

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on Wednesday, **April 3, 2019 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, Vice Chair Frank Castrovillari, Jessica Fenos, Mayor Stefanik, Gene Baxendale, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer, Law Director Thomas Kelly.

## **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. **PC19-13: St. Matthew the Evangelist** – Cupkovic Architecture on behalf of St. Matthew the Evangelist is seeking building and site plan approval for construction of a 4,107 sq. ft. building along with associated site improvements located at 10383 Albion Road, also known as PPN: 481-23-011 in Public Facility District. The project will consist of a new temple, narthex and a breezeway which will connect the church to the existing Fellowship Hall.

Susan Moore of Cupkovic Architecture spoke on behalf of St. Matthew the Evangelist. The project scope consists of replacing the St. Matthew church that was lost due to fire. The new proposed building will be approximately 4,107 sq. ft. It will consist of a new temple, narthex and breezeway. The breezeway will connect the church to the existing Fellowship Hall. The existing Fellowship Hall which survived the fire is currently under renovation. The new design will incorporate a new front entrance and create a new courtyard space between the sanctuary and hall. She said the temple is designed on an east/west axis. The orthodox ecclesiastical requirements require the alter to face east. The breezeway doors will also serve as the accessible entrance to the church. She showed exterior elevations and samples of the materials.

She said they are challenged by some of the existing conditions of the project. In order for the temple to face east, they are requesting relief from the required side yard setbacks. The west end of existing parking lot also does not meet the current code. Some parking spaces are also shorter than current code.

Craig George, 9451 Sherwood Trail, Brecksville, member of church, stated the turning of the sanctuary is dictated by the eastern orthodox faith and is a mandate.

Dan Langshaw, Ward 3 City Councilman, spoke in favor of the approval of the site plan.

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

## **ADJOURNMENT OF THE PUBLIC HEARING**

**Moved** by Mayor Stefanik, seconded by Mr. Castrovillari to **adjourn the Public Hearing**. Roll call: Yeas: Five. Nays: None. **Motion carried**. The Public Hearing adjourned at 7:15 p.m.

## REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Wednesday, **April 3, 2019 in regular session**. The meeting was called to order at 7:15 p.m. by Chair Larry Antoskiewicz.

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

## OLD BUSINESS

1. **PC18-09: The Swim of Things.** Anna Paliwoda on behalf of The Swim of Things is seeking preliminary site plan approval for 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 11-8-18. A 180 day extension expires 5-7-19.
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 7-3-19. Tabled.
3. **PC19-14: Dan Egizii of EGZ Properties** is seeking building and site plan approval for construction of a 12,000 sq. ft. office warehouse building along with associated site improvements located at 9925 Royalton Road, also known as PPN: 483-26-002 in General Industrial Zoning District. PC19-01 Preliminary plan approved 1-3-19 with contingencies. *Applicant seeking final approval.*

Motion and second to remove from Table. Motion carried.

Dan Egizii stated since the last meeting he was made aware that he had a tenant that had 15-17 tractor trailers in the lot and was leasing part of the building. He said he has evicted the tenant and they are not completely out yet but they will be 100 percent out at the end of April. He said by doing this he has given up approximately \$36,000 a year. He said he has more conex boxes than what is currently on site because they are out on jobs; they may stay there for a year or two. The conex boxes are part of his business for storing plumbing tools. He was told to make some type of water retention in the back area because some trees were cleared. He said rather than putting it back to grass, he is choosing to put some retention in the back. He said after he is finished in the front, he would like to build a building in the back solely for his plumbing business. Mr. Egizzi said he was told by his Engineer the documents were submitted to the Engineering Department; apparently that was not the case.

The Building Commissioner stated previously Mr. Egizii was here before the PC Board for a new building at the front of the property along Rt. 82. We took a serious look at the rear portion of the property and found that there were significant deficiencies on the property: unlicensed vehicles, businesses, and expansion of the parking lot had occurred. Mr. Egizii has removed many of the vehicles. Effort by Mr. Egizii has been made as to resolving non-conforming uses; he had all of his current tenants make application for certificate of use and occupancy. He has made substantial steps towards cleaning up his site. There are still a

number of items that need to be addressed; specifically there are a number of conex boxes/cargo containers in the back. He has provided the Building Division with a list of the number of vehicles that are permitted to be on the site and who gets to park where and how many vehicles. At one time he was up to over 30 vehicles on the site, not counting cargo containers; the gravel continued moving out. He said there are still approximately 24 pieces of equipment/vehicles on site. There needs to be more of an effort by Mr. Egizii. We would like him to submit a proposal as to how he is going to handle the cargo containers and a time frame. The Building Commissioner stated at this time, he recommends tabling this application until there is more closure.

The City Engineer stated the single plan that was submitted with the application shows storm water management for the back portion of the property. He said he would be willing to work with the submitted storm water management concept as part of the permitting process for the front building with the contingency that we would not issue any permits to build anything else until we had something that worked in the back. There are two options for the back area. 1) Clean things up to where it was with no gravel or 2) to clean up some of the gravel, don't expand anymore and have the storm water management in place. Mr. Egizii stated he is choosing option #2. He added that when he is done out front, he wants to build a standalone building in the back for his plumbing business.

Mr. Schmitzer stated with the widening of Royaltan Road currently going on, we are seeing a lot of businesses that see this as an opportunity to expand and develop their properties. The problem is coordinating work efforts with those property owners and contractors while things are going into construction. Mr. Egizii has an application in with the Engineering Department that has already been approved by Cleveland Water Department to tap on to the existing water main and bring his 8" water line that serves his property just outside of pavement and work limits onto his property. He said he does not feel this will be an issue since he is only tapping in; it is not live. Mr. Egizii stated he is putting the 8" line in for the building in the back so he can install a fire hydrant.

Mr. Schmitzer stated the stormwater management should be constructed at the same time for the back and the front. Mr. Egizii stated this puts a financial burden on him. He said he would consider it if he had to. The Building Commissioner asked Mr. Schmitzer if Mr. Egizii puts the storm water retention in the back, would it allow him some latitude with restoring the back portion to grass while he builds his building. Mr. Schmitzer responded yes. If this is tabled today, he sees no reason why Mr. Egizii cannot submit applications and plans to the Building Department and Engineering Department to get the process rolling in the review process. This will give us an opportunity to meet and discuss any last applicants that are in his building for any items that need to be resolved. Mr. Egizii responded all the tenants in the building are on board. The Building Commissioner stated the Building Inspector still needs to be called back to re-inspect.

Mr. Castrovillari stated concerns regarding the building elevation have not yet been addressed. The Building Commissioner responded those will be addressed in the drawings that are part of the final approval of the building. At this point he has received preliminary approval for the elevation.

The Mayor asked how many tenants are in the building now. Mr. Egizii responded four. They are in the process of getting occupancy permits. The Building Commissioner stated the PC

application should be denied at the next meeting if the occupancy permits are not filed. Mr. Egizii asked to have the application Tabled for 30 days.

**Moved** by Mayor Stefanik, seconded by Mr. Castrovillari **to table the application for 30 days.** Roll call: Yeas: Five: (Baxendale, Fenos, Antoskiewicz, Castrovillari, Mayor Stefanik). Nays: None. **Item tabled.**

## NEW BUSINESS

1. **PC19-13: St. Matthew the Evangelist** – Cupkovic Architecture on behalf of St. Matthew the Evangelist is seeking building and site plan approval for construction of a 4,107 sq. ft. building along with associated site improvements located at 10383 Albion Road, also known as PPN: 481-23-011 in Public Facility District. The project will consist of a new temple, narthex and a breezeway which will connect the church to the existing fellowship Hall.

The Building Commissioner stated this was an existing site for a church, fellowship hall and parking lot. They had to deal with the unfortunate event of a fire. They are here before us for a site plan approval. There are a number of items that exist on the site, such as width of the property, existing parking layout and existing structural locations that may not be in full conformance with the code. They are seeking PC approval of the site plan and to resolve any of the outstanding items. The Law Director stated after several discussions with the Building Commissioner and the Assistant Law Director who is Council to the BZA, and based on his review, the PC has the authority to grant each and every one of the variances that they would otherwise have to seek at the BZA. If PC approves the site plan as it is laid out, they will also be approving all of the variances as well. He added the PC gives schools and churches as wide a latitude as possible in order to accommodate their desire to have a place of worship in the manner in which conforms to their beliefs.

The Building Commissioner briefly explained the variances. He said the parish owns two parcels to the north. They are residential but not consolidated as part of the church. Directly to the east is also a residentially zoned parcel but it is utilized as an easement for utilities. Placement of the church has certain limitations that are required by religious ecclesiastical necessities, such as the alter has to face east; therefore they are seeking a 25 ft. variance from the northern property line. The same situation occurs to the east for the side alter, they are seeking a variance of 46 ft. less than the 66 ft. required, which is property that they own. Additionally the parking stalls as they were laid out originally were undersized by one foot in length. The new proposed stalls on the north side will match that size. Also the parking lot to the west is closer to the property line by 2 ft. 6 in. than would normally be permitted. Our ordinance also requires they provide adequate parking for both uses even if they are shared: the Church and the Fellowship Hall. In this situation, the church will not have full occupancy at the same time as the Fellowship Hall. They are seeking relief from that ordinance.

Susan Moore of Cupkovic Architecture spoke on behalf of St. Matthew the Evangelist. She said the inside of the Fellowship Hall is under construction starting this month. Ms. Moore stated there are two existing lights mounted on existing light poles. She said they have not yet had the opportunity to run foot candle numbers to see how far the lot is lit. They have asked a lighting consultant to see if additional lighting is needed. The City Engineer stated lighting issues may need to be looked at if they have evening events at the Fellowship Hall. He added they have included stormwater management on the proposed site; currently there is no storm water management on the site because it was developed prior to our code requiring it.

The Mayor stated surrounding neighbors were advised of the public hearing. He said he and Council received no phone calls; that speaks well of this project. Mr. Baxendale expressed concern for the young children having soccer practice on the soccer fields. He said a light may need to be added in that area. Mr. Castrovillari suggested increased landscaping around the signs.

**Moved** by Mayor Stefanik, seconded by Mr. Baxendale **to approve the final building and site plan as it is laid out, including variances.** Roll call: Yeas: Five (Mayor Stefanik, Baxendale, Antoskiewicz, Castrovillari, Fenos). Nays: None. **Motion carried.**

### MISCELLANEOUS

The next scheduled meeting is Wednesday, May 8, 2019.

### ADJOURNMENT

Moved by Ms. Fenos, seconded by Mr. Castrovillari to adjourn the April 3, 2019 PC meeting. Yeas: Five. Nays: None. Motion carried. Meeting adjourned at 7:52 p.m.

APPROVED: /s/ Larry Antoskiewicz  
Chair

DATE APPROVED: June 5, 2019

ATTEST: /s/ Diane Veverka  
Planning Commission Secretary