

**BUILDING & BUILDING CODES COMMITTEE MINUTES
SEPTEMBER 19, 2023**

The Building & Building Codes Committee meeting was held on September 19, 2023, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 7:09 p.m.

PRESENT: **Committee Members:** Chair John Nickell, Vice Chair Heidi Webber, Joanne Krejci; **Council:** Paul Marnecheck, Mike Wos, Jeremy Dietrich; **Administration:** Mayor Larry Antoskiewicz, Fire Chief Robert Chegan, Police Chief Keith Tarase, Finance Director Jenny Esarey, Law Director Tom Kelly, Economic Development Director Tom Jordan, City Planner Ian Russell; **Other:** Joel Spatz.

APPROVAL OF MINUTES

Approval of July 18, 2023 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

See report.

Ms. Krejci raised question about the land bank parcels for sale at the eastern end, roughly 7.5 acres. She wanted to know for those that may be interested in the land, whether they should contact Mr. Jordan. Mr. Jordan agreed, stating there is an application online and a form to fill out. He believes there is less than 4 acres, out of the 7.5 acres, considered to be developable.

Mr. Jordan spoke of the widening of York and York Alpa Road, which basically entails widening of that intersection. Ms. Krejci inquired if Mr. Jordan was planning to widen that. He indicated that would involve making another lane. He pointed out that it would affect part of someone's side lawn in the area. Ms. Krejci wanted to clarify that it would not require additional property. Mr. Jordan clarified more than likely; we may need additional right of way. Ms. Krejci asked about the timeline of that project. Mr. Jordan mentioned the widening cost is in the six figures. The cul-de-sac is somewhat more manageable and would probably be worked on first.

Mr. Nickell asked about the greenhouse, which is the parcel on the corner. Mr. Jordan stated that we have had a lot of interest in that. He went on to say that there are two homes and extensive greenhouses in the back, that are of no value for an industrial purpose. If you buy the land, you must take it down. The lot is not huge; between 5-7 acres. However, there is a vacant lot next to it, which those could be combined. Mr. Nickell brought up the bus waiting station at York fields. He thought folks that ride would go to the industrial park. There is probably no land for RTA to put their waiting station there; if they are bringing people to work in the industrial park. Mr. Jordan explained how difficult it is for people to find reliable transportation, in which North Royalton is at the end of these bus routes. The route in that area is meant for people to drive and then get on a bus, which is what that was designed for. He stated that we could ask RTA. Mr. Nickell mentioned there may be a federal grant. Mr. Jordan indicated the most frequent thing that they use in these outer ring suburbs is a bus that serves on call, perhaps for a large employer within the industrial park with a few workers. There is a service that will do so at a heavily discounted rate. He looked into this in the past, whereas if you take a bus from North Royalton and you are trying to get downtown, you are on a two or three bus connection; it is quite difficult.

Mr. Marnecheck brought up something that Solon does called the RTA Connectworks Microtransit Program, which is a first-mile, last-mile initiative that is a part of the microtransit service that connects people from public transportation to the front door of their workplace. As discussion ensued, Mr. Jordan shared that there is an app that you can attempt to meet a bus.

2. Memorial Park Update/Splash Pad

See report.

Mr. Jordan spoke on something that is finally happening after seven years, which is the Akins Road to the All Purpose Trail being built. He continued that there are many reasons for that delay. At last, you can go from the City Center to the All Purpose Trail on one path, which is what we are trying to accomplish down State Road, from Royalton Road to the All Purpose Trail.

3. Senior Center

Mayor Antoskiewicz advised that we did a walk-through last week with the architect. He hopes to have some type of tentative plan to show Council at the next meeting. They did convey to him that they would have something for him.

4. Amending Chapter 1477 – Regulations for the Use and Installation of Solar Energy Systems

Mr. Jordan advised that in the year prior, we placed a prohibition against the installation of solar panels on the front of the home, which has been in place for roughly a year. There were a lot of requests for variances from that code. The Law Department indicated that they would review it and make corrections; we circulated this internally. He believed that Council did not have any issues with some of the comments that the Fire Department had; that portion was approved. Ms. Krejci concurred, stating that we left the issue about having the solar panels installed on the front of a residence; the current prohibition and the method of applying for a variance.

Mr. Nickell shared that his position on this has not changed; he did not want these on the front. He had agreed with Ms. Krejci and was fine with BZA handling it. Ms. Krejci commented that in her research in her ward, she was surprised to find out that most residents did not care about having the solar panels on the front. She did not receive negative comments. If the residents of Ward 3 do not mind, then she may consider voting in favor of it, although personally, she still felt that they do not look nice.

Ms. Webber agreed that she would consider it as well. The only thing she has heard from anyone in Ward 5 is that they want to be able to put them on the front. She asked about leaving that restrictive part. Pertaining to BZA, she wanted to know if any of them have been approved. What she did not want to see happen, would be telling a resident to go ahead and get a variance, go through this process, and then it gets voted down every time. Mr. Russell explained that as long as he has been on BZA, since this has been passed, there has not been a variance approved to put them on front of the roof. He mentioned a gentleman that had been waiting four months for his chance, and there are two others that are interested in applying.

Ms. Krejci thought that BZA was approving them, stating they are on a lot of the front of homes. Mr. Russell clarified that those were done before the ordinance was put into place. Mr. Dietrich wanted to clarify that they have been done in the past, however, not since Mr. Russell has been on BZA. Mr. Russell concurred, and agreed with the point of Mr. Marnecheck that it was not prohibited. Mayor Antoskiewicz added that we could not stop them. Mr. Dietrich questioned why they were turned down at BZA. Mr. Russell explained that no one has officially been denied, however no one has been approved either. As to residents waiting, Mr. Russell stated that this gentleman has been waiting just to get a full Board. He knows it has gone back and forth within BZA as well. He has been tabled or withdrew his application and had to resubmit. He is sitting through the process. Mr. Dietrich wanted clarification that no one has been denied or approved. Mr. Russell agreed.

Mr. Dietrich stated that if you filled up this room, that would not represent all of North Royalton for any situation. You may have talked to a hand full of residents that conveyed one thing. Ultimately, you have to go

back to the residents, or you have to let it be on a case-by-case basis; as Mr. Nickell also pointed out. It is not going to bother people, other than those around those homes that may have front solar panels. He agreed to leave it the way it is, and have them go to BZA. He went on to say if residents want to dispute it that live directly next to that person, then they are given that opportunity. Mr. Dietrich felt this would be fair. Mr. Jordan commented that the residents that are waiting, likely knew about the pending legislation, therefore they would withdraw their application if the legislation went forward. Mr. Dietrich stated however, if the legislation passes and you have to get a variance through BZA, we do not allow them on the front of homes. Mr. Jordan clarified that is how it currently reads. Mr. Dietrich felt that it needed to stay that way; there are exceptions. Mr. Jordan's opinion was that they were unattractive when he was considering solar panels personally, and he decided against it. However, as energy increases, his resistance to the aesthetics is lessening. As prices increase, he felt that people may find them more accepting.

Ms. Krejci asked for more clarification, as to some folks having recently added them. She wanted to know how they got them on if they did not get BZA to give them a variance. Ms. Webber indicated that they are grandfathered in. Mr. Nickell noted this ordinance may be less than a year old. Mr. Russell agreed; it likely passed in December of 2022. Ms. Krejci did not recall passing legislation about it. Mr. Wos mentioned that this came up from the stand-alone panels. Ms. Krejci wanted further clarification as to the process. She went on to say our current ordinance states that we do not allow them on the front of homes. If we ask BZA, we are going to leave that. That would mean anyone that wants them should go through the process of getting a variance through BZA. If we do not convey that, she wanted to know if there would still be some people waiting. Mr. Nickell stated we are not preventing people from putting solar panels on their house, they just cannot be on the front. Mr. Nickell suggested taking a vote, reiterating that he is not changing his mind.

Mayor Antoskiewicz recapped that Council would be putting this on and voting, or we are just going to leave it as is. Then people know that they need to go to BZA or not. If the legislation is going to stay the same as it is now, then they can be told that they have to go to BZA to get approval. If Council is going to entertain the fact of putting them on the front and make legislation for that, then those people would probably wait until they see how Council votes on that legislation. Mr. Nickell agreed, as well as Ms. Krejci. Mr. Dietrich stated that his vote would be no.

Ms. Webber added that if we remove it from committee, then the ordinance as it is written stands; that prohibits the front facing panels and people go to BZA. Her concern was if we find out that they are consistently voted down, whether we re-introduce this. Ms. Krejci agreed that we could, or if they are consistently voted in favor, then we would also potentially need to reconsider it. Ms. Webber suggested if we leave it the way it is and we just remove it, then we can revisit this in the spring; while considering how the votes are and what residents are wanting. She reiterated that we can remove it and revisit it in the spring, or when we see how some of it is handled; how the applications are going. Mr. Nickell supported that idea, as well as Ms. Krejci.

Mr. Nickell moved to remove item number 4, Amending Chapter 1477, Regulations for the Use and Installation of Solar Energy Systems from the Building Codes Committee Agenda, seconded by Ms. Krejci. Yeas: 3. Nays: 0. **Motion carried.**

ADJOURNMENT

Moved by Mr. Nickell, seconded by Ms. Krejci to adjourn the September 19, 2023 meeting. Vote: Yeas: 3. Nays: 0. **Motion carried. Meeting adjourned at 7:41 p.m.**



ECONOMIC DEVELOPMENT REPORT BUILDING & BUILDING CODES MEETING TUESDAY, SEPTEMBER 19, 2023

Industrial

- The new 12,000 square foot building for Gray Matter, LLC, located at 9841 York Alpha Drive, has received a temporary occupancy. Work is still ongoing.
- In the final 2022 Federal consolidated budget the City of North Royalton received a \$2 million appropriation/grant for the York Beta Industrial Park Sewer Extension. The Wastewater and Finance Department is managing the grant and project.
- Morel Landscaping is building a 9,000-sf office/warehouse building at 12024 York Road. New building plans were approved. Work is well underway.
- Lozinak & Sons is building a 5,000-sf accessory building at 10769 Royalton Road. The building has been completed and site work remains to be finished.
- Fazio Mechanical bought 13821 Progress Parkway and is renovating this 20,700-sf building. The company has moved in and has started a small interior renovation. Construction is underway and inspections are ongoing.
- The city is proposing to purchase two parcels in the industrial park on western end York Beta Drive for a new a cul-de-sac and the remainder of the land is to be used for development. We are moving toward closing this month.
- The city is in the process of applying for funding for the construction of a cul-de-sac at western end of York Beta and for new entrance at York and York Alpha Drive of the industrial park.
- The city has put up for sale 7.5 acres of land on the eastern end of York Beta Road.

Commercial

- The owner of Business Network Team located at 12316 York Road is proposing an expansion of their current 9,940 square foot office building. The Business Network Team, is a telecommunications and IT network consulting firm. The proposal includes a 2-story front addition totaling 4,560 square feet as well as a 2-story rear warehouse addition totaling 9,634 square feet. The proposed additions will not only provide more space for the business but will also serve to enhance the aesthetics of the building. Along with the building addition, there will be parking lot and stormwater improvements made to the site.

- Chipotle has proposed to redevelop the former Burger King at 5702 Royalton Road. The permits have been issued and demolition and construction is well underway.
- The former Carrie Cerino's restaurant has been re-purchased. Staff met with the owners on site concerning permitting and known issues at the site last month and followed up with information on incentives.
- The former Tonight Tonight property on Royalton Road has been demolished however they have not backfilled the site. We informed them that they will have to install a permanent barrier around the site unless the site is backfilled soon.
- The new owners of Mr. Divots have filed for building permits for new construction. They have already started some smaller improvements. They are reconsidering some site improvements.

Residential

- There is a four-lot minor subdivision proposed for the end of Sherwood Trail. The project received preliminary site plan approval but the developer is currently considering changes to the preliminary plan.
- We are reviewing a subdivision plan near the entry to Harley Hills. They received sketch plan approval for 4 houses on the north side of the entrance.
- The proposed subdivision located near Sprague and State Roads received preliminary approval at the March meeting of the Planning Commission. The project will be seeking preliminary site plan approval for 20 single-family cluster homes. They do not have final site plan approval.
- There was a proposed 5-unit subdivision off of Cedarwood which was denied at Planning Commission. A new developer is considering submitting a new plan.

Building Dept Software

- The city is implementing a new portion of City Force building dept software. The new City Force Connect will allow residents and contractors to electronically enter their applications online and pay online. There are some city computer security issues to work through.

Zoning Updates

- The company that performed the Master Plan has provided a draft of the TCD updates that were recommended by the Master Plan update of 2020. The goal was to simplify the TCD districts and recognize the current retail market. The Administration's review has just been completed. We will be drafting legislation soon.
- An edit to the existing standards for solar power is proposed. We are proposing removing the requirement that the solar panel be installed only on the rear roof of the house. We are adding a requirement that the electrical disconnect box and dwelling be clearly marked as solar powered.

York Road Baseball Fields

- The construction of this project has been completed. We are in the process of closing out this project.

Storefront Program

- As of December 31, 2022, we have approved approximately \$69,000 in Storefront Program funding. We have approximately \$45,000 available for 2023

Grants

Memorial Park

- The design was completed for Phase 1 of the All Purpose Trail. The contract was awarded to Ohio Paving and Construction Co. we held the pre con meeting last week. They plan to perform the work in two weeks in early November.
- The city has received a \$1,000,000 grant from Cuyahoga County to cover the cost of implementing the Memorial Park Master Plan including all of these phases. These funds will primarily be used for Memorial Park.
- The Splash pad was opened on Memorial Day. After operating for just over a week City staff noticed a loss of pressure. Repairs to feature pump were completed. The contractor has been given a revised punch list. The city is holding up the last payment.

NOACA Grants

- NOACA has informed us that they ran out of money and cannot install the charging station at this time. Instead of installing 47 stations they are only constructing 40. Ours was one of the 7. They are applying for additional federal grant money to cover the install of the remaining seven.
- The city received a TLCI grant for the construction of the extension of the path on Bennett Road. The construction is now underway after a several year delay.
- The city submitted two applications for Transportation for a Livable Community Funds. The two applications are for two extensions of the sidewalks on State Road. The first is from the YMCA to Lisa Lane and the second is from Akins to the All Purpose Trail in the Metroparks.

Land Bank Parcels

- The city is considering marketing some of the larger vacant parcels from the land bank.
- All the vacant land bank parcels will be on the city website.
- The city has listed the two residential parcels on West 130th Street on the city website. The city has received an offer for both parcels. The offer is pending.
- The city has listed the York Beta property on the city website. We are accepting offers.