

*Planning Commission Caucus - Wednesday, April 18, 2007 - 7:05 P.M.*

Present: Chairman Tony Sandora, Vice Chairman Victor Bull, Mayor Cathy Luks, Don Willey, Council Representative to Planning Commission, Clark Merdes, P.E., City Engineer, Rito Alvarez, Building Commissioner, Thomas P. O'Donnell, Law Director, Anne Reinkober, Wayne Louis, Paula Recker, John Mizanin, Denise Bobulsky, Council Ward One, Larry Antoskiewicz, Council Ward Five, Lou Manti, Residents and Brenda L. Fashempour, Secretary.

Planning Commission Agenda reviewed and discussed.

Regular Meeting

Call to order.

Roll call.

Opening Ceremony - Pledge of Allegiance

Approval of Minutes - March 21, 2007

Old Business

Abbeyville Townhouses - Recreation Allocation - Tabled. No Action.

Abbeyville Townhouses - Preliminary Plan Approval - Tabled. No Action.

Columbia Gas of Ohio - Tabled. No Action.

Columbia Gas of Ohio - Tabled. No Action.

Rivers Edge Subdivision - Sketch Plan Approval - Tabled. No Action.

Elizabeth Orosz - Site Plan Approval - Tabled. No Action.

C & C Management Group, LLC., Carlo Chiuchiarelli - Tabled. Site Plan Approval - No Action.

Stevens Painton Corp., Building Sign Approval - Tabled. No Action.

at&t - Tabled. No Action.

Ordinance No. 07-25 - Dedication - Villas of Worthington - Tabled. No Action.

Gary Moyses - Site Plan Approval - Tabled. No Action.

New Business

Sign Approval

Swan Lake - Signs Approval - Discussion of location of signs, is the sign on Royalton Road in the Town Center District or not. The sign off State Road is RM-D Zoning. TCD Code does allow a ground sign for residential multi-family. Tom O'Donnell will look into the description of the boundaries of the Town Center District and right of way.

Presentation, discussion, motion, roll call.

Utility Plan Approval

at&t - Utility Plan Approval - 7201 Creekwood Drive off Ridge - residents notified, presentation, discussion, motion, roll call.

at&t - Utility Plan Approval - 12596 Athena Drive - residents notified, presentation, discussion, motion, roll call.

Miscellaneous

John D. Mizanin - The Sip - N - Post - New Deck Addition Approval - residents notified, presentation, discussion, motion, roll call.

Miscellaneous

None

Adjournment

Ms. Fashempour explained that at the next meeting, April 25<sup>th</sup>, there is a proposal for a Conditional Use Permit for the Cartwright Property on Abbey Road. Ms. Fashempour explained that Public Hearing Notices were sent out. Ms. Fashempour explained that she did receive a call from Channel 8 News, they are interested in attending the meeting after receiving some calls from residents. Ms. Fashempour stated the office had received some inquiries also.

*Planning Commission Caucus for Wednesday, April 18<sup>th</sup>, 2007 ended at 7:15 P.M.*

Chairman Sandora stated Good Evening Ladies and Gentleman, welcome to the North Royalton Planning Commission for April 18<sup>th</sup>.

The **Planning Commission** of the City of North Royalton met in the **North Royalton Council Chambers, 13834 Ridge Road on Wednesday, April 18, 2007 in regular session. The meeting was called to order by Chairman Tony Sandora at 7:32 P.M.**

Chairman Sandora stated Ms. Fashempour call the roll.

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

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

**Approval of minutes: March 21, 2007. Ms. Fashempour stated under Approval of minutes, March 21, 2007 if you so choose. Chairman Sandora stated a motion to approve the minutes. So moved Don Willey. Second Victor Bull. Chairman Sandora stated it's been moved and second, any discussion, Ms. Fashempour please call the roll. Roll call: Yeas: Four - Willey, Bull, Mayor Luks, Chairman Sandora. Nays: None. Motion carried.**

**Old Business:**

1. 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 there will be no action on Number 1.

2. **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 there will be no action on Number 2.

3. **Columbia Gas of Ohio** plans 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 there will be no action on Number 3.

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

Ms. Fashempour stated there will be no action on Number 4.

5. 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 there will be no action on Number 5.

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

Ms. Fashempour stated there will be no action on Number 6.

7. **C & C Management Group, LLC., Carlo Chiuchiarelli**, 8959 Ridge Road, PPN 489-04-004/005, Local Business Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated there will be no action on Number 7.

8. **Stevens Painton Corp.**, PPN 483-26-001 and 483-26-005, Royalton Road At York Road, SW corner, General Industrial Zoning. Building Sign Approval. Tabled.

Ms. Fashempour stated there will be no action on Number 8.

9. **at&t** request permission to place a six (6) inch drain pipe from at&t's manhole located at the north west corner of Royalton and Ridge Roads. at&t proposes to place the drain pipe on the north side of Royalton Road (SR 82) in the tree lawn and extend west to a road crossing (by boring under the pavement) east of the Fire Department's apron at 7000 Royalton Road to the front of 7005 Royalton Road to an existing catch basin. - Approval. Tabled.

Ms. Fashempour stated there will be no action on number 9.

10. **Ordinance No. 07-25** - An Ordinance accepting the Dedication of 1,680 Feet of Bentley Drive and 200 Feet of Coventry Court in the Villas of Worthington Subdivision Phase 1 from York/Royalton LLC. and Declaring an Emergency. Tabled.

Ms. Fashempour stated there will be no action on Number 10.

**Gary Moyse**, Royalton Road, PPN 483-31-008, 483-31-009, General Industrial Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated there will be no action on Number 11.

#### **New Business:**

##### **Sign Approval**

**Swan Lake**, Royalton Road and Swan Lake Blvd., Trumpeter Blvd. and State Road, RM-D Zoning. Signs Approval.

Chairman Sandora stated is the Applicant here, please step forward, please state your name, address and present to us what you will.

My name is Jack Slegus, he is from A Sign Above and his address is 4549 Bunker Lane, Stow, Ohio.

Lou Manti, President Swan Lake Association.

Ed Fratus, Property Manager, Carlyle Management.

Chairman Sandora stated Thank You, go ahead and make your presentation.

Mr. Slegus stated oh, we want to build some signs.

Chairman Sandora stated if you would, please stand by the microphone sir, everything is being recorded.

Mr. Slegus stated we are wanting to build two signs for Swan Lake to a, replace existing signs that are there now, we kept them the same size, they are going to be out of urethane which is a product that's like a plastic wood, nothing eats it, it doesn't deteriorate, we are going to put one at each entrance, one at State and Trumpeter and one at Swan Lake, yeah, Swan Lake and 82, Royalton Road. Mr. Slegus stated and we kept the same size.

Chairman Sandora stated okay, same height, same size.

Mr. Slegus stated same height, same size.

Chairman Sandora stated same setbacks.

Mr. Slegus stated yes.

Chairman Sandora stated okay.

Chairman Sandora stated Mr. Alvarez anything.

Mr. Alvarez stated Thank You Mr. Chairman, in looking at the signs, the approximate area is 16 square feet which is less than the maximum allowable of 20 square feet. Mr. Alvarez stated the height of 4' which is less than the maximum allowable 5'. Mr. Alvarez stated in caucus we did discussed the idea that up on Royalton Road, on Swan Lake, that is TCD, TCD 5 and there is a little section in the Code that does not allow signs there however, since these are replacements, the consensus is that it will be okay to replace these signs there. Mr. Alvarez stated and based on that, a, the only other thing he would comment on Mr. Chairman is that the plans be submitted to the Building Department for review and for permitting and that's pretty much it.

Chairman Sandora stated Thank You.

Chairman Sandora stated Mr. Merdes anything.

Mr. Merdes stated Thank You Mr. Chairman, he has nothing to add, Thanks.

Chairman Sandora stated anybody else have anything, anybody in the audience have anything.

**Chairman Sandora stated could he have a motion to approve two signs for Swan Lake, on the condition that they meet all the Codes from the, or all the requirements and a suggestions from the Architectural Review Board.**

**Don Willey stated so moved.**

Victor Bull stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour, please all the roll.

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

Chairman Sandora stated Good Luck.

Mr. Slegus, Mr. Manti and Mr. Fratus stated Thank You very much.

Mr. Slegus stated you said he has to submit this to the Building Department now.

Chairman Sandora stated yes, to get your permits and plans and everything.

### Utility Plan Approval

at&t request permission to place an above ground cabinet within an easement near 7201 Creekwood Drive off Ridge Road - Approval.

Hi, Mike Williams representing at&t, 16515 Clare Avenue in Cleveland. Mr. Williams stated the first one he is asking for is approval to place an above ground cabinet in an easement near 7201 Creekwood.

Chairman Sandora stated okay, Mr. Merdes anything you have.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated to the Applicant, to do this a permit is required, plans by a Registered Engineer required to receive the permit. Perform all work in accordance with the City's Codified Ordinances, contact the City Engineering Department 72 hours prior to commencing, full time inspection is required for all work performed within the City right of way and that's billed to the applicant. All areas of disturbance are required to be restored, no open cut of roadway pavements are allowed, sidewalk replacements by full slabs, videotaping of the work area is required prior to the work, provide the City a copy of the video and all homeowners along the installation shall be given 48 hours written notice, submit a copy of that to the City.

Mr. Williams stated that's agreed upon.

Mr. Merdes stated Thank You, did you say this one is in an easement.

Chairman Sandora stated yes.

Mr. Williams stated ah yes.

Mr. Merdes stated is there a landscaping plan with this one.

Mr. Williams stated a, he has a copy if you don't.

Mr. Merdes stated you do.

Chairman Sandora stated yes.

Mr. Merdes stated okay, he has them reversed, he is sorry, he has the, he has the second one on top, he does have the landscaping plan, Thank You.

Mr. Merdes stated Thank You Mr. Chairman.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated Mr. Alvarez anything.

Mr. Alvarez stated no comment Mr. Chairman.

Chairman Sandora stated is anybody in the audience have anything they would like to say or ask.

Chairman Sandora stated anybody have anything.

Victor Bull stated Mr. Chairman.

Chairman Sandora stated Mr. Bull.

Victor Bull stated to the applicant, does that meter have to sit right on top of that box.

Mr. Williams stated you are talking about the power meter that comes with the cabinet.

Victor Bull stated yeah.

Mr. Williams stated on that one there, this is a 52, yeah, that's the only, with that style cabinet that's the only way you can get it, with the other style cabinet it's down low.

Victor Bull stated it sort of sticks out there.

Mr. Williams stated well, the landscape in there, it is back a little bit in that location, it is next to the clubhouse by those condominiums or a apartments he is not sure what they are, but.

Victor Bull stated okay, Thank You.

Chairman Sandora stated anybody else have anything.

Chairman Sandora stated can he have a motion please.

**Don Willey stated motion to approve as required by the Engineer's.**

**Chairman Sandora stated it's been moved, is there a second.**

**Mayor Luks stated seconded.**

**Victor Bull stated second.**

**Chairman Sandora stated it's been moved and second, is there any other discussion, Ms. Fashempour please call the roll.**

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

**at&t** request permission to place an above ground cabinet in the right of way near 12596 Athena Drive - Approval.

Looking for approval to place above ground cabinet in the right of way.

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

Okay, Mike Williams with at&t, 16515 Clare Avenue in Cleveland. Mr. Williams stated we request permission to place an above ground cabinet in the right of way at 12596 Athena Drive.

Chairman Sandora stated Mr. Merdes.

Mr. Merdes stated Thank You Mr. Chairman. Mr. Merdes stated all requirements for this item are the same as the previous one, if the applicant would acknowledge and agree to that.

Mr. Williams stated he agrees to that.

Mr. Merdes stated Thank You Mr. Chairman, Thank You.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated Mr. Alvarez do you have anything.

Mr. Alvarez stated no comment Mr. Chairman.

Chairman Sandora stated anybody on the Board have anything, anybody in the audience have anything.

Resident stated how big it is going to be.

Chairman Sandora stated Sir you have to.

Resident stated size, how big.

Chairman Sandora stated Sir, come up to the microphone please, state your name, your home address for the record please and then address your questions to the Board.

This is Vijay Choksi from 12543 Athena Drive, the question was, is it going to be the same size of box, is it going to be bigger or wider or.

Mr. Williams stated it is 48" tall box.

Mr. Choksi stated 48" tall box, about 4' tall.

Mr. William stated correct, correct.

Mr. Choksi stated what is, what is the size right now.

Mr. Williams stated that existing box there is staying.

Mr. Choksi stated it stays and then another is coming.

Mr. Williams stated that's right, so this will be between that box and the tree.

Mr. Choksi stated okay, now that was the only question he had, how big it was going to be, it is going, all right.

Chairman Sandora stated Thank You.

Don Willey stated Thank You.

Chairman Sandora stated Thank You.

**Chairman Sandora stated anybody else have anything, have a motion please.**

**Don Willey stated motion to approve.**

**Victor Bull stated second.**

**Chairman Sandora stated it's been moved and seconded, any other discussion, Ms. Fashempour please call the roll.**

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

Chairman Sandora stated Good Luck.

Mr. Williams stated Thank You.

#### **Miscellaneous**

John D. Mizanin, **The Sip - N - Post**, 5581 Wallings Road, Local Business Zoning. New Deck Addition Approval.

Chairman Sandora stated the Applicant is here, step forward, state your name, address for the record please.

Applicant stated home address.

Chairman Sandora stated yes please.

John Mizanin, 6590 Queens Way, North Royalton.

Chairman Sandora stated okay and you are going to speak.

Yeah, I am Wayne Louis, from Better Deal Remodeling, he is going to be doing the deck when, after it's approved.

Chairman Sandora stated okay, just present to us what you would like to do.

Mr. Mizanin stated he owns The Sip - N - Post on State and Wallings and he would like to put a deck on the back of the bar for the summertime and he has plans here.

Mr. Louis stated what we did, excuse me.

Mr. Mizanin stated yeah.

Mr. Louis stated what we did do since you, the plans were submitted, we did close off the bottom of the deck with wolmanized wood that will be horizontal so you don't see under the deck and he did bring samples of the railings and the brochures of the fencing that we want to use which is a vinyl fencing, the vinyl railings which are aluminum reinforced these are really good, they meet all the Codes for commercial use. Mr. Louis stated since then they also put some bushes and stuff on here, it is not exactly what he was looking at which we wanted burning bushes and sand cherry bushes which will be all the way around the bottom on the deck, we brought pictures to show that the foliage around the building, existing is forsythia and things like that so it's not scrub brush on the neighbor to the west of the building which is commercial property, just want to, we got this flame spread for the wood because the Fire Marshall asked about that, he has got pretty much everything anybody would want to see or hear.

Chairman Sandora stated okay so the, as per the Fire Marshall they requested the deck material be fire resistant.

Mr. Louis stated yeah, well, they asked for the fire spread of it. Mr. Louis stated this is yellow pine, the pressure treating of it does not change the flame spread and also this will be a 2 by 2 decking not 5 quarter it, what that means is it will be an inch and half thick which gives you a great burn time, we have the requirements, or he means the papers from the Company but it won't be a 5 quarter so the burn time is huge compared to what would be a 5 quarter, he means it is an inch and half verses an inch. Mr. Louis stated the floor joist will be 16" on center because we checked the rating for the 90# per square foot which is double a, home load of a, you know floor load of a house.

Mr. Louis stated the railings, if you would like to see them, it, it's a really nice system, he means it is all aluminum reinforced, it all has caps, it looks like we are actually using, they have got one ten units, that has a light and the cap would be above it, so the post will have that, the posts are going to be 6' high so we can put hanging baskets off of the post and then on the west side we have got a vinyl, board on board fence that we have the privacy for the neighbors and a people on the deck and is great for the noise.

Chairman Sandora stated so that fencing will be right on the deck itself.

Mr. Louis stated on the deck itself.

Chairman Sandora stated on the deck itself.

Mr. Louis stated and the bottom of the deck will now be closed off so that you don't see under at all.

Chairman Sandora stated right.

Mr. Louis stated which will be nice storage and things like that so all the posts will be covered now, shown on new prints, just trying to make it as nice a view that we can.

Chairman Sandora stated okay, Mr. Alvarez do you have any questions please.

Mr. Alvarez stated yes, Thank You Mr. Chairman.

Mr. Alvarez stated how many people do you anticipate to be on your deck, given tables and chairs and what have you.

Mr. Mizanin stated how many tables do you think we can get on it.

Mr. Louis stated he thinks, he thinks we are probably looking at 50 people tops, he is not sure if that number is going to be that high but.

Mr. Mizanin stated yeah, he wouldn't think that.

Mr. Louis stated basically we looking, what we are looking at is if everything goes right were actually going to be putting octagon tables which seat 8 and they are 8' by 8' so at that point you wouldn't get as many, actually were going to take the one, or buy a couple of them from Scorchers and put those, that's the plastic table that looks good forever and then some high tops so it's spaced out that way.

Mr. Alvarez stated okay, his other questions, this isn't the form to do this commercial plan reviews based on Building Codes, so understand that.

Mr. Louis stated okay he understands, he just want aesthetics for today.

Mr. Alvarez stated right, his question in general, you are going to have interior columns or piers here right, you are not going to be spanning anything 26'.

Mr. Louis stated oh no, everything is underneath, no.

Mr. Alvarez stated everything roughly 8', the beam will probably be 8' on center.

Mr. Louis stated correct, yes, yes, because like he said regular decks are set for 45 pounds per square foot, this will be set up for 90 pounds per square feet.

Mr. Alvarez stated so you will probably by using what 2 x 10's or 2 x 12's.

Mr. Louis stated depends on the span that we do, 2 x 10's, 2 x 12's for floor joists.

Mr. Alvarez stated okay.

Mr. Louis stated and then like he said 2 x 6 for flooring.

Mr. Alvarez stated okay.

Mr. Alvarez stated and then you said you are going to have some lighting now on here as well.

Mr. Louis stated which the lighting is actually shown on this, and you do have minimal lighting he thinks on your print, he thinks, but.

Mr. Alvarez stated it alluded to it lights on posts.

Mr. Louis stated it says it's on the top of the posts were generally, like he said what he likes to do is go on the top of all the posts and then we are also going to put on the building probably some nice porch lighting sconces on the wall so then we have a secondary lighting source on there.

Mr. Alvarez stated okay, about the only other questions again this is not a plan review for Building Codes.

Mr. Louis stated he understands.

Mr. Alvarez stated he will probably need a lot more details and have your Architect throw a lot more details on your construction details.

Mr. Louis stated as per, as per what, you just.

Mr. Alvarez stated construction details.

Mr. Louis stated oh construction will go to Building Department, he understands that, yeah, that's not a problem at all.

Mr. Alvarez stated yeah, that's when he normally sees them, not here, yeah and he normally let's people know that ahead of time.

Mr. Louis stated right, yeah, that's not a problem it will be, this will all be spaced, actually we will have an Engineer's Stamp for the floor joist and the load rate, he has actually an Engineer that will be set up to give us that.

Mr. Alvarez stated okay.

Mr. Louis stated we wanted to get this so it didn't get to late into the summer and lose another meeting so we wanted to have, we have a Monday for the trees and plants and things like that, that meeting and they wanted everybody to see what the railings looked like, the fencing, stuff like that so that we would hopefully build this in June and that's what, that's what he is shooting for, so that's what we are trying to do today.

Mr. Alvarez stated okay, he doesn't have any further questions Mr. Chairman.

Chairman Sandora stated Thank You Mr. Alvarez.

Chairman Sandora stated Mr. Merdes anything.

Mr. Merdes stated any sales in open yards that's prohibited, you weren't planning on.

Applicant stated no.

Mr. Merdes stated all the sales would take place inside and then in his report he had a couple of excerpts from the Code about the yard screening and the landscaping which he thinks a lot of the presentation has been towards that, more or less the Code is written so that the discretion is given to the Planning Commission and probably ARB for such things. Mr. Merdes stated and he, he had, the last thing was is and he didn't know but you are saying that you have a Professional Engineer involved with the project, if there is any ADA requirements they would be covered also.

Mr. Louis stated well, that's, that's a good question at this point because we have the ramp on the side of the building right now which would get them in the building, there are able to come out of, we have a better than a 5 x 5 area for them to go out onto the deck, at this point he really would not like to put two ramps on it, the parking lot shoots down at a very severe angle going to the back to grade wise and he had just checked with what we had done, with, look, if we come off the side of the deck going back towards the other ramp, he can't, he doesn't even have enough feet to, he would be touching the other ramp.

Mr. Merdes stated uh um.

Mr. Louis stated that's how close it would be coming back, so the people, as the ADA goes we would be able to have them enter the ramp or enter the deck but they would have to go back out the ramp on the other way, we have exits there but his thought, his, his thoughts on this was he has never been to a building that had two ramps before, usually if you have the steps up the back, you know the Fire Department or anybody else, you are already out of the building, you are only 32" off the ground, normally somebody would be able to take that person off and we are 30' off the building, as to put two, like he said as to put 2 ramps on, the only way the grade would work would be to head back towards Wallings and realistically he couldn't even come up with the 5' x 5' between the two ramps, it doesn't allow it so as ADA goes, his railings would be ADA, getting you onto the patio would be ADA getting you in the building is the existing ADA, to leave the building or to leave the patio he was not trying to make that Code because that's kind of beyond what we can do in a situation of this, of this facility, that's the only reason why he brought that up, because somebody had mentioned it, it might have been you.

Mr. Merdes stated right.

Mr. Louis stated and that's you know.

Mr. Merdes stated well and essentially.

Mr. Louis stated because they don't.

Mr. Merdes stated the ADA Code is a Federal Code so it's above the City.

Mr. Louis stated he understands, he understands that.

Mr. Merdes stated so and he thinks the Building Commissioner can, can maybe speak the same as he can on it, you are either complying with it or your not.

Mr. Louis stated but he has never seen it so.

Mr. Merdes stated if, if you, more or less have a professional that's involved in the design of the deck.

Mr. Louis stated yes, uh um.

Mr. Merdes stated and, and perhaps part of his process, he looks into.

Mr. Louis stated he understands.

Mr. Merdes stated everything that you are doing to so that you are compliment.

Mr. Louis stated he understands, yes and you do realized that we do have a Professional Architect and Engineer because of the load rating on decks now so it stands that we have that, it's going to be submitted to the Building Department.

Mr. Merdes stated Thank You.

Mr. Louis stated Thank You.

Mr. Merdes stated Thank You Mr. Chairman.

Chairman Sandora stated Thank You Mr. Merdes.

Don Willey stated Mr. Chairman.

Chairman Sandora stated Mr. Willey.

Don Willey stated Mr. Merdes, could he get a little clarification, you said that it would not be inside sales, all sales would be inside the building does that mean they would not sell anything out on the deck.

Mr. Louis stated okay, at this point we weren't going to put an additional bar outside because he doesn't think the City's allowing it, an outside bar right now.

Chairman Sandora stated right.

Don Willey stated okay.

Mr. Louis stated so that, knowing that we weren't shooting for that.

Don Willey stated okay, the other question, you mentioned about storage underneath the deck.

Mr. Louis stated storage meaning, just if he has, it just, the idea was it was closed off and cleaned up, he means we have an access panel, it wasn't a matter for being storage it just was a matter that you didn't see under it, it wasn't like we were trying to put kegs under there or anything like that, we weren't changing the use of the property right now it just was a matter of when he said storage it was cleaned up, there is an access panel in case animals got underneath it, or something like that.

Mr. Mizanin stated somebody throws something down below you can at least get in there.

Mr. Louis stated exactly.

Mr. Mizanin stated and clean it.

Don Willey stated okay, now what is the one other question, what is the drop from the highest point on the deck to the ground.

Mr. Louis stated it's 32" right now.

Don Willey stated that's all it is.

Mr. Louis stated yeah.

Don Willey stated and the lowest point is.

Mr. Louis stated the lowest point.

Don Willey stated because the drive, the, the a.

Mr. Louis stated right, at, were at 30, well we are at 32", he is sorry, that's not true, we are actually 28" at the building but we go out the other way, we are probably 40", 42" he is sorry because it's about 42" where that stops, it is grass between the end of the deck and the parking lot, we do have about a 30" buffer zone between the parking lot on the back side of the building.

Don Willey stated uh um, good.

Mr. Louis stated and it will be a 42" rail.

Don Willey stated and the a doors coming from the a, existing doors are ADA also the width and so forth, Fire okay, Thanks.

Mr. Louis stated yes they are.

Chairman Sandora stated Thank You Mr. Willey, anybody else on the Board, anybody in the audience have anything, question's comments.

**Chairman Sandora stated he will make a motion to a approve the deck for The Sip - N - Post on the condition that the Applicant meets all the conditions and requirements of the Architectural Review Board, that the Applicant meets the a Fire compliance with the Fire Department and also with compliance on the ADA if necessary, do you agree to that.**

**Mr. Louis and Mr. Mizanin stated yes.**

**Chairman Sandora stated Thank You.**

**Victor Bull stated second.**

**Chairman Sandora stated it's been moved and seconded, any other discussion, Ms. Fashempour call the roll please. Roll call: Yeas: Four - Bull, Mayor Luks, Willey, Chairman Sandora. Nays: None. Motion carried.**

Chairman Sandora stated Good Luck.

Mr. Louis and Mr. Mizanin stated Thank You.

Ms. Fashempour stated hey Wayne, if you get a chance can you drop on of those new plans off to her.

Mr. Louis stated he will and actually he is going to change, actually you can have this, he will actually give you this and then when he goes Monday to ARB.

Chairman Sandora stated when, do you want it stamped by the a.

Ms. Fashempour stated no, it, it doesn't make any, just so that she has something that you talked about tonight, she means if you want to you can keep that and drop it off tomorrow or whenever, bring it in she will make a copy.

Mr. Louis stated he understands, just, yeah, right, he has no problem, he will transfer to this, three copies, do you want two, he will keep one.

Ms. Fashempour stated she just, she just needs one, just for the file, she can make copies from there, Thanks, she just wanted to because you talked about it and she wants.

Mr. Louis stated that shows up the bottom and that makes it nice, it shows the changes we made.

Ms. Fashempour stated Thank You.

Ms. Fashempour stated she has nothing else under Miscellaneous.

#### **Adjournment**

Chairman Sandora stated motion please.

**Don Willey stated motion to adjourn.**

**Victor Bull stated second.**

**Chairman Sandora stated it's been moved and seconded, Ms. Fashempour.**

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

**Chairman Sandora stated we are adjourned.**

*Planning Commission Meeting for Wednesday, April 18, 2007 adjourned at 7:55 P.M.*

**Approved: Tony Sandora - Chairman - Planning Commission**

**Attest: Brenda Lynn Fashempour, Secretary - Planning Commission**

**Date : April 25, 2007**