

Planning Commission
CITY HALL COUNCIL CHAMBERS
AGENDA OF SEPTEMBER 10, 2024
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ELECTION OF OFFICER

Liaison to the Board of Zoning and Building Appeals

APPROVAL OF MINUTES

Regular meeting of July 9, 2024

CORRESPONDENCE

Administrative Approvals & Zoning Certificates

1. PPZ2024-0282 White Box Alterations, 35423 Center Ridge Rd
Administrative approval of Planning Commission application for exterior building alterations and site improvements for new business and office space.
2. PPZ2024-0292 Smokin City, LLC, 39257 Center Ridge Rd
Approval of a Certificate of Zoning Compliance for a smoke shop
3. Planning Updates
 - o Zoning Code Diagnosis
 - o Active Transportation Plan
 - o Traffic Studies

OLD BUSINESS

NEW BUSINESS

1. Century Tavern, 33312 Center Ridge Rd, PPN 07-00-008-114-008
Owner: Thomas Kelly, 33256 Center Ridge Rd, North Ridgeville, OH 44039.

Proposal consists of site improvements for the bar/tavern. Property is zoned B-3 Highway Commercial.

2. Elmer Ave Street Vacation, PPN 07-00-045-109-007

Applicant: Cynthia Perry, 7313 Dyke Ave, North Ridgeville, OH 44039. Proposal consists of vacating a portion of Elmer Ave. Property is zoned R-1 Residence District.

ADJOURNMENT

NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF REGULAR MEETING
TUESDAY, JULY 9, 2024

CALL TO ORDER:

Vice-Chairman Schumann called the Planning Commission meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members Steve Ali, Paul Graupmann, Council Liaison Bruce Abens and Vice-Chairman Paul Schumann.

Chairman James Smolik was excused.

Also present were Assistant Law Director Toni Morgan, City Engineer Christina Eavenson, Planning and Development Director Kimberly Lieber and Deputy Clerk of Council Tina Wieber.

MINUTES:

Vice-Chairman Schumann asked if the members had a chance to review the minutes of the regular meeting on June 11, 2024. He asked if there were any corrections. Hearing none, the minutes were approved.

CORRESPONDENCE:

Administrative Approvals & Zoning Certificates

1. PPZ2024-0250 Super 8 EV Charging Stations 32801 Lorain Rd
Administrative approval of a Planning Commission application to install electric vehicle charging stations.
2. PPZ2024-0280 The Point Salon and Spa, 36000 Westminister Ave
Approval of Zoning Certificate of Compliance for a Salon and Spa.
3. PPZ2024-0283 Sportsville, 37500 Center Ridge Rd, PPN 07-00-033-101-003
Administrative approval of an Amendment application for change of building orientation.
4. PPZ2024-0284 Ridgeville Farms, 7691 Avon Belden Rd
Administrative approval of an Amendment application to incorporate additional land into development.

Vice-Chairman Schumann asked Director Lieber if she would review the administrative approvals.

Director Lieber stated that there have been five Administrative approvals since their last Planning Commission meeting with the first being the Super 8, which is actually going through a brand name change. She discussed that they would be installing a number of EV charging stations the parking lot for travelers to use. She mentioned that they also approved zoning certificates for the Point Salon and Spa and KM Voice, which was a video production office. She explained that there was an amendment to the Administrative approval for the accessory structure application for Sportsville and that before they pulled permit, they decided to reorient the building and they processed an amendment for that. She stated that last Ridgeville Farms, the senior housing project South of South Central Park, they were able to acquire an additional acre of property from a neighbor on the north side of the project that created the connection between the park and the Ridgeville Farms project. She mentioned that they were not proposing any expansion of units or any

additional development, they were just adding that piece of land into the development, which would allow their walking path to connect from the senior development to South Central Park.

Vice-Chairman Schumann asked if they ever figured out what they were going to do about the sewer line in there.

City Engineer Eavenson stated that it was still a work in progress. She stated that they were working with

OLD BUSINESS:

NEW BUSINESS:

PPZ2024-0279 T.J.B. Incorporated, 33600 Liberty Parkway, PPN 07-00-008-115-059

Applicant: Victor Krevinko, A.A., 423 Lombardy Dr, Berea, OH 44017. Proposal consists of constructing a 10,000 sq. ft. addition to existing building for storage. Property zoned I-2 Light Industrial District.

Application was read.

Vice-Chairman Schumann asked Director Lieber to discuss her Planning Review.

Director Lieber stated TJB Incorporated was an existing facility in North Ridgeville located on Liberty Parkway that had been in town since about 1980. She discussed that they manufactured electrical cable couplers and were proposing a 10,800 square foot building addition as well as site improvements located in the Liberty Parkway Industrial Park. She stated that it was surrounded by other industrial zoned property with the exception of one lot that was on the northwest corner owned by Ohio Edison and oddly enough zoned R-1. She mentioned that while it was zoned residential, the property was used for utility and suggested that the Commission waive the requirement for buffering because of the fact it was a utility and far in the back of the property where it had been left in a natural condition and had natural screening as it is. She explained that the addition would be attached to the rear of the existing building that would maintain the existing side yard setbacks. She added that the project met all height, setback and lot coverage requirements of that district. The addition would have a standing sea metal roof and they would be adding some new overhead doors and man doors on east and west elevations. She indicated that since Council adopted the new sidewalk requirements in Chapter 1024, the Planning Commission did have the authority to require the applicant to construct sidewalks along the frontage, as mentioned in her report, but the Commission could determine if that would be an appropriate request in that case. She added that it was an industrial park and unlike a commercial area or residential area, that had a large frontage and was a place with a lot of trucks coming in and out. She explained that it was something that the Planning Commission could include, if they so chose to require that. She stated that she noted in the original submittal that all building lighting must be full cut off and the applicant resubmitted that information yesterday and showed a full cut off light fixture. She discussed that it was noted during staff review that they showed split face block on the building and they needed to change the note to painted block. She said that there was one other clarification where the site plan alternately had either identified a concrete pavement area versus like a compressed stone and they talked about the need for it to be concrete and to reflect that on plans and that was shown.

Chairman Schumann asked if she stated it was shown.

Director Lieber stated that it was on there and just with that little note on the elevation, she would recommend approval of the project.

City Engineer Eavenson stated that after reviewing the site plan, it appeared that they wouldn't be tapping any new utilities, and that the expansion would be serviced from within. She did ask that the existing utilities be shown on the site plan when they submitted for full engineering review, so that they could determine if they needed any extra hydrants and if they had appropriate fire protection to the rear of the new addition. She stated that if they could show those, that would be appreciated. She also noted that the storm water management controls were added with the building expansion as well and asked that the water quality and quantity controls be designed for 100% of the building addition, as well as 20% of the existing impervious surface. She stated that she wasn't able to determine if that was accounted for, but in the engineering review that will be revisited. She added that the current site plan did not show the inclusion of a sidewalk and after further review there did not appear to be any sidewalk along Liberty Parkway. She mentioned that she would ask that the applicant be eligible to pay the in-lieu fee, in lieu of installing the sidewalk along the frontage. She said that she also wanted to note to the applicant that after construction and upon final grade approval, they would be eligible for partial credit to their stormwater utility fee, which they are currently paying.

Assistant Law Director Morgan stated that what she heard, it sounded as if everything was moving along swimmingly on it and didn't hear any recommendation that anything needed to be as a condition of their approval. She said that she wasn't hearing anything negative about that they that would mitigate against approval. She stated that the Development Director indicated that they the buffering requirement and those requirements for buffering and for sidewalks, to protect residents and pedestrians, in an area like that, she thought was clearly not needed and it made sense to not have the applicant go to that extra expense, so I would agree.

Victor Krevinko, Architect, 423 Lombardi Dr. Berea, OH 44017.

D.J. Fiske, T.J.B. General Manager, 31564 Lake Rd. Bay Village 44140.

Vice-Chairman Schumann asked them to present their application.

Mr. Krevinko stated that they agreed with the City Engineer on the recommendations and the only thing that they were not certain on and did not add to the drawings was a sidewalk.

Chairman Schumann asked if there were sidewalks on any of the other properties there.

City Engineer Eavenson stated that there were currently no sidewalks on Liberty Parkway and that it seemed a hardship to request them to build the sidewalk, but that the new sidewalk ordinance did allow for an in-lieu fee based on the City Engineer's recommendation.

Director Lieber stated that she interpreted that a little bit differently. She explained that Planning Commission had the ability to require a sidewalk as in that section of Chapter 1024 that defined when a sidewalk was required and that it stated for nonresidential additions greater than 500 square feet, Planning Commission may require a sidewalk, but if Planning Commission didn't require a sidewalk, then it was not required and the City Engineer need to do nothing to waiver or collect fee in-lieu because Planning Commission hadn't required it. She added that if Planning Commission were to require it, the applicant could avail themselves of requesting the City Engineer to waive and then pay the fee in-lieu, but if it wasn't a requirement then they wouldn't.

Mr. Krevinko stated that when they studied the site, there was a lot of truck traffic moving and coming in and out of the building and it would be tough to monitor.

Vice-Chairman Schumann commented that there were not a lot of kids on skateboards out there. He asked if there were any questions from Commission.

Council Liaison Abens stated that regarding the subject of sidewalks, he understood that right now may be something that was superfluous, but down the road was something that they may want to plan on and especially with all the truck traffic, if they did have pedestrians it would be nice for them to be out of the way of the trucks, but he was not ready at that point to require it.

Vice-Chairman Schumann commented that as far as the buffering went, he didn't have a problem at all with waiving the buffering. He asked if anyone else had any comments regarding that.

None were given.

Vice-Chairman Schumann asked if anyone from the public had any questions or comments.

None were given.

Motion made by Graupmann and seconded by Ali to approved application with the condition to change the split face block to flat painted block, regarding the elevation.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2024-0281 Pro Care, We Care, Aron A. Rus, 35782 Center Ridge Rd, PPN 07-00-021-101-068

Proposal consists of constructing a 9,000 square foot building, parking and landscape material storage. Property zoned B-3 Highway Commercial District and R-1 Residence District. **Note:** Planning Commission recommended rezoning portion of property zoned R-1 to B-3 on 5.14.2024.

Application was read.

Vice-Chairman Schumann asked Director Lieber to discuss her Planning Review.

Director Lieber stated that the applicant recently purchased the property and that the first phase would be two 9,000 square foot metal buildings, parking and other site improvements for the business. She discussed that they would start with the one building closest to Center Ridge and within a year or so would add a second building, so there would be two phases. She stated that the second phase would include the third building and the remaining buffering along that that portion of the property. She indicated that there had been some significant changes since the earlier submittal that was voted against by the Planning Commission and that the number of variances and the extent of variances had been significantly reduced. She explained that the proposed buildings would be placed 15 feet from the west property line, the northwest corner of building one, and then all building two abutted was property that was zoned R-1, therefore, 20 feet was required. She added that it would require a 5-foot variance and previously a 10-foot variance had been requested. She stated that while there were no required setbacks for driveways or parking lots, the zoning code did require buffering where commercial use abutted the residential district and in the previous submittal those buffer requirements were not met and were five feet, but now those buffering requirements had been met. She discussed that there was a minimum of 10 along the property line and in some cases 20 feet and stated that the narrowest part was 18.9 feet. She said that the applicant was proposing a three-foot

high mound with giant green arborvitae spaced every 10 feet along that property line as well and that they relocated the parking to the rear of building one. She indicated that they continued to show the dumpster enclosure and then also containment of the landscape materials as was previously proposed but other than that similar layout, one curb cut, they had sufficient parking. She mentioned that they showed a truck turn exhibit and indicated that the only lighting that would be provided would be on the building itself, and no pole lighting.

Vice-Chairman Schumann asked if she said giant arborvitae 10 feet apart.

Director Lieber stated that it was 10 feet.

City Engineer Eavenson stated that the Pro Care plan showed the provisions for all utility connections, which did not appear to indicate any issues and the six-inch water main extension did provide the necessary hydrant coverage. She noted that for any future development, future buildings and future phases, to take into consideration that hydrant coverage. She said that stormwater controls were being installed and the environmental assessment report provided by the engineer indicated that there were no indications that the project site has any wetland areas now or prior to any of the tree clearing operations. She mentioned that she did want to note the water and sewer tap fees would be based on the domestic water size and engineering will also require that the existing water tap, likely still in existence, would need to be field investigated and capped at the main. She added that any other outstanding items would be reviewed during final engineering.

Assistant Law Director Morgan stated that it sounded like a great improvement from what they saw before and that the variance was down to five feet on one side, sounded like the buffering was up to snuff, the dumpster surround was good, and the lighting was appropriate. She mentioned that she was hearing all positive things, so it sounded like approval would be appropriate.

Aaron Appel, Bramhall Engineering, 801 Moore Rd. Avon, OH 44011.

Mr. Appel stated that they had made quite a few improvements to the plan since they were last in front of the Commission. He explained that the proposed buffering was significant on the east side of the property along with the west side of the property and the north side of the property. He stated that there was quite a bit of existing buffering to the property east of him and that property abutted the existing residential lots that were along Ridge Plaza Drive. He said that there was just under 300 feet between their east line and the back of those lots, 298 feet to be exact. He mentioned that they provided a lot of existing drone coverage of the properties indicating the existing buffering. He added that even with that existing buffering, there was going to be a three-foot-high mound on the entirety of the east side of the property that would have landscaping on top of that. He stated that he believed the applicant, Mr. Rus, was prepared to put that buffer in now to the entirety and not just for the first two buildings but would be for the future all the way down. He stated that they also provided just a little more background on Mr. Rus's company, stating that they had been at Mills Road in North Ridgeville for a long time, and they had some existing pictures of showing that they kept a very neat site out there that had been leased for a long time. He added that they also provided some example projects that they had performed as a company throughout Northeast Ohio and as well as some company background.

Aron A. Rus, 34303 Mills Road, North Ridgeville, OH 44039.

Mr. Rus stated that he was the owner of Pro Care We Care and that the company was established in 2007 in North Olmsted. He explained that back in the day, he was the only one working for the company doing the old-school advertising, just hanging flyers on the front doorknobs and in mailboxes. And starting in 2009, he just started to develop and grow his company, adding two full-time employees and rented a property on

Lorain Road in North Olmsted by I-480. He stated that after a couple of years they just outgrew that property and the warehouse, so they moved to the leased facility in North Ridgeville. He indicated that since 2014, he had operated out of that property but unfortunately, during the COVID years, he had a large theft at his company and the company next door, JC Auto Body. He stated that at that time two of his trucks, because they had limited parking inside of the warehouse that they were leasing, two of their full-size landscape trucks hooked up to landscape trailers, loaded with equipment for the next day, were completely taken out. He added that more damage was done around the perimeter of the building, including all of the doors and the windows in the back where they broke in. He stated that since that time, he had tried numerous times to purchase the property on Mills Road from the actual landlord, but unfortunately, they were never able to come to an agreement. He knew for some time he was ready to move forward, so when the property came up for sale on Center Ridge Road, being three times the size that they currently had on Mills Road, he was very excited to be able to hopefully develop the site to fit his company's needs and have a secure location. He stated that he was looking forward for the Commission's approval.

Chairman Schumann stated that he could see that they had made some dramatic changes to the plan and they we're glad to see that. He mentioned that anything that was approved that day would be subject to him getting his variances that he was asking for. He said that he would like to add that he must have the buffering be complete as a condition and as long as he was offering to do it, they might as well put it on paper. He asked if anyone from the public wanted to come up and speak.

Frank Nehls, 6502 Ridge Plaza Drive, North Ridgeville, OH 44039.

Mr. Nehls stated that as a concerned resident and adjoining property to 35782 Center Ridge Road, he once again wanted to express his concerns about a mini-industrial park being built in the center of town and up to their backyards. He commented that if they wanted that, they would move to Parma or Cleveland. He discussed that regarding the church and school across the street, it was not a good idea because Mr. Rus's operations would coincide with the school zone hours and church hours. He stated that traffic there was heavy enough, and as stated that if a fire truck is needed to enter the site, it would have to back into the area. He said that dump trucks obviously would have to back in there to deliver supplies, which would furthermore impede traffic. He discussed the new water issues on his property that they had since the clearing of five acres without a permit and stated that those problems had gotten worse during the heavy rains. He stated that regarding the matter of the noise, it was still quiet in their backyards since they were all still surrounded by woods and one giant empty lot without a permit. He mentioned that they didn't want to hear the reverse beeps of a bobcat and the skid steers running along with the smell of diesel fumes, rotting grass piles, and the smell of fresh mulch being dumped. He added that Mr. Rus was aware of what he was buying when the purchase was made and knew what the codes were. He commented that the codes for the city had already been ignored and what's to say many more not to come. He mentioned that Instead of some heat absorbing asphalt, concrete and oversized buildings, why don't they make some more green space in the city, and that there was only one park for the kids. He asked regarding the no permits obtained, what was the repercussion for that. He stated that he was a general contractor and couldn't just go do stuff without permits and there be no repercussions. He asked if he was fined or if his license was revoked in the city or was it just a slap on the wrist. He said that as for the zoning, shouldn't it be up to the residents of each ward to vote what goes into their ward. He commented on the voting outcome of the previous proposal and stated that if their votes changed now, one would have to ask why, since the city center was such a focal point. He added that if they wanted to come check out his backyard and hang out with them, they were having a party on July 27th, and they were free to come over, eat some food and meet all the neighbors because everyone will be there. He mentioned that he had an article from a newspaper that said the city considered a rezoning for a trucking company, not the landscape company and he asked if the trucking company was going in with it and that it stated Mr. Ulrich, not Mr. Russ. He commented that with the variances, now that everything was going to be commercial, it was 20 feet from each property line and they couldn't just go changing variances in the city and say that it is okay to do it, because if it is ok to do it, they could all do it.

Chairman Schumann asked if this turnaround for the fire truck had been addressed.

City Engineer Eavenson stated that they had provided an auto-turn analysis, that was correct, and it appeared to be acceptable.

Chairman Schumann asked if there was any further discussion from the Commission.

Council Liaison Abens stated that he still had a problem with this project. He commented that they were shoehorning the complex into that property and asked where their fertilizers were going to be stored.

Mr. Rus stated that they didn't use stored fertilizer.

Council Liaison Abens replied that they didn't use fertilizers.

Mr. Rus stated that the only fertilizers they used would be just for new lawn installation and planting.

Council Liaison Abens stated that they would still have some fertilizer that they were going to be using.

Mr. Rus stated that as they needed them, he always purchased them from site one like 10 bags at a time, but definitely not truck loads or pallet loads at all. He discussed that it was the same thing with all of the loose materials, what they were planning to have on the job site, it would be strictly only for the customer contracts. He discussed that there would be no public sale, no public access to that.

Council Liaison Abens asked regarding his storage bins for his bulk materials, how much material could they store.

Mr. Rus stated that there would be a maximum of eight storage bins with four for mulch and four for aggregates. He said that there would be no dumping and that it would be on the job site. He stated that all of that was taken care of down the street at Sagamore Supply on Center Ridge. He added that if there was going to be any dumping, it would be all of his dump trucks going down the street and they would not dump piles on the property at all.

Mr. Appel stated that he wanted to just add also there was 38% green space on the property. He mentioned that it was not a compact development and that it was an odd shaped lot that they were kind of constrained on how to develop that. He explained that they increased the green space from the initial submittal. He stated that regarding the permits, he didn't believe there was a permit for tree clearing in the city. He added that a wetland investigation was done and a stormwater permit was in place from Ohio EPA, but that was in regards to stripping topsoil and moving dirt and none of that had happened to date.

City Engineer Eavenson stated that at the time of the tree clearing, the city did not actually have a tree clearing permit, that came about with the new engineering ordinances.

Director Lieber stated that they implemented a tree clearing permit that became effective June 3rd with the code updates but before that they didn't have a requirement for a permit. She stated that they would have been required to install swift protections, but they did not have anything in the local codes or ordinances that required a permit. She added that failing that there's no repercussions.

City Engineer Eavenson stated that once they were aware of the situation, they asked for a remedy from the contractor, the applicant's contractor, and they immediately addressed that and stopped work, stopped the

earth serving activity. She stated that they did address all their concerns.

Chairman Schumann commented that he wanted everybody to understand. So we are the Commission is a recommending body and what we'll be doing today if we pass this and we will actually be recommending to council that and we also were normally we're A5 member Commission. The chairman isn't here today. We still need three votes to pass. So just so you understand that. Would anybody like to make, is there any further questions, comments.

Council Liaison Abens asked regarding the 38% green space, did that include the space where the future building was going to be.

Mr. Appel stated that it did. He explained that that was with the ultimate build out, all the pavement and buildings, there would still be 38% green space, correct.

Assistant Law Director Morgan stated that the property had been rezoned, so this applicant, what they're asking for was appropriate for that area. She mentioned that the issues that they found that were in violation of the city's ordinance, they had corrected and the Commission needed to compare their application to what was required in the ordinances and make their judgment based on that.

Director Lieber stated that she disagreed regarding the rezoning and that it had proceeded to public hearing and was now being held awaiting the reapplication of the development plan. She stated that Council had not voted on the rezoning, to her knowledge. She discussed that while the property had not been rezoned, the recommendation of the Commission was to rezone, and she thought just in that spirit to review it with the understanding of a Commission action that's been taken as a rezone.

Chairman Schumann made a motion to recommend with the conditions that the buffering for the entire project be complete in phase one and subject to the setback variances.

There was no second.

Assistant Law Director Morgan stated that it would be considered to be a lost motion but because it hadn't been determined on the merits, it was possible that they could see it again, but it would not go forward.

Director Lieber stated that she would recommend that a motion be made and seconded and then the members vote either yes or no rather than leaving the issue in limbo.

Chairman Schuman stated that they always make motions in the affirmative just for clarification.

Motion made by Schumann and seconded by Abens to recommend the application subject to the condition that the buffering for the entire project be complete in phase one and subject to the setback variances.

A roll call vote was taken and the motion failed.

Yes – 1 No – 3

Vice-Chairman Schumann asked if there were any further business to come before the Commission.

None was given.

NORTH RIDGEVILLE PLANNING COMMISSION
REGULAR MEETING – TUESDAY, JULY 9, 2024

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ADJOURNMENT:

Vice-Chairman Schumann adjourned the meeting at 7:38 PM.

James Smolik
Chairman

Tina Wieber
Deputy Clerk of Council

Tuesday, August 13, 2024
Date Approved

DRAFT

Planning Commission Application

AUG 15 2024



SUBMITTAL INSTRUCTIONS AND PROCEDURES

Plan reviews will be carried out according to the processes described in the City's Zoning Code.

- **Pre-Application.** Prior to making application, applicants are recommended to contact the city to discuss their development project. City staff will outline the review process and provide a checklist of required submittals.
- **Application Submittal.** Following the pre-application meeting, the applicant shall submit this completed application, fee and ten (10) sets of all required exhibits. All submissions shall be made in hard copy to the Building Division. Plans shall be collated, folded and easily legible.
- **Staff Review.** The applicant shall attend a staff review meeting and may be required to submit additional information and/or revised plans based on staff input.
- **Variances.** Where zoning variances are sought by the applicant, review by the Board of Zoning and Building Appeals will be necessary prior to consideration by the Planning Commission, requiring a separate application.
- **Decision or Referral.** Following staff review, complete submittals for Administrative Review projects may be considered for approval. For Council Review projects, complete submittals shall be referred to the next available Planning Commission meeting, which are held the second Tuesday of each month.

PROJECT INFORMATION

33312 CENTER RIDGE RD 0700008114008
 Location address NORTH RIDGEVILLE Parcel number(s)

Project type: ☒ Commercial/Industrial/Multi-Fam ☐ Prelim Major Subdivision ☐ Final Major Subdivision ☐ Lot Split

Project elements: ☐ New Construction ☐ Building Addition/Alteration ☒ Site Improvements ☐ Plat

PARKING LOT / PATIO
 Project description

APPLICANT/AGENT INFORMATION

THOMAS S KELLY PENTUR/TAVEN LHC
 Name/Company

33312 CENTER RIDGE RD NORTH RIDGEVILLE, OHIO 44039
 Applicant address

440-258-7410 TOM.PENUR@CARSTAR.COM
 Applicant phone Applicant email

PROPERTY OWNER INFORMATION

THOMAS S KELLY
 Name/Company

33256 CENTER RIDGE RD NORTH RIDGEVILLE, OHIO 44039
 Property owner address

440-258-7410 TOM.PENUR@CARSTAR.COM
 Property owner phone Property owner email

AUTHORIZATION AND ACKNOWLEDGEMENT

[Signature] [Signature]
 Applicant signature Property owner signature

I hereby authorize the City of North Ridgeville, including Planning Commission members, to view the premises and consent to their entry onto the property for the purpose of observing site conditions related to review of my application.

OFFICE	PPZ No.	Planning Fee Paid	ACTION
	PP 22024-0293	150.00 CK # 161	

Planning Review

September 4, 2024

Project: Century Tavern
Location: 33312 Center Ridge Road
PPNs: 07-00-008-113-047; 07-00-008-114-005, -006, -007, -008
District: B-3 Highway Commercial District

Project Summary:

The proposal consists of site improvements for Century Tavern. The bar was last in operation in 2018. The current owner acquired the property in 2019 and has spent considerable time and effort restoring the building since then. In 2023, the owner approached the city about the potential of vacating a portion of Pleasant Avenue abutting the Century Tavern in order to expand the parking lot. Staff discussed with the owner that use of the land would need to follow the requirements of the Zoning Code. Council vacated a portion of Pleasant Avenue adjacent to the site via Ordinance 2024-3 earlier this year which added approximately 0.14 acre of commercial property.

Proposed improvements include a paved parking lot and outdoor patio. The paver patio will be fenced and the plan shows a potential future deck, as well as an accessible ramp at the main entrance.

Zoning and Development Plan:

The project site is on the north side of Center Ridge Road west of McKinley Avenue. The subject properties are all zoned B-3 Highway Commercial District, as are the adjacent parcels to the north, east and south. Adjacent property to the west is zoned RS-2 General Residence District.

Bars and taverns are conditional uses in the B-3 Highway Commercial District. The building is legal non-conforming in that it does not meet the required 50-foot front setback. As the building was originally constructed in 1818, it pre-dated city zoning regulations.



The new parking lot will provide a defined access/egress point to the property which is currently lacking, along with striped parking spaces. Based on gross floor area of the building (1,331 square feet) and required parking for bars and taverns (1 space per 75 square feet GFA), 18 parking spaces are required and provided. One accessible parking space is provided. Parking must be set back 10 feet from the ROW, which is shown. A new sidewalk along the frontage is proposed. A new trash enclosure is

shown at the rear of the property. Enclosures are required to house all commercial dumpsters. In this case a wood fence is proposed.

A buffer strip is required along the portion of property line abutting the RS-2 District. In this case the buffer strip would be needed along the west property line and a segment of the north property line. Buffer strip would not be required where property abuts Pleasant ROW or properties east of Pleasant ROW. The buffer strip must be a minimum of 10 feet in depth and contain landscape plantings to provide screening. A planting plan was provided on the site plan. A fence detail for the new fencing south of the patio was provided, as well.

Future Phase:

The property owner owns multiple adjacent residentially-zoned properties to the west on Center Ridge Road. He's indicated his intent to pursue rezoning of PPN 07-00-008-113-040 to B-3 Highway Commercial District in order to expand the parking lot in the future.

Planning Commission Comment Sheet



PROJECT INFORMATION

Parking lot/Patio

Proposed project

33312 Center Ridge

Location

September 10, 2024

Meeting date

07-00-008-114-008

Parcel number

August 29, 2024

Comments due

RECOMMENDATIONS

Type comments here. Attach additional sheets as necessary.

The plan did not indicate what type of landscaping will be installed in the buffer strip.

What are the plans for the second floor?

SUBMITTED BY

Guy M. Fursdon

Administrative officer signature

Chief Building Official

Title

Planning Commission Bylaws Article V Section 2 – Administrative Review. All applications including those plans and maps submitted to the Commission shall be referred to Administrative Officers. Comments and recommendations by Administrative Officers, if any, shall be forwarded to the Secretary not later than ten (10) calendar days after receipt. Administrative Officers who have not acted within the allotted time shall be deemed to have concurred with plans as submitted.

Staff Meeting Bulletin

Meeting Date: August 27, 2024

Project: Install parking lot at Century Tavern, 33312 Center Ridge Rd, North Ridgeville, OH 44039

Applicant: Thomas Kelly, 33256 Center Ridge Rd, North Ridgeville, OH 44039

Zoning: B-3 Highway Commercial District

In Attendance: Kim Lieber, Planning & Development Director
Christina Eavenson, City Engineer
Guy Fursdon, Chief Building Official
Mike Freeman, Police Chief
Mike Uhnak, Assistant Fire Chief
Tom Kelly, Property Owner
Jeff Byers, Century Tavern

Project Introduction

- Tom explained that the building was last in business in 2019. He has put work into it with a lot invested into the structure, mortar, electrical and reinforcing the floor. He stated that due to the Pleasant Street vacate last year, he believes he will have 35 parking spaces when complete. He mentioned that he didn't want any parking in front of the building and wanted to deter people from pulling in there. He explained that the deck that was shown on the plan was for the potential future and may not get built because a patio was being built next to it on the ground. Tom stated that he was aware that the dumpster would need to be on a 10-inch slab and surrounded by a fence and wanted to put it in the corner where there was a dead spot.

Staff Comments

- Kim explained that any previous approval for use had expired but that bars and taverns were conditional use in the zoning code, which would mean Planning Commission would have to issue that approval. She stated that before them was the future overall site plan and asked about the garage in the back and if it would be coming out when the parking lot was paved. Tom stated that it would.
- Kim explained that buffer strips were required when commercial property was adjacent to residential but not commercial to commercial and showed him the only place buffering was required on the plan. She stated that more detail was needed regarding landscaping, trash enclosure, fencing on the site plan, they needed to show better definition of the front entry and how that space would be used and that if it is paved, to identify what type of material it will be and to provide an accessible route that felt safe for people to come in and out. She added that accessible parking was required and asked that they show the routes, not just where the spaces were, but how the sidewalk was going to be. She mentioned that the parking requirements did contemplate a curb around the parking lot and stated that if they did open prior to the curb being installed, there would need to be wheel stops. Tom said that he did have those. Kim mentioned even using cement planters with flowers, that they could be used as a barrier along the entrance. She asked that they add some dimensions in order to understand the setbacks for the building.
- Kim noticed that they were including a piece that was zoned residential and explained that he could not have commercial parking on a residential lot and that it would need to be rezoned, which would change his site plan a bit. Tom asked what the zoning would need to be changed to and Kim explained that it would need to be consistent and be rezoned to B-3. She indicated that the area of Pleasant Avenue that was vacated was zoned residential and was the dividing line between residential and commercial. Kim asked if the design professional could put together a plan that

didn't include that lot so that they would be able to get something approved and then the rezoning could go through a separate process since it was more time consuming.

- Guy commented that if he put the dumpster in the corner, he would lose parking spaces. Tom stated that was correct. Guy stated that regarding the ADA spaces one would need to be van accessible.
- Christina discussed that for accessible parking there had to be an accessible route and depending on how many parking spaces they had would determine how many ADA parking spaces they would need to have. She stated that with the ADA parking she encouraged a bollard with a sign as kind of a buffer between their walking path and the parking spaces and a concrete wheel stop or some other measure for the other parking spaces so they wouldn't be pulling into that accessible area there. Christina stated that regarding the curb around the parking lot, they preferred a concrete curb. Christina asked if they would be moving forward with the plan as if it was completely built out. Kim stated that was correct. Christina stated that she would encourage their designer to review the new ordinance that gave more detail as to what they were looking at for the parking lots with the curbing, a striped area to paint out at the end of parking aisles, accessibility and to try to adhere to that as much as possible. She asked if they had plenty of room for their turning movements because there was an area that looked tight.
- Christina explained that normally when they had a commercial project, they would be required to meet the full-blown storm water management requirements but in working with the rehab situations, they were aware that they didn't always have the capabilities, the room, or had other hardships, but they did ask them to try to meet some water quality measures. Tom stated that they had already been down that road and knew where the ditches were and dispensed to and being under a half-acre and were prepared for that. Christina stated that she would also like to see some bioretention or a dry basin, not the full-blown requirement but it would try to meet the NPDES permit.

Next Steps

- The applicant will provide updated plans prior to the Planning Commission meeting on September 10, 2024.

Planning Commission

APPLICANT GUIDE

COMMISSION AUTHORITY

The Planning Commission is a five-member board with the responsibility to hear applications for land use, zoning classifications or districts; to review and recommend legislation and regulations on all matters of municipal planning, land use and zoning; and to review and recommend to Council ordinances creating regulations governing all development and redevelopment, both public and private. The Commission has control over platting and subdividing of lands. The Commission evaluates the plan, design, location, removal, relocation and alteration of buildings and structures located on public lands and along public streets. All plans and recommendations of the Planning Commission must be approved by Council.

APPLICATIONS

Commission meetings are held in Council Chambers at City Hall on the second Tuesday of each month starting at 7:00 p.m. Complete applications must be received at least 25 days prior to a regular meeting to appear on the agenda. To be considered complete, an application must be signed by the property owner, include the required fee and be accompanied by the required plans, exhibits and materials of the type and number listed in the application. All materials submitted become the property of the Commission.

FEES

See the Planning and Zoning Fee Schedule for a complete list of applicable fees for your project.

SUBMITTAL REQUIREMENTS

For residential subdivisions and other platting of property, applicant shall refer to the City's Subdivision Regulations for submittal requirements. For all other projects, Section 1243.05 of the Zoning Code contains the complete list of development plan requirements. Applicants shall submit information responsive to these requirements, as applicable and directed by city staff.

Note that a traffic impact study is required for all developments involving a new use, change of use and/or expansion of use based on trip generation rates and in accordance with the requirements of Chapter 1210.

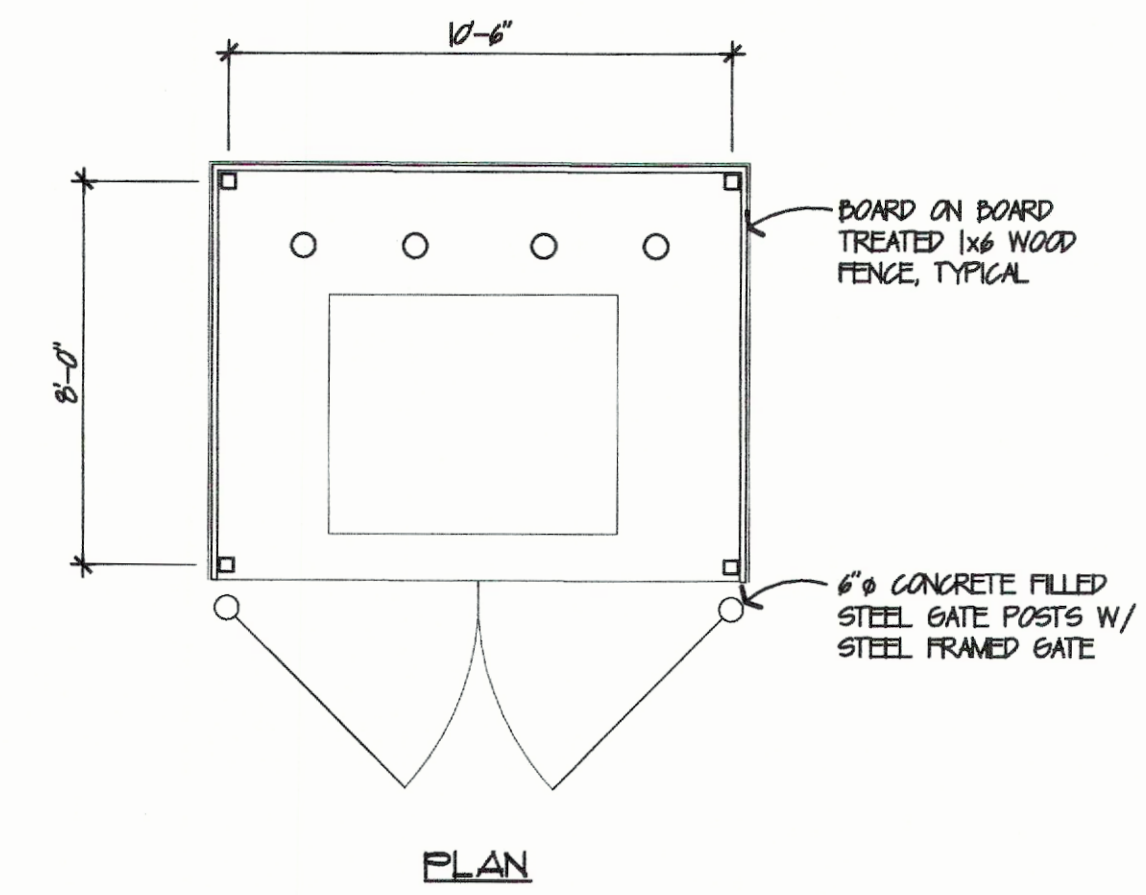
All drawings for subdivision of property must have the seal of a licensed professional engineer or registered surveyor. Development plans should be stamped by a registered architect or licensed professional engineer. Plats shall be 24 by 36 inches in size. Site improvement plans shall be 22 by 34 inches in size.

NOTICE AND APPEARANCE

The Commission is required to give public notice ten days in advance of a meeting, as well as notice to all parties in interest, including owners of adjoining properties. Applicants and owners are required to attend the meeting where their application is considered.

APPLICANT PRESENTATION

Applicants are expected to submit any documents or information relevant to their request with their application. At the meeting, the applicant, owner or authorized agent (design professional, contractor, attorney, etc.) should be prepared to make a presentation of their project or request and answer questions of the Commission. Adjoining property owners or other interested parties may also make comment or ask questions. Any public comment or questions regarding a project are directed to the Commission chair.



EAST / WEST ELEVATION

Diagram illustrating the construction of a 6' x 4' wooden privacy screen. The screen is composed of 1x6 horizontal T&E wood slats held together by 4x4 treated wood posts. The posts are spaced at 6'-0" intervals. The bottom of the screen is finished with 1x4 wood accent trim.

- 4x4 TREATED WOOD POSTS @ 6'-0" O.C.
- 1x6 HORIZONTAL T&E WOOD
- 1x4 WOOD ACCENT TRIM

TYPICAL PATIO FENCE
SCALE: 1/4" = 1'-0"

CENTURY TAVERN
3332 Center Ridge Road
North Ridgeville, Ohio

PRELIMINARY
NOT FOR CONSTRUCTION

CA PROJECT NO.
23.020

SP-1

DATE:	<u>August 5, 2024</u>	1 ST READING:	<u>August 5, 2024</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2024-80

AN ORDINANCE VACATING A PORTION OF ELMER AVENUE.

WHEREAS, the City of North Ridgeville (the City) may have rights and/or entitlements to Elmer Avenue to the extent that it is a public right-of-way; and

WHEREAS, the City has received a petition from Cynthia M. Perry and Ken Perry requesting the vacation of a portion of Elmer Avenue fifty feet in width extending from the east line of Dyke Avenue (50 feet in width), easterly to the east line of the Meadows No. 1 as described in the petition and attached exhibits; and

WHEREAS, the vacation of said portion of Elmer Avenue is being requested to allow for fencing; and

WHEREAS, the right-of-way will be vacated and deeded to Elmer Avenue as a separate parcel or attached to the adjacent parcels where they abut; and

WHEREAS, the vacation will not result in any adverse impacts to traffic patterns, local access or operations, or the City's street system; and

WHEREAS, pursuant to a properly published notice, a public hearing was held before City Council on _____, at which time Council provided the opportunity to hear from the public regarding the proposed vacation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Approximately 50 square feet in width of Elmer Avenue, identified more particularly on Exhibits A and B attached hereto and incorporated herein, shall be vacated and closed as a public right-of-way.

SECTION 2. In this instance, such street shall revert in equal amounts to the abutting property owners, further identified as:

0700045109006 07000451090007
7313 Dyke Ave. 7345 Dyke Ave.

SECTION 3. Identified abutting property owners shall receive appropriate notification and opportunity to be heard both at Planning Commission and at City Council. Council notification and Planning Commission notification shall follow customary notification requirements for like matters.

SECTION 4. The City Engineer is hereby authorized to prepare and submit any requested data to effect this transfer to the County Recorder, Engineer, or Auditor if requested. The Clerk of Council is hereby directed to file a certified copy of this Ordinance, once passed, for recording in the official records of the County Recorder pursuant to O.R.C. Section 723.04.

SECTION 5. When the vacation is complete, each abutting property owner may record the owner's additional land with Lorain County. The County may require a certified copy of the vacation ordinance and a drawing of metes and bounds survey and legal description of the vacation area accreted to each owner. The metes and bounds drawing, the legal description, and any recording fees are the responsibility of each abutting property owner.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:

Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :

Nicholas Ciofani
CLERK OF COUNCIL

Kevin Corcoran
MAYOR

R- 7/29/2024

Street Vacations, Narrowing and Name Changes

PETITION AND APPLICANT GUIDE



INITIATION

Street vacations, street narrowing and name changes may be initiated by a written petition of a property owner of a lot in the immediate vicinity of the street to be vacated, narrowed or renamed.

PETITION REQUIREMENTS

Any property owner requesting a street to be vacated, narrowed or renamed shall file the following with the Clerk of Council along with the required \$162.00 fee:

- (a) This petition for the renaming, vacating or narrowing of the street
- (b) An accurate legal description of the street, together with a plat drawn to a scale of one-inch equals 100 feet
- (c) A list of owners, and their addresses, of the property abutting upon the part of the street proposed to be vacated, narrowed or renamed
- (d) Written consent from such abutting property owners, and, if no written consent is obtained, a statement included with the petition to that effect

Any petition complete with required exhibits shall be forwarded to the Law Director to be prepared in ordinance form for introduction to Council.

CONSIDERATION BY PLANNING COMMISSION

Any ordinance proposing a renaming, vacation or narrowing shall first be submitted to the Planning Commission for approval, disapproval or suggestions, and the Planning Commission shall be allowed not less than thirty days for consideration and report.

PUBLIC HEARING

Council shall hold a public hearing before the adoption of the proposed ordinance. In order that opportunity shall be afforded to any person interested to be heard, at least thirty days' notice of any ordinance and of the required public hearing shall be provided in a local newspaper.

ACTION BY COUNCIL

Council may adopt the proposed ordinance by vote of a majority of Council members, provided that the proposed ordinance received approval by the Planning Commission. If the proposed ordinance was disapproved by the Planning Commission, it can only be adopted if it receives the vote of two-thirds of all members of Council.

PETITION REQUEST

ELMER ST.

Street name

Describe portion/extent if not entire street

☒ Street Vacation

☐ Street Narrowing

☐ Name Change:

PROPERTY OWNER INFORMATION

Cynthia M. Perry

Name(s)

7313 DYKE AVE. North Ridgeville, Oh 44039

Property owner address

440-787-7041

Property owner phone

cindyperry414@gmail.com

Property owner email

PETITION AUTHORIZATION

Cynthia M. Perry

Property owner signature

6-21-24

Date

Staff Meeting Bulletin

Meeting Date: August 27, 2024

Project: Vacating a portion of Elmer Ave, North Ridgeville, OH 44039

Applicant: Cynthia Perry, 7313 Dyke Ave, North Ridgeville, OH 44039

Zoning: R-1 Residence District

In Attendance: Kim Lieber, Planning & Development Director
Christina Eavenson, City Engineer
Guy Fursdon, Chief Building Official
Mike Freeman, Police Chief
Mike Uhnak, Assistant Fire Chief
Cynthia & Gary Perry, Applicants

Project Introduction

- Cynthia explained that the house she is currently living in was previously owned by her grandparents for 60 years who maintained the portion of Elmer Ave that runs along Dyke, along with his own property. She explained that they would like that area vacated and split between her and the adjacent property owner, who has written a letter stating he was agreeable to that.

Staff Comments

- Kim stated that she would like to see the parcels combined and not separate lots, since the vacated area would not meet minimum lot size requirements. She asked that they have their surveyor provide a legal description of the combined lots once the vacation is approved.
- Christina asked about irrigation and Gary stated that they had an irrigation system installed on their property.

Next Steps

- The applicant will appear at the Planning Commission meeting on September 10, 2024, to present their request to vacate.



May 24, 2024

Timothy L. Gibbens
7345 Dyke Avenue
North Ridgeville, Ohio 44039

Re: Cynthia Perry

Dear Mr. Gibbens:

Please be advised that I represent your neighbor, Cynthia Perry, the owner of the real property located at 7313 Dyke Avenue, North Ridgeville, Ohio 44039. I write you today regarding my client's intention to file a petition with the City of North Ridgeville seeking the vacating of a portion of Elmer Avenue. Elmer Avenue is a dedicated but undeveloped street which runs directly beside my client's property.

Enclosed you will find an aerial photograph which depicts my client's property, your property, and the portion of Elmer Avenue which Mrs. Perry would like to see vacated by the City of North Ridgeville. As I mentioned above, this portion of Elmer Avenue is a dedicated street; however the City of North Ridgeville has never actually constructed a street at that location. It remains as vacant land to this date. I believe that this vacant area of land has historically been maintained by the Perry's and you.

North Ridgeville City Ordinance 1022.02 requires any lot owner who files a petition for the vacating of any portion of a street within the city limits to submit the written consent of all abutting property owners. Your parcel, Parcel No. 07-00-045-109-007, abuts the portion of Elmer Avenue which Mrs. Perry desires to have vacated. Accordingly, Mrs. Perry requests your written consent to the City of North Ridgeville's vacating of the portion of Elmer Avenue in question. If provided, such written consent will be submitted along with the petition.

Understand that I cannot provide you with legal advice, nor can I guarantee any particular outcome in this matter. You should seek the advice of your own attorney if you determine that to be in your best interests. However, it is my belief that should the City of North Ridgeville vacate the portion of Elmer Avenue in question, the entire southern half of the street will accrete to your ownership, subject only to other land owners' reasonable need to use the area of the former street to access their own land.

Timothy Gibbens
May 24, 2024
Page 2

If you are in agreement to the vacating of the subject portion of Elmer Avenue, I ask that you sign the enclosed consent form and return it to me at 409 East Avenue, Suite A, Elyria, Ohio 44035 at your earliest convenience. If you have any questions about this request, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "H. T. Lane", with a stylized flourish at the end.

Howard T. Lane

Enclosures

cc: Cynthia Perry

CONSENT TO VACATING OF A PORTION OF ELMER
AVENUE IN NORTH RIDGEVILLE, OHIO

The undersigned, TIMOTHY L. GIBBENS, being the owner of the parcel of real property located at 7345 Dyke Avenue, North Ridgeville, Ohio 44039 and known as Lorain County Permanent Parcel No. 07-00-045-109-007, which parcel abuts Elmer Avenue east of Dyke Avenue hereby gives my written consent to an ordinance which vacates the entire stretch of Elmer Avenue east of Dyke Avenue.

Timothy L. Gibbens 6/30/24
TIMOTHY L. GIBBENS

In addition, we the undersigned do hereby agree and acknowledge that upon vacation of Elmer Avenue we each would be granted 50% of that vacated street.

Timothy L. Gibbens 6/30/24
TIMOTHY L. GIBBENS

Cynthia Perry 6-30-24
CYNTHIA PERRY

Law Director for North Ridgville

I, Cynthia Perry, am requesting a vacation of Elmer Ave that is a paper street located directly next to my property. I live at 7313 Dyke Ave and my family has maintained this property for 70 years.

Some issues that would make it difficult to actually make this a street is a power line with a transformer is directly on that paper street as well as a dozen 40 year old trees and a ditch line.

This is, and always has been a very quiet street. If needed I would be happy to provide a list of homeowners on Dyke Rd that are all in agreement for the vacation of this street.

If you have any further questions or if I need to provide any more information please feel free to contact me at 440-787-7041 or cindyperry414@gmail.com

Thank you for your time,
Cynthia Perry

If for whatever reason I cannot be reached you can always reach my husband Ken Perry 440-787-6380

Barbosa and Associates LLC

5604 Case Road North Ridgeville, Ohio 44039 (440) 327-4776

Vacation of part of Elmer Avenue

Situated in the City of North Ridgeville, County of Lorain, and State of Ohio and being known as part of Ridgeville Township Original Lot 109 and further described as follows:

Being a portion of Elmer Avenue fifty feet in width extending from the east line of Dyke Ave (50 feet in width) easterly to the east line of The Meadows No. 1, as shown in Plat Volume 11 Pages 4 of Lorain County Maps and Records, and more specifically described as follows:

Beginning at the intersection of the east line of Dyke Avenue and the north line of Elmer Avenue thence N89°22'00"E along the north line of Elmer Avenue a distance of 130.30 feet to the southeast corner of subplot 124;

Thence S00°38'00"E along the east line of The Meadows No. 1 a distance of 25.00 feet to the centerline of Elmer Avenue;

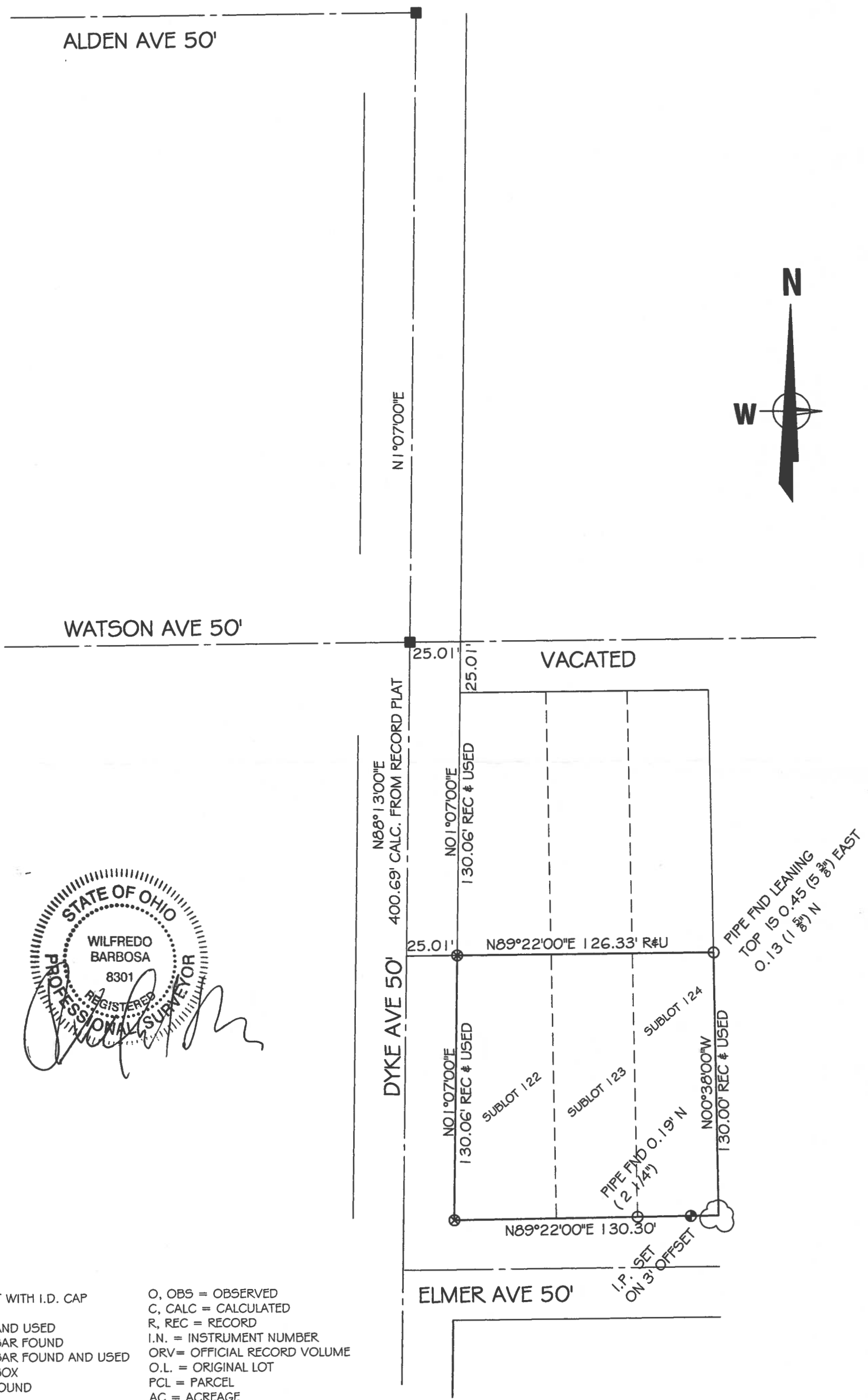
Thence N89°22'00"E a distance of 9.01 feet to the east line of The Meadows No. 1;

Thence S1°07'00"W along the east line of The Meadows No. 1 a distance of 25.00 feet to the northeast corner of subplot 125;

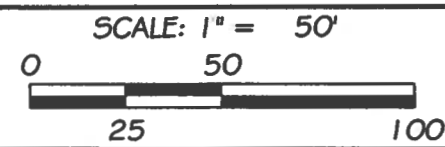
Thence S89°22'00"W along the south line of Elmer Avenue a distance of 140.07 feet to the east line of Dyke Avenue;

Thence N1°07'00"E along the east line of Dyke Avenue a distance of 50.02 feet to the Principal Place of Beginning, containing within said bounds 6788.6384 square feet (0.1553 of an acre of land), be the same more or less as surveyed by Wilfredo Barbosa Professional Surveyor PS#8301 in July, 2024.





- LEGEND:**
- ⊕ = 5/8" REBAR SET WITH I.D. CAP
 - = PIPE FOUND
 - = PIPE FOUND AND USED
 - ▲ = IRON PIN/ REBAR FOUND
 - ▲ = IRON PIN/ REBAR FOUND AND USED
 - = MONUMENT BOX
 - ⊗ = DRILL HOLE FOUND
 - C.L. = CENTERLINE
 - O, OBS = OBSERVED
 - C, CALC = CALCULATED
 - R, REC = RECORD
 - I.N. = INSTRUMENT NUMBER
 - ORV = OFFICIAL RECORD VOLUME
 - O.L. = ORIGINAL LOT
 - PCL = PARCEL
 - AC = ACREAGE



PREPARED AT THE REQUEST OF:
Cynthia Perry
7313 DYKE AVENUE
North Ridgeville, Ohio 44039

Survey
SUBLOT 122, 123, 124
IN
THE MEADOWS NO. 1 PLAT VOL. 11 PAGE 4
PART OF ORIGINAL LOT 45- 46 RIDGEVILLE TWP.
CITY OF NORTH RIDGEVILLE COUNTY OF LORAIN
STATE OF OHIO

BARBOSA AND ASSOCIATES LLC
5604 CASE ROAD
NORTH RIDGEVILLE, OH 44039
440 327-4776

6/20/2024	CHECKED BY:WB
JOB No: 2024-6-1	SHEET 1 of 1