

**BUILDING & BUILDING CODES COMMITTEE MINUTES
MARCH 15, 2022**

The Building & Building Codes Committee meeting was held on March 15, 2022, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 7:30 p.m.

PRESENT: Committee Members: Chair John Nickell, Vice Chair Dawn Carbone-McDonald, Joanne Krejci; **Council:** Paul Marnecheck, Mike Wos, Linda Barath, Jeremy Dietrich; **Administration:** Mayor Larry Antoskiewicz, Fire Chief Robert Chegan, Police Chief Keith Tarase, City Planner Kyle Reisz, Economic Development Director Tom Jordan, Law Director Thomas Kelly, Finance Director Jenny Esarey; **Other:** Ken Krejci, Michael McDonald, Vincent Weimer.

APPROVAL OF MINUTES

Approval of February 15, 2022 Building and Building Code Committee minutes. Moved by Ms. Krejci, seconded by Mr. Nickell. Vote: Yeas: 3 Nays: 0 **Motion carried.**

UNFINISHED BUSINESS

1. Economic Development

Mr. Jordan reported on the Bank of America project in the office building, whereas The Bank of America permitting process is complete. They are doing some foundation work, with anticipation to be completed by the end of the summer. The office building to the rear is doing the site work on the project; we are waiting on the final building plans.

Mr. Nickell inquired if the building is connected. Mr. Jordan indicated it is two separate buildings. The Mayor and himself met with the new ownership group for Carrie Cerinos and discussed their proposed plans, which they have not submitted plans yet. The work that being conducted at the site is some exterior landscaping and painting; which do not require a permit. They may have to go catering in upcoming months, and the restaurant aspect is the last thing in their plans.

Ms. Krejci asked if they would still have the same name. Mayor Antoskiewicz indicated that to his understanding, it would be a different name, Tre Michelle. They are anticipating the restaurant for some time next year. Ms. Krejci spoke positively about the establishment continuing in our City.

Mr. Jordan spoke about the Abbey Road re-development in Phase 3 of the Industrial Park. They met with the owner of the group on Abbey Road by phone conference. They are still in the process of acquiring the land that they need on the Abbey Road side. We have some preliminary plans on the existing Industrial Park. We are getting more detailed cost estimates, in providing to the state for possible funding for an industrial road. Essentially that is what needs to happen; to consolidate some land, and put in some right of way infrastructure in order to extend out the third phase. On the public side, we are looking at the right of way and how to pay for it. There are additional funds which require a plan, as well as some cost estimates; which we are working on. We plan to share with Council some proposed plans for the third extension. We are waiting on the private ownership group, that has already acquired over 40 acres on Abbey Road, to come forward with what their specific plans are.

The Store Front Program is underway and we continue to receive applications. We plan to spend most of the funds that were approved at the last meeting. Mr. Jordan has been using social media to get word out. He contacted some individuals that have active violations on their properties and informed them of the program; in an effort to resolve those violations. He spoke about Ms. Krejci having contacted him about 9900 Royalton Road. He will be using some of that money eventually.

Mr. Jordan indicated the Islander restaurant is fully permitted; they are under construction although not always onsite. Mr. Jordan indicated that they are fully permitted. Mr. Dietrich asked for more clarification as to the expiration of being fully permitted. Ms. Carbone-McDonald asked about the timeline. Mr. Jordan would classify them as actively under construction, there is no time line. If there is a full stop and a year lapse, then they are out of compliance. Mr. Jordan advised it is not uncommon to have a pause in it, although this project seems delayed. Mr. Dietrich asked if the developer provided him with an estimated time line. Mr. Jordan indicated no.

Ms. Barath brought up applications approved from the Store Front Program. She wanted to know the number of applications. Mr. Jordan believed that the number was four.

2. Ordinance 22-47 – Retention/Detention Basins Chapter 1248

Mr. Jordan spoke on 1248.02, section G, that requires all wet extended detention basins to include aeration. From his conversations with the Chairman, he felt that Council would like that section deleted. We could have it deleted and put on the Council agenda for a vote at the next meeting if Council desires. Ms. Krejci had no problem with the portion of it that is requiring it to be an association property. Mr. Nickell noted that the general consensus was to move this to Council to vote; minus the aeration requirement.

Mr. Wos explained First Energy indicated that they can set aside a meter for the power for that type of thing; therefore, it should not be an issue. Mr. Jordan made suggestion that Council could convey to the Planning Commission the following: Strongly recommending that aeration be used in all detention bonds as you move forward, but not requiring it in this instance. If required then, the only option for the developer is to actually seek a variance for it; if the pond is further away and it is too expensive.

Ms. Krejci stated that her concern was the HOA's being responsible for paying for it. Mr. Jordan commented that it only affects new ones going forward. Mr. Wos concurred. Ms. Krejci indicated that some HOA presidents have expressed to her that anything you do that is going to add more to an HOA, could be a concern because some really cannot afford additional expenses. She felt that she could go either way on this.

Mr. Wos pointed out if they have to get a variance because it is too far away, they can seek a variance. Mr. Jordan agreed. Mr. Nickell was concerned about the cost. Ms. Carbone-McDonald added that with HOA's, it is very touchy. She understood where Ms. Krejci was coming from. Mr. Nickell recommended to do it without the aeration; due to cost. He asked if this particular detention basin was on someone's property. Mr. Wos clarified it was. He continued that there are detention basins on lots and the developer sells that lot. What happens is residents run into problems, whereas one had erosion; the resident has had issues in the past with the HOA. Mr. Wos felt that the common-sense thing to do was to put it on common property, have an easement where you can get access to it, but is an HOA. Mr. Jordan believed that the legislation covered the part about the private property. Mr. Nickell concurred with Mr. Wos.

Mr. Nickell moved to recommend to Council to approval of Ordinance 22-47, minus the aeration, which would require an amendment on the floor. Ms. Krejci seconded. Yeas: 3 Nays: 0. **Motion passed.**

3. Memorial Park Update

Mr. Jordan reported that there are two separate contracts. One is F. Buddie Contracting to do the bridge and the pavilion. The bridges have been mostly completed. We are waiting on the delivery of the actual pavilion; they are making progress and are on site.

4. Accessory Buildings

Mr. Reisz recapped that it was discussed for accessory buildings to be placed 10 feet from property lines; from side and rear. He reviewed the section itself. The first item is the proposed changes, and the second was some additional information that is common that he thought might be helpful. SEE REPORT.

Mr. Reisz pointed out that if you are a resident trying to figure out how big your accessory structure can be, it is difficult to get through the wording and is not clear. When Mr. Reisz writes code, he always tries to make it easy to understand. The changes that he is proposing do not alter the substance of the chapter itself per say, but rather cleans up the language; making it easy to read and understand. In order to do that, we need to add two definitions. The first one, an accessory shelter, where there was a request from Council that gazebos be permitted as additional buildings on a lot. He clarified that accessory shelters include gazebos. It also includes hoop houses and greenhouses. He provided an example.

The new definition includes all accessory buildings; however, they have to be permanently affixed to the land, they cannot be more than one floor and one roof. The shelter may be entirely open or enclosed with fully transparent windows and doors, or non-transparent exterior walls that shall not enclose more than 20 %. Often times, people will build pool houses and they may have a chimney for instance, or a bar; a definition that would allow all of those types of structures is what accessory shelter does.

The second definition that needs to be added to the zoning code is a private garage. There is a difference in the code today between a private garage and an accessory structure; they are separately regulated. However, there was no definition to make that clear. We are proposing to add private garage as a definition, that can be attached or detached from the primary structure; or house. If we have those three definitions, we are able to regulate them in the proposed table, in which Mr. Reisz referenced a page on the report. He made reference to the table provided, whereas we allow for each residential lot to have one attached or detached private garage; and that the size of it is based on the square footage of the house itself. Mr. Reisz gave examples pertaining to the current code, whereas the numbers of square footage could be altered. He showed how it is regulated today. He took those regulations and put them into a chart with some very minor changes to the numbers.

Ms. Krejci asked for more clarification on what we would be proposing. Mr. Reisz explained, if you go back to the definition, it says the following: Each residential lot is permitted one accessory building, and one accessory shelter that is combined, shall not exceed the requirements below, based on the size of the lot. Mr. Nickell pointed out some definition of structure was included, and some of the square footages were updated more clearly. He also pointed out the change of the setback, which was 20 feet from any main structure, 10 feet from any accessory building, and 5 feet from property lines. Mr. Dietrich inquired about some of the rules. Mr. Jordan clarified that if it entails a patio already attached or a pad, and you are just putting a shade structure over it, then there is no need for a variance.

Mr. Reisz referred to a section on accessory shelters and larger lots, such as a gazebo; this is up for discussion. The way that the setbacks are written for accessory buildings and structures, you have to be behind the main wall of the rear house for your accessory structure. However, there are many instances where you are on a private road or long driveway for example, and you may want to put a gazebo in the front yard; we did not want to have to send that to the BZA (Board of Zoning Appeals.). Therefore, the note reads that if you have a completely unenclosed structure of 100 feet or less, you can put that in front of the rear wall of the main house, however, it cannot be a garage or enclosed in any way, nor a shed; a completely open structure.

Discussion ensued about acreage and structures. Ms. Krejci noticed another change, which was the 5 feet change from 10 feet; moving it to 5 feet due to too many variances. Mr. Reisz concurred. Mr. Nickell asked how everyone felt about the changes presented. Ms. Krejci felt that it made sense. Mr. Jordan commented that if the committee is fine with what is being proposed, we would ask the Law Department and Council staff to put it in legislation. Essentially, what you see in the packet with the updated table and language, would be incorporated in the legislation. Mr. Nickell likes the changes and how it was presented. He mentioned how much it would help on the website. Mr. Dietrich was comfortable with the changes as well.

Mr. Nickell moved to have legislation prepared to update the sections in reference. Seconded by Ms. Krejci. Yeas: 3 Nays: 0. **Motion passed.**

5. Splash Pad

Mr. Jordan advised that The Splash Pad is a separate contract with Cook Paving. He presented plans on the new shade structure and part of the splash pad. SEE REPORT.

He reviewed the scale with the size of the pad and the restrooms, demonstrating which area would be cut off during the summer; during construction. We are trying to schedule the opening in July. He went over concrete and paint, in which nothing can be done until after it is dry. This is considered a pool facility, in which we applied to the State of Ohio Department of Health for the license to build and construct this new public water facility. We must wait for the plans to be reviewed and approved. We will have a pre-construction meeting with Cook Paving. This week we also finalized a color scheme. The order has been placed with the supplier and we will get the supplies. We will see some site work that could commence at any time.

The upper half of Memorial Park will not be available for most of the summer. The pond area will be open. Ms. Krejci asked when the bridge would be completed. Mr. Jordan clarified, roughly in the next month or so. He spoke of some naturalization that would be implemented to make it more attractive.

NEW BUSINESS

1. Proposed legislation – ChargePoint, Inc. (electrical charging station – City Hall)

Mr. Nickell expressed his initial concern was that he did not want the City to have to pay any money. He brought up the legislation, which would authorize one to have the ability to use a payment method on the charging station; a card. The City would not be responsible for any cost in going forward. Mr. Jordan agreed. He summarized that the purpose of the legislation is to authorize the third party, ChargePoint, to provide their services so that we have the ability to charge those that use the station; charging to offset the any costs that is occurred by the charge station.

Mr. Nickell mentioned that we are going to amend it to show that it is the YMCA and not City Hall; which was a clerical error. That is a different federal grant. Mr. Jordan explained that we actually will not be handling the money in that case. We may enter a similar type of agreement to offset the cost for the power, however the actual construction and the management of the construction will be handled by another agency. He noted that there will be in the future authorization from Council to use our land, and a separate authorization for a company to charge back the customers that use it. Mr. Jordan mentioned that the grant will only give him the money back for the cost of construction after it is activated; the only way he could activate it was through ChargePoint.

Ms. Barath questioned when the station would be open and running. Mr. Jordan clarified that the one at the YMCA is up and running. We are waiting on authorization form Council to enter into an agreement. He felt it was a little more technical than what was anticipated; activating them is a challenge.

Mr. Nickell moved to recommend to Council for approval. Seconded by Ms. Carbone-McDonald. Yeas: 3 Nays: 0. **Motion passed.**

Mayor Antoskiewicz announced that the Service Department is going to get some sprucing up as well. We are going to redo the front, along with some landscaping, and a brand-new sign for the Wastewater Department. These items would be coming up soon. Secondly, we are out to bid for new signs to the entranceway to the City. He concluded that he is trying to get a fresh look into the City.

ADJOURNMENT

Moved by Mr. Nickell, seconded by Ms. Krejci **to adjourn the March 15, 2022 meeting.** Yeas: 3. Nays: 0.
Motion carried. Meeting adjourned at 8:17 p.m.