

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 arborvitaes 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.

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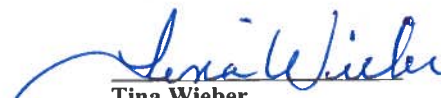
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None was given.

ADJOURNMENT:

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


James Smolik
Chairman


Tina Wieber
Deputy Clerk of Council

Tuesday, September 10, 2024
Date Approved