

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, June 6, 2018 to conduct a Public Hearing**. The hearing was called to order at 7:00 p.m. by Chair Larry Antoskiewicz and opened with the Pledge of Allegiance.

**PRESENT:** Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Jessica Fenos, Frank Castrovillari, Gene Baxendale, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

## **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. **Dover Farms Apartments.** Brandi Cuthrell of JVM Realty Corporation on behalf of Dover Farms Apartments is seeking site plan approval for a dog park located at 8290 Royalton Road, also known as PPN: 482-32-002, in a RM-D Multi-family District.

Brandi Cuthrell stated she is seeking approval to change the location of the existing dog park; the plan also includes a new fence for the dog park. She explained where the existing dog park is and where they would like to relocate it.

Paul Marnecheck, Ward 4 Councilman, asked the PC for their support in order to approve the site plan for the proposed dog park.

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

2. **Hollywood Hounds Pet Spa and Cleveland Grooming Academy.** Kristi Pianka of Hollywood Hounds Pet Spa and Arielle Scavnicky of Cleveland Grooming Academy are requesting a similar use determination as set forth in C.O. 1276.03 (b), 1262.08 (b), in order to operate a pet grooming business in Town Center Plaza (K & F Property Town Center LLC) 13513 West 130<sup>th</sup> Street, also known as PPN: 483-07-001, which is located in a Local Business District.

Kristi Pianka said they have outgrown their current business location at 10019 West 130<sup>th</sup> Street in North Royalton. They are looking to move into a larger facility. They are seeking a similar use occupancy permit for the new location. She said the facility will house two businesses. A grooming salon for animals; they stay for about three hours and then their owners pick them up. Arielle Scavnicky runs the school training academy; approximately three to five students at a time. She will have four or five dogs in there at a time for about three hours before the owners pick them up. She said she has letters from the adjacent units where they are currently located stating they run a clean facility and do not hear the dogs barking. The Law Director said the letters cannot be entered into the record since they are not notarized.

Ronald Pianka, 13761 Webster Road, father of Kristi Pianka stated he has plans showing the dog grooming area and plot plan.

**Moved** by Mayor Stefanik, seconded by Ms. Fenos to **move this item to the Regular Order of Business**. Roll call: Yeas: Four. Nays: None. Abstain: One (Castrovillari). **Motion carried.**

### **ADJOURNMENT OF THE PUBLIC HEARING**

**Moved** by Mr. Baxendale, seconded by Mr. Castrovillari **to adjourn the Public Hearing**. Roll call: Yeas: Five. Nays: None. **Motion carried. The Public Hearing adjourned at 7:09 p.m.**

### **REGULAR MEETING**

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, June 6, 2018 in regular session**. The meeting was called to order at 7:10 p.m. by Chair Larry Antoskiewicz.

**PRESENT:** Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Jessica Fenos, Gene Baxendale, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchitsky, City Engineer Mark Schmitzer.

### **APPROVAL OF MINUTES:**

Moved by Mr. Castrovillari, seconded by Mr. Baxendale to **approve the minutes of March 28, 2018. Motion carried.**

Moved by Ms. Fenos, seconded by Mr. Castrovillari to **approve the minutes of April 4, 2018**. Mr. Baxendale excused. **Motion carried.**

Moved by Mr. Baxendale, seconded by Mayor Stefanik to **approve the minutes of May 2, 2018. Motion carried.**

### **OLD BUSINESS**

1. **The Swim of Things**. Anna Paliwoda on behalf of The Swim of Things is seeking preliminary site plan approval for a proposed parking lot enlargement and addition of a second egress drive located at 14386 Ridge Road, PPN: 487-02-023 in a General Business District. Tabled on 5-2-18.
2. **Huntington Park Subdivision Phase 4**. Final site plan approval. 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. 180 day extension expires 8-8-18. Tabled.
3. **Morel Landscaping, LLC**. Robert Morel of Morel Landscaping, LLC and LAF Development, LLC is requesting an extension for the previously approved lot consolidation and preliminary site plan approval for a landscaping business at 13928 Progress Parkway also known as of PPN: 483-18-016 and PPN: 483-18-018 currently zoned as General Industrial District. These approvals, including similar use approval, were received on 2/22/17 for the southern parcel. A 90 day extension was granted on 3-7-18. Tabled.

Motion and second to remove from the Table.

Rob Morel stated he is seeking final approval on the site plan for the southern lot. He said the main difference between the preliminary and the final is fencing/guardrail that is going along the edge to prevent vehicles from sliding down into the ravine. Temporarily blocks and pallets are being used. They implemented a mitigation plan so all the equipment and everything else is off the north lot. A driveway was not needed to be installed; grass is growing, the bins are in place blocking the way.

The City Engineer stated he has been working with Mr. Morel. Everything is cleaned up to the satisfaction of the Engineering Department. He did not need to make the clearing from the road to gain access to the north parcel in order to clean it out and grade it; so grass is growing. Everything related to the north parcel is back to a pre-disturbance condition. Concrete block bins are cutting off the future access to the north parcel. He said he agrees with the guardrail being placed along the top of the slope. As long as the Applicant keeps the site clean; everything he has proposed on the plan is acceptable.

Mr. Castrovillari asked the applicant to explain how the bins are going to be used and if there is any issue of the bins over spilling into the ravine. The City Engineer responded he doesn't expect that to be an issue. He said if the applicant installs a tube sock along the guardrails, it may help keep the mulch from spilling over; they will need to be replaced over time. Mr. Morel responded he would do that.

The Chair asked what the status of the lot consolidation is. The Applicant requested to withdraw his application to consolidate the two lots. The Chair informed the Board the only item being voted on is the final site plan approval for the southern lot.

**Moved** by Mr. Castrovillari, seconded by Mr. Baxendale to **approve the \*Preliminary Final Site Plan for the southern parcel.** Roll call: Yeas: Five (Mayor Stefanik, Antoskiewicz, Fenos, Castrovillari, Baxendale). Nays: None. **Motion carried.**

\*a scrivener's error was made; the intent was to secure final approval and that final plan approval was granted.

4. **Line-X of Greater Cleveland** – Building plan and site plan approval for a commercial building located at PPN: 483-13-008 Royalton Road in a G.I. District. Tabled. 180 day extension granted on 5-2-18; expires 10-29-18.
5. **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 RRZ District. Tabled: 180 day extension granted on 5-2-18; expires 10-29-18.
6. **Online Liquidation Auction**. Seeking site plan approval for proposed parking lot improvements at the northwest corner of the existing building located at 8748 Ridge Road, also known as P: 482-12-016 and PPN: 482-12-030 in a LB District. Tabled 12-6-17.
7. **Tomaro Properties**. Tony Tomaro on behalf of Tomaro Properties is seeking approval of a lot split and consolidation of PPN: 489-12-010 also known as 6700 Wallings Road and PPN: 489-12-011 also known as 12057 Ridge Road currently zoned as R1-A District. Tabled. 90 day extension granted on 4-4-18. Expires 7-3-18.

Motion and second to remove from the Table.

Tony Tomaro spoke on behalf of Tomaro Properties. He said on April 4 they were before the PC requesting a lot split. A number of considerations and requirements were imposed for approval. He said they have reviewed those and are prepared to accept and comply with all the conditions placed during that meeting as documented in the meeting minutes with the exception of the curb and monolithic sidewalk along the Wallings Road boundary. He said this presents a significant and undue burden to them. It is unnecessary due to the fact that no other sidewalks exist along the northern side of Wallings Road for over a quarter mile. He added they feel it presents a potentially hazardous condition to anybody who may be using that sidewalk. He went on to explain why. He said they would like to request a waiver to perform this upgrade at some future date when and if the City has a program to create sidewalks along the northern side of Wallings Road.

**The Building Commissioner stated the Applicant was provided a list of four items they need to come into compliance with:**

1. Install concrete aprons and paving using asphalt or concrete for both of the existing driveways located at 6700 Wallings Road and 12057 Ridge Road.
2. Demolish or conduct a full renovation, inclusive of foundations, structural elements, doors, roofing, exterior, etc. for the existing garage located at 12057 Ridge Road.
3. Execute all site upgrades along Wallings Road as recommended by the Engineering Department. This item has been modified to: remove the vegetation on the slope, opening up and doing some minor grading work to adjust the swale for drainage to the satisfaction of the Engineering Department, and planting a different type of stabilizing material along the slope.
4. Resolve any remaining property maintenance issues: peeling paint, damage to exteriors, landscaping beds, unruly vegetation, etc.

He went on to say the only question he has is to the City Engineer regarding what other items would have been required as part of item #3 other than the sidewalks. The City Engineer stated part of the sidewalk was to clear up the vegetation growing on the hillside. It is a huge impediment when it flourishes. Part of the requirement was the vegetation be removed and replaced with something else established on the hillside other than bamboo which sticks out. He added he would be supportive of the sidewalk not being replaced until a future date when other sidewalks are going in east of this area along Wallings Road. The applicant would need to sign a waiver stating in the future if the City decides to move forward on sidewalks, he would have to install the sidewalk. He said the hillside vegetation should be removed. The swale down at the bottom of the slope, where it meets the road, should be graded properly and pitched to drain. On the slope, the addition of some sort of grass or vegetative cover similar to what is used on the slopes of a highway so it doesn't need to be mowed. The area at the bottom along the swale can be mowed so the water flows. The current grass growing on the top will also need to be mowed.

The Law Director asked the Applicant if he finds modified item #3 acceptable. Tony Tomaro responded yes. He said he understands the stipulations he is agreeing to. He asked for clarity on the landscaping requirements which are unclear and not documented in the meeting minutes from April 4<sup>th</sup>. He said the Building Commissioner did send a letter indicating those activities. The Building Commissioner clarified the City's concerns are regarding the unruly vegetation. If they agree to comply with the Engineering Department's

comments to clear the slope of the unruly vegetation and trees that are half dead, and to clean up landscaping beds it is a significant step forward. The Applicant stated he understands. He said many years ago the City came and put in the turn lane and graded the property that way and installed vegetation. He said unfortunately he does not have record of the activity and the promises made about maintaining the slope but he said they will remove and maintain the slope.

Timeframe for Item #1 and Item #2 would be to have it done prior to the execution of the plat consolidation and sub-division.

The Law Director stated sidewalks are intended to be placed at every newly constructed dwelling. These parcels are in a R1-A District and the lots are intended to be used for single family dwellings. It is for the entire sub-division of the parcels. The waiver of installation of sidewalks will also be applicable to the newly created lot on Wallings Road. We expect the waiver will pass on with each individual property with each individual lot. The extension will be for the corner lot and only that portion of it on Wallings Road and the next lot which features a single family home but for which there is currently no sidewalk installed. Because it is not on a separate lot and a separate sub-lot is being created, the same waiver commitment will be on that parcel as well. **Mr. Tomaro will be granted a waiver and he will sign a waiver commitment that at such time as it is demanded of him by the City that sidewalks be installed, he will install them to the areas where there are no sidewalks currently.**

The Applicant was asked who maintains the properties. Tony Tomaro responded the renters on the Wallings Road property take care of the grass cutting. The renters in the corner house at 12057 Ridge Road maintain the corner lot property south of the driveway and west of the house. The vacant lot is maintained by the Tomaro family. The Mayor asked him to please keep the properties cut for the remainder of the growing season. The Applicant stated he understands.

Mr. Baxendale questioned if the previous citations have been satisfied. The Building Commissioner responded the citations will be handled under Item #4, general outstanding issues.

**Moved** by Mr. Baxendale seconded by Mr. Castrovillari **to approve the lot split and sub-division contingent on the full execution and completion of the stipulations from the Building Department and Engineering Department under items #1 – 4 and agreed to by Tony Tomaro.** Roll call: Yeas: Five (Mayor Stefanik, Antoskiewicz, Baxendale, Fenos, Castrovillari). Nays: None. **Motion carried.**

## NEW BUSINESS

1. **Dover Farms Apartments.** Brandi Cuthrell of JVM Realty Corporation on behalf of Dover Farms Apartments is seeking site plan approval for a dog park located at 8290 Royalton Road, also known as PPN: 482-32-002, in a RM-D Multi-family District.

Ms. Cuthrell stated they will be removing the existing fence and relocating the dog park to a better location. She said newly purchased obstacle course equipment is also part of the proposed dog park. She said the existing gazebos have been removed. With no further comments from the Departments or questions from the Board, a vote was taken.

**Moved** by Mayor Stefanik, seconded by Mr. Baxendale to **approve the site plan**. Roll call: Yeas: Five (Mayor Stefanik, Antoskiewicz, Baxendale, Castrovillari, Fenos). Nays: None. **Motion carried.**

2. **Hollywood Hounds Pet Spa and Cleveland Grooming Academy.** Kristi Pianka of Hollywood Hounds Pet Spa and Arielle Scavnicky of Cleveland Grooming Academy are requesting a similar use determination as set forth in C.O. 1276.03 (b), 1262.08 (b), in order to operate a pet grooming business in Town Center Plaza (K & F Property Town Center LLC) 13513 West 130th Street, also known as PPN: 483-07-001, which is located in a Local Business District.

The Building Commissioner stated as with other Similar Use Determinations, the PC has the opportunity to place requirements upon the applicant. The use isn't clearly listed in our zoning code but is found to be similar to this Board and is appropriate for this District. We are dealing with a Local Business District in an existing plaza with existing tenants. The proposed use is a dog grooming and training facility. He stated his recommendation is that adequate soundproofing measures be implemented by the owner and tenant in order to avoid any disturbance to the adjacent tenant spaces: an insurance company and a church. The hours may not conflict, however there will be varying hours for them that will overlap. It is strongly recommended that a stipulation be placed on it that the soundproofing measures satisfy the needs of the Building Department as part of their permit application.

Mr. Baxendale inquired about the handling of the animal waste. Ms. Pianka responded they put the waste in secured plastic bags and then in the dumpsters behind the building. They have not had odor issues in the past. She said the dumpsters are picked up once a month, but if it is an issue, they will have it picked up more often.

Ms. Scavnicky stated the majority of the barking in the salon is in the cage room. When the dogs are being bathed or groomed in the front it is normally quiet. She asked if soundproofing can be put only in the cage room area where the dogs are being held. The Building Commissioner said he is not sure if he could adequately answer that. He said he recommends some soundproofing occur within all the spaces with greater soundproofing around the cage room. He said these are not simply minor modifications in the cage room. He said on the extreme end it is actually a separate wall. There are many levels and numerous products and materials that can be used. Once they get into the technical level he could sit down with their architect. The applicant expressed concern because the walls are 90 feet on both sides and was worried about cost. The Building Commissioner stated he had expressed this to them when they came in over a month ago that this was something that would have to be included in the project. Mr. Castrovillari stated the wall by the insurance company is simply drywall which probably is not insulated. On the church side is a block wall.

The Building Commissioner stated we can review the architectural drawings when submitted and we will review the STC sound transmission quality of the walls. He added the ventilation system will need to be upgraded to comply with state laws for ventilation for an animal facility. The architect would be able to advise you on that as well.

The Law Director stated the motion would be appropriate for the approval of the applicant's application for similar use determination contingent upon the Building Department and the

Building Commissioners approval relative to soundproofing. The applicant said she would agree to that. The Building Commissioner added if we are receiving complaints, they may need to come revisit the PC again.

Jim Frangias, landlord of the property, stated the adjacent business, Allstate Insurance, said they are happy to have the pet spa going there. He said the church is only there for one hour on Sundays. He said there is a common area where they are planning on putting the dogs in the back which is further back than both business and won't be by neighbors other than restrooms.

The Law Director asked if Mr. Frangias, as the landlord would he commit to providing the buildout needed. If any soundproofing is necessary in working with them you will have a happy tenant for many years to come. Mr. Frangias responded they are working with them on it. He said they have done a lot to the property. The Mayor expressed his appreciation to Mr. Frangias.

Moved by Mr. Antoskiewicz, seconded by Mayor Stefanik to approve similar use determination contingent upon the Building Commissioner's approval relative to soundproofing. Roll call: Yeas: Four (Mayor Stefanik, Antoskiewicz, Baxendale, Fenos). Nays: None. Abstain: One (Castrovillari). **Motion carried.**

## MISCELLANEOUS

The next scheduled meeting is Thursday, July 5, 2018.

## ADJOURNMENT

Moved by Mr. Castrovillari, seconded by Mr. Baxendale to adjourn the June 6, 2018 PC meeting. Yeas: Five. Nays: None. Motion carried. Meeting adjourned at 8:00 p.m.

APPROVED: /s/ Larry Antoskiewicz  
Chair

DATE APPROVED: July 5, 2018

ATTEST: /s/ Diane Veverka  
Planning Commission Secretary