

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **July 6, 2023, to conduct the Regular PC Meeting**. The meeting was called to order at 7:00 pm by Chair Gene Baxendale and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Gene Baxendale, Mayor Antoskiewicz, Paul Marnecheck, Marie DeCapite, John Ranucci. Secretary/City Planner Ian Russell. Administration: Law Director Tom Kelly, City Engineer Justin Haselton, Building Commissioner David Smerek.

REGULAR ORDER OF BUSINESS:

Approval of the Minutes:

Moved and seconded to approve the minutes of **June 7, 2023. Motion carried.**

The Public Hearing portion of meeting called to order. Chairman Baxendale gave a brief overview of the meeting process.

PUBLIC HEARING / OPEN MEETING

Old Business

1. **PC22-07 Extension:** Shawn Inks is seeking a 180-day extension of the Final Site Plan approval granted on July 13, 2022, for a proposed minor subdivision consisting of 5 lots with a shared private driveway located on PPN: 485-27-003 in Rural Residential (RRZ) District zoning.

Shawn Inks (applicant): Shawn Inks, 8640 Greenwood Road: I'm seeking an extension. The site plan and all of the engineer drawings have been sent to Cuyahoga Soil and Water roughly 6 weeks ago and have satisfied all of their requirements. I am just waiting on confirmation.

Chairman Baxendale: Okay, if you have a seat for just a second, we'll ask the City Engineer, Justin Haselton, if you would chime in on this.

City Engineer: I have been copied on some of the emails between the applicant and Soil and Water. They're very close to getting that approval. I don't think we have an issue with granting the extension.

Chairman Baxendale: What is the issue they are looking at?

City Engineer: It's actually been six months or more since they were working back and forth. I think about six weeks ago at least, they submitted the final plans to get approved. It's just very common stormwater questions about basins that didn't seem out of the ordinary.

Chairman Baxendale: Okay, very good. Building Department, Ian.

City Planner: We have no comment on this one.

Chairman Baxendale: Anything from the Law Department?

Law Director: Thank you, Mr. Chairman. No, sir, we have no comment and no objection either.

Chairman Baxendale: Okay, we have no submittals or anything like that from anybody?

City Planner: No, there was no letter, or anything submitted for this.

No public hearing was held for this application.

Chairman Baxendale: We are in the regular portion of the meeting. Let me open it up then to the Commission members who might have any questions concerning this. Mr. Mayor?

Mayor Antoskiewicz: I don't think I really have much in the way of questions. I know there was a lot of hurdles you had to jump through right from the get-go and I don't have a problem with the 180 days.

Chairman Baxendale: I went over the minutes from a year ago for the approval, and I think the one question I just asked Justin was about the Soil and Water. What the issues are there that they were considering, anything you wanted to add to that? Second item, there was discussion about tying into the water and the sewers and whether you would do that or not. I'm wondering how that was finally resolved. Also, what is the water that you're going to need? What is the sewage treatment you're going to need?

Shawn Inks (applicant): The issues had to do with basin size, and it was slight. My engineering team shared with me that it was the size of the basin and the water runoff, some calculations that they had to adjust. As for the water system, it'll be well water. There will be wells on the property, it's not city water as there's no current city water option there. Then they will have their own septic systems, so it won't be tied into a public sewer system.

Chairman Baxendale: Who needs to approve the septic system, Justin?

City Engineer: The Cuyahoga County Board of Health looks at that.

Chairman Baxendale: I think Mr. Kelly from the Law Department had some concerns about the driveway easement. Just wondering if that was ever addressed and taken care of?

Shawn Inks (applicant): All of the easements, between the parcel owners, will be drafted and provided for you to review as well.

Law Director: Mr. Inks, are they going to be broken up into separate individual parcels?

Shawn Inks (applicant): Yes sir.

Law Director: Four?

Shawn Inks (applicant): Five.

Law Director: Five? And you'll have a common driveway with the appropriate easements for all five of the parcels?

Shawn Inks (applicant): Access and maintenance, yes.

Law Director: What I'm concerned about here and what I'd like to ask you is just about the timing of it. In other words, before we get to the point where the lot split is done or at the same time that the lot split is done, is when we would need to have all of that easement language in place. Okay?

Shawn Inks (applicant): Absolutely.

Chairman Baxendale: Nothing for us to consider here tonight.

Law Director: No, it's no obstacle, just a matter of timing. The lot split will need to be done here because it's multiple. Justin, it's going to have to come through planning. I don't remember doing a lot split at the time that the plan was approved.

City Planner: I don't think we ever did a lot split. We did the final site plan which showed the split. I don't know if it was approved as part of the site plan.

Law Director: I'll ask Justin and Ian to look into that and let us know if in fact the site plan was sufficient to constitute the lot split. And if so, then we will need to have an overlaid easement recorded with the county before any permits are issued by Mr. Smerek. And of course, we would like to see that ahead of time.

Shawn Inks (applicant): Absolutely, it's my understanding that the preliminary lot split was approved, but the final last split wouldn't be submitted for approval until the roadway was in for the final measurements and drawings. But I will get back to the engineers and make sure and look.

Chairman Baxendale: Let's say next week that the Conservatory comes through and approves this. When would you envision starting construction?

Shawn Inks (applicant): I can't give you an exact time. Depending on when the availability is with the team and developers that are a part of it, I would like to start as soon as possible, but I would have to lean towards their schedule.

Chairman Baxendale: Okay, fair enough. Any other questions? Any other comments?

Motion made by Chairman Baxendale, seconded by Mr. Ranucci to approve the 180-day extension. Roll Call: Yeas: Five (Marnecheck, Antoskiewicz, DeCapite, Baxendale). Nays: None. Motion Approved (5-0).

New Business

1. **PC23-14:** Abigail Arnold of Red Architecture + Planning, on behalf of ARC BKSMT41001, LLC, is seeking final site plan approval for proposed site improvements and the remodel of the existing building to a Chipotle Mexican Grill located at 5702 Royalton Road, also known as PPN: 488-07-002, in Traditional Town Center (TCD-2) District Zoning.

Abigail Arnold (applicant): I am Abigail Arnold of Red Architecture + Planning, 589 West Nationwide Boulevard Columbus, Ohio. I am showing drawings about our plans for the existing Burger King that we were going to change to make into a Chipotle Mexican Grill. All we're doing to the existing site; we're going to take off the back end of the building. You can see that on the left side of the plan there, where there's an existing dumpster and an exterior walk-in cooler, we're going to take that off and then rebuild with a new dumpster enclosure with a landscaping screen. We're maintaining everything that we can. Some parking lot improvements, adding a handful of landscaping to beautify the site. Some landscaping down at the parking to help screen the parking, a new patio at the north side of the building there, and then everything else is just improvements to clean up the site. We're going to add the black fencing that's similar in the town center. On the Royalton Road side, we will maintain the existing landscaping and mature trees. We will be removing some of the existing accoutrements like the lighting fixtures, the canopies, and the extra signage as Chipotle is more of a clean, minimalistic kind of style. Painting the existing materials. Try to keep the signage to maintain that street presence, but we're actually reducing from what the old one was. With the interior plans, you'd be entering at the doors on the north side and then you'd walk through the queue, like your typical Chipotle, and then walk out to the right and get to the dining area. The pickup window is being moved from the current position, in the back of the building, towards the front.

Mr. Ranucci: Just a quick question as far as the pickup. People have to order ahead of time, and then they drive through to pick it up?

Abigail Arnold (applicant): Yes, it's a total app-based thing so order online first and then by the time you get to the window it's ready for you and you just grab it. It takes 15 seconds to 30 seconds. There is no ordering at a speaker, if you get there and you're confused, the employees are able to assist you. It takes a little bit of training for new people, but most of the people know how to do it.

Chairman Baxendale: Okay, very good. If you have a seat, let's see what some of the city departments have to say. Let's start out with City Engineer, Justin.

City Engineer: As the applicant stated, from a stormwater perspective, they'll not increase the impervious area, they'll actually decrease it slightly with a little extra grass area. So that'll help reduce stormwater slightly. The parking lot will be resurfaced, which is a good thing. Because the stream to the east side of the project is a regional stream, Northeast Ohio Regional Sewer District is responsible for that. So, I spoke to them about this proposal to see if they had any thoughts. They

came back with a few comments. In other Chipotles they've seen some employees dump grease into the storm sewer. I want to make sure that that doesn't happen. They said if there's an opportunity to provide swales anywhere on the site, they love to see those. Those can help reduce salt even. And they said to try to maintain the current stream bank vegetation as much as possible, because that really helps hold the stream bank in place and reduce erosion. You can trim back a couple of trees as needed, but you want to keep them alive to keep everything in place. Once the plans are approved, then you'll submit them to the Engineering Department for final site plan approval.

Chairman Baxendale: Building Department, Dave?

Building Commissioner: In reading through these comments, the only question I have that I didn't see on the initial submission is, when we're dealing with the dumpster enclosure, I saw concrete masonry units. I just wanted to see if they would be able to put maybe masonry veneer on the exterior of the dumpster. The enclosure, the specs read 12 -inch concrete, painted concrete block, we require veneer brick on the exterior.

Chairman Baxendale: Ian?

City Planner: The use of the building from the Burger King really isn't changing functionally, it'll be a restaurant with a drive-thru even though the drive-thru is changing slightly. They're removing that back freezer and then I think they're removing a section on the front facing Royalton. As far as parking on-site, I know that is typically a concern, we looked at the calculation from our code which is either based on square footage or seating count. There is a reduction of about 40 seats from what Burger King had initially to what they're proposing, there's 33 spaces which they're maintaining what was already existing and based on our requirement there would only be 26 spaces required. So, parking should be adequate on the site. There's also quite a bit of queuing space and I would ask the applicant if you would maybe walk through that a little bit and just talk about some of those numbers. As far as the rest of the site, there's no changes to the existing driver traffic flow. It'll still be one-way in and then you'll cycle, either through the drive-thru to exit or you'll exit on the west side of the property. The other item really is signage. I think there's five wall signs currently on the building, or the sockets of five signs, the applicant's proposing three wall signs, so there would be a pretty significant reduction there. Though they are proposing three wall signs, which our code technically only allows for two, however, code allows 75 square feet of signage. They're only proposing 70 with the three so they would still be under that requirement. The other item is the ground sign and the ground sign size. At our request they did lower that to meet our requirement for 5' in height and they also meet that square footage for that sign. The landscape area: On the front they did maintain the landscaping, and at our request, they also included the fencing to try to match the other sites located in the TCD. Thank you for addressing that. Also, on the southeast corner of the lot, there used to be some landscaping between the street and the parking lot, again at our request, the applicant has included a new landscaping bed to try to buffer that a little bit more. I don't think we would have a problem with topping some of the foliage off along the street side at the stream bank. All the parking area improvements will need to meet the requirements of section 1282.10 which goes through pavement requirements. Your lighting based on the photometric you had submitted appears to meet code so there shouldn't be an issue, just ensure that any lighting is kept on site as much as possible whether it requires shielding or anything like that. I did notice that you restriped some of the spaces in the parking lot to 9' x 19', which is our code requirement. In doing so, the two-way drive aisle, there's a section that is a little slightly less than 24', which is less than what we had our code specs, again, it's 23.25, so it's very minimal. A variance might be required for that third wall sign. The other piece was the monument sign. Technically, monument signs aren't allowed in the TCD, so a variance could be required in order to construct that unless the Commission felt that it could be approved as part of the site plan. For the trash enclosure, I just want to make sure that the landscaping you propose to screen that reaches high enough. I think the enclosure is 7'6", so I know that your specifications go to three or four feet. As the building commissioner had stated, technically CMU is not a permitted exterior material in TCD, so that would need to be changed to either a brick veneer or just a totally brick structure.

Law Director: The question of the variance for the third sign was a matter of some discussion that I had both with the City Planner, Mr. Russell and the Building Commissioner, Mr. Smerek. Upon my review, this board has the authority, under a broad mandate under the charter, to grant the variance if you want to do so. If you don't, you can send them to the BZA, but you certainly have the authority to grant it if you want.

Chairman Baxendale: Any comments that were submitted?

City Planner: No, there were no submittals from the public on this application.

Chairman Baxendale: Opened the floor to the Public for those who want to be heard on this application.

With no further comment, Chairman Baxendale closed the public portion of the meeting and called to order the Regular portion of the meeting for discussion by the Commission members.

Abigail Arnold (applicant): First, I'll answer the drive-thru question. Overall summary of what this is telling you is it's not a drive-thru, which is something that I think people aren't quite used to yet or are new to. It's saying you're not going to have a loudspeaker box; you're not going to have a big queue of cars waiting, we go through the customers quickly. Our records show that 65% of people are served in under two minutes, this is a fast speedy thing. The average is two customers at a time max, you're looking at the 98% of what the queue will ever be. Vegetation in the creek side: topping it will be nice just to get the view to the building. No grease, that's been communicated and we'll keep communicating that. We did discuss the swales, it's a very tight site and the boundaries of the site are really tight, we were looking at it with my civil engineer, he just didn't think that to truly make it effective is really an opportunity that exists. We discussed some other ideas but like maybe a filter in the system, but he's said that's not really productive because salt dissipates. If the City had some other ideas, I'd be open to them. We don't know if the swale can happen though due to the restraints of the site. Regarding the signs, we're trying to capture people coming from the State Road side and then people coming from the other side of Royalton. There's a sign at the entrance, because we want to indicate the entrance to the building. There will be another sign that faces the Giant Eagle side on the back.

Mr. Ranucci: A quick question for the Law Director, you addressed the three signs on the building that we have the ability to vote on. What about this ground sign?

Law Director: The monument sign? Yes, you do.

Chairman Baxendale: Ian, how does the city feel about the signage, the additional sign, and the ground sign?

City Planner: I'll start with the third wall sign. So, as the applicant had mentioned, it is a significant reduction from what's existing. Currently, the Burger King had more than five signs, I'm sure, over their allowance of 75 square feet. With the three signs that Chipotle is requesting, which our code allows for one sign, and then you're allowed an additional sign at the entrance, two of them are covered by our code. The third one on the east side, you're just switching out the sign from what's existing. Referencing the allowance, even with those three signs, it is still under the 75 square feet. I believe it's a total of 70.01 square feet, so they meet all the code requirements. We do not have an issue with the three signs. Our code technically doesn't allow ground signs in the TCD; however, this sign meets all of our code requirements. They reduced the height to meet the height requirement, the square footage is acceptable, and the setback from the street is also acceptable. They also included landscaping at our request around the sign. I don't think we have any objections to that.

Mayor Antoskiewicz: I see on the plans you have the railing that was in the back the steps, I was going to ask about that but you're showing that you're going to just replace the railing. You guys did address the creek which is the other thing I was going to talk about. I did go out to the site and found some sidewalk replacement that needs to be done all the way across 82 on the whole property. So, now's the time and I'm sure Mr. Smerek can go through that with you.

Ms. DeCapite: The color rendering. Is this pretty true? Just the gray and the off-white tones?

Abigail Arnold (applicant): The colors are gray and off-white. The exiting roof is silver and will stay silver. The fence feature will be a brick burgundy color, such as the Auto Zone across the street.

Ms. DeCapite: Those are my main questions on the colors. The signs I would not be opposed to look at if we're going to approve those, I would be for that.

Mr. Marnecheck: What's the project timetable? Where do you think it would be open if you gained approval tonight?

Abigail Arnold (applicant): The end of 2023 and or in early 2024.

Mr. Marnecheck: And then I have a similar question. Are there any other locations in the area that have this color scheme that we could look at?

Building Commissioner: The one in Strongsville mirrors this. They just put one in by Panera Bread.

Mr. Marnecheck: Any resident wondering what it would look like could go there?

Building Commissioner: It's a smaller store, but the colors are the same.

Chairman Baxendale: Did you take traffic into consideration at all? Cars coming in, coming out. It's a fairly busy intersection.

Abigail Arnold (applicant): We discussed a lot of ways to think about this site before ultimately keeping it as is with the entries and the exits. We noticed a lot of cars come into that place. So, we, in the final decision, we realized that keeping it as is where you can wrap around the site and leave is going to be the most productive for everyone. We've discussed breaking through to the other sites and breaking some of the plane of the existing barriers, but that just causes more confusion and congestion. So, remaining the same we think is the best choice.

Mr. Ranucci: I think this will be a nice addition to North Royalton. I have no objection to the signage, or the sign of the street. It's pretty small and shouldn't be any issues there.

Motion made by Mr. Marnecheck, seconded by Ms. DeCapite to approve the application for final site plan, the variance to allow three wall signs versus the two signs, approving the variance for the ground sign at the entrance coming in, and consent to the replacement of the sidewalk. Roll Call: Yeas: Five (Antoskiewicz, Marnecheck, Baxendale, Ranucci, DeCapite). Nays: None. Motion Approved (5-0).

MISCELLANEOUS:

- The next Planning Commission meeting is scheduled for **September 6, 2023**.

ADJOURNMENT: Moved and seconded to adjourn the PC meeting. Motion carried. Meeting adjourned at 7:44 pm.

Minutes Transcribed by T. Antal.

APPROVED: /s/ Eugene Baxendale
Chair

DATE APPROVED: September 6, 2023

ATTEST: /s/ Ian Russell
Planning Commission Secretary