The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Thursday, November 9, 2017 to conduct a Public Hearing. The hearing was called to order at 7:00 p.m. by Chair Tim Miller and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Tim Miller, Larry Antoskiewicz, Frank Castrovillari, Jessica Fenos, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

Motion and second to excuse Mayor Stefanik with cause. Motion carried.

PUBLIC HEARING:

The Secretary to the PC stated Public Hearing notices were sent to property owners within 500 feet of the property in question and posted as required.

1. **ORDINANCE NO. 17-112.** AN ORDINANCE ACCEPTING THE DEDICATION OF 199.41 FEET OF HEDGE BROOK DRIVE AND 635.52 FEET OF RIVER SUMMIT IN THE PINESTREAM SUBDIVISION PHASE 7 FROM D.S. ACQUISITION & DEVELOPMENT, LTD, AND DECLARING AN EMERGENCY.

Scott Goldberg on behalf of D. S. Acquisition & Development, LTD stated previously the PC has given approval for final plan and final plat. He said they are now seeking favorable consideration of the dedication of Phase 7 of the subdivision.

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

2. **Bailey Development Subdivision.** Seeking Sketch plan approval for a proposed subdivision located off of State Road (east of River Road). The subdivision will consist of 30 single family residential lots on PPN: 486-28-014, PPN: 486-28-015, PPN: 486-29-003, and PPN: 486-29-001.

Dan Jicha, with MG Civil Design spoke on behalf of Chris Bailey the Developer of the project. He stated they are seeking sketch plan approval. He gave a brief summary of the plans submitted. He said the 30 acres are currently zoned RRZ and contain ecological aspects such as streams and wetlands. He said they did an evaluation using the RR-2 zoning under Rural Residential. It allowed only for six lots with approximately 1,500 linear feet of roadway. The Applicant is therefore requesting they be allowed to use the RR-V application which would allow one unit per acre with the hopes of having 30 lots. They will be using private drives to help lessen the impact on streams and wetlands for the property. The entrance to the site will be offset 125 feet from Boston Road due to the wetlands. The site will have three private drives. He said their plans include both water and sanitary main extensions along Wiltshire.

Chris Bailey of Bailey Development Company stated they are very limited to the amount of usable land for housing due to the wetlands and streams. They plan to develop the land and not disturb the ecological natural features of the property. She said although the lots are smaller, the houses tend to be larger. The houses have small setbacks. She stated they have limited the disturbance of wetlands to one-half acre. Once they receive approval to do this kind of project on this site, they will complete the necessary calculations for the EPA.
Cathy Schweda, 4287 Wiltshire Road, spoke in opposition of the proposed sketch plan. She spoke of the beautiful landscape and nature they have enjoyed. She also expressed her concern regarding the water level of the creek and how it overflows and may change the water table. She spoke of sewer gases which continue to come from the sewers. She also submitted a document showing the tax implications of a 6 home community versus a 30 home community.

Greg Bonner, 4473 Wiltshire Road, spoke in opposition of the proposed application for safety reasons and also because of the increased amount of traffic on the street which is being used as a cut through.

Kevin Krese, 735 Walden Pond Circle of Hinckley, spoke in opposition of the application. He said in RRZ we should be preserving the aesthetics and minimizing the visual impact; a rural residential village is in complete contrast to that.

Lisa Uffman-Kirsch, at 3060 Wiltshire Road and also property owner of 4453 Wiltshire Road asked to see a site development evaluation showing a configuration of two or three acre lots instead of five acre lots. She said she is excited to see the concept of the Rural Residential Village code being considered. She questioned the grading and site disturbance. The code states there can be no greater than 25% maximum site disturbance of the whole site for all improvements including vegetation removal. She questioned whether the existing homes would be kept or raised and what use the property on Wiltshire Road marked SWM would be and if any variances are required for the proposed plans.

Scot Lamparter, 4273 Wiltshire, stated his is a property owner of one of the parcels in the proposed subdivision. He agreed with the comments regarding traffic but added that very little of the traffic is from anything that was developed in North Royalton. He said he bought the property to develop it. The neighboring houses have enjoyed the view for 22 years and have had the opportunity to purchase the property. He said he would like to sell the property and use it for his retirement plan.

Gary Scislo, 20067 State Road, stated he is also a land owner of one of the parcels. He said he has paid his taxes for 50 years and it is time for him to move on. He said he also received no offers from the neighbors when attempting to sell off his parcel.

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

ADJOURNMENT OF THE PUBLIC HEARING

Moved by Ms. Fenos, seconded by Mr. Antoskiewicz to adjourn the Public Hearing. Roll call: Yeas: Four. Nays: None. Motion carried. The Public Hearing adjourned at 7:45 p.m.
REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Thursday, November 9, 2017 in regular session. The meeting was called to order at 7:45 p.m. by Chair Tim Miller.

PRESENT: Planning Commission: Chair Tim Miller, Larry Antoskiewicz, Frank Castrovillari, Jessica Fenos, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

APPROVAL OF MINUTES:

Moved by Mr. Antoskiewicz, seconded by Mr. Castrovillari to excuse Tim Miller from voting on the minutes of September 20, 2017. Motion carried.

Moved by Mr. Castrovillari, seconded by Ms. Fenos to approve the minutes of September 20, 2017 as submitted. Roll call: Yeas: Three. Nays: None. Abstained: One. Motion carried.

OLD BUSINESS

1. Huntington Park Subdivision Phase 4. The subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A zoning District. Phase 4 will be an extension of Angelina Drive. Final Plan approval was granted on 9-7-16. Tabled. 180 day extension expires 3-5-18.

2. Indian Trails Subdivision Phase II. Woodhill Properties, Inc. is seeking preliminary site plan approval for Indian Trails Subdivision Phase II. The subdivision will consist of 13 lots on PPN: 481-26-051, 481-26-050, 481-26-011 and 481-25-014 in a R1-A Zoning District. Phase II will tie into Indians Trails Phase I. Tabled. 180 day extension expires 12-4-17. Applicant is requesting a 180 day extension.

Motion and second to remove from the table. Motion carried.

The Clerk read into record a letter from the Applicant requesting a 180 day extension.

Moved by Mr. Castrovillari, seconded by Mr. Antoskiewicz to approve a 180 day extension. Roll call: Yeas: 4 (Miller, Antoskiewicz, Fenos, Castrovillari). Nays: None. Motion carried. Motion and second to return to the table. Motion carried.

3. Line-X of Greater Cleveland – Building plan and preliminary site plan approval for commercial building located at PPN: 483-13-008 Royalton Road in a General Industrial District. Tabled. 180 day extension expires 12/18/17. Applicant is requesting a 180 day extension.

Motion and second to remove from the table. Motion carried.

The Clerk read into record a letter from the Applicant requesting a 180 day extension.
Moved by Mr. Antoskiewicz, seconded by Ms. Fenos to approve a 180 day extension. Roll call: Yeas: 3 (Miller, Antoskiewicz, Fenos). Nays: None. Recuse: Castrovillari. Motion carried. Motion and second to return to the table. Motion carried.

4. Michael Pizzuti. Michael Pizzuti of EMC, Inc. is seeking Sketch Plan Approval for a subdivision consisting of 10 single family residential lots on PPN: 486-23-003 on the east side of State Road between Cady Road and Wiltshire Road in a Rural Residential Zoning District. Tabled: 5-17-17.

5. Jo Ann and Rino Costa. Jo Ann and Rino Costa are seeking approval of a lot split of PPN: 483-22-005, also known as 10701 Royalton Road, currently zoned as General Industrial District. Tabled: 9/20/17.

Motion and second to remove from the table. Motion carried.

Steve Costa was present to speak on behalf of his parents Jo Ann and Rino Costa regarding the request for a lot split.

The City Engineer spoke regarding concerns brought up during the last PC meeting. The Applicants submitted a revised plan of the lot split. The plan showed the locations of the utilities which run through the existing parcel and how they would be differentiated between the split parcels. A proposed easement is shown for ingress and egress as well as utilities. It includes two different sizes of easements. The issue regarding the parcel not meeting the minimum frontage of 100 feet was addressed; a variance was granted by the BZA on May 22, 1978 for that parcel allowing the difference. Parcel B which is the rear parcel will be a land locked piece of property because it does not have frontage along the public road. Since C.O. 1278.05 (b) has been met since the private driveway does meet and/or exceed our standards and specifications of a dedicated public roadway. They will need to provide an ingress/egress easement though Parcel A to Parcel B. They have proposed a 45 ft. wide ingress/egress and utilities easement is being proposed on the east side of the property. A 10 ft. wide gas and storm sewer easement is being proposed on the west side of the property. Should the PC approve this application, the Law Department will work with the Applicant regarding the actual language which will include who has the responsibility for maintenance of the utilities and ingress/egress easements. From City Services perspective there is no change. The Engineering Department recommends the approval of the lot split.

The Law Director stated if the Commission approves, the application will need to go before Council for their approval. He added the easement will be perpetual and run with the land.

Moved by Mr. Castrovillari, seconded by Ms. Fenos to approve the lot split. Roll call: Yeas: 4 (Miller, Antoskiewicz, Fenos, Castrovillari). Nays: None. Motion carried.

NEW BUSINESS

1. ORDINANCE NO. 17-112. AN ORDINANCE ACCEPTING THE DEDICATION OF 199.41 FEET OF HEDGEBROOK DRIVE AND 635.52 FEET OF RIVER SUMMIT IN THE PINESTREAM SUBDIVISION PHASE 7 FROM D.S. ACQUISITION & DEVELOPMENT, LTD, AND DECLARING AN EMERGENCY.
Scott Goldberg on behalf of D. S. Acquisition & Development, LTD stated previously the PC gave approval for final plan and final plat. He said they are now seeking favorable consideration of the dedication of Phase 7 of the subdivision.

The City Engineer stated the Applicant was here last month and because of an administrative error, the agenda should have read final plat approval and dedication. Because it did not have dedication they are now back before the PC. All the checklist items required for dedication have been addressed and submitted to the Engineering Department and therefore he recommends approval of the dedication.

Moved by Mr. Antoskiewicz, seconded by Mr. Castrovillari to approve and recommend to Council. Roll call: Yeas: 4 (Miller, Antoskiewicz, Fenos, Castrovillari). Nays: None. Motion carried.


Chris Bailey responded to some of the questions raised. She stated the private drives are private access drives; they will be maintained by the HOA. A variance would be sought for the length of the street. She spoke about the sewers, the existing homes, the village center which will not include a building but does include common areas and walking trails.

The Building Commissioner stated we have not had a development presented before PC under the Rural Residential Code. The way it is structured density of the parcels is based on two and three acre parcels or based on an SDE which would include the Rural Residential Village as an option. The intent is to preserve the ecological and topographic features of the RRZ District. He stated the SDE which was presented does not adequately innumerate the hardships that would allow for a RR-V village to occur.

The Applicant argued the point regarding site disturbance and the hardship allowing for a RR-V to be possible and what is feasible. The Building Commissioner responded when you have a two or three-acre lot in a RR-2 or RR-V, the intention is not to grade the entire lot; diagrams are provided within the ordinance defining the building envelope. He stated there are other opportunities with the layout of the site that would maintain the 75 sq. ft. setback or mitigation.

The City Engineer stated the City would like to see the intersection at State Road, which is considered a major street, align the intersections for safety purposes. He spoke about the feasibility of following the RR-2 and RR-3 zoning. He stated they are one lot for every two acres or one lot for every three acres of development. Based on the site of 30 acres, the maximum the site can have is 15 lots, or for RR-3 it would be 10 lots. For the RR-V which she is proposing, the maximum is one lot for every acre of development; 30 acres = 30 lots. The site disturbance relates to the public improvements that are necessary for the site, such as storm water management. This would include everything for the roadway and the stormwater management areas. The code is designed to have a small envelope; you clear the minimal amount and build off of that. The Applicant stated if she puts six lots in, the overall disturbance will be over 60 percent. The City Engineer stated he disagrees.

The Law Director stated the owners of this property have the right to develop this land if they can. We may have a different understanding of the code. Feasible means achievable;
something that is able to be done. An RR-2 would seem to be achievable; whether or not it is achievable in a way that it is monetarily desirable is another matter. We want the PC to have a full understanding of what the code is, what it means, and how it is to be used. The guidance the Applicant is seeking is guidance we can’t offer. The PC looks at what is presented and determines if it meets the code. He added that you can’t get to RR-V until you have already eliminated RR-2 or RR-3. Based on what has been presented it seems that RR-2 is still feasible. He said the site development evaluation does not tell us enough, and what we do see does not seem to fit.

Dan Jicha stated the retention is in the same areas on both plans; it was inadvertently left off the 30 site plan.

The City Engineer continued, the wetlands preliminarily scored them as a category 2 which is a 75 foot setback. Regarding site disturbance, the intent was to leave the lot natural; with minimal grading from the road but to remain natural. Open the minimal area you need to get a driveway and access to build the house. The lots will be completely wooded. The length of the cul-de-sac would need a variance. It looks like it appears they have oversized for storm water and considered storm water management more than what is required. This is only a sketch plan. We will need more information if this does move forward. He added, in his opinion RR-2 and RR-3 are not off the table. The Engineering Department Report will be kept as a permanent part of the record.

Moved by Mr. Castrovillari, seconded by Mr. Antoskiewicz to approve the sketch plan for proposed subdivision. Roll call: Yeas: None. Nays: Four (Tim Miller, Jessica Fenos, Frank Castrovillari, Larry Antoskiewicz). Motion denied.

MISCELLANEOUS

The next scheduled meeting is Wednesday, December 6, 2017.

2018 Meeting Schedule: The Law Director stated there has been a lot of discussion internally with the Administration; going forward one meeting will be scheduled per month, including the month of August. If there is a need for a special meeting, there are provisions for doing so. The meeting will be held the first Wednesday of every month. The Chairman declared it to be the schedule.

ADJOURNMENT

Moved by Mr. Castrovillari, seconded by Mr. Antoskiewicz to adjourn the November 9, 2017 Planning Commission meeting. Yeas: Four. Nays: None. Motion carried. Meeting adjourned at 8:53 p.m.

APPROVED: /s/ Timothy Miller Date Approved: January 3, 2018
Chair

ATTEST: /s/ Diane Veverka
Planning Commission Secretary