdes, to the Applicant yes, there is buffering that's going to be required, we will be looking at all that stuff yes.

Mr. Groves stated okay, Thank You very much.

Mr. O'Donnell stated Mr. Chairman.

Vice Chairman Sandora stated Mr. O'Donnell.

Mr. O'Donnell stated it is his understanding and the Applicant can correct him if he is wrong, but when they were in front of the Planning, or the Architectural Review Board.

Vice Chairman Sandora stated ARB.

Mr. O'Donnell stated there was a discussion of the buffering issues and some recommendations were made about adding trees and just so that the members and the audience understand buffering, it is simply you know adding trees that, that basically hides this, the view of this, certain number of trees and as he looks at the plan it does require keeping a lot of the trees in place on the areas that are not being disturbed and he imagines that the Applicant could also tell you what additional plantings they are going to make, to comply with what the Architectural Review Board requirements and this Board's requirements are with regard to buffering, to screen this from view from the residential areas.

Vice Chairman Sandora stated Thank You, to the Applicant.

Ms. McGervey stated she is sure that all the residents are familiar with the you know what the amount of trees but she doesn't know if you guys want to look at, at this aerial photo showing how much foliage there is in the area, she doesn't know if you would be interested in her passing that along to you for you to pass around.

Mr. O'Donnell stated perhaps you could also show it to the audience, he is sure they are familiar with it.

Ms. McGervey stated she is not sure if the residents have the most up to date drawing or if they were looking at an old drawing, we did make some significant revisions to the number of trees being removed and she thinks it might satisfy some of the neighbors if they did see the new drawing.

Someone stated all right.

Ms. McGervey stated if you wanted to take a look.

Ms. McGervey stated this is just a drawing showing what's removed and what's staying and then this shows the aerial.

Ms. McGervey stated and, and she thinks yes.

Vice Chairman Sandora stated and maybe you can expand a little bit to and sort of say what's, what's.

Ms. McGervey stated okay well, we had a larger area for grading before, and then we, we shorten up the amount of grading, increased the slope a little to still a manageable slope and reduced the number of trees then that would be removed, it, it's cheaper for the owner and it's also makes sense for the neighbors and the for the whole environment to it will be more beautiful that way and a, she thinks ManorCare would also like to keep, to maintain the beauty of the area just, you know it just makes sense so we did reduce the grading in that area.

Vice Chairman Sandora stated anybody else out there have questions.

Councilwoman Denise Bobulsky, she represents the a neighbors here from Rainbow Lane, she has one question for the Applicant, she would like to know how far the parking lot is situated away from the main use of the building.

Ms. McGervey stated well she doesn't have a dimension on the drawing showing that but it looks like it is probably, the first spot is, you are probably looking at the furthest extent would probably be 100' away from the building and about 40' away from the City boundary but again she doesn't, she doesn't have a dimension on there so these are round numbers.

Ms. Bobulsky stated she is sorry, could you repeat that again from, from North Royalton boundary.

Ms. McGervey stated about, about 40' from the boundary.

Ms. Bobulsky stated her only reason for asking was, that question was that we do have some Codes here within the City and she wasn't sure how applicable it was being that we are dealing with two different municipalities but our Code if it Zoned General Business states not more than 250' so in that instance it would apply, she is not seeing where that, that would be a particular issue at this point, she guessed her biggest thing that she would encourage the Commission is to enforce the strictest buffering and landscaping issues with this property, she means it's stated in the Master Plan so that these folks, that whatever view they have outside their back window is not changed, Thank You.

Vice Chairman Sandora stated Thank you, anyone else.

Vice Chairman Sandora stated Sir.

Thank You Mr. Chairman, he name is Dale Markowitz, he is the Attorney for ManorCare, Kathleen and he had the privilege of working together with Parma when we did the nursing home there, we spent some time working with them on the project and it's now under construction, he is sure that all of you have seen, we have seen the a, substantial retaining wall, we built a very nice retention basin when we did our Alzheimer's Center which is what we call the Arden Courts facility a few years before we started the nursing home building and as Kathleen has said, the parking lot that we have put in here that we would have in North Royalton is not something that we plan to use on a daily bases, on a three shift bases, it is something that's going to be overflow parking, we think it will have minimal impact on the Community and when he looked at this project and he went to the current owner of the property and he said look we would like to buy this property we think that you have very limited opportunities unless you come through our property and you don't want to do that, we don't want to do that, the neighbors around you don't want to see this developed and he said he has an approach here which he would like to present to both communities and that is that we take the vast majority of this land and we preserve it, and that's what his goal was, remains and that's what he has done with a conservation easement, he knows you don't want to go into all the details but for those of the people who are in the audience who may not understand, what we would accomplish with a conservation easement other than the area where the actual physical parking lot will be, that's got to be cleared and then hard surface, all of that land will remain forever in it's natural state, we can not develop anything further on the site, we can't put buildings, structures, the only area that we took and excludes from that was the area that we needed for the actual parking lot, the driveways and the retention basin so out of this 8 acre parcel we took 5.3 acres and put that into a conversation easement, so that the people who live on Valleyview Trail, Royal Court and a, those people will have that wooded area remain in it's natural state for as long as we will live and way beyond on that because the City will have the right to enforce those covenants and nobody can build on it because you will have the right at all times to stop anybody from ever developing it, all those homeowners then will get in essence really a extra free backyard to their homes now that will remain in it's natural state and a, the benefit that his client gets obviously is that we pick up 17 parking spaces in your community so that's where all that came from, we presented the Law Director with the conversation easement he

knows you need to go through it with him, we respect that, we will come back at your next meeting which he believes is in 2 weeks and we will make the changes noted that your City Engineer has requested on the plans, we will get you some specs on the a shielding of the lighting as well and hopefully you will have had a chance to go through the conservation easement with everybody, if you have any questions, we will be happy to answer it and that's about it.

Don Willey stated Mr. Chairman.

Vice Chairman Sandora stated Mr. Willey.

Don Willey stated Sir, was you, probably to the Engineer, were you planning on fencing any of this, fencing any of it in or leaving it open.

Mr. Markowitz stated we had no plans to fence it, we thought that would be better for your community if we did not.

Don Willey stated right.

Mr. Markowitz stated and for our purposes, the area around the parking lot is going to be so heavily you know wooded and in it's natural state, the people are not going to have a tendency to want to leave the parking lot and go south, they are going to go north so we didn't see any need for a fence.

Don Willey stated the reason for his question is, many times with Alzheimer patients, the wondering folks, some of the facilities are fenced in that's why he asked.

Mr. Markowitz stated there is, yeah, yeah, the Arden Courts facility has a fence now for the, for the protection of their residents.

Don Willey stated okay, Thank You.

Mr. Markowitz stated yeah.

Mr. O'Donnell stated Mr. Chairman.

Vice Chairman Sandora stated Mr. O'Donnell.

Mr. O'Donnell stated yeah, Mr. Markowitz on the conservation easement, he doesn't want to get into all the details.

Mr. Markowitz stated sure.

Mr. O'Donnell stated but a, your first draft says it will grant to the City of North Royalton and the City would be the grantee.

Mr. Markowitz stated correct.

Mr. O'Donnell stated the City may not want to be the grantee and if we throw out a name some other entity, whether it's soil and conservation or some other entity, similar entity, would you have any objection to that.

Mr. Markowitz stated it depends, he was in a long meeting today on that very issue because there are certain organizations that want, what he would call blackmail money which is they say to you we want a stewardship fee of x thousands of dollars per acre which is unjustified and so we won't agree to those agencies, but if it's Soil and Water, it's been his experience that they have been reasonable about that.

Mr. O'Donnell stated okay.

Mr. Markowitz stated the only reason why he didn't recommend them here is that we didn't believe that this parcel has the kind of local and qualities that the soil and water wants to spend the time stewarding and making sure it's preserved and he thinks that the City may be the better steward here but see.

Mr. O'Donnell stated the only concern to the City is, what, what's the maintenance going to be.

Mr. Markowitz stated well there shouldn't be any.

Mr. O'Donnell stated we would hope.

Mr. Markowitz stated there, there, there should not.

Mr. O'Donnell stated well, will, will have time to discuss that.

Mr. Markowitz stated right.

Mr. O'Donnell stated between now and then.

Mr. Markowitz stated we certainly can talk to you about that, we don't have objections to certain legitimate governmental organizations that are willing to be the manager.

Mr. O'Donnell stated is a ManorCare, because of the Ownership issue, ManorCare will still maintain, own this this conserved parcel so that they will be responsible for the taxes and that.

Mr. Markowitz stated that's correct and would be liable if some, if some maintenance or something was required, if there was a, you know some fire or whatever, it would be their responsibility to make sure that the property is properly maintained.

Mr. O'Donnell stated okay, trash any, some out there.

Mr. Markowitz stated well there shouldn't be any if there is it's their responsibility under the conservation easement they can't allow trash to be placed there.

Mr. O'Donnell stated he, he knows that but.

Mr. Markowitz stated he, he has walked through that area and there, there is a little bit of trash but it's pretty, pretty clean right now. Mr. Markowitz stated he thinks the residents who are in North Royalton have respected that area as had the last couple of owners.

Mr. O'Donnell stated okay, Thank You Mr. Chairman.

Vice Chairman Sandora stated Mr. O'Donnell Thank You.

Mr. Markowitz stated Thank You.

Vice Chairman Sandora stated anybody else, Sir.

Vice Chairman Sandora stated state your name again for the record please.

Bob Barberio, 8051 Valleyview Court and he thinks it is good that he started this conversation because by ending it now, he thinks that we can see a lot of things that were discussed here and he doesn't want to be redundant but looking at blue prints and looking at pictures of trees don't really tell us what our Councilman asked and that's when we look out our back window what are we going to see, and once again he thinks the best way to decide before the Committee decides what we are going to see, is for somebody like our City Engineer to actually come with us into this area and tell us what we are going to see when all is said and done and how disruptive it's going to be, once gain we paid premium for this lots, for these lots, we don't want to devaluate them.

Vice Chairman Sandora stated yes, Sir, understandable.

Mr. Barberio stated Thank You.

Vice Chairman Sandora stated anyone else, anybody else on the Board.

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

**Don Willey stated second.**

**Ms. Fashempour stated that would the lot split and consolidation and parking lot improvements.**

**Mayor Luks stated yes Ma'am.**

**Ms. Fashempour stated Mr. Willey.**

**Don Willey stated second.**

**Ms. Fashempour stated on both.**

**Don Willey stated yes.**

**Vice Chairman Sandora stated any other discussion, Ms. Fashempour please call the roll.**

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

Vice Chairman Sandora stated Thank You.

Ms. Fashempour stated to the Residents, you will not be notified again, our next meeting is January 17<sup>th</sup>, if you are interested in coming back to the meeting.

**North Boston Homeowners Association**, corner of Beckenham and Lytle, corner of Boston and Cambridge, R1-A Zoning. Signs Approval. Tabled.

Ms. Fashempour stated North Boston Homeowners Association, it's tabled no action.

**Ordinance No. 06-151** - An Ordinance amending the Codified Ordinance of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1290 Wireless Telecommunications Facilities, Section 1290.03 and 1290.04, and Declaring an Emergency. Tabled.

Ms. Fashempour stated Ordinance No. 06-151, it's tabled, no action.

**Elizabeth Orosz**, 13846 Bennett Road, PPN 482-34-009, Town Center District - 1. Site Plan Approval. Tabled.

Ms. Fashempour stated Elizabeth Orosz, Site Plan Approval, it's tabled, no action.

### **New Business**

#### **Sign Approval**

**JerZeys**, 8021 West 130<sup>th</sup> Street, Local Business Zoning. Sign Approval.

Ms. Fashempour stated is the Applicant here this evening.

Vice Chairman Sandora stated is the Applicant here for JerZeys.

Vice Chairman Sandora stated no one has come forward at this time we will move on.

Ms. Fashempour stated she needs a motion to tabled.

**Victor Bull stated move to table.**

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour please call the roll.**

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

**Soak Up The Sun Tanning**, 5160 Wallings Road, Unit A, Local Business Zoning. Signs Approval.

Ms. Fashempour stated she believes that the Applicants are here this evening.

Vice Chairman Sandora stated if you are here, please step forward, state your name, home address and what you want to do.

Thank You for your time this evening, James Harrison, Soak Up The Sun Tanning is our business, home address is 17464 Creekside Circle, business address is 5160 A Wallings Road, North Royalton. Mr. Harrison stated basically what we are looking to do Mr. Councilman and Council is

to take an existing sign holder that is already on the building and just remove the face plate and put a new face plate on there, the sign maker said it is really just putting a couple screws in and we can do it ourselves, no material change to the building or anything like that, again the frame is already there and we are just looking to slide a new face plate in, that's all we are looking to do at this time.

Vice Chairman Sandora stated Thank You, Mr. Hartman.

Mr. Hartman stated the Building Department has no problem with what they want to do with this particular sign.

Vice Chairman Sandora stated and they meet the a.

Mr. Hartman stated they do meet the Code.

Vice Chairman Sandora stated Thank You.

Vice Chairman Sandora stated Mr. Merdes you have anything, nothing.

Mr. Merdes stated no comments.

Vice Chairman Sandora stated anybody else on the Board.

Vice Chairman Sandora stated make a motion to approve the sign for Soak Up The Sun Tanning.

Ms. Fashempour stated for the ground sign.

Don Willey stated Mr. Chairman will this go to the Architectural Review Board.

Vice Chairman Sandora stated yes it will.

Don Willey stated okay.

Mayor Luks stated Mr. Chairman.

Vice Chairman Sandora stated Mayor.

**Mayor Luks stated she moves that we approve on the condition that this receives ARB approval as well.**

**Vice Chairman Sandora stated for both the wall sign and the ground sign.**

**Mayor Luks stated yes Mr. Chairman.**

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour please call the roll.**

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

Vice Chairman Sandora stated Good Luck to you.

Mr. Harrison stated Thank You for your time, Good Night.

**Howard Hanna Smythe Cramer**, 5730 Wallings Road, Local Business Zoning. Signs Approval.

I am Rob Milburn, with Boyer Signs and Graphics, 4389 Baintree Road, University Heights. Mr. Milburn stated he is here for Howard Hanna, Symthe Cramer.

Don Willey stated Symthe.

Mr. Milburn stated Symthe Cramer, 5730 Wallings Road. Mr. Milburn stated we would like to propose installing a logo sign with their name, Howard Hanna Symthe Cramer.

Don Willey stated Mr. Chairman.

Vice Chairman Sandora stated Mr. Willey.

Don Willey stated he noticed in you're a, your concept, you are using the standard Smythe Cramer logo.

Mr. Milburn stated yes Sir.

Don Willey stated that particular Shopping Center if you have noticed and he is sure that you have visited it, all the lettering is in red, and that was required just recently of Charter One Bank there, normally what is it blue or green, he thinks is Charter One Bank and a Planning Commission and ARB approved it only on the basis of conforming with the red lettering that's a, correct him if he is incorrect but the Architectural Review Board will probably want you to convert that to red to conform with the rest of the Plaza.

Mr. Milburn stated okay, he don't.

Don Willey stated Thank You Mr. Chairman.

Vice Chairman Sandora stated Mr. Willey.

Vice Chairman Sandora stated Mr. Hartman.

Mr. Hartman stated Building Department recommends approval Mr. Chairman.

Vice Chairman Sandora stated it meets the square footage.

Mr. Hartman stated it does meet the square footage.

Vice Chairman Sandora stated Thank You.

Vice Chairman Sandora stated Mr. Merdes anything.

Mr. Merdes stated no comments Mr. Chairman.

Vice Chairman Sandora stated to the Applicant again, he has the same feelings as Mr. Willey, that entire Shopping Center, all those signs are in red, that sign needs to be in red.

Mr. Milburn stated okay, he will go back to them.

Vic Chairman Sandora stated whether you want to go back to the Applicant, if you want us to table this, you go back to the Applicant and talk to them and come back before us, he doesn't know if you have the authority to change the color for them.

Mr. Millburn stated no Sir, no authority to change the color, he will have to go back and discuss it with them to get the approval.

Vice Chairman Sandora stated okay.

**Vice Chairman Sandora stated he will make a motion to table.**

**Victor Bull stated second.**

**Vice Chairman Sandora stated Ms. Fashempour.**

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

Mr. Milburn stated Thank You.

Vice Chairman Sandora stated Thank You.

**Rockside Café, 13933 Ridge Road, Town Center District - 1. Signs Approval.**

Applicant stated she is just a little nervous.

Vice Chairman Sandora stated relax.

Melanie Salzgiver, 4900 East 85<sup>th</sup>, Garfield Heights. Ms. Salzgiver stated our business is 13933 Ridge Road.

Ms. Salzgiver stated we want to take, we took the old sign and turned it and we want to take it out and then replace it with the new sign which is the, you know acrylic whatever sign and the lettering, the old sign is there any, everything, the lighting and everything works and everything was ok on it. Ms. Salzgiver stated she doesn't know what else to say.

Vice Chairman Sandora stated okay, Mr. Hartman.

Mr. Hartman stated yes, what it, what it is a face plate change to two existing signs.

Ms. Salzgiver stated right.

Vice Chairman Sandora stated Thank You.

Vice Chairman Sandora stated Mr. Merdes do you have anything.

Mr. Merdes stated Thank You Mr. Chairman, he would like to say that the sign shows a telephone number, they are only permitted at the discretion of the Planning Commission, that's all he has Mr. Chairman.

Vice Chairman Sandora stated Thank You.

Don Willey stated Mr. Chairman.

Vice Chairman Sandora stated is there, Mr. Hartman, do you know if there is currently a telephone number on the sign.

Mr. Hartman stated he doesn't believe there is on the existing sign but the existing signs have been painted over now too.

Don Willey stated he sees.

Vice Chairman Sandora stated anybody else have any discussion, anybody.

**Vice Chairman Sandora stated he makes a motion to approve the sign change for the Rockside Café with the phone number added on the sign as long as it meets the approval of the ARB.**

Ms. Salsgiver stated A.

Don Willey stated Architectural Review Board.

Ms. Salsgiver stated oh, okay.

Vice Chairman Sandora stated you have to go, from here you are going to have to go to the Architectural Review Board and they will review your sign and they will, if they want to make any changes or whatever, colors, whatever, they will.

Ms. Salizgiver stated oh, okay Sir, all right.

**Mayor Luks stated second Mr. Chairman.**

**Vice Chairman Sandora stated Thank You, Ms. Fashempour the roll please.**

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

Vice Chairman Sandora stated Good Luck.

Ms. Salsgiver stated Thank You very much.

**Len's Heating & Air Conditioning, General Industrial Zoning. Sign Approval.**

It's Terry Meola, for Len's Refrigerator and all we are doing is for the marquees, we had the sign already approved for the building itself, the lit up sign, we want to put one of the marquees that matches it exactly, so basically this is what's been approved and we are waiting for installation and we wanted the same thing at the street.

Vice Chairman Sandora stated Mr. Hartman.

Ms. Meola stated just the marquee.

Mr. Hartman stated yes, the Building Department recommends approval and they do meet the square footage.

Vice Chairman Sandora stated Mr. Merdes anything.

Mr. Merdes stated Thank You Mr. Chairman, he has no comments.

**Vice Chairman Sandora stated okay, he will make a motion for approval for Len's Heating & Air Conditioning on the marquee sign on the condition that they get all approvals from the ARB.**

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour please call the roll.**

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

Ms. Meola stated Thank You.

Vice Chairman Sandora stated Good Luck.

### **Site Plan Approval**

**Joseph A. Golubic, 11241 Royalton Road, General Industrial Zoning. Site Plan Approval.**

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

Joseph A. Golubic, 1780 Valley Parkway Drive, here for my property at 11241 Royalton Road.

Vice Chairman Sandora stated Thank You.

Carlo Chiuchiarelli, 1851 Stoneridge Drive, Hinckley. Mr. Chiuchiarelli stated he will be constructing the building for Joe and that's kind of why he is here to answer some questions, he guessed there are some concerns brought up by the City Engineer which he would like to go over and if you have any other questions.

Vice Chairman Sandora stated and now you may.

I am Don Plunkett with Studio One Design Group at 2490 Lee Boulevard in Cleveland Heights and he is the Architect that's been working with Joe.

Vice Chairman Sandora stated Thank You.

Vice Chairman Sandora stated Mr. Chiuchiarelli do you want to answer Mr. Merdes' questions.

Mr. Chiuchiarelli stated well he, he, he received the letter in the mail, he believes the other day in regards to some concerns and some setback issues which he discussed with the City Engineer earlier and a were, apparently we were reading, our Engineer was reading the Ordinance, Ordinance one way and Clark explained the.

Vice Chairman Sandora stated the right way.

Mr. Chiuchiarelli stated the right way he guessed so a, at this point he doesn't know if we need to require a, we would require a variance for the building setback, we have it a 100' setback from the center of the street and according to the Ordinance the way it's written by a clause e he thinks it was Clark or some.

Mr. Merdes stated well there's, there's, there's a clause that in the supplement to the Area, Schedule of Area Width Lot Regulations, the actual Code Section is 1278.06 now 1278.07 then gives supplements to that 1278.06 but it appears that they had read was one of the supplements and applied that to the site plan, it actually was not applicable to the site so the actual setbacks are given in 1278.06 as the building setback from the street right of way is 100' is required, they are currently showing 70', the parking setback which is required to be 50', they are currently showing, he scaled it like 3'. Mr. Merdes stated it also in the same section requires that, that area between the right of way and where it would be the parking lot that be a 50' wide landscaped area those are the, he thinks the setback issues that we are dealing with on this site plan.

Mr. Chiuchiarelli stated and we were just kind of made aware of this this evening so a, these are some of the things that we are going to have to address, he knows there are several buildings on, along Route 82 that are set at the 70' setback or some of them are even closer to the road, unfortunately he doesn't have the addresses and the names of the buildings with him right now at this point so a, he really don't know where if we, if we have to go in front of BZA or, or, or where we proceed from here.

Mr. Merdes stated well, he believes you have, you can either modify the Site Plan to be within Code.

Mr. Chiuchiarelli stated uh um.

Mr. Merdes stated if you can't do that or you prefer to go to BZA and ask for variances that's, that's available also, it is more less left to you somewhat as the Applicant to decide what, what you would like to do as your course of action.

Mr. Chiuchiarelli stated okay.

Mr. Merdes stated a there, there's a couple different ways to move forward.

Mr. Chiuchiarelli stated okay well then we will have to have some discussion with Mr. Golubic here, the size of the building, the layout of the property, the way the grade is, it doesn't really allow us to go any further back to the property.

Vice Chairman Sandora stated he was going to ask that question, you can not move the building back farther.

Mr. Chiuchiarelli stated well the grade drops a lot in the back, were going, as it is we are going to have to fill the back of the property with a some premium fill and compact it to get, so we can use the back you know for egress getting in and out and for Mr. Golubic to keep some of his equipment back there.

Vice Chairman Sandora stated because these are some substantial variances.

Mr. Chiuchiarelli stated yeah, he understands that, but like he said, he knows there are other properties along Route 82 that they have, whether they were grandfathered in or, or a.

Vice Chairman Sandora stated they may have been built before the, this was enacted in the Code, they may, they may even have a variance on there too, we don't you know, we don't know.

Mr. Chiuchiarelli stated yeah he means, it's, right, so that's some of the things that we are going to have to look at but as far as the, just taking the whole building and pushing it back, he doesn't think that will be feasible because of the terrain and everything.

Vice Chairman Sandora stated okay.

Mayor Luks stated Mr. Chairman.

Don Willey stated Mr.

Vice Chairman Sandora stated Mayor.

Mayor Luks stated she is sorry, is there any possibility that the parking could be moved, that's the one that's really a large.

Vice Chairman Sandora stated right.

Mr. Chiuchiarelli stated the parking itself.

Mr. Plunkett stated the parking and even if we had it approved, we were going to request that we land bank that first row of parking right away because Joe, all his parking is basically his trucks, he puts them in the building, that's, that's why and again the back area we need enough room to maneuver so that he can do a truck and a trailer, back them in, he wants to keep them there, four or five spaces in the front of the building is going to be enough for Joe, but, for the building in the future just for value he would think you would want to have or be able to have more parking, if you sold to someone who didn't use it exclusively as a garage for these vehicles.

Mayor Luks stated she understands it's just that, that's, that's really a sizable variance that you are asking for on that part of it.

Mr. Plunkett stated right.

Mayor Luks stated so she just wondered if there was any potential to move the parking to, to the rear of the building.

Don Willey stated to the rear.

Mr. Plunkett stated well, Mr., Mr. Golubic he just talked to him and he said he could live with just the one row of parking and move the additional parking to the rear of the building a.

Mayor Luks stated okay, so maybe, you, you probably do need time to confirm with one another and, and decide what your best course of action is so based on that she is guessing you would prefer that we table this this evening and.

Mr. Chiuchiarelli stated yeah, he thinks that would be the best thing right at this point and then he will have some discussion whether we proceed with the Board of Zoning and then back to here.

Mayor Luks stated Thank You Mr. Chairman.

Vice Chairman Sandora stated Thank You Mayor, Mr. Willey did you have something.

Don Willey stated a, um, what he was going to suggest or ask the Mayor already covered and that was a whether or not you could move the parking to the rear of the building instead of in front of the building, you know just transfer it and, you know maybe a step up or something like that but a, your going to go back and do brainstorming and say you may come up with a plan.

Mr. Chiuchiarelli stated yeah, he doesn't want to waste any of you time, anybodies time here.

Don Willey stated what is your building line for the building itself, how far back.

Mr. Chiuchiarelli stated it a, right now we have it proposed at 100' from the center of the street.

Don Willey stated from the center of the street, okay.

Mr. Chiuchiarelli stated and the way the Ordinance reads, it's got to be 100' from the right of way.

Don Willey stated right.

Mr. Chiuchiarelli stated so it's literally got to get pushed back another 30'.

Don Willey stated so you are 30' short there to start with if you are right.

Mr. Chiuchiarelli stated which yeah, if we do that it really pushes and cramps us in the back of the building.

Don Willey stated right, okay, all right, Thank You Mr. Chairman.

Vice Chairman Sandora stated your welcome.

Mr. Chiuchiarelli stated he doesn't know if there is any other discussion, if you need to discuss any of these any issues this evening or, or.

Vice Chairman Sandora stated yeah.

Mr. Merdes stated actually he would like to have the discussion on them, just for all of our benefit, going back to parking, he could not really determine how many parking spaces were going to be required, it appear as though the office would require one based on the Code and then the rest of the Code talks about one per employee on your two largest successive shifts, he is believing you only have one shift.

Mr. Chiuchiarelli stated right.

Mr. Merdes stated so then it just means that you need one for the office and then one for every employee.

Mr. Golubic stated he has four employees.

Mr. Merdes stated okay, so then you would need required by Code to have five, you can certainly build as many as you want but he couldn't exactly determine the minimum that was needed.

Mr. Plunkett stated and, and we didn't show parking spaces in the back but we could very easily put a few in the back so again he doesn't think we have any problem with having enough parking spaces for Joe's operation, he thinks it is really again boils down to there is probably more value in this building, let's say Joe get's to retire some day, he doesn't know that he ever will, but he may, he may want to sell that building and it would have a lot more value if tenants have more parking but we will address that, we will look into that.

Mr. Merdes stated okay, something you have more than, another thing that you have more than you are required, you would only need one entrance or exit, he doesn't know if that helps or hinders, the requirement for again based on what you are proposing is one if it functions for you, you can have the two but that was just the basic Code requires only one.

Mr. Chiuchiarelli stated yeah, Mr. Golubic prefers to have the two, it's easy access in and out.

Mr. Merdes stated okay, and then you probably have, the Code will want to see the loading facility, the way it is setup with the big doors in the back you probably again meet the requirements it is just that your site plan just doesn't show the loading facility, you need to show that for planning.

Mr. Plunkett stated now are you thinking there is a truck dock, these are just drive in overhead doors, they are just service doors, so he is not going to have any a.

Mr. Chiuchiarelli stated there are no delivers with semi's or anything like that is that what you are referring to.

Mr. Merdes stated well the minimum you can get away with is, it's just like you, you need to have so many parking spaces for automobiles, you need to have one loading space, so the way it is setup probably in the rear of the building you take some of that pavement there and you should use it as a loading space.

Mr. Chiuchiarelli stated oh okay.

Mr. Merdes stated whether you use it as a loading space.

Mr. Chiuchiarelli stated gotcha.

Mr. Merdes stated you may use it, you may not.

Mr. Chiuchiarelli stated okay.

Mr. Merdes stated and then one, another thing is maybe you could talk a little bit about the building that you are proposing because the Code is requiring your exterior parts of the building to be masonry built.

Mr. Chiuchiarelli stated yeah, it's going to be all split face block it will be two toned, there will be, it will be, he actually has sample here and we brought a little color rendering, it's going to be a charcoal split face block which will be the darker one and then this little lighter gray and then it will be a gun metal awning over, not an awning a roof over the entrance so there won't be any unfinished masonry block, it's actually a split face block.

Mr. Plunkett stated including the rear.

Mr. Merdes stated okay, that will satisfy the Code.

Mr. Merdes stated Thank You.

Mr. Plunkett showed the color rendering.

Discussion held between Mr. Plunkett and Don Willey regarding the elevations, one elevation being a mirror image of the other side, questions about the doors.

Mr. Merdes stated he guessed, yeah, there was another requirement about the lot area, it is suppose to be an acre minimum he knows you have taken two smaller parcels, you have consolidated them, so you have done the best you can do here, it maybe something that if you are, requires a variance so, if you end up going the variance route that's one that you would want to request and you want to make more or less one application with all the variances that you are looking for on the property.

Mr. Chiuchiarelli stated okay.

Mr. Merdes stated just to make you aware of that so that, you don't get through the process and then come back and find out that there was something that got missed.

Mr. Chiuchiarelli stated all right, he appreciates you bringing that to their attention.

Mr. Merdes stated Thank You.

Vice Chairman Sandora stated Thank You Mr. Merdes.

Vice Chairman Sandora stated Gentlemen yeah, you should take all this into consideration and look at the long term affect of this building because like you are talking here, you know you may want to retire, you may want to turn that building into an office building or whatever you should look at all those, all those facts, put those together he doesn't

know how far back that property goes you know, you have, have to do a little filling to get more parking later on, so take it all into consideration and a come up with something.

Mr. Chiuchiarelli stated okay, Thank You.

Vice Chairman Sandora stated Good Luck anybody else have anything.

Mr. Hartman stated yeah Mr. Chairman could he ask a question.

Vice Chairman Sandora stated Mr. Hartman.

Mr. Hartman stated are you making provisions for customer parking.

Mr. Golubic stated he really doesn't have customer parking.

Mr. Hartman stated okay, because if you do then you are well aware of the fact that you are going to have to have handicap parking.

Mr. Golubic stated yeah, he means, he is not a retail business.

Mr. Hartman stated okay he just wanted to bring that point up Thank You.

Vice Chairman Sandora stated Thank You Mr. Hartman, anyone else.

**Vice Chairman Sandora stated motion to table.**

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour please call the roll.**

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

#### **Utility Plan Approval**

**at&t** request permission to place an above ground cabinet within an easement near 4933 Royalton Road - Approval.

Hi a, my name is Mike Williams, representing at&t, he resides at 16515 Clare Avenue in Cleveland and a requesting approval for three sites, to place an above ground cabinet and the first site being 4933 Royalton Road.

Vice Chairman Sandora stated okay, Mr. Merdes anything.

Mr. Merdes stated yes, Thank You Mr. Chairman, a, as he reviewed these he had the same comments for all read, he will read them out of his report right now for the first one and then probably on the next two he will just repeat or make reference to the same comments being, being applicable. Mr. Merdes stated should you be granted approval by the Planning Commission you will be required to get a permit for the actual work, that requires the plans to be done by a Register Professional Engineer, you are to perform all the work in accordance with the City's Codified Ordinances, you will need to contact the City Engineering Department 72 hours, 3 days before commencing, we will have full time inspection required for all work performed with the City right-of-way

that's, part of the, that's billed back to the applicant, all areas that are disturbed are required to be restored. Mr. Merdes stated you are not allowed to open cut roadway pavements, sidewalk replacement is in full slabs not in any pieces smaller than from one joint to another joint, videotaping of the work area is required prior to the work being performed, a copy of the video needs to be provided to the City, and all homeowners along the installation are to be given 48 hours written notice and a copy of the notice to be submitted to the City.

Mr. Williams stated agreed upon, it is also a, there will be landscaping involved because this is in an easement.

Mr. Merdes stated Thank You.

Vice Chairman Sandora stated Thank You Mr. Chairman, anybody else on the Board.

Mr. Hartman stated no comment Mr. Chairman from the Building Department.

Vice Chairman Sandora stated is there anybody in the audience at this time for this.

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

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour please call the roll.**

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

**at&t** request permission to place an above ground cabinet within an easement near 9001 West 130<sup>th</sup> Street - Approval.

Vice Chairman Sandora stated the Applicant is here, please state your name again for the record.

Mr. Williams stated his address, Mike Williams 16515 Clare Avenue, Cleveland, Ohio. Mr. Williams stated request permission to place an above ground electronic cabinet at 9001 West 130<sup>th</sup>.

Vice Chairman Sandora stated Thank You, Mr. Merdes anything.

Mr. Merdes stated Thank You Mr. Chairman, he would like to state that his comments are the same as he stated with the previous application and ask the Applicant if he agrees.

Mr. Williams stated he agrees and this is also an easement and there will be landscaping involved.

Mr. Merdes stated Thank you.

Vice Chairman Sandora stated Mr. Hartman anything.

Mr. Hartman stated no comment Mr. Chairman.

Vice Chairman Sandora stated anybody else on the Board anybody in the guidance.

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

**Don Willey stated second.**

**Vice Chairman Sandora stated okay, Ms. Fashempour call the roll please**

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

**at&t** requests permission to place an above ground cabinet within an easement near 13991 Stoney Creek Drive - Approval.

Vice Chairman Sandora stated Applicant again please state your name for the record.

Mike Williams, 16515 Clare Avenue, Cleveland.

Vice Chairman Sandora stated Thank You.

Mr. William stated he requests permission to place an above ground electronic cabinet near 13991 Stoney Creek Drive.

Vice Chairman Sandora stated Thank You Mr. Chairman, once again his comments would be the same as the first at&t request, utility plan approval and he would like to just ask the applicant if he would agree again to those.

Mr. Williams stated he would agree and this one is also in an easement and there will be landscaping involved.

Mr. Merdes stated Thank You.

Vice Chairman Sandora stated Mr. Hartman anything.

Mr. Hartman stated no comment Mr. Chairman.

Vice Chairman Sandora stated anyone else on the Board, anybody else.

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

**Don Willey stated second.**

**Vice Chairman Sandora stated Ms. Fashempour call the roll please.**

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

Vice Chairman Sandora stated Thank You

Mr. Williams stated okay Thank You.

#### **Miscellaneous**

Vice Chairman Sandora stated Miscellaneous we have nothing.

Ms. Fashempour stated nothing.

Vice Chairman Sandora stated nobody.

Adjournment

Mayor Luks stated Mr. Chairman, she moves to adjourn.

Don Willey stated second.

Vice Chairman Sandora stated Ms. Fashempour.

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

Planning Commission Meeting for Wednesday, January 3, 2007 adjourned at 8:45 P.M.

Approved: Tony Sandora  
Vice Chairman - Planning Commission

Attest : Brenda Lynn Fashempour  
Secretary - Planning Commission

Date : January 17, 2007