

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **April 27, 2022 to conduct the Regular PC Meeting**. The meeting was called to order at 7:05 p.m. by Chair Gene Baxendale and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Gene Baxendale, Paul Marnecheck, Mayor Antoskiewicz, Marie DeCapite, Holly Michalke, Secretary/City Planner Kyle Reisz. Administration: City Engineer Justin Haselton.

PUBLIC HEARING / OPEN MEETING

Old Business

- a) **PC22-05-02:** Rob Morel, owner, is seeking **final site plan** approval for a new 9000 sq. ft. office and warehouse building on a 3.97-acre parcel of land located at 12020 York Road also known as PPN: 483-06-003 in General Industrial (GI) District zoning.

Moved by Mr. Marnecheck seconded by Mayor Antoskiewicz to approve final site plan approval for the office/warehouse building.

Rob Morel gave a history of the project. He said they have been operating their landscape company for about a year on this 4-acre parcel. The original plan was to eventually put up a building in order to fully operate their landscape outfit out of there. He spoke on the concerns brought up at the April 6th meeting. Lighting: They are proposing lights which shine down and will light the parking area and not bother the neighboring properties. Screening: The PC requested additional screening because of the larger building. There is a line of arborvitaes planted across the entire front of the property. Additional screening has been proposed by adding larger trees in an island on the mound.

Mayor Antoskiewicz spoke regarding the hours of operation; they have not been changed from the original approval granted in 2021 by the PC. Those hours would also apply to any tenant that is operating out of this location. Mr. Morel stated that is correct.

With no further discussion or input from Administration, the Chair asked for a roll call on the motion as read.

Roll call: Yeas: Five (Marnecheck, Baxendale, Mayor Antoskiewicz, DeCapite, Michalke). Nays: None. **Motion approved (5-0).**

New Business

- a. **PC22-06-01** Frontier Land Group, prospective developer, is seeking sketch plan approval for a new 31 lot single-family detached cluster subdivision on a 24-acre parcel of land located at 8217 Ridgedale Drive also known as PPN: 489-02-005 in Residential (R1-A) District zoning.

Mark Holz, principal of Frontier Land Group, 25700 Science Park Drive, Beachwood spoke about his company's operation. They hire contractors to put in the infrastructure and then sell the lots to builders. He said the plan is to develop into an R1-A single-family cluster subdivision consisting of fee-simple sublots. It will have public roads with an HOA to manage the common area and ponds. The subdivision will skew towards empty-nesters, step-down, down-sized buyers. All single-family homes with a potential for single-story and two-story houses. He displayed a sketch plan of the property. The plan is for a maximum of 31 home sites. The code requires 50 percent green space; they are showing 68 percent open space on the plan. If the number of home sites is reduced, it may go up to 70 or 72 percent. The lots will be approximately 55 ft. wide by 140 ft. deep. This plan is pending the environmental analysis which includes a wetland study. He said there will not be more than 31 lots,

possibly less because of the wetland impacts. The plan is to do a lot split on the two-acre Ridgedale parcel for a single-family home and green space for the subdivision. They said they have had discussion with the West Creek Conservancy regarding the process of protecting green space in an easement which goes to the HOA or donate the land to the West Creek Conservancy.

City Engineer: With any development, our concerns begin with stormwater. Their preliminary plans show two stormwater management ponds which most likely will meet the City's requirement. The Engineering comments were submitted and are part of the record; they include the code sections that are applicable for this application including stormwater, wetlands, streams, setbacks, etc. The Engineering Department is not opposed to the plan being proposed showing a reduction in the pavement width; it would reduce the amount of impervious area and less stormwater runoff.

City Planner: The Building Department is particularly focused on the roadway itself. The right-of-way will be a standard 60 ft., the cul-de-sacs will have a 45 ft. radius. The City's standard curb-to-curb is generally 24 ft. We have asked the developer to reduce that to 20 ft. because it is such a small subdivision. Reducing that reduces the impervious surface by 5,000 sq. ft. It will also reduce the City's liability when maintaining the roadway. It allows for wider sidewalks and wider tree lawns for canopy trees to grow.

Mayor Antoskiewicz reminded the audience that this is only a sketch plan. The Chair stated we look at the sketch plan to see if it is within the realm of possibility of the proposed plan and whether it meets the zoning codes.

The Chair opened the floor for comments from residents. He asked that the comments be limited and not repeated.

Susan Roth, spoke on behalf of her daughter who lives at 8237 Ridgedale. She said her daughter's driveway has a 30 ft. easement next to the parcel they plan on splitting off on Ridgedale. She said there is also a utility easement on the other side which contains the waterline that goes to her daughter's house and the electrical lines which is overhead. She said if they are selling the parcel, her daughter would be interested in buying some of the back of PPN: 489-02-004 which is the front of her daughter's house. This way they could not plop a shed in the rear of the parcel which would affect the aesthetics of her daughter's parcel. The existing cabin on the parcel is in danger of falling down.

Taylor Marzono, 5978 Bunker Road, expressed his concern that the retention pond will be right up to the property lines and any overflow will flood their yards. She asked for a 50 ft. setback or more for the retention pond.

John Zajac, 8250 State Road, stated the detached homes are planned to be seven feet apart. He asked what are the price-range for the homes. He expressed his concern regarding noise, dust, etc. once they clear the land of trees to build the subdivision.

George Albrecht, 9132 State Road, expressed his concern regarding stormwater and the erosion of the creek in his back yard that at one time was 1½ ft. wide and is now 25 ft. wide due to the added developments. The Army Corpse of Engineers have been out and are unable to solve the water issue problem and the erosion of the creek.

Leone Sirna, 6100 Bunker Road, asked if they would be clearing trees from the green space. If the parcel was given to the parks, would they be able to put up buildings or pathways. If it stays with the HOA, would it stay the same way it is now. He asked if the retention ponds would always have water in them or just a grassy area that would fill up during the heavy rains and slowly release.

Brittany Ruprecht, 8237 Ridgedale Road, asked if there are plans to remove the wetlands; they are a vital part of our environment.

Shan Kilbane, 8518 Bunker Road, expressed concern regarding change of stormwater which currently flows to Sprague Road. He does not want to see it come back onto Bunker.

Carolyn, 8148 State Road, stated the subdivision will be behind her back yard. She asked if they will be adding permanent fencing or vegetation around the perimeter and if they will control dust during construction.

Dolores McClure, 5114 Oakridge Drive, spoke of too many houses in not enough space and the removal of trees.

Chris Florio, 8136 Maple Grove Avenue in the Oak Ridge Development, spoke regarding the creek to the northeast of the development which cuts under Sprague Road and goes through his back yard. The neighbor's house was recently demolished and three of the houses across the street were just purchased to be demolished and two other neighborhood houses were bought and torn down with public funds. We will see increased water flow again with less trees to absorb the runoff that will then drain into that lowland that carries the water out. He said his house will be the next to be bought.

Mayor Antoskiewicz said the Sewer District is doing a lot of work in that area.

With no additional input, the Chair closed the Public Hearing portion of the meeting and called to order the Regular Order of Business.

Mark Holz responded to the question regarding the property on Ridgedale Road. He said they are aware of the easements on the property. The houses are not 7 ft. apart. The code requires a 7 ft. setback; which is a minimum of 14 ft. between structures. That is what is allowed by code; some of the houses will be 12 ft. or 15 ft. away from the property line. The buyer decides if they want a one-story or two-story house. A guess for price of home is starting in the low \$300,000 range; the housing market is changing constantly. He said in the 68% greenspace, they plan to keep most of the trees and left in its natural form. If the Conservancy take the land, they will want to make use of it. They may add trails or benches. If the HOA puts it in a conservation easement, it would stay in its natural form. In the 32% where the homes are being built, the land would be cleared. They are unsure if the ponds will be wet or dry. They will have a better idea, once they do all the stormwater calculations and analysis. He said there are wetlands on the property; they will do their best to avoid the wetlands. The most amount of wetlands they would ever fill would be one-half acre which is allowed under national permit. There are no plans for permanent fencing; the homeowner will be allowed to put privacy fencing if allowed by the HOA. He feels dust will not be an issue.

Mark Holz spoke regarding stormwater. He said he is not an expert, however, he showed where the water will flow on the site. In theory, the subdivision should make things better because they are collecting the water and moving it away from the creek not backing it up towards it. He said it is something they will address; however, because they are not developing in that area, he is uncertain if it will be removed.

The City Engineer stated our standard code requires the water leaving the site is not increased, and in the case of most smaller storms it is decreased. A 10-year storm must be reduced to less water leaving the site for a majority of storms. For a larger storm, it will leave the site at the same rate but it will not leave the site at a greater rate than it currently is. On this specific site, it appears the water is heading more northwest where their basins are located. Residents south and east will not be affected by it.

Ms. DeCapite asked the applicant to give an overview of how the site will drain. Mr. Holz responded this is a sketch plan; they have not gotten into the design. When a design is drawn up the engineers will work on creating a balanced grade. There will be cuts and fills to move dirt to make buildable pads; some lots may be walkouts and some might not be.

The Chair asked if the sketch plan were approved tonight, what is the best guess on returning before the PC. Chuck Szucs from Polaris Engineering responded with a sensitive site like this he assumed detention calculations would be done with the preliminary plan.

Ms. DeCapite said the back of the southern side of the southern pond's elevations are higher than some of the back of the properties they abut to. Are there plans to prevent flooding. The applicant responded the sketch plan is for general placement; all the storm calculations will be in account to decide the size and depth of the pond and the location of the pond.

Mr. Marnecheck stated he is encouraged that the applicant is already talking about a Conservation District and talking to West Creek. Hopefully as you do your calculations, the amount of open space continues to rise to maximize the open undeveloped space.

Mr. Nickell, Ward 1 Councilmen, stated we take very seriously the water issues. He said he is open to conversation with the residents to hear any of their concerns.

The Chair stated sketch plan approval is an overall thought, an idea of a development. He said he does see anything alarming that would lead us to say at this point that we shouldn't be doing it or at least letting the developer take it to the next step.

Moved by Mr. Marnecheck, seconded by Ms. DeCapite to approve sketch plan for a 31 lot single-family detached cluster subdivision on a 24-acre parcel of land located at 8217 Ridgedale Drive also known as PPN: 489-02-005 in Residential (R1-A) District zoning. Roll call: Yeas: Five (Michalke, DeCapite, Mayor Antoskiewicz, Baxendale, Marnecheck). Nays: None. **Motion approved (5-0).**

ORD No. 22-63, ORD. No. 22-64, ORD. No 22-65, ORD. No. 22-66, ORD. No. 22-67

- b. **PC22-07-01 ORD. No. 22-63** – Council has referred to the PC an ordinance amending the codified ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1260 General Provisions and Definitions, Section 1260.07 definitions to add appropriate definitions for accessory buildings, and declaring an emergency.
- c. **PC22-07-02 ORD. No. 22-64** – Council has referred to the PC an ordinance amending the codified ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1270 Residential Districts (other than senior citizen and rural residential districts), Section 1270.04 area, yard and height regulations, paragraph (g), and declaring an emergency.
- d. **PC22-07-03 ORD. No. 22-65** – Council has referred to the PC an ordinance amending the codified ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1270 Residential Districts, Section 1270.12 yards for accessory buildings and uses, paragraph (a), and declaring an emergency.
- e. **PC22-07-04 ORD. No. 22-66** – Council has referred to the PC an ordinance amending the codified ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1270 Residential

Districts, Section 1270.12 yards for accessory buildings and uses, by repealing paragraph (b), and declaring an emergency.

- f. **PC22-07-05 ORD. No. 22-67** – Council has referred to the PC an ordinance amending the codified ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1270 Residential Districts, Section 1270.19 dwelling unit area requirement, paragraph (d), and declaring an emergency.

ORD No. 22-63, ORD. No. 22-64, ORD. No 22-65, ORD. No. 22-66, ORD. No. 22-67

The City Planner: When City Council came to us with the request to modify our code regarding accessory buildings, we reviewed the ordinances as written. It was difficult to understand the ordinances; they were difficult to read, they were spread out over multiple sections of the code and were missing definitions. Council introduced the ordinance for changes to the code and referred it to PC for their recommendation to approve. It would then go back to Council with our recommendation.

We have proposed consolidating all the accessory building requirements under one new section of code 1270.12.

He reviewed some of the changes and areas that are not being changed. He said they were adding additional definitions.

Accessory Building: Under the current code you can have an attached garage and a detached accessory building or you can have two detached buildings (one is considered a garage and one is considered an accessory building). The size of the garage permitted is based on the size of the house. The size of accessory building is based on the lot size.

Accessory Shelter: If you have a garage and an accessory building, under the proposed change, you would also be able to have an accessory structure. A definition has been added to the code for Accessory Shelter which would catch buildings such as and unenclosed pool house, gazebo, greenhouse, pavilions, hoop houses for gardening. In addition to your private garage and an accessory building you are allowed a third building but it still cannot go over the allowed total accessory building square footage allowed in the code. The code does not give you additional square footage. The residential code requiring that you are never more than 30 percent of the total lot can be impervious or covered with building has not changed.

Setback: City Council also requested us to modify the distances for accessory buildings from side and rear property lines. Currently an accessory building is required to be 10 ft. from the rear property line and 10 ft. from the side property line. That generates a majority of the BZA variance requests. When following the current guidelines, a shed would be in the center of a backyard on a smaller lot. The proposed change is to allow an accessory building to be located 5 ft. from side and rear property lines. It still needs to be located behind the house and not in a side yard.

A private garage can be attached or detached. Accessory structure would be allowed for up to 100 sq. ft. of that to be in the front or side yard. If you want a gazebo or a place to shelter for your child to wait for the bus, it would be permitted. These rules will be consolidated under code section 1270.12. The changes will take a lot of burden off the BZA.

Ms. Michalke asked if there are any stipulations in that section of code pertaining to elevation location of structure which might affect drainage to neighboring properties. The City Planner responded, there is currently nothing in the code and they are not proposing any changes

regarding elevation. Ms. Michalke asked what preventions are in the code preventing a large structure from becoming a second home and driveways going back to the structure. The City Planner responded the code is for single family. He also said driveways are permitted. The City Engineer added the permits are site-specific and will be reviewed at that time.

The City Planner said he, the Community Development Director and the Bldg. Commissioner worked together. The current code we had was functioning. There was a goal to clean up the code, not take away the privileges that the property owners have today. Also, to reduce a lot of the BZA variances and make it easier for residents to understand and make it work better for us.

The Mayor added over the years, we have looked at what comes before BZA. A lot of what comes to BZA is setback variances because of lot size. BZA approves approximately 90 percent or more of those. This will request elimination of variances requested of BZA based on what BZA has dealt with on a continuous consistent basis.

The City Planner responded to Ms. Michalke's question regarding procedures for sheds. He said the City code requires any shed be on a concrete pad. A permit would be necessary for the concrete work; we inspect the shed as well.

ORD No. 22-63: Moved by Ms. Michalke, seconded by Mr. Marnecheck **to recommend approval to Council.** Roll call: Yeas: Five. Nays: None. **Motion approved (5-0).**

ORD No. 22-64: Moved by Mayor Antoskiewicz, seconded by Ms. DeCapite **to recommend approval to Council.** Roll call: Yeas: Five. Nays: None. **Motion approved (5-0).**

ORD No. 22-65: Moved by Ms. Michalke, seconded by Mr. Marnecheck **to recommend approval to Council.** Roll call: Yeas: Five. Nays: None. **Motion approved (5-0).**

ORD No. 22-66: Moved by Mr. Marnecheck, seconded by Ms. Michalke **to recommend approval to Council.** Roll call: Yeas: Five. Nays: None. **Motion approved (5-0).**

ORD No. 22-67: Moved by Ms. Michalke, seconded by Mr. Marnecheck **to recommend approval to Council.** Roll call: Yeas: Five. Nays: None. **Motion approved (5-0).**

MISCELLANEOUS

The next PC meetings is scheduled for June 8, 2022.

ADJOURNMENT

Moved and seconded to adjourn the April 27, 2022 PC meeting. Motion carried. Meeting adjourned.

Minutes Transcribed by Diane Veverka

APPROVED: /s/ Eugene Baxendale
Chair

DATE APPROVED: July 13, 2022

ATTEST: /s/ Diane Veverka
Acting Planning Commission Secretary