

Jason Jacobs, At-Large/President of Council
Georgia Awig, At-Large
Martin DeVries, At-Large
Holly A. Swenk, Ward 1
Eric Shaffer, Ward 2
Bruce F. Abens, Ward 3
Clifford Winkel, Ward 4/President Pro-Tem
Kevin Corcoran, Mayor



City Council
CITY HALL COUNCIL CHAMBERS
REGULAR AGENDA OF SEPTEMBER 15, 2025
7:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular City Council Meeting Minutes dated September 2, 2025.
(Council action required)

Note:

Board of Zoning and Building Appeals Meeting Minutes dated August 27, 2025.
Planning Commission Meeting Minutes dated September 9, 2025.

LOBBY

ADMINISTRATORS' REPORTS

1. Mayor
2. Engineer
3. Director of Finance
4. Other Reports

August 2025 Water Distribution and EPA Report

COUNCIL COMMITTEE REPORTS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

The North Ridgeville Planning Commission took action on the following items at their Regular Meeting of September 9, 2025:

1. **PPZ2025-0366: Panda Express, 32429 Cook Rd, PPN 07-00-003-102-104, -045, -046**
Applicant: Phillip Meador, Heights Venture Architects, 5741 Legacy Dr, Suite 320, Plano, TX 75024.
Owner: BOBKOB 32425 LLC, 4343 Thorn Ridge Circle, Cleveland, OH 44135.
Proposal consists of constructing a new drive through restaurant. Property zoned B-3 Highway Commercial District.
PC ACTION: Approved by a vote of 4-0 with the following conditions:
 1. Lots are consolidated.
 2. Engineering will coordinate the sidewalk alignment along the frontage.
 3. The easement on the adjacent parcel currently used for truck traffic will be coordinated with the property owner.
2. **PPZ2025-0372: Kaitlyn Culp, White Rose Ballet Academy, 6287 Lear Nagle Rd, Unit 4, PPN: 07-00-008-115-067**
Owner: Liberty Parkway HRD LLC, 25255 Center Ridge Rd, Westlake, OH 44145.
Referral from Director of Planning and Development for similar use determination.
Property is zoned I-2 Light Industrial District.
PC ACTION: Approved Indoor Fitness and Training Facility as a similar use by a vote of 4-0 with the condition that the following definition shall be included with the use: "Indoor Fitness and Training Facility" means a building or portion thereof used primarily for participatory physical activity, fitness or instructional training, whether operated for profit or not-for-profit. Examples include, but are not limited to, dance studios, yoga studios, martial arts schools, gymnastics centers, fitness studios or indoor sports training facilities. This use is distinct from Commercial Recreation, Indoor, which refers to facilities intended primarily for entertainment, amusement or spectator-based activities.
3. **Ordinance 2025-110: An Ordinance amending Sections 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service stations and gasoline stations.**
(Introduced by Councilman Abens; First Reading on 07-21-2025; Council referred to Planning Commission and Building and Lands on 07-21-2025; to Building and Lands on 08-18-2025)
PC ACTION: By a vote of 3-0, Planning Commission requested that Council provide an extension of their review period. Abens abstained.

(Council approval is required for all plans and recommendations from the Planning Commission)

RECESS

FIRST READINGS

- 2025-127 An Ordinance providing for the amendment of Chapter 1446 Registration of Contractors in the Building and Housing Code.
(Introduced by Mayor Corcoran)
- 2025-128 An Ordinance authorizing the Mayor to advertise for bids and enter into a contract according to law and in a manner prescribed by law with the lowest and best bidder for the rehabilitation of Taylor Parkway and other appurtenances.
(Introduced by Mayor Corcoran)
- 2025-129 An Ordinance authorizing the Mayor of the City of North Ridgeville to enter into a contract addendum according to law and in a manner prescribed by law with Tri-R Property Management for landscaping services.
(Introduced by Mayor Corcoran)

SECOND READINGS

- 2025-104 An Ordinance designating the North Ridgeville Community Improvement Corporation as an agency of the City under Ohio Revised Code Section 1724.10; authorizing the execution of an Agreement and Plan for Industrial, Commercial, Distribution, Research and Development.
(Introduced by Mayor Corcoran; First Reading on 07-07-2025; Committee of the Whole Meeting on 08-04-2025; Tabled on 08-04-2025; COW on 09-10-2025)
- 2025-115 An Ordinance amending Chapter 628 *Fair Housing* of the North Ridgeville General Offenses Code.
(Introduced by Mayor Corcoran; First Reading on 08-04-2025; B & L on 08-18-2025; B & L Report to City Council on 09-02-2025)
- 2025-122 An Ordinance Authorizing The Mayor To Advertise For Bids And Enter Into A 12-Month Contract (With Renewal Options) According To Law And In A Manner Prescribed By Law, With The Lowest And Best Bidder For Custodial Services.
(Introduced by Mayor Corcoran; First Reading on 09-02-2025)
- 2025-125 An Ordinance Amending Ordinance No. 2024-91 which established a water meter service charge.
(Introduced by Mayor Corcoran; First Reading on 09-02-2025)

O 2025-126 An Ordinance authorizing the Mayor of the City of North Ridgeville to enter into a contract addendum according to law and in a manner prescribed by law with McBride Dale Clarion for completion of the zoning code update project.

(Introduced on the Floor by Mayor Corcoran; First Reading on 09-02-2025)

THIRD READINGS

MEETING ANNOUNCEMENTS

1. The next Regular City Council meeting will be on Monday, October 6, 2025, at 7:00 p.m. in Council Chambers.

ADJOURNMENT

**NORTH RIDGEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
September 2, 2025**

CALL TO ORDER:

President Jacobs called the Council meeting on Tuesday, September 2, 2025, to order at 7:00 p.m.

INVOCATION:

Led by President Jacobs.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Present were Council members President Jason Jacobs, Holly A. Swenk, Eric Shaffer, Bruce Abens, Georgia Awig, and Martin DeVries.

Councilman Clifford Winkel was absent.

Mayor Kevin Corcoran, Finance Director April Wilkerson, City Engineer Christina Eavenson, Law Director Brian Moriarty, Clerk of Council Nicholas Ciofani, and Assistant Clerk of Council Fijabi Gallam.

MINUTES - Corrections (if any) and approval:

President Jacobs asked if there were any corrections to the Committee of the Regular City Council Meeting Minutes dated August 18, 2025. No discussion was offered. The meeting minutes stand approved as submitted.

President Jacobs noted the following.:

Parks and Recreation Commission Meeting Minutes dated July 23, 2025.
Building & Lands Committee Meeting Minutes dated August 18, 2025.
Civil Service Commission Meeting Minutes dated August 25, 2025.

LOBBY:

President Jacobs opened the lobby session. He reminded everyone that the lobby session was not meant to be an interactive question-and-answer session. However, it was an opportunity for the public to address City Council and its administration. He asked anyone who would like to speak to come to the podium and state their name and address. He further added that each person was allowed three minutes to speak.

There was no lobby session.

ADMINISTRATORS REPORTS:

1. Mayor:

Mayor Corcoran remarked as follows.:

- University Hospitals Urgent Care - Welcomed UH Urgent Care to North Ridgeville. They opened their doors last week on Center Ridge Road next to Blue Falls Car Wash.
- Paving - Public Works Department, Streets Division, was finishing up paving the topcoat on Maddock Road. They will finish cleaning up and any restoration before they move to the next street on this year's asphalt paving list.
- Water Meter Replacement Project - Utility Metering Solutions (UMS) mailed notification letters to utility customers with account numbers beginning with 107, 111, 114 through 123. If a resident has not scheduled an appointment with UMS, the resident should do so at their earliest convenience to have the new meter installed.
- Trash Collection Delayed - As a reminder, Republic Services is operating on a one-day delay this week for trash collection. Please have all items at curbside by 6:00 a.m. tomorrow, Wednesday, September 3, 2025.
- Mayor's Coffee & Conversation - Is on Monday, September 15, 2025, at 8:30 a.m. in Council Chambers for my monthly coffee and conversation. The special guest this month is Anne Godec, Branch Manager of the North Ridgeville Branch Library, who will share information about the many programs and resources available for all ages.
- Safety Fair - The North Ridgeville Safety Fair is a much-anticipated, family-friendly event where residents can explore healthy living tips and learn the best safety practices for home and community. This year's event will be held on Saturday, October 4, 2025. Welcomed local businesses and organizations to be part of the event.

Moved by Mayor Corcoran and seconded by Swenk to suspend the bylaws to add Ordinance Number 2025-126 to the agenda.

A voice vote was taken, and the motion carried.

Yes – 6

No – 0

Mayor Corcoran concluded his report.

2. Engineer:

City Engineer Christina Eavenson provided the following:

- Lorain County Metro Parks is expanding its trails to the west side of Case Road on a recently acquired parcel. The trailhead begins about half a mile north of Center Ridge

Road, with a parking area to be built on the west side of Case Road. A 10-foot-wide aggregate trail will loop through the wooded area, covering just over a mile. Construction has started and should finish by November. Metro Parks hopes to connect this trail with the Sandy Ridge trails in the future.

- BJAAM Environmental is continuing corrective action work at the southwest corner of State Route 83 and Center Ridge Road, at the former gas station. They will be on-site this Friday and for a few days next week. On Tuesday, September 9, 2025, they will be drilling new borings along Center Ridge Road. Eastbound traffic on Center Ridge Road will be closed and prohibited from turning right onto State Route 83. Lear Nagel will serve as the detour route for the day.
- The full depth rehabilitation project is making progress this week on Oak Street, Main Avenue, and Harris Drive.

City Engineer Eavenson concluded her report.

3. Director of Finance:

April Wilkerson, the Finance Director, reported the following:

The audit of the City's 2024 financial statement, covering all activities and funds, has concluded. The independent auditors' report was issued on August 29, 2025. The report covered all aspects of the City's financial position, as shown in the annual comprehensive financial report for the year ending December 31, 2024, is fairly presented in compliance with the accounting principles generally accepted in the United States of America. The City has received a clean audit report with no material findings. The audit report has been submitted to the Auditor of State for final review. Once released by the State of Ohio, the report will be available for public release and available on the City's website under finance financial reports. This audit process is a month-long process and requires assistance from each department and its divisions. Ms. Wilkerson thanked everyone, including Assistant Finance Director Fabrice Dongo, for their help and patience during this process.

A memorandum was provided to City Council addressing the following pieces of legislation. The request was to consider adopting the legislation with an emergency clause to allow the Department of Finance the necessary resources to meet its financial obligations.

- Ordinance No. 2025-123 – The budget amendment includes appropriations for forfeiture and drug task force operations.
- Resolution No. 2025-124 – Legislation was enacted authorizing the execution of then and now certificates. On August 4th, 2025, the council adopted ordinance 2025-116, which authorized the purchase, rather than a lease, of a single axle dump truck with a plow. The council has approved the budget for this purchase. The truck has been received, and the invoice is now due.

Finance Director Wilkerson concluded her report.

President Jacobs noted the following.:

July 2025 Financial Report

4. Other Reports:

President Jacobs noted the following.:

June 2025 Fire Department Report
July 2025 Police Department Report
July 2025 Parks and Recreation Division Report

COUNCIL COMMITTEE REPORT(S):

BUILDING AND LANDS COMMITTEE REPORT dated August 18, 2025 – The Committee reviewed and considered Ordinance Number 2025-110. The Committee motioned to send 2025-110 back to City Council for consideration with no amendments. Note: Planning Commission reviews Ordinance Number 2025-110 on Tuesday, September 9, 2025, to provide City Council with a recommendation.

(Council action required for Committee Report)

Moved by Abens and seconded by Swenk to accept the Building and Lands Committee Report for Ordinance Number 2025-110 dated August 18, 2025.

A voice vote was taken, and the motion carried.

Yes – 6

No – 0

BUILDING AND LANDS COMMITTEE REPORT dated August 18, 2025 – The Committee reviewed and considered Ordinance Number 2025-115. The Committee motioned to send 2025-115 back to City Council for consideration with no amendments.

(Council action required for Committee Report)

Moved by Abens and seconded by Swenk to approve the Building and Lands Committee Report for Ordinance Number 2025-115 dated August 18, 2025.

A voice vote was taken, and the motion carried.

Yes – 6

No – 0

CORRESPONDENCE:

There were none.

OLD BUSINESS:

There were none.

NEW BUSINESS:

There were none.

RECESS:

Moved by Awig and seconded by Swenk to dispense with recess.

A voice vote was taken, and the motion carried.

Yes – 6

No – 0

Ordinance and Resolution submittal(s)
FIRST READINGS:

Clerk of Council Nicholas Ciofani:

O 2025-121 An Ordinance Amending N.R.C.O. Section 618.16.1. – Deer Hunting By Longbow Or Crossbow.

(Introduced by Mayor Corcoran)

Ordinance Number 2025-121 was referred to the Safety Committee for further discussion.

Councilman Shaffer wanted to know if the \$200 application fee would be amended.

President Jacobs explained that the fee change was not considered, but that the fee could be discussed in committee.

Clerk of Council Nicholas Ciofani:

O 2025-122 An Ordinance Authorizing The Mayor To Advertise For Bids And Enter Into A 12-Month Contract (With Renewal Options) According To Law And In A Manner Prescribed By Law, With The Lowest And Best Bidder For Custodial Services.

(Introduced by Mayor Corcoran)

Ordinance Number 2025-122 was moved to Second Reading.

O 2025-123 An Ordinance amending Ordinance Number 2024-139 of the City of North Ridgeville, Ohio, providing appropriations for the period commencing January 1, 2025, and ending December 31, 2025.

(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-123.

Councilman Shaffer wanted to know the reason for the legislation.

President Jacobs and Councilman DeVries reiterated what was stated by the Finance Director in her report and what was indicated in the memo that was sent to City Council prior to the meeting.

Director Wilkerson confirmed that a portion of the forfeiture belongs back to the Lorain County Prosecutor, which is due upon receipt.

A voice vote was taken, and the motion carried.

Yes – 6

No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to allow the Department of Finance to provide the necessary resources to meet its financial obligations.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 6 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-123 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Ordinance Number 2025-123.

Yes – 6 No – 0

Clerk of Council Nicholas Ciofani:

R 2025-124 A Resolution authorizing the execution of then and now certificates by the City Fiscal Officer and the payment of amounts due for various purchase orders.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-124.

Councilman DeVries noted that the purchase of the dump truck was discussed in appropriations.

A voice vote was taken, and the motion carried.

Yes – 6 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to allow the Department of Finance to provide the necessary resources to meet its financial obligations and pay the invoice.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 6 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-124 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Resolution Number 2025-124.

Yes – 6 No – 0

Clerk of Council Nicholas Ciofani:

O 2025-125 An Ordinance Amending Ordinance No. 2024-91 which established a water meter service charge.
(Introduced by Mayor Corcoran)

Ordinance Number 2025-125 was moved to Second Reading.

Clerk of Council Nicholas Ciofani:

O 2025-126 An Ordinance authorizing the Mayor of the City of North Ridgeville to enter into a contract addendum according to law and in a manner prescribed by law with McBride Dale Clarion for completion of the zoning code update project.
(Introduced by Mayor Corcoran)

Ordinance Number 2025-126 was moved to Second Reading.

SECOND READINGS:

There were none.

THIRD READINGS:

There were none.

Councilman Shaffer expressed his appreciation to certain committee members.

Councilman Shaffer asked for more clarification on whether the proposed tax on the ballot includes the 1% credit.

President Jacobs explained that there will be a tax credit offered.

Mayor Corcoran noted that an ordinance about the credit came before the City Council, which was postponed until after the November election results are certified.

MEETING ANNOUNCEMENTS:

President Jacobs noted the following:

1. A Committee of the Whole meeting is scheduled on Wednesday, September 10, 2025, at 7:00 p.m. in Council Chambers to discuss Ordinance Number 2025-104 and Tax Increment Financing (TIF).
2. The next Regular City Council meeting will be on Monday, September 15, 2025, at 7:00 p.m. in Council Chambers.

Councilman DeVries and Councilman Abens thanked Director Wilkerson for her financial planning and clear financial reporting.

ADJOURNMENT:

President Jacobs adjourned the meeting at 7:23 p.m.

Approval of minutes on September 15, 2025:

Jason Jacobs
PRESIDENT OF COUNCIL

Nicholas Ciofani
CLERK OF COUNCIL

DRAFT

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, AUGUST 28, 2025**

CALL TO ORDER:

Chairwoman Masterson called the meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members Brad Weaver, Planning Commission Liaison Frank Toth, Vice-Chairman Paul Graupmann and Chairwoman Linda Masterson.

Also present were Chief Building Official Guy Fursdon, Planning and Development Director Kimberly Lieber, Assistant Law Director Toni Morgan and Deputy Clerk of Council Tina Wieber.

Excused was member James Cain.

MINUTES:

Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, July 24, 2025.

None were given.

Minutes were approved as submitted.

PLANNING COMMISSION REPORT:

Chairwoman Masterson asked if there was a Planning Commission Report.

Planning Commission Liaison Toth noted that the Planning Commission regular meeting that was scheduled for Tuesday, August 12th, 2025 was canceled by order to James Smolik, Chairman of the Planning Commission and that the next regular scheduled meeting was for September 9th, 2025 at 7:00 PM in council chambers.

OTHER REPORTS OR CORRESPONDENCE:

PUBLIC HEARINGS:

PPZ2025-0374: Center Ridge Dental, 33650 Center Ridge Rd, PPN: 07-00-008-117-094

Applicant: Nathan Harris, 551 Oakmoor Rd, Bay Village, OH 44140. Owner: SMAMM Limited, 30179 Jefferson Way, Westlake, OH 44145. Proposal consists of signage. Property is zoned B-3 Highway Commercial District. Request:

1. An appeal from a determination of the zoning administrator that the proposed sign is a roof sign.

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

Dan Calvin, 4996 Foote Rd, Medina, OH 44256, was sworn in.

Nathan Harris, 551 Oakmoor Rd, Bay Village, OH 44140, was sworn in.

Chairwoman Masterson asked Director Lieber for her administrative review.

Director Lieber stated that Dr. Harris was taking over an existing building at the northeast corner of Center Ridge Road and Lear Nagle Road for his dental practice with concerns about customer visibility due to the topography of that corner and also because the property lost frontage with the Center Ridge Road widening. She discussed that the applicant was proposing to mount a sign on the roof of the building and as the Board may recall in 2023 the sign code was updated and at that time prohibited roof signs, therefore, the applicant was unable to request a variance as the BZBA cannot grant a variance from an express prohibition of the zoning code. She stated that the avenue open to the applicant was to appeal a decision from staff, the administrative official, which in this case was Director Lieber, that the proposed sign was a sign mounted on or above the roof line of the building. She discussed that the applicant provided information in their packet that was responsive to the Duncan Factors in which they addressed in detail the need for relief from the sign code. She added that they rarely saw such responsiveness to the Duncan Factors, however, she did not believe in that case that the Duncan Factors really bear on the question of appeal. She added that they also provided rationale for their appeal proposing that the sign was a canopy sign, which did not extend above the top of the roof line of the building in accordance with Chapter 1286 and she cited the section there, so unfortunately the sign code did not contain a definition for roof sign or roof line. She mentioned that in everyday English, roof line would mean the outline or silhouette formed by the top edges of the roof mounted on or above the roof line, would read as anything sitting on top of the roof surface or projecting above past that silhouette. She explained that the intent was to prohibit all roof signs, however, there was clearly no definition and if the Board were to find that the existing code language was not sufficient in that regard, then she would recommend that a future amendment be made to the sign code, in order to close that loop. She stated that it was really up to the Board to determine if sign fell into the category of roof sign or if it was sufficiently or insufficiently detailed in the code that it could be considered as a canopy sign. She added that it was a more unusual kind of determination than they were used to making, but if they had any questions to let her know.

Assistant Law Director Morgan stated that at some point that request ended up in the law department on her desk with essentially the issue being was roof line the same as roof and as far as statutory construction went and the Board being a quasi-judicial body, they needed to be aware that when people looked at an ordinance, they needed to be able to interpret what it meant. She mentioned that when looking at the meaning of roof line, it usually meant, as the Planning Director had indicated, the top profile, it could also mean where the roof also attaches to the upright structure, the sides of a building but that was a less common usage of it. She stated that it did not, however, mean the word roof, and she was correct in saying that roofline was not defined and neither was roof in the ordinances. She stated that there was an ordinance which talked about a canopy sign that hinted at the meaning of roof line being that top profile of a building and because it talked about a sign that was mounted on a canopy, that it should not extend above the roof line, so it, by suggestion, was saying that when we used the word roof line, we were meaning that top profile. She explained that if they read the prohibition in that light, then the prohibition said that a sign cannot extend above the profile or to be on the very top of the building. She discussed that a roof sign was a fairly common type of sign, so it was not unusual to see them, and it appeared that the regulation was more accurately understood as being a prohibition against it being basically taller than the building itself, which that sign wasn't. She explained that if the Board voted and did not agree with the Planning Director's interpretation, then there was no need for a variance because they were not in violation of the ordinance as it was written. She stated that on the other hand, if they

agreed that there was a prohibition against roof signs, then it was still not something they could give a variance on because it was not something that they had and there was some variation of it, it was flatly prohibited, so that was sort of the decision that was in front of them that evening and it really was one of interpretation. Did roof line mean roof, and she would indicate that she didn't think it did.

Chairwoman Masterson asked the applicant to discuss his request.

Mr. Harris thanked the Board for being there and serving the community. He discussed that he got lucky and wasn't shopping for a practice but met Scott through a friend and just getting to take over a 50-year business with the community is amazing, so his hope was to make it 100 years. He explained that his practical difficulty was that he was not sure what else he should do with signage. He mentioned that he had family members and patients who had been with the practice for 30 years, 10 years, one year and he would ask how they found the practice, and they would say that they had been driving by their whole life and didn't know it was there or that they had lived in North Ridgeville their whole life and didn't know there was a dentist there but then they would finally have a neighbor tell them that that's the best dentist in the area, Dr. Arndt and that's how they ended up getting to the practice and they had been driving by there for 20 years. He stated that he wanted to continue to serve the community and bring patients in so that they know what parking lot to pull into and be able to see the place. He commented that his grandma drove by probably three or four times.

Mr. Calvin stated that he didn't want to go into too much more detail because Ms. Morgan kind of made the case for them that was outlined in his writings that the statute or the ordinance was ambiguous and that it talked about the roof line and not roof. He stated that she mentioned statutory construction, and when looking at a statute and it's ambiguous, the statutory construction says you have to interpret that against the municipality that drafted it, it can't be used against us. He said that if there was ambiguity, they had to lean in favor of the business and not in favor of the city and there was really nothing more to say about that. He stated that he agreed with the plain reading of what a roof sign is, that it was something that extends above the profile of that roof. He discussed that as they could see whether they called it a canopy sign or whatever else, it was much more similar to a canopy sign that they would see on another building. He stated that it was a unique architectural building with that large sloping roof and that normally a more modern building might have the roof stop substantially higher than that and then that really would function the same as a canopy sign. He discussed that going back to the variance request, if they said that that was a roof sign, asking for a variance against that interpretation was absolutely what the Board should do, and it was completely within their power. He stated that it was not that much different than, say, a setback variance and gave an example that they couldn't have a building 100 feet from the road as that was an absolute prohibition. He stated that people came in every day and said, they really wanted this to be 80 feet from the road and that was literally what their job was as a Board of Zoning and Appeals member to deal with variances from rulings and from the code. He discussed that if they thought it was a roof sign, then the variance analysis would be appropriate and then they would go through the Duncan Factors, which he had detailed in the packet, but the two big things were that this wasn't a problem that the applicant created either Dr. Harris or Dr. Arndt. He added that it was because the road was expanded and the old sign was taken away. He mentioned that in their packet there was a picture of the old sign and that was taken out when the road was expanded. He stated that the other big factor was that the sign was exactly the type of sign that they would see in the neighborhood, and they submitted a couple photos. He indicated that the property directly to the east, which was the gas station, and the two properties to the west, which was Premier, had almost identical signs. He explained that they could make an argument that maybe the gas station's was not, but Premier, couldn't be more exact and that was what they were asking for and that was a big piece of these area

variances and read, "Is it consistent with the neighborhood?" He mentioned that if they drove up and down Center Ridge Road, there were signs that looked like that on many buildings. He stated that he would be happy to go through all the Duncan factors, but they were there in the application. He added that he thought that those were the two biggest factors weighing in favor of granting the variance.

Chairwoman Masterson mentioned as stated by Director Lieber he did an amazing job on his argument for the Duncan Factors, and they had given them a lot to think about. She stated that she did agree that the ordinance was ambiguous, but she would also argue that they had practical difficulties that the city created as well. She asked if any of the Board members had any comments, questions or concerns.

None were given.

Chairwoman Masterson asked if anyone from the Administrations had any comments, questions or concerns.

Assistant Law Director Morgan stated that since it was in the language of an appeal, they would need to either vote to affirm it or reverse it and if they affirmed it, then there was no variance from something that was specifically prohibited, and that was the language of the ordinance. She added that if they reversed it, then he wouldn't need a variance. He was fine. She explained that if they affirmed the decision, that meant that they agreed that roof line meant roof and that no sign could go there and then a variance is not available. She stated that if they reversed that and indicated that roof line and roof were two different things and that didn't mean that they couldn't have a roof sign at all, then he didn't need a variance at that point because there's no prohibition against a roof sign, there's only a prohibition against one that extends above the roof line profile.

Chairwoman Masterson asked Chief Building Official Fursdon if he had anything he wanted to say.

Chief Building Official Fursdon stated that it was the Board's decision how they wanted to interpret the ordinance, whether they wanted to agree with the Director's interpretation of it or the Law Director's interpretation of the law pertaining to that. He added that if it wasn't a roof sign, and they determined that a variance wasn't needed or they could go ahead and put the sign up, then he would have to figure out what type of a sign it was, so that he knew that the size of it was allowable under the ordinance and if it was now going to be considered a wall sign that they had a percentage of area that they were allowed to put up or was it cart blanche and they would allow them to put up a 1,000 square foot sign. He stated that he knew that was ridiculous, but they had to determine what size sign was going to be appropriate if the Board said that it was okay to put it up there.

Assistant Law Director stated that the fact that they still have questions to answer after the Board's decision should not influence their decision.

Chairwoman Masterson stated that she asked for his input appreciated that he shared it.

Mr. Calvin stated that they would submit that it was a canopy sign and subject to the 50% limitation on the area coverage and their proposed sign was substantially less than 50% of the area.

Chairwoman Masterson asked if there was anyone in the audience that wanted to speak on behalf of the matter.

Scott Arndt, 30179 Jefferson Way, Westlake, Oh 44145, was sworn in.

Mr. Arndt stated that for him the sign had been an issue since January 2015 when Mayor Gillock had a big meeting here about the roads coming through and so he came to that meeting to share how the road project was going to go, but he left that meeting with basically them saying “If you don't take your sign down in another month, we're just going to bulldoze it if it's there.” He stated that he had a V-shaped sign out there on the road itself and had Don Mould come and disassemble it and he put it in storage, and he hadn't seen it since because there was no place to put it. He discussed that he was told by the city that he would be able to get that sign back there and it was indicated that if he put his sign in storage and that he would be able to use it. He stated that he hadn't been able to do that and that he may still actually have it on his insurance as being covered that it was there. He discussed that the challenge for him after almost five years of that road being done was did anyone ever go past his office and see the blow up sign of him on it with one of those blow up guys, if anybody saw that in order to see his office, he had no sign, he had bulldozers, he had piles of 57 rock out front of his office where no one could see it for almost three years. He said that once everything was done, he couldn't put a sign up that the city or the state, he thought the city, but the state actually asked for a variance for a couple extra months after the road was completed and traffic was coming through, he had a variance he thought that was on the property and was told that, if he put a sign up now, if they had to come back and correct something and if he had a sign there, he would have to take it down at his expense, so he had to wait until the very end for them to complete everything on the road, not have any other possibility of things that they would come back for. He said that it then got to the point that it was obvious that he was not going to be able to put that sign back there but then it was like where could he put a sign similar to that to catch the eye of people coming in different directions and with the property he had left, and there was no place to put it and even if he did, he thought the variance and what signs could go up, they would have had to be road signs with the property that he had left, which was very little and if he had a sign down like that, if snow plows were coming through in the winter time, the sign would be toast. He stated that there was just no place to put a road sign out there, so it became an issue to have a sign, either put it up on a pole and he didn't know where that pole would go and whether it would again pass council's building ordinances, so he couldn't do that. He stated that he was retiring and that he sold the practice to Dr. Harris. He mentioned that they had been working together and that Dr. Harris owned the practice and that he owned the building and he was retiring in a couple of years. He stated that he put a crappy little sign down there because he couldn't find what to put there, so he pawned it off on him to put a sign up so that he would get recognized. He explained that it was really an important thing and that it was a thoroughfare of traffic and as a businessman, it was not good not to have a sign out front. He mentioned that the picture of that road was another thing because when you came up, it was a very unique parcel of property. He motioned all the way that one could look but when you go to pull out and you couldn't see people coming up over the hill and so if you ever drive up, you're coming up, you're just seeing the top of the building, you're not seeing this little sign down here. He stated that it had really created an issue and he asked the Board members that were there to really think about that as being a 52 year business there in the community and hopefully he would take it another 30 years and they would be good neighbors to everybody and try to do the right thing, but they would ask that they would take all those things into consideration. He mentioned that there was just no grandfathering of anything that he found that could put a sign up there that was visible.

Chairwoman Masterson asked if anyone from the Board had any questions for Dr. Arndt.

Planning Commission Liaison Toth asked Dr. Arndt, since he was involved with the reconstruction of Center Ridge, that parking that was shown in the picture, if that was there prior to the reconstruction.

Mr. Arndt stated that he lost parking there.

Planning Commission Liaison Toth asked if that parking was there when Center Ridge was widened.

Mr. Arndt stated that it was not. He said he was sorry and apologized. He was trying to think if there was parking up there, but it was not all the way across.

Planning Commission Liaison Toth stated that the older picture there didn't really give them a clear view.

Mr. Arndt asked if they could go to the older picture on the slide. He showed on the slide where he had handicap parking and two spots and then blacktop where people could pull in and there weren't that many spots and he had to put parking around the back. He discussed that before Walgreen's was there, that there was a land grab, so to speak, of putting Lear Nagle Road through because Lear Nagle used to dead end right there in his our parking lot and went around the convenience store there, so it used to be that he had all of his parking on the West side of the building and nothing up front. He stated that the new parking lot became a necessity because of the road widening and losing parking spots.

Planning Commission Liaison Toth stated that the widening of Center Ridge was not necessarily the factor for losing that front parking because actually with the two photos there, it looks like he had more parking to the south side of the building in the frontage.

Mr. Arndt stated yes, he had to move it over. He stated that he had to pay \$80,000 to put that portion in.

Planning Commission Liaison Toth asked that parking lot there.

Chairwoman Masterson asked because didn't they take part of your property to extend Lear Nagle as well.

Mr. Arndt stated that yes, they took it where it went out, they widened the intersection dramatically and then they rounded it to make the turn there. And as a matter of fact, every day when he drove in from Bradley Road, he looked, there was probably a segment from (pointing to chairs in the room) that chair to that chair that had white stripes in it, which he thought, you're not supposed to drive through there to go around the corner and he wondered why they took that. He stated that that would have been perfect for having maybe a sign out there, but that was part of the widening, and for flow of traffic making that corner.

Council Liaison Winkel stated that he might be able to lend some perspective. He mentioned that he lived right down the road from there for 25 years and that there had been two major street projects that had happened, the realignment of Lear Nagle, which cut that property in half in a way between where Walgreens was currently on the west side of the property, and then the Center Ridge Road widening. He mentioned that at his own expense, had to put parking in to actually have enough spaces to park because of both of those projects combined. He added that he knew that the sign ordinance was a bit for a proper setback with the land he had, and he didn't see how he would ever be able to do it. He mentioned that he knew that the city tried to do what it could to help new businesses come in and now this was a chance for them to help someone who had been there for a long time. He discussed that the nuts and bolts of the ordinance, roof line versus roof, he understood all the points about that but at the end of the day, with

the spirit in which they were there for and that ordinance, it was his personal opinion and would think several of his fellow council members would also be, what can they do to make this happen to support this business, but still fall within the lines of what they needed to do with the nuts and bolts. He stated that they could redo a definition later to clean it up. He remarked that he wasn't going to speak for Dr. Arndt but would think that there was a considerable amount of distress that had been caused by those projects, and he couldn't think of a lot of people that had had that many issues along Center Ridge Road worse than that property.

Assistant Law Director Morgan stated that she respectfully agreed and disagreed. She stated that they were not there about how they felt about something, but about the nuts and bolts. She discussed that she indicated, however, that with the nuts and bolts analysis, she did believe that the sign was not in violation of the current wording of the ordinance that they had, but having said that, she would say that the Board did have a history of looking favorably on requests where the problem or the issue was not entirely the fault of the property owner, but there had been some city involvement in causing the issue.

Chairwoman Masterson asked Director Lieber if she wanted to add anything.

Director Lieber stated that she thought it was a textbook example of where a variance would be very appropriate given the reduction and setback, the challenges of visibility, the topography, and she certainly believed it was a roof sign, but if that avenue was not open to the applicant and still thought it was an appropriate sign and thought there should have been a definition in the code, so that with that ambiguity she would accept the reversal of a decision, but she did think that at least it was all clear when it was framed, because one of the questions was, well, what were the framers thinking and she stated that she could tell them what the framers were thinking because she was one of the framers and worked with the committee and they went through Planning Commission, so she could tell them that the thought was to prohibit signs mounted on roofs. She stated that with the absence of a definition and with the ambiguity, she thought it was fair for the applicant to not be shackled with that burden of no definition or some question about the language, but with that being said, if the Board reverses, it would be her intent to go back to the code and to fine tune the language just to clear that issue up for any future applicant.

Chairwoman Masterson stated that she truly believed that the business had been in town for years and that they have had to suffer through two road projects which have greatly limited their options. She stated that she was in favor of granting them what they wanted.

Moved by Masterson and seconded by Graupmann to reverse the determination that the sign was a prohibited roof sign.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

ADJOURNMENT:

The meeting was adjourned at 7:35 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, September 25, 2025

Date Approved

DRAFT

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF REGULAR MEETING
TUESDAY, SEPTEMBER 9, 2025**

CALL TO ORDER

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

ROLL CALL

Present were members Frank Toth, Steve Ali, Council Liaison Bruce Abens and Chairman James Smolik.

Vice- Chairman Paul Schumann 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

Chairman Smolik asked if the members had a chance to review the minutes of the regular meeting on May 13, 2025. He asked if there were any corrections. Hearing none, the minutes were approved as submitted.

CORRESPONDENCE

Administrative Approvals

Chairman Smolik noted the following administrative approvals:

1. PPZ2025-0362 Wendy's, 34273 Center Ridge Rd
Administrative Approval of a Planning Commission application to make exterior alterations.
2. PPZ2025-0364 The Davey Tree Expert Co., 34445 Mills Rd
Approval of a Certificate of Zoning Compliance for a landscape service company.
3. PPZ2025-0367 Studio Metamorphosis, 39160 Center Ridge Rd, Unit 2
Approval of a Certificate of Zoning Compliance for a salon and office space.
4. PPZ2025-0368 Moore's Family Automotive LLC, 33549 Liberty Parkway, Unit 2
Approval of a Certificate of Zoning Compliance for automotive repair.
5. PPZ2025-0369 Manning Law LLC, 36591 Center Ridge Rd, Suite 105
Approval of a Certificate of Zoning Compliance for professional offices.
6. PPZ2025-0370 Scale Technology Group, 36591 Center Ridge Rd, Suite 102
Approval of a Certificate of Zoning Compliance for professional offices.
7. PPZ2025-0371 Sculpted Symmetry North Ridgeville, 37723 Center Ridge Rd
Approval of a Certificate of Zoning Compliance for a medical spa.

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8. PPZ2025-0373 Together In Play, 8540 Root Rd, Room, 220
Approval of a Certificate of Zoning Compliance for Nonprofit - playgroups.
9. PPZ2025-0375 Dent Solutions Now, 6287 Lear Nagle Rd, Unit 5
Approval of a Certificate of Zoning Compliance for automotive repair.
10. PPZ2025-0377 Jimmy John's, 34522 Center Ridge Rd
Administrative Approval of a Planning Commission application for exterior building alterations for new business.

OLD BUSINESS

NEW BUSINESS

PPZ2025-0366: Panda Express, 32429 Cook Rd, PPN 07-00-003-102-104, -045, -046

Applicant: Phillip Meador, Heights Venture Architects, 5741 Legacy Dr, Suite 320, Plano, TX 75024. Owner: BOBKOB 32425 LLC, 4343 Thorn Ridge Circle, Cleveland, OH 44135. Proposal consists of constructing a new drive through restaurant. Property zoned B-3 Highway Commercial District.

Application was read.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber Director Lieber explained that the proposal involved a new drive-through restaurant, which is permitted in the B-3 Highway Commercial District. She noted that the project had previously come before the Commission earlier in 2025, and the applicant has since addressed many of the issues raised at that time, particularly related to site access and circulation.

She stated that the project site includes three parcels on Cook Road, all zoned B-3. These consist of a vacant lot east of Starbucks and two adjacent parcels currently occupied by an auto repair business, which would be demolished. The three parcels would need to be consolidated as part of this project. Surrounding properties are also zoned B-3.

Director Lieber reported that the building architecture remains largely unchanged from the earlier submission. She highlighted that the site design includes a double drive-through. Per code, drive-through stacking must accommodate at least ten vehicles and include an escape lane. The applicant's stacking exhibit demonstrates capacity for 15 vehicles fully on-site, with additional room if needed, and provides the required escape lane.

A detailed landscaping plan, reviewed by the City Arborist, was included. Irrigation will be provided. The lighting plan shows levels generally consistent with code requirements, with fixtures mounted at 18 feet. Cut sheets were submitted for pole lights and wall sconces, and the building will feature aesthetic LED rope lighting to create a wall-wash effect. An initial sign package was also provided; however, detailed sign review will occur during the permit phase.

Regarding parking, she explained that code requires one space per 100 square feet or one per three seats, whichever is greater. The site plan provides 40 spaces where only 27 are required. A sidewalk and

pedestrian route to the building entrance are included, though the final alignment may need adjustment to accommodate stormwater utilities and future sidewalk connections. Bike parking has also been incorporated.

Director Lieber emphasized that access and circulation were the primary concerns during the project's previous review. Cook Road presents challenges due to numerous nearby curb cuts and its proximity to the Lorain Road intersection. In the earlier design, the location of the drive-through exit and multiple curb cuts created conflicts and unsafe circulation.

The revised plan resolves this issue. The applicant worked with Starbucks to relocate and consolidate curb cuts, resulting in a single three-lane access drive placed as far east as possible on the site. This change improves on-site circulation, reduces off-site traffic impacts, and eliminates the problematic "no-man's zone" of isolated parking spaces. Staff determined that the original traffic study remains valid and did not need to be updated.

She noted that staff considered—but ultimately did not recommend—the addition of a deceleration lane into the property. Relocating the curb cut provides greater circulation benefits without increasing pavement or reducing opportunities for sidewalks and pedestrian connectivity.

Cross-access between the site and Starbucks will remain, including shared parking spaces and drive aisles. Truck turn exhibits confirm that a 40-foot fire vehicle can navigate the site. The largest anticipated delivery vehicle, a semi-truck, can access the property by moving in reverse through the drive-through. Deliveries are expected only once or twice a week during off-peak hours, between midnight and morning.

In conclusion, Director Lieber stated that the applicant has addressed many of the concerns identified in the previous submission. She recommended that approval include conditions requiring lot consolidation and coordination with the Engineering Department during permitting to finalize sidewalk and pedestrian connections to the surrounding road network.

Chairman Smolik asked City Engineer Eavenson if she had any comments.

City Engineer Eavenson stated that the applicant had been very amenable in providing additional documentation since the last meeting including the improvements made in traffic circulation as well as some stormwater measures they had indicated which will be reviewed during permit review in detail along with some other documentation that was requested including the easements.

Chairman Smolik asked if there was a representative for the application present.

Philip Meador, Heights Venture Architects, 5741 Legacy Dr, Suite 320, Plano TX 75024.

Daniel Stern, 3310 Stockholm Rd, Shaker Heights, OH 44120.

Mr. Meador stated that the most significant change from the previous plan was the elimination of Starbucks' current entrance and the consolidation of access into a new three-lane driveway. This design includes one inbound lane and two outbound lanes (one left-turn, one right-turn), which will improve

traffic flow. The entrance has been relocated as far east as possible to increase distance from the intersection.

Regarding the sidewalk, Mr. Meador explained that the development team discussed the possibility of following Starbucks' approach, which involved contributing funds to the City for future road improvements, at which time the sidewalk could be constructed. If that is not an option, they are prepared to work with the Engineering Department to determine the best alignment and install the sidewalk as part of the project.

On truck access, he noted that the truck-turn exhibit included the largest truck used by the distribution company, which required navigating through the drive-through. However, smaller delivery vehicles, including non-articulating box trucks similar to U-Hauls, can access the site without using the drive-through. He added that Starbucks confirmed their deliveries are made with similar vehicles, typically around midnight, and these trucks would not interfere with operations at the Panda site.

Mr. Meador also mentioned that the neighboring property to the east still maintains part of an existing driveway, though they have alternative access from the other side of their building. The project proposes shifting the shared drive further east while maintaining a visual barrier to discourage cross-traffic. Options for this barrier were evaluated, and spring-loaded bollards were identified as the safest solution—preventing vehicles from crossing over while also minimizing damage risk in winter conditions.

He concluded by stating that these represent the most significant changes made since the project's last appearance before the Commission.

Chairman Smolik asked if there were any questions or comments from the public.

Bryan Weber, 28820 Lorain Rd, North Olmsted, OH 44070.

Mr. Weber asked if he would be able to still get trucks in and out of there, semi-trucks, because they did go back there and asked how that would work. He asked if they were proposing to build on the west half of the easement and if so, did the easement, then come off of the east half that he had and asked how that worked. He stated that who owned the easement for the longest time was CBS, it was Osborne and somehow or another, they were acquiring this property and the easement and asked how that would work with them now having that property and the easement on the east half.

Mr. Meador commented that without talking to the legal team because they're the ones who looked into it. So well traffic is 1 consideration.

Mr. Weber asked if going forward was there any way that he could ensure that that didn't completely hinder truck traffic into his rear parking lot as they had had since the 70s.

Chairman Smolik asked what type of trucks he was talking about.

Mr. Weber stated that there were 18-wheeler delivery trucks that came to the back of the property. He stated that the way the easement was originally set up, Osborne had a batch plant, and they had stone back there and all kinds of building products, so they had trucks running in and out of there constantly

up and down that driveway for the longest time.

Chairman Smolik asked if during the whole design process, had anyone contacted him.

Mr. Weber stated that no, not until the letter he received a few days ago.

Chairman Smolik commented that the easement was sort of an important piece of this puzzle.

Mr. Weber stated that he stopped into City Hall because somebody had mentioned something about Panda Express, one of his tenants did, and he said, how the heck was he not made aware of any of that. He stated that he had stopped in City Hall and was told that he would be sent a notice, so that was the letter that he had brought in. He stated that he had not been made aware of any of it until today or until that letter. He indicated that the other thing he wanted to talk about was the heavy rainfall and the sewer system, the storm water system would get overwhelmed at right off of Cook Road towards his building and you can tell when you get those hard rains the catch basin out by the road all of a sudden will stop flowing downward and start to build up. And then the catch basin in his parking lot in the back between the two buildings where it would be flowing and it starts to build up and the whole back parking lot starts to flood.

Chairman Smolik stated that the parcel would have retention built in. He stated that he believed it was sharing a retention basin with the Starbucks parcel and basically it would be a giant bathtub built to hold the water back during a rainstorm.

Mr. Weber asked if the requirement was to contain a 100-year storm and asked if he knew how they were doing it.

Chairman Smolik stated that he would defer to the City Engineer.

Mr. Weber asked if the if the property then would be the Starbucks and the Panda is that storm system, the retention system designed to contain 100-year storm.

City Engineer Eavenson stated that as already communicated with the applicant, the Starbucks retention wasn't enough for both sites. It wasn't originally designed for the entire parcel, so during engineering review they would have to look at additional measures which they had indicated preliminarily that there would be additional measures to address stormwater management.

Mr. Weber asked what the requirement was for that.

City Engineer stated that anything over an acre was a 100-year critical storm to meet the ordinance.

Mr. Weber asked following up on the driveway and the easement, where he would go from there and how it would work.

Chairman Smolik stated that the Commission understood his concerns and would take them under consideration and to leave his name and number with one of the representatives that were there. He asked if there was anyone else in the audience that had any questions or concerns on the project.

None were given.

Chairman Smolik stated that the project had come a long way, and he definitely liked what he saw and that it was a good idea shifting with the existing Starbucks and combining them all into one. He commented that he thought they were almost there, but he was a little startled that no one got ahold of that owner in regard to the easement and that it was an important thing to make sure that his truck traffic was not interrupted. He stated that he knew that there was some discussion with Starbucks and assumed that all of their easements were squared away and asked if that was a correct statement.

Mr. Meador stated that was correct.

Chairman Smolik asked regarding the stormwater management, did Starbucks have any issues with them expanding there. He stated that he was assuming that there was going to be some type of easement there allowing them to use their stormwater facility.

Mr. Meador stated that the original owner who did the car wash coming around actually put in place when he built the Starbucks, that was where the storm came in and some of the agreements for the storm water, so it was designed to take up a little bit of this and some of their preliminary calculations that they did have, they were going to have to expand that and Starbucks was aware that they were going to have to make modifications in order to get it to work. He mentioned that they were actually trying to do some of it more directly on the Panda side so that they were not doing as much to the Starbucks if they could.

Chairman Smolik asked him to comment regarding effecting the adjacent parcels truck access.

Mr. Meador stated that the original access easement was intended to provide access to the site to the south. While he was not certain of the exact process required to remove the easement, he confirmed that another 40-foot truck access easement exists on the east side of the building. This easement still provides access to the rear of the site. He added that they would work with the appropriate parties to follow whatever process is required.

Mr. Stern explained that Panda is an owner-operated organization that strives to be a good neighbor and steward of its brand. He committed to reaching out to adjacent property owners to begin communication and coordination. He emphasized that Panda works diligently during construction to maintain good relationships with neighboring businesses.

He also addressed the question regarding sidewalks, noting that the intent of bonding would be to ensure that work is completed at the city's preferred timing. If the city requires Panda to construct the sidewalk, they are willing to do so.

Chairman Smolik stated that he is not in favor of deferring sidewalk construction, as he believes sidewalks are important for pedestrian safety, especially in a commercial district such as this one. He expressed support for requiring sidewalks to be installed immediately rather than postponed.

Director Lieber noted that the Commission does not have the authority to approve a fee in lieu of sidewalks; that decision lies with the City Engineer. She emphasized the importance of coordinating the sidewalk alignment with Starbucks' planned sidewalk to ensure consistency. She also clarified that the

Planning Commission cannot alter legal easement rights. Before permits are issued, Panda must provide proof of the authority to use the easement for construction as represented.

Council Liaison Abens expressed concern about the easement issue, citing a prior situation in the area where a secondary access road was never built due to unresolved property rights, leading to traffic problems. He suggested that the easement matter be fully resolved before construction begins, possibly as a condition of approval.

Chairman Smolik asked if there were additional questions or comments.

Member Toth raised concerns regarding circulation flow. He noted that vehicles exiting the drive-through would cross paths with traffic from the Starbucks property, as well as dine-in customers leaving the site. He questioned how traffic would be managed where the 24-foot drive aisle meets the left-turn queue heading north. He asked how vehicles would safely exit the drive-through if stacking occurs in the left-turn lane on Cook Road. He suggested that signage or, during peak times, on-site personnel directing traffic may be necessary.

Mr. Meador shared an example from a project in Minnesota where a similar traffic concern occurred. In that case, two restaurants shared the same entrance lane, creating stacking issues. The solution included temporary cones and staff directing traffic as needed. He explained that Panda also uses exothermal plastic striping for long-lasting, high-visibility markings, along with clear signage, and works closely with cities to ensure safe coordination of drive-through entrances and exits.

Member Toth expressed concern that the proposed left-turn lane would directly oppose the BP station's apron. Based on his observation of midday peak traffic, most vehicles exiting the site turned north, with very few heading south. He worried this would worsen stacking issues and block vehicles attempting to leave the drive-through. While he appreciated the adjustments made—such as shifting the island and moving the curb cut further east, he cautioned that these changes may have solved one issue but created another. He also noted that relying on staff to direct traffic during peak times is not a reliable long-term solution.

Chairman Smolik asked if the applicant wished to respond to that concern.

Mr. Stern replied that Panda would be happy to further review the traffic conditions and explore alternative solutions. He noted that Panda works closely with municipalities during development and values feedback from the city to improve site design and operations.

Chairman Smolik asked if there were any other questions or comments from the Commission.

None were given.

Moved by Smolik and seconded by Ali to approve the application with the following conditions:

1. Lots are consolidated.
2. Engineering will coordinate the sidewalk alignment along the frontage.
3. The easement on the adjacent parcel currently used for truck traffic will be coordinated with the property owner.

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A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0372: Kaitlyn Culp, White Rose Ballet Academy, 6287 Lear Nagle Rd, Unit 4, PPN: 07-00-008-115-067

Owner: Liberty Parkway HRD LLC, 25255 Center Ridge Rd, Westlake, OH 44145. Referral from Director of Planning and Development for similar use determination. Property is zoned I-2 Light Industrial District.

Application was read.

Chairman Smolik asked Director Lieber if she would give her findings of fact.

Director Lieber that the Commission was being asked to make a *similar use determination* for a proposed use in the Industrial District—an authority the Commission has held since 2022, when it was transferred from the BZBA. This process is different from a development plan, zoning review, or legislation; it involves determining whether a proposed use is similar to those already permitted in the district.

She reported that the city had received a new business application from White Rose Ballet. In reviewing the code, she could not find a listed use that matched or was similar to a ballet studio. While researching past records, she found that two businesses were applying for space in the same building: White Rose Ballet Academy and Gym Skills, a gymnastics facility.

Lieber noted that the gymnastics facility was easier to classify, since gyms and fitness-related uses have historically been located in North Ridgeville's industrial districts. For example, the BZBA approved Gymnastics 10.0 on Taylor Parkway (Heavy Industrial District) in 2004, and subsequent approvals were granted for Method Sports & Fitness on Victory Lane in the I-2 District. Based on these precedents, Gym Skills was approved as a similar use.

The ballet studio required further consideration, as it differs slightly from a large gymnasium or sports training center. However, Lieber stated that in her opinion, a ballet studio functions in the same way—as a place for physical activity, instruction, and recreation—comparable to a CrossFit gym, yoga studio, martial arts school, or gymnastics center.

She recommended that the Commission affirm and approve ballet studios as part of a broader “Indoor Fitness and Training Facility” category. In her memo, she proposed the following definition:

Indoor Fitness and Training Facility means a building or portion thereof used primarily for participatory physical activity, fitness, or instructional training, whether operated for profit or nonprofit. Examples include, but are not limited to, dance studios, yoga studios, martial arts schools, gymnastic centers, fitness studios, or indoor sports training facilities.

She clarified that this would be distinct from “Commercial Recreation, Indoor,” which covers spectator- or entertainment-based uses such as bowling alleys.

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Lieber explained that if the Commission approves this similar use determination, it will not be a zoning amendment or use variance, nor will it apply only to this application. Instead, it will be considered an *interpretation* of the zoning regulations and codified in the code for the entire I-2 District. This ensures that staff and applicants will not need to research past meeting minutes in the future to find precedent.

Chairman Smolik asked if anyone else from the Administration had any other comments.

Assistant Law Director Morgan stated that one of the reasons that sports facilities and dance studios end up in industrial areas was because they needed a lot of space and that was where the large spaces were, so that made sense.

Chairman Smolik asked if there were representatives of the application present.

Kristie Culp, 2816 Kettering Ct, Avon, OH 44011.

Tim Culp, 2816 Kettering Ct, Avon, OH 44011.

Dominic Cancelliere, 6287 Lear Nagle Rd, North Ridgeville, OH 44039.

Mr. & Mrs. Culp stated that their daughter was the owner of White Rose Ballet Academy, and they were the financial backers of the business.

Mr. Cancelliere stated that he was part-owner of Liberty Parkway and manager of that facility. He stated that Director Lieber did a good job explaining what they were trying to do with the business.

Chairman Smolik asked if there were any other questions or comments.

None were given.

Moved by Smolik and seconded by Toth to approve the similar use determination of Indoor Fitness and Training Facility with the condition that the following definition shall be included with the use: "*Indoor Fitness and Training Facility*" means a building or portion thereof used primarily for participatory physical activity, fitness or instructional training, whether operated for profit or not-for-profit. Examples include, but are not limited to, dance studios, yoga studios, martial arts schools, gymnastics centers, fitness studios or indoor sports training facilities. This use is distinct from *Commercial Recreation, Indoor*, which refers to facilities intended primarily for entertainment, amusement or spectator-based activities.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

O 2025-110 An Ordinance amending Sections 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service stations and gasoline stations.

(Introduced by Councilman Abens; First Reading on 07-21-2025; Council referred to

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Planning Commission and Building and Lands on 07-21-2025; to Building and Lands on 08-18-2025)

Legislation was read.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber stated that she would Council Liaison Abens present his legislation first.

Council Liaison Abens stated that explained that the proposed legislation stemmed from the city's recent review of the Circle K project. While Circle K itself would not be affected, the process highlighted broader issues with vacant and aging gas station sites across North Ridgeville.

On Center Ridge Road alone, he identified three closed gas stations contributing to blight, including the former BP site. Another property across the street, once a gas station, had been forgotten until the city discovered underground tanks and contaminated soil that remain unresolved. He also noted several other active and smaller stations along Center Ridge that may soon become obsolete.

Abens emphasized that gas stations pose unique long-term challenges compared to uses such as car washes or restaurants. Once a gas station closes, redevelopment is difficult due to soil contamination and abandoned tanks. He pointed to intersections such as Cook and Lorain Roads where multiple stations exist and noted that the Sheetz station has complicated roadway expansion. He cautioned that if new gas stations continue to be approved, the city could face widespread blight from closed stations in 20–40 years, especially as the economy shifts and fuel demand changes. He also predicted that EPA regulations will only become stricter, further complicating redevelopment.

He shared a comparison to Parma, Ohio, where closed gas stations from decades past remain unusable due to contamination. This legislation, he explained, is intended to prevent similar problems in North Ridgeville by discouraging the clustering of gas stations on every corner.

Abens acknowledged concerns that such legislation could discourage certain types of development, such as grocery stores that often include auxiliary fuel stations. However, he clarified that the legislation would still allow gas stations as a secondary service to larger developments, like grocery chains, while limiting stand-alone stations. The goal is to encourage a greater variety of businesses on prime corner lots rather than additional gas stations, which often drive older ones out of business and leave behind blighted properties.

He cited the example of an old Marathon station on Lorain Road, which took years to remove despite the owner removing tanks and attempting soil abatement. Because the remediation was not certified, the property remains undesirable. In contrast, he noted, the city addressed an overabundance of car washes in the past, but those were easier to eliminate since they do not involve soil contamination.

Abens concluded that this legislation is a forward-looking measure designed to avoid long-term blight, protect property values, and diversify the city's commercial development.

Director Lieber provided an overview of the proposed zoning changes and led a discussion on their potential impacts.

- The proposed legislation makes changes to three business districts: B-3, B-4, and B-5.
 - B-3 Highway Commercial District: Gas stations would move from a permitted use to a conditional use, with a one-mile spacing/separation requirement.
 - B-4 Districts: Gas stations would remain a permitted use but would also be subject to the one-mile spacing/separation requirement.
 - B-5 Districts: Gas stations, currently a conditional use, would be removed entirely (no longer permitted or conditional).
- She noted that these are the key features of the legislation currently under consideration.
- Director Lieber compared the proposal with the city's ongoing comprehensive code update. She explained that the update is consolidating five business districts into three broader categories:
 - Neighborhood Commercial (B-1, B-2, and B-5 combined)
 - Corridor Commercial (similar to B-3, e.g., Center Ridge Road)
 - Highway Commercial (primarily along highways, Turnpike, and Lear/Lorain Roads)
- Under the draft code update:
 - Gas stations would be permitted in Highway Commercial districts (similar to B-4).
 - In Corridor Commercial areas (similar to B-3), gas stations would be conditional with standards.
- She emphasized that the draft code does not include spacing requirements but instead focuses on use locations, building materials, and services provided.
- She noted that B-2 currently allows gas stations as a conditional use with access management requirements and enhanced setbacks for residential areas. These provisions were not carried over in the legislation, and she questioned whether that was intentional.
- Director Lieber raised the issue of non-conformities. If a spacing requirement is adopted, many existing gas stations could become non-conforming. Under current code, if a non-conforming use is vacant for a year, it cannot be reestablished. This could significantly impact existing stations, and she stressed the importance of understanding those implications.
- She also noted the lack of defined conditional use standards in the current code, making it unclear what criteria should guide such approvals.
- Regarding the spacing requirement, she advised caution:
 - Car washes are not essential services, so spacing restrictions may be more reasonable.
 - Gas stations, however, are essential for drivers. Restricting them to one per mile in heavily trafficked areas (e.g., near I-480 or Turnpike interchanges) may not be appropriate.
 - She suggested a flexible approach, with different standards for highway interchanges compared to neighborhood or local commercial areas.

Director Lieber concluded by stressing that a “one-size-fits-all” approach may not serve the city well and encouraged consideration of context when applying spacing and conditional use standards.

Chairman Smolik asked the Administration if they had any further comments or questions.

Assistant Law Director Morgan stated that additional information was needed in order to make determinations about the proposed ordinance.

She explained that if the primary concern was situations where gas stations close and leave behind underground tanks or contamination, it should be considered whether limiting new gas stations through spacing requirements was the best way to address that issue. She suggested exploring whether a more targeted approach—such as regulations directed at tanks or property conditions—might be more effective.

She noted that when ordinances are drafted, the analysis often considers whether the regulation creates a disparate impact on certain businesses, and whether there is a less restrictive way to achieve the same goal. She questioned whether the one-mile spacing requirement was the best solution, or if another approach might be more appropriate.

Another concern she raised was the practical effect of spacing requirements. If the spacing rule left little to no property available for new gas stations, it could amount to an effective ban, even if that was not the intent. She emphasized that the impact of the spacing requirement should be carefully analyzed in each district to ensure gas stations were not effectively prohibited, as such a restriction could be vulnerable to legal challenge.

She also asked how many existing gas stations would become nonconforming under the proposed rule. For example, if three stations existed in close proximity, would two immediately become nonconforming? She suggested that this issue may require a different treatment in the ordinance.

Additionally, she raised the question of how the ordinance would treat gas stations differently depending on whether they were freestanding or attached to another business, such as a grocery store. Since both types of stations create similar issues, she asked why one should be treated differently from the other.

She cautioned that treating gas stations differently, combined with the possibility of leaving no viable sites for new stations, could lead to a disparate impact and legal challenge. Because gas stations provide an essential service, she stressed that these issues must be addressed.

In conclusion, the Assistant Law Director recommended that these concerns be more fully evaluated and resolved before moving forward, to avoid adopting legislation that may not withstand challenge.

Chairman Smolik asked if there were any questions or concerns from the public.

None were given.

Chairman Smolik asked if there were any questions or concerns from the Commission.

Member Toth commented that it stated in their notes that the State puts some types of restrictions on putting tanks into the ground and asked if someone explain exactly how the State did that and if there was room in there for a municipality to lay an additional layer of bonding over top of that so that they wanted to put a tank into the ground, they were committed to exercising some type of instrument that assured that the monies were available to remove those tanks should the business fail.

Assistant Law Director Morgan stated that those were BUSTR regulations and she didn't know how much further they could go. She mentioned that sometimes the regulating agency will say they are the regulating agency, and they don't leave room for municipalities to work. She said that she couldn't

answer that question specifically, but it was something else that they needed to look at possibly before going forward.

Council Liaison Abens stated that existing gas stations could not be forced to close under the proposed legislation. He explained that if a station closed for more than a year, it was likely because it was no longer profitable, as was the case with the Marathon station on Lorain Road. He noted that existing stations with valid permits would still be able to remodel.

He remarked that the city currently has more gas stations than it can support, and many appear to be struggling financially. He gave the example of a proposed station at Ranger Way and Center Ridge, which was technically permitted under zoning but ultimately redirected, as it was not a good location. He stated that the proposed legislation would help prevent similar situations in the future.

Abens expressed concern that a major new station in that area could have forced smaller stations along Center Ridge out of business, leaving multiple vacant properties. He emphasized the importance of foresight, noting that past lack of planning has already created challenges for the city, not only with gas stations but with other issues as well.

Regarding the one-mile spacing requirement, he described it as a reasonable distance, roughly equivalent to a 15–20-minute walk. He stated that any closer spacing would fail to achieve the legislation's goal of limiting the growth of gas stations in North Ridgeville.

Chairman Smolik stated that he noticed this legislation went to the Building and Lands Committee and assumed that it was a subcommittee of City Council. He asked if they made any changes to the legislation or if they offered anything regarding it.

Director Lieber stated that no, the referral was to Planning Commission and she thought the intent was for council to reconvene whether through public hearing and she didn't know if the committee would meet again, but they discussed it at some length, but at that point didn't have the benefit of the Planning Commission recommendation, so could not take action on it, so they referred it back to council who wouldn't have voted to recommend or not recommend because they were missing public input and also Planning Commission's input.

Chairman Smolik stated that the one thing that stood out as an issue was the interchange. He said that interchanges were always known to have gas stations because they had a lot of transportation moving back and forth, so that might be the only spot that maybe the one-mile rule might be able to bend at. He commented that it was tough because you don't want to limit businesses coming into the city and didn't know if the legislation would automatically just ban it everywhere. He mentioned that they needed to take a look and plot where all of the gas stations were to make sure that they still had usable space for future development as the Assistant Law Director stated. He stated that City Council tasked them to take the first look at it, and they could have the administration do some additional leg work if they wanted.

Member Toth asked the Assistant Law Director Morgan regarding the existing gas stations as they had them right now, should they impose the ordinance with the one-mile rule, they would have to make decisions on which stations were conforming and which ones were non-conforming, if that was correct.

Assistant Law Director stated that at some point it would force that decision because there was obviously

not a mile between them.

Member Toth asked if that would then be considered a devaluation of those properties that were deemed non-conforming because if my gas station is conforming but yours wasn't.

Assistant Law Director stated that it would probably only come into play if you wanted to do some kind of change to the property, which in gas stations they change hands and they change their look fairly frequently, so it would become an issue fairly frequently.

Member Toth asked if it could be considered a devaluation of the being non-conforming versus conforming.

Assistant Law Director Morgan stated that if they wanted to upgrade their appearance, she was sure that they would consider it that they were devalued if they couldn't do that because they were non-conforming or add on or some feature, they wanted to add to their gas station.

Member Toth commented that seeing that Center Ridge seemed to be a focus of the legislation, when ODOT did the widening project, a lot of the right-of-way that was taken from properties in order to execute the project, that was turned back over to the City of North Ridgeville at the completion of the project, so we do as a city own some small slivers of land at a lot of those intersections which essentially gave them control to some degree over what could be put at that corner or not and asked if that was correct.

Assistant Law Director Morgan stated that she was not sure and asked when he said sliver, was he talking about a non-buildable piece of property.

Director Lieber stated the right-of-way, yes, from either the widening or the realignment at certain intersections there. She stated that it was not everywhere, but they were in the widening area. She added that there were some locations where the city did own a sliver and it may or may not be fully developable itself, but the City Council did have the ability to sell or not sell to an end user that they would approve or not approve.

Member Toth stated that it would give some degree of control at that point.

Director Lieber stated that to the extent the property was used for a gas station, yes. She added that gas stations liked corners because they wanted access on multiple streets and so often, they might just have access on the one street, the side street for example, tended to be the frequent scenario that he had mentioned.

Council Liaison Abens stated that, under U.S. law, ordinances cannot be applied retroactively. He noted that the only historical exception was Prohibition in 1919. Therefore, existing gas stations would not be affected by the proposed legislation. However, if a station closed for more than a year, it would lose its protected status, which he said he did not oppose.

He commented that there are already more than enough gas stations along Center Ridge Road to meet demand and that the city should focus on encouraging a greater variety of businesses rather than additional gas stations.

Regarding concerns about selling small parcels of land, he explained that if the city refused to sell to a gas station while zoning laws still permitted that use at the site, the business could challenge the city in court for discrimination.

Abens emphasized that the purpose of the legislation was to encourage broader commercial development and prevent gas stations from dominating prime locations. He noted that gas stations often outbid other businesses for highly visible corner lots, such as the intersection of Ranger Way and Center Ridge. He recalled the controversy surrounding the Circle K project, where residents strongly opposed the project, but the city had little ability to intervene, and stated he did not want to see a similar situation repeated.

Mr. Toth stated that he agreed with Mr. Abens' comments regarding encouraging different businesses to build on those corners rather than gas stations, however, he had a concern over using something as indiscriminate as a distance between properties being the contributing factor as a go, no go decision on a business. He discussed that he thought with the revisions being made to the zoning code, it was going to give the city the opportunity with individual properties to dial down to a granular basis and look at what they can provide to the city, what services they could give to our residents, rather than having a strict aerial view where we take a scale and we look if it's within a mile and say, well, no, we can't have it. He commented that he also could see that with turning the other property, the existing properties into nonconforming uses, he thought it would be opening up a can of worms there that they may not really need to open up if they can execute the recreation of the business districts into those three districts that the Director had out to them. He said that while he agreed with him that it was a problem and agreed with him that gas stations with their tanks in the ground become problems, he thought that they were using a club where a scalpel might be the preferred instrument.

Council Liaison Abens stated that in his experience with the rezoning and re-establishing new zones, his guess was that consolidating the zones, and eliminating B-2 and B-3, the new B would still include gas stations. He stated that that particular argument was a red herring and that they had been waiting for the rezoning for quite a while. He commented that he had legislation that they passed in April of 24 for a moratorium on different businesses thinking that they were going to get the rezoning done and it was still not done. He said that he was looking at currently the different parcels that were available and were prime for gas stations and if they continued to wait, it would be too late, and they would be there.

Assistant Law Director Morgan stated that regarding the land that the city owns, they had a huge amount of control over whether they sold or didn't sell. She explained that her concern about the one mile spacing was that they didn't have enough information and that they needed more information as to how much property was then left where they could develop before they would say a yes or no on it. She discussed that they just didn't know, and she didn't think it was something they should guess at because if they inadvertently eliminated them essentially from existing in those districts, then she would be concerned about a legal challenge in that case.

Chairman Smolik stated that the Commission had to decide if there was enough information within the legislation to move forward or would Commission like the administration to do more legwork on it. He commented that he personally thought that they needed to know what was going on those other lots as the Assistant Law Director stated, just to make sure that this legislation just doesn't wipe out gas stations off completely. He asked what the rest of the Commission was thinking.

**NORTH RIDGEVILLE PLANNING COMMISSION
REGULAR MEETING–TUESDAY, SEPTEMBER 9, 2025**

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Member Toth agreed.

Director Lieber stated that once any zoning ordinance was referred to Planning Commission, Planning Commission had 60 days to return their recommendation, otherwise the ordinance was deemed to have their approval. She stated that because it was referred July 21st, but they didn't have an August meeting, by the time their October meeting would roll around, if the intent of the Commission was to consider tabling or to consider some of the issues that have been brought up a little bit in more detail, if that was the direction that the majority of the group wanted to go, then she recommended that their motion be to request council to extend their review period so that they didn't run up against the end of their 60 days and that at their next meeting they could grant it or if they don't grant it, then taking no action was the same as recommending approval.

Chairman Smolik asked if there were any other questions or comments.

None were given.

Moved by Toth and seconded by Smolik to request that Council extend the review period on the legislation.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0 Abstained – 1 (Abens)

Ridgeville Farms Senior Housing, 7691 Avon Belden Rd, PPN: 07-00-022-101-103

Applicant: Bramhall Engineering, 801 Moore Rd, Avon, OH 44011. Owner: SLK Capitol Holdings, LLC, 28400 Hilliard Blvd, Westlake, OH 44145. Requesting a street name change.

Application was read.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber stated that they were aware that the request was coming but it officially came in that day and apologized for the addition to the agenda that day. She explained that Ridgeville Farms was under construction and they had let staff know that the Thibo Trail Street name that had been selected had already started causing some confusion amongst service providers, future residents that people couldn't say it or spell it or it makes a TH combination or if you're not a native and you don't know the Thibo family, but they felt that given their population, that it could wreak some havoc and so they requested a street name change to Ridgewood Way. She stated that there was no other Ridgewood Way in North Ridgeville or a street like it and that the plat that had been recorded but did not have street names nor are there residents on the street because there were no occupied buildings on the street. She added that the other residents that exist along the entrance drive had Avon Belden addresses and would be maintaining those Avon Belden addresses. She said that there was some dialogue as to what the correct process is when something hadn't been platted or recorded, and her suggestion was to bring it to the Planning Commission for at least their recommendation. She stated that if they needed to do public hearings or do more official legislation, they would go that route, but since they had an opportunity at the meeting for what she thought was a relatively minor issue to get that in front of the Commission for their eyes and recommendation.

City Engineer asked if it was a private street.

Director Lieber stated that it was a private street.

City Engineer stated that she wouldn't think that additional re-plating needed to happen because there wasn't a dedicated right-of-way for the street, it was just information that they chose to provide for the subdivision itself. She stated that she had no issue with the name change.

Assistant Law Director stated that she had a concern and again needed more information. She asked if it was already named and did people think of it as a street or an alley.

City Engineer Eavenson stated that as Director Lieber noted the existing houses were using the Route 83 address because it was just a cross-access easement and that it manifested from the highway after it went in, so it was just a cross-access easement that they had and still have with the new owners as well as the farm. She stated that it was entirely private beyond State Route 83.

Assistant Law Director Morgan asked if it connected to Route 83.

But is there like a sign there that says what it is?

City Engineer Eavenson stated that it did.

Assistant Law Director Morgan asked whether there was a sign identifying the roadway in question. She explained that if it was known or referred to as a street or alley, Chapter 1022 would apply, which outlines the process for renaming and notifying abutting property owners.

She noted that while Chapter 1022 does not define "street," Chapter 1020 defines it broadly as anything that can be driven on. She stated that she was not certain if that definition directly applied to the street name change process but emphasized that the ordinance specifically references streets and alleys.

Morgan further explained that if the roadway was considered a street or alley—particularly if it had a posted sign naming it—then the formal process under Chapter 1022 would need to be followed. This process includes preparing a petition and notifying the affected property owners, as the roadway runs through two or three parcels.

She added that while those properties currently use Avon Belden addresses, the narrow strip in question functions as a roadway, and therefore the Chapter 1022 requirements may apply if it is determined to be a street or alley.

Chairman Smolik asked if there was anybody in the audience representing the application.

No one was in attendance.

Chairman Smolik asked if there was anybody in the audience who had any questions or comments in regard to the application.

None were given.

Chairman Smolik asked if there were any Commission members that had any questions or comments.

Council Liaison Abens stated that he wanted to point out there was a Ridgewood in North Ridgeville that was in the mobile home park.

Director Lieber stated that they had Center Ridge addresses, Ridgewood Estates.

Council Liaison Abens stated that there was a road that was called Ridgewood in that development according to his map.

Director Lieber stated that they had the building department check that and they said there was no such street. She mentioned that there was an entrance sign for the development, but it was not the street name.

Chairman Smolik stated that one of the issues that came to mind when street names were changed was emergency services, not only North Ridgeville, but mutual aid. He stated that he didn't know if when someone Googled Ridgewood, it took them to the trailer park, and he didn't know if it did but there might be an issue with that.

Council Liaison Abens stated that he would also point out that they had Cypress. He stated that they had a Cypress Avenue and a Cypress Station, which was a development and sometimes caused confusion.

Chairman Smolik asked if the Commission have any further questions or comments.

None were given.

Moved by Smolik and motion died.

ADJOURNMENT

Chairman Smolik adjourned the meeting at 8:30 PM.

James Smolik
Chairman

Tina Wieber
Deputy Clerk of Council

Tuesday, October 14, 2025
Date Approved

CITY OF NORTH RIDGEVILLE WATER USE FOR							August-25				GALLONS						
DATE	R.L.C.W.A. Rt. 10 & 83		R.L.C.W.A SUGAR RIDGE		RLCWA OTHER	JOINT LINE	ELYRIA WATER PUMP STATION		ELYRIA WATER SUGAR RIDGE		ELYRIA WATER TAYLOR STREET						
	DAILY READING	DAILY USE	DAILY READING	DAILY USE	DAILY USE INVACARE	DAILY	DAILY READING	DAILY * 7.48	DAILY READING	DAILY * 7.48 USE + 00	DAILY READING	DAILY *7.48 USE + 00					
1					1131		961051	0	126466	710600	908793	636548					
2							SAT	471988	SAT	870672	SAT	653752					
3					2398		SUN	471988	SUN	870672	SUN	653752					
4							692944	471988	129958	870672	911414	653004					
5							694125	883388	131122	870672	912406	742016					
6							695398	952204	132286	870672	913329	690404					
7							696122	541552	133450	870672	914200	651508					
8							697299	880396	134614	870672	915189	739772					
9							SAT	277508	SAT	870672	SAT	927520					
10							SUN	277508	SUN	870672	SUN	927520					
11							698412	277508	138106	870672	918910	928268					
12							700098	1261128	139270	870672	919250	254320					
13							700798	523600	140434	870672	920053	600644					
14							701355	416636	141598	870672	920881	619344					
15							701988	473484	142762	870672	921765	661232					
16							SAT	631312	SAT	870672	SAT	700876					
17							SUN	631312	SUN	870672	SUN	700876					
18							704521	632060	146254	870672	924577	701624					
19							705911	1039720	147418	870672	925938	1018028					
20							706855	706112	148582	870672	926814	655248					
21							707224	276012	149746	870672	927653	627572					
22							707496	203456	150910	870672	928487	623832					
23							SAT	399432	SAT	870672	SAT	649264					
24							SUN	399432	SUN	870672	SUN	649264					
25							709098	399432	154402	870672	931091	649264					
26							709725	468996	155566	870672	931938	633556					
27							710005	209440	156730	870672	932770	622336					
28							710349	257312	157894	870672	933646	655248					
29							710665	236368	159058	870672	934445	597652					
30							SAT	372504	SAT	870672	SAT	658240					
31						45956	SUN	372504	SUN	870672	SUN	658240					
TOTAL					1,267	45,956,000	20,610	497,299	35,880	865,750	28,263	681959					
					41	1,482,452	15,416,280		26,838,240		21,140,724						
TOTAL RLCWA USE:			1,267 GALLONS		TOTAL ELYRIA WATER USE:			63,395,244 GALLONS		TOTAL JOINT LINE USE		45,956,000		TOTAL USE		109,352,511 100.00%	

Pump Station Total	Sugar Ridge Total	Taylor Street TOTAL
0	5315288	4761379.04
3530470.24	6512626.56	4890064.96
3530470.24	6512626.56	4890064.96
3530470.24	6512626.56	4884469.92
6607742.24	6512626.56	5550279.68
7122485.92	6512626.56	5164221.92
4050808.96	6512626.56	4873279.84
6585362.08	6512626.56	5533494.56
2075759.84	6512626.56	6937849.6
2075759.84	6512626.56	6937849.6
2075759.84	6512626.56	6943444.64
9433237.44	6512626.56	1902313.6
3916528	6512626.56	4492817.12
3116437.28	6512626.56	4632693.12
3541660.32	6512626.56	4946015.36
4722213.76	6512626.56	5242552.48
4722213.76	6512626.56	5242552.48
4727808.8	6512626.56	5248147.52
7777105.6	6512626.56	7614849.44
5281717.76	6512626.56	4901255.04
2064569.76	6512626.56	4694238.56
1521850.88	6512626.56	4666263.36
2987751.36	6512626.56	4856494.72
2987751.36	6512626.56	4856494.72
2987751.36	6512626.56	4856494.72
3508090.08	6512626.56	4738998.88
1566611.2	6512626.56	4655073.28
1924693.76	6512626.56	4901255.04
1768032.64	6512626.56	4470436.96
2786329.92	6512626.56	4923635.2
2786329.92	6512626.56	4923635.2
3719797	6475810	

CITY OF NORTH RIDGEVILLE WATER USE FOR													August-25			FT3		
DATE	R.L.C.W.A. Rt. 10 & 83		R.L.C.W.A. SUGAR RIDGE		RLCWA OTHER	JOINT LINE	ELYRIA WATER PUMP STATION		ELYRIA WATER SUGAR RIDGE		ELYRIA WATER TAYLOR STREET		Pump Station Total	Sugar Ridge Total	Taylor Street TOTAL			
	DAILY READING	DAILY USE	DAILY READING	DAILY USE	DAILY USE INVACARE	DAILY	DAILY READING	DAILY * 7.48	DAILY READING	DAILY * 7.48 USE + 00	DAILY READING	DAILY * 7.48 USE + 00						
1					1131		961051	0	126466	950	908793	851	0	7106	6365.48			
2							SAT	631		1164	SAT	874	4719.88	8706.72	6537.52			
3					2398		SUN	631		1164	SUN	874	4719.88	8706.72	6537.52			
4							692944	631	129958	1164	911414	873	4719.88	8706.72	6530.04			
5							694125	1181	131122	1164	912406	992	8833.88	8706.72	7420.16			
6							695398	1273	132286	1164	913329	923	9522.04	8706.72	6904.04			
7							696122	724	133450	1164	914200	871	5415.52	8706.72	6515.08			
8							697299	1177	134614	1164	915189	989	8803.96	8706.72	7397.72			
9							SAT	371		1164	SAT	1240	2775.08	8706.72	9275.2			
10							SUN	371		1164	SUN	1240	2775.08	8706.72	9275.2			
11							698412	371	138106	1164	918910	1241	2775.08	8706.72	9282.68			
12							700098	1686	139270	1164	919250	340	12611.28	8706.72	2543.2			
13							700798	700	140434	1164	920053	803	5236	8706.72	6006.44			
14							701355	557	141598	1164	920881	828	4166.36	8706.72	6193.44			
15							701988	633	142762	1164	921765	884	4734.84	8706.72	6612.32			
16							SAT	844		1164	SAT	937	6313.12	8706.72	7008.76			
17							SUN	844		1164	SUN	937	6313.12	8706.72	7008.76			
18							704521	845	146254	1164	924577	938	6320.6	8706.72	7016.24			
19							705911	1390	147418	1164	925938	1361	10397.2	8706.72	10180.28			
20							706855	944	148582	1164	926814	876	7061.12	8706.72	6552.48			
21							707224	369	149746	1164	927653	839	2760.12	8706.72	6275.72			
22							707496	272	150910	1164	928487	834	2034.56	8706.72	6238.32			
23							SAT	534		1164	SAT	868	3994.32	8706.72	6492.64			
24							SUN	534		1164	SUN	868	3994.32	8706.72	6492.64			
25							709098	534	154402	1164	931091	868	3994.32	8706.72	6492.64			
26							709725	627	155566	1164	931938	847	4689.96	8706.72	6335.56			
27							710005	280	156730	1164	932770	832	2094.4	8706.72	6223.36			
28							710349	344	157894	1164	933646	876	2573.12	8706.72	6552.48			
29							710665	316	159058	1164	934445	799	2363.68	8706.72	5976.52			
30							SAT	498		1164	SAT	880	3725.04	8706.72	6582.4			
31						45956	SUN	498		1164	SUN	880	3725.04	8706.72	6582.4			
TOTAL					1,267	45,956,000	20,610	497,299	35,880	865,750	28,263	681959	3719797	6475810				
					41	1,482,452	15,416,280		26,838,240		21,140,724							
TOTAL RLCWA USE:			1,267 GALLONS		TOTAL ELYRIA WATER USE:			63,395,244 GALLONS		TOTAL JOINT LINE USE		45,956,000		TOTAL USE		109,352,511 100.00%		

	August-25		
DAY	PLANT PRODUCTION	FREE	COMBINED
1	2.83	0.87	0.15
2	3.48	0.50	0.18
3	3.48	0.55	0.15
4	3.48	0.79	0.16
5	3.98	0.92	0.24
6	4.00	0.77	0.16
7	3.55	0.64	0.19
8	3.97	0.44	0.18
9	3.56	0.92	0.18
10	3.56	0.89	0.14
11	3.56	0.57	0.19
12	3.87	0.51	0.19
13	3.48	0.56	0.11
14	3.39	0.75	0.25
15	3.49	0.65	0.13
16	3.69	0.57	0.13
17	3.69	0.60	0.16
18	3.68	0.57	0.13
19	4.41	0.33	0.17
20	3.71	0.50	0.25
21	3.26	1.34	0.36
22	3.18	0.74	0.24
23	3.40	0.80	0.13
24	3.40	0.82	0.11
25	3.40	0.54	0.12
26	3.45	0.71	0.21
27	3.18	0.61	0.09
28	3.27	0.51	0.23
29	3.19	1.00	0.13
30	3.38	0.51	0.17
31	3.38	0.54	0.16
TOTAL	109.35	21.02	5.39
HI	4.41	1.34	0.36
LOW	2.83	0.33	0.09
AVG.	3.53	0.68	0.17



Water Plant/Distribution System Monthly Operating Report (MOR)

PWS ID*:	OH4700803
Facility ID*:	4755821
Reporting Lab Cert. #:	
Rpt. Month / Year*:	8/2025

Version:	2.0.4
Last Updated	December 28, 2015
NOTE: Begin entering data in row 15	
* - Indicates Required Field	

Fluoride Compound Applied:		FL Plant Tap Highest Value:	
FL QC Check Sample Date:		Date of Highest Value:	
FL QC Check Sample (Pass/Fail):			

Iron/Manganese QC Laboratory Check Data			
Iron Date:		Mn Date:	
Iron (mg/L):		Mn (mg/L):	

Date *	Plant Production (MGD)	Fluoride Reporting				Plant Tap / Entry Point									
		Calculated Fluoride Dosage (mg/L)	Plant Lab Analysis			pH	Alkalinity			Hardness (mg/L)	Phosphorus as Total P (mg/L)	Ortho-phosphate as PO ₄ (mg/L)	Iron (mg/L)	Manganese (mg/L)	Copper (mg/L)
			Raw (mg/L)	Plant Tap (mg/L)	Distribution (mg/L)		Phenol (mg/L)	Total (mg/L)	Stability (mg/L)						
8/1/2025	2.83000														
8/2/2025	3.48000														
8/3/2025	3.48000														
8/4/2025	3.48000														
8/5/2025	3.98000														
8/6/2025	4.00000														
8/7/2025	3.55000														
8/8/2025	3.97000														
8/9/2025	3.56000														
8/10/2025	3.56000														
8/11/2025	3.56000														
8/12/2025	3.87000														
8/13/2025	3.48000														
8/14/2025	3.39000														
8/15/2025	3.49000														
8/16/2025	3.69000														
8/17/2025	3.69000														
8/18/2025	3.69000														
8/19/2025	4.41000														
8/20/2025	3.71000														
8/21/2025	3.26000														
8/22/2025	3.18900														
8/23/2025	3.40000														
8/24/2025	3.40000														
8/25/2025	3.40000														
8/26/2025	3.45000														
8/27/2025	3.18000														
8/28/2025	3.27000														
8/29/2025	3.19000														
8/30/2025	3.38000														
8/31/2025	3.38000														
Min.	2.83000														
Max.	4.41000														
Avg.	3.52803														
Total	109.36900														



Water Plant/Distribution System Monthly Operating Report (MOR)

Chlorine QOR Data	
Chlorine Residual (Total)	
No. of RT & RP Samples	Avg. Value (mg/L)
30	0.87

Date *							Distribution										Comments	
	Chlorine Dioxide (mg/L)	Exceed	Chlorite (mg/L)	Exceed	Chlorine Residual (Free) (mg/L)	Chlorine Residual (Combined) (mg/L)	Lowest		Chlorite / Chlorine Dioxide (mg/L)									
							Chlorine Residual (Free) (mg/L)	Chlorine Residual (Combined) (mg/L)	Chemical		Type		FIRST CUSTOMER (FC)			Residence Time in Distribution		
									Chlorit e	ClO ₂	Routin e	Follow up	-0-hrs	+ 6 hrs	+ 12 hrs	Avg (AT)		Max (AT)
8/1/2025							0.87	0.15										Brian E. O'Grady,WD2-1018620-02,0700,1100,4,WD2-1018620-02
8/2/2025							0.50	0.18										02,0700,1100,4,WD2-1018620-02
8/3/2025							0.55	0.15										02,0700,1100,4,WD2-1018620-02
8/4/2025							0.79	0.16										02,0700,1100,4,WD2-1018620-02
8/5/2025							0.92	0.24										02,0700,1100,4,WD2-1018620-02
8/6/2025							0.77	0.16										02,0700,1100,4,WD2-1018620-02
8/7/2025							0.64	0.19										Brian E. O'Grady,WD2-1018620-02,0700,1100,4,WD2-1018620-02
8/8/2025							0.44	0.18										02,0700,1100,4,WD2-1018620-02
8/9/2025							0.92	0.18										02,0700,1100,4,WD2-1018620-02
8/10/2025							0.89	0.14										02,0700,1100,4,WD2-1018620-02
8/11/2025							0.57	0.19										02,0700,1100,4,WD2-1018620-02
8/12/2025							0.51	0.19										02,0700,1100,4,WD2-1018620-02
8/13/2025							0.56	0.11										02,0700,1100,4,WD2-1018620-02
8/14/2025							0.75	0.25										02,0700,1100,4,WD2-1018620-02
8/15/2025							0.65	0.13										02,0700,1100,4,WD2-1018620-02
8/16/2025							0.57	0.13										02,0700,1100,4,WD2-1018620-02
8/17/2025							0.60	0.16										02,0700,1100,4,WD2-1018620-02
8/18/2025							0.57	0.13										02,0700,1100,4,WD2-1018620-02
8/19/2025							0.33	0.17										02,0700,1100,4,WD2-1018620-02
8/20/2025							0.50	0.25										02,0700,1100,4,WD2-1018620-02
8/21/2025							1.34	0.36										02,0700,1100,4,WD2-1018620-02
8/22/2025							0.74	0.24										02,0700,1100,4,WD2-1018620-02
8/23/2025							0.80	0.13										02,0700,1100,4,WD2-1018620-02
8/24/2025							0.82	0.11										02,0700,1100,4,WD2-1018620-02
8/25/2025							0.54	0.12										02,0700,1100,4,WD2-1018620-02
8/26/2025							0.71	0.21										02,0700,1100,4,WD2-1018620-02
8/27/2025							0.61	0.09										02,0700,1100,4,WD2-1018620-02
8/28/2025							0.51	0.23										02,0700,1100,4,WD2-1018620-02
8/29/2025							1.00	0.13										02,0700,1100,4,WD2-1018620-02
8/30/2025							0.51	0.17										02,0700,1100,4,WD2-1018620-02
8/31/2025							0.54	0.16										02,0700,1100,4,WD2-1018620-02
Min.							0.33	0.09										
Max.							1.34	0.36										
Avg.							0.68	0.17										
Total																		



Planning Commission Report

MEETING OF SEPTEMBER 9, 2025

The North Ridgeville Planning Commission took action on the following items at their regular meeting of September 9, 2025:

NEW BUSINESS

PPZ2025-0366: Panda Express, 32429 Cook Rd, PPN 07-00-003-102-104, -045, -046

Applicant: Phillip Meador, Heights Venture Architects, 5741 Legacy Dr, Suite 320, Plano, TX 75024. Owner: BOBKOB 32425 LLC, 4343 Thorn Ridge Circle, Cleveland, OH 44135. Proposal consists of constructing a new drive through restaurant. Property zoned B-3 Highway Commercial District.

PC ACTION: Approved by a vote of 4-0 with the following conditions:

1. Lots are consolidated.
2. Engineering will coordinate the sidewalk alignment along the frontage.
3. The easement on the adjacent parcel currently used for truck traffic will be coordinated with the property owner.

PPZ2025-0372: Kaitlyn Culp, White Rose Ballet Academy, 6287 Lear Nagle Rd, Unit 4, PPN: 07-00-008-115-067

Owner: Liberty Parkway HRD LLC, 25255 Center Ridge Rd, Westlake, OH 44145. Referral from Director of Planning and Development for similar use determination. Property is zoned I-2 Light Industrial District.

PC ACTION: Approved *Indoor Fitness and Training Facility* as a similar use by a vote of 4-0 with the condition that the following definition shall be included with the use: "*Indoor Fitness and Training Facility*" means a building or portion thereof used primarily for participatory physical activity, fitness or instructional training, whether operated for profit or not-for-profit. Examples include, but are not limited to, dance studios, yoga studios, martial arts schools, gymnastics centers, fitness studios or indoor sports training facilities. This use is distinct from *Commercial Recreation, Indoor*, which refers to facilities intended primarily for entertainment, amusement or spectator-based activities.

Ordinance 2025-110: An Ordinance amending Sections 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service stations and gasoline stations.

(Introduced by Councilman Abens; First Reading on 07-21-2025; Council referred to Planning Commission and Building and Lands on 07-21-2025; to Building and Lands on 08-18-2025)

PC ACTION: By a vote of 3-0, Planning Commission requested that Council provide an extension of their review period. Abens abstained.

cc: Mayor Corcoran
Law Director Moriarty
Assistant Law Director Morgan
City Engineer Eavenson
Chief Building Official Fursdon
Planning & Development Director Lieber

Planning Commission Application

SECRET
JUL 21 2025



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

32429 32425 Cook Rd, North Ridgeville, OH 44039

0700003102104, 0700003102045, 0700003102046

Location address

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 ☒ ~~Other~~

Demo of existing building, consolidate 3 Parcels, and construct a new restaurant with Drive Thru

Project description

APPLICANT/AGENT INFORMATION

Phillip Meador, AIA, NCARB - Helghts Venture Architects - on Behalf of Panda Express INC.

Name/Company

5741 Legacy Drive, Suite 320, Plano, TX 75024

Applicant address

281.854.6174

phillip.meador@hva.cc

Applicant phone

Applicant email

PROPERTY OWNER INFORMATION

BOBKOB 32425 LLC

Name/Company

4343 Thorn Ridge Circle, Cleveland, OH 44135

Property owner address

(216) 314-2419

texchp@yahoo.com

Property owner phone

Property owner email

Parcel: 0700003102045, 0700003102046

AUTHORIZATION AND ACKNOWLEDGEMENT

Phillip Meador

Applicant signature

Digitally signed by Phillip Meador
DN: cn=Phillip Meador, o=US, o=Helghts Venture Architects,
LLP, email=Phillip.Meador@hva.cc
Date: 2025.01.24 09:43:38 -0800

Signed by:

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
	PPZ 2025-0366	150.00	9.9.25 *

w/ conditions

RECEIVED

JUL 21 2025

Planning Commission Application



SUBMITTAL INSTRUCTIONS AND PROCEDURES

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

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PROJECT INFORMATION

32425 Cook Rd, North Ridgeville, OH 44039

Location address

0700003102104, 0700003102045, 0700003102046

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

Demo of existing building, consolidate 3 Parcels, and construct a new restaurant with Drive Thru

Project description

APPLICANT/AGENT INFORMATION

Phillip Meador, AIA, NCARB - Heights Venture Architects - on Behalf of Panda Express INC.

Name/Company

5741 Legacy Drive, Suite 320, Plano, TX 75024

Applicant address

281.854.6174

Applicant phone

phillip.meador@hva.cc

Applicant email

PROPERTY OWNER INFORMATION

Cook Road Properties LLC

Name/Company

7670 Tyler Boulevard, Mentor, OH 44060

Property owner address

(440) 951-4470

Property owner phone

lance@osbornecapital.com

Property owner email

Parcel: 0700003102104

AUTHORIZATION AND ACKNOWLEDGEMENT

Phillip Meador

Applicant signature

Digitally signed by Phillip Meador
DN: cn=Phillip Meador, o=US, ou=Heights Venture Architects,
LLP, email=Phillip.Meador@hva.cc
Date: 2025.01.24 08:43:53 -0800

[Signature] Authorized Agent

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

Planning Review

August 20, 2025

Project: Panda Express
Location: 32429 Cook Road
PPNs: 07-00-003-102-104, 07-00-003-102-045, 07-00-003-102-046
District: B-3 Highway Commercial District

Project Summary:

This proposal consists of a new drive through restaurant. Drive through restaurants are *permitted* in the B-3 Highway Commercial District. Panda Express previously presented this project in early 2025; the revised submittal addresses many of staff and Planning Commission's concerns, particularly related to access and circulation.

The project site consists of three parcels on Cook Road zoned B-3, including the vacant lot to the east of Starbucks and two adjacent parcels to the east with an existing commercial building used for an auto repair business that will be demolished. The three parcels will be consolidated as part of the project. All surrounding property is similarly zoned B-3 District.

The 2,700 square foot building façade will be comprised of a combination of stone, composite cladding and EIFS. The proposed dumpster enclosure is shown constructed out of stucco over masonry with steel gates. A double drive through is shown. Code requires stacking for at least 10 vehicles and must be designed to allow vehicles to exit the waiting lane. A stacking exhibit shows 15 vehicles fully within the drive through with room for more stacking on site. The applicant has provided an escape lane.

A detailed landscape plan is included in the submittal. Ornamental landscaping is included along the road frontage and along the drive through. Landscaping and bioretention are included in the parking lot island. Landscape irrigation is provided.

The lighting plan shows light levels generally in compliance with code requirements. Parking lot lights will be mounted at 18 feet. Fixture cut sheets were provided for the pole lights and wall sconces. The building includes LED ropes that create a wall wash effect with the lighting.

An initial sign package was included in the submittal. Insufficient information exists to conduct a thorough zoning review of all proposed signage. It is typical to receive a detailed sign package during the permitting process.

Code requires one parking space for every 100 square feet of area or one per three seats, whichever is greater. Based on square footage, 27 parking spaces are required; 40 are provided. A sidewalk and pedestrian route to the building entrance are included, though final alignment may be adjusted to accommodate stormwater, utilities and future connections. Bike parking is also provided.

The project was denied in early 2025 due to concerns with site access and circulation. The existing condition along Cook Road is problematic with frequent and poorly defined curb cuts. The original layout exacerbated these issues by creating more opportunities for vehicle conflicts.

The applicant has since revisited staff comments and made substantial changes, the most significant being the relocation and consolidation of curb cuts. The site will now have a single, three-lane access point on the east side of the property—placed as far from the Lorain-Cook intersection as possible—replacing two separate driveways and an unsafe cross access. This change improves onsite circulation, limits offsite traffic impacts and eliminates a previous condition where four parking spaces were located between two curb cuts adjacent to the drive-through outlet.

Staff determined that, rather than adding a deceleration lane as suggested in the traffic study, the relocation and consolidation of curb cut provided greater benefits to circulation and reduced offsite impacts.

Panda Express will provide cross access to Starbucks, sharing parking spaces and the drive aisle adjacent to the Starbucks drive-through. Truck turn exhibits show that a 40-foot fire vehicle can traverse the site. A semi-truck—the largest vehicle anticipated for deliveries—can access the site by entering against drive-through traffic. Deliveries, typically one to two times per week, occur between midnight and 5 a.m.

The applicant has addressed several of the concerns identified in the previous denial, and the revised plan is presented here for Planning Commission review and further determination.

Recommendations:

- Planning Commission should make lot consolidation a condition of approval.
- Panda Express should work with staff through the permitting process to identify the best alignment for the required sidewalk, taking into account pedestrian safety and connectivity to neighboring properties.

Planning Commission Comment Sheet



PROJECT INFORMATION

Panda Express Restaurant

Proposed project

32429 Cook Rd

Location

August 12, 2025

Meeting date

07-00-003-102-104, -045, -046

Parcel number

July 31, 2025

Comments due

RECOMMENDATIONS

Division of Engineering PC plan review comments.

- 1) Utility connections for water, storm, and sanitary for the existing building at 32425 Cook Road need to be located, inspected, capped/closed/abandoned during demolition of the existing building. Any connections that will be reused will need to be indicated on plans.
- 2) A Demo permit will be required, all existing utilities need to be shown on the demo plans and how they will be addressed. SWPPP measures will need to be in place before demo starts.
- 3) A hazardous study and soil testing should be done to confirm any hazardous material or contaminated soil so that materials can be properly disposed of per local, state and federal requirements. (Based on the previous use of the property.
- 4) Plan sheet X02.0 shows two overhead OHW. Please clarify on plans who is responsible for coordinating removal.
- 5) The gas service to the existing building, that will not be reused, needs to be shown on sheet C04.0 as abandoned.
- 6) Will there be outside seating areas? If so, please show.
- 7) SWPPP will be further reviewed when stormwater volume and water quality features are provided with calculations.
- 8) Contractor shall provide pre-construction video of Cook Road and Lorain Road within 1000 feet of site.
- 9) Further details on the irrigation system, including meter vault for sprinkler, will be reviewed at a later date.
- 10) Provide the cross easements between all properties that will share the driveways and access.
- 11) Provide acceptance for use of the existing detention basin in front of Starbucks.
- 12) Verify the calculations for the existing detention basin includes the build out the Panda Express site. The Stormwater Management plan will need to be updated for the existing share retention basin.
- 13) There is concern about the traffic conflict with the existing driveway to east on the adjacent business parcel.
- 14) Provide temporary easements for limits of construction outside of Panda Express property.
- 15) Provide all easements required for utilities crossing property lines.
- 16) Show more point elevations along tie-in points along construction limits.
- 17) Will require engineering permit.

SUBMITTED BY

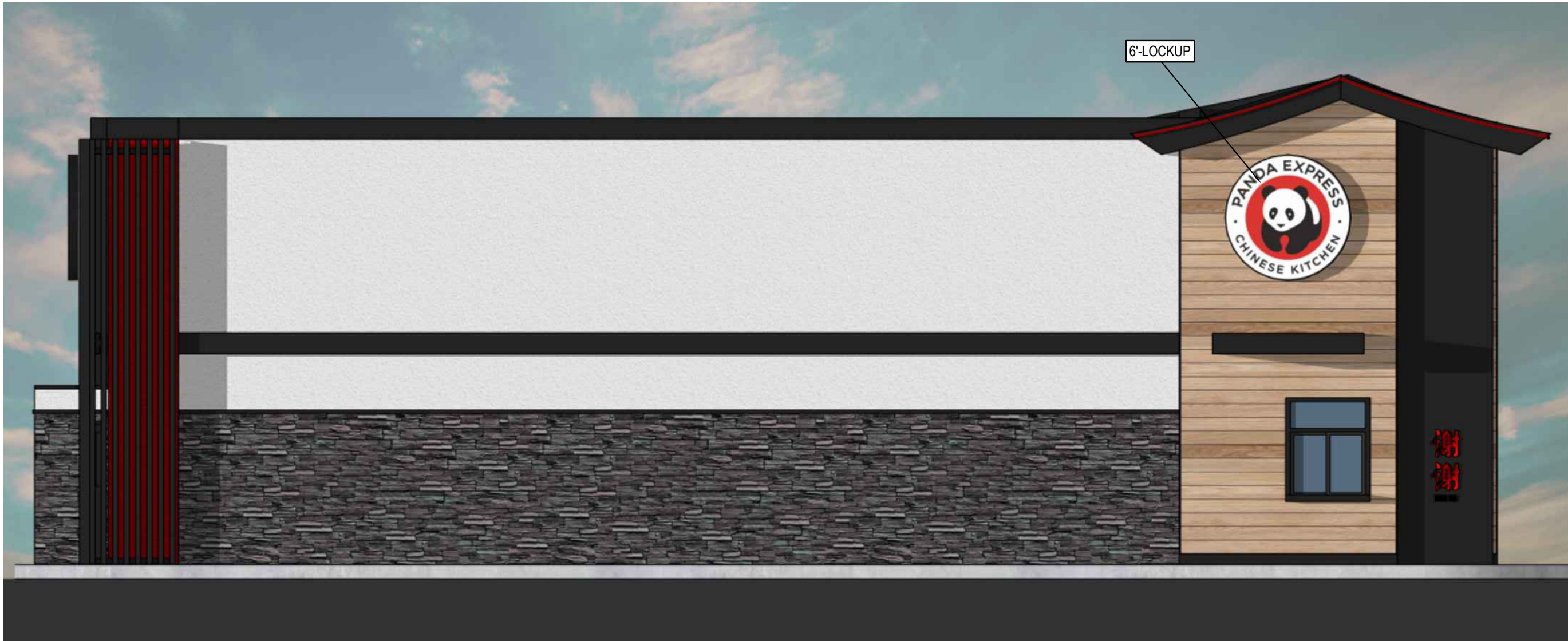
Lori Birschbach-Tober, P.E.

Administrative officer signature

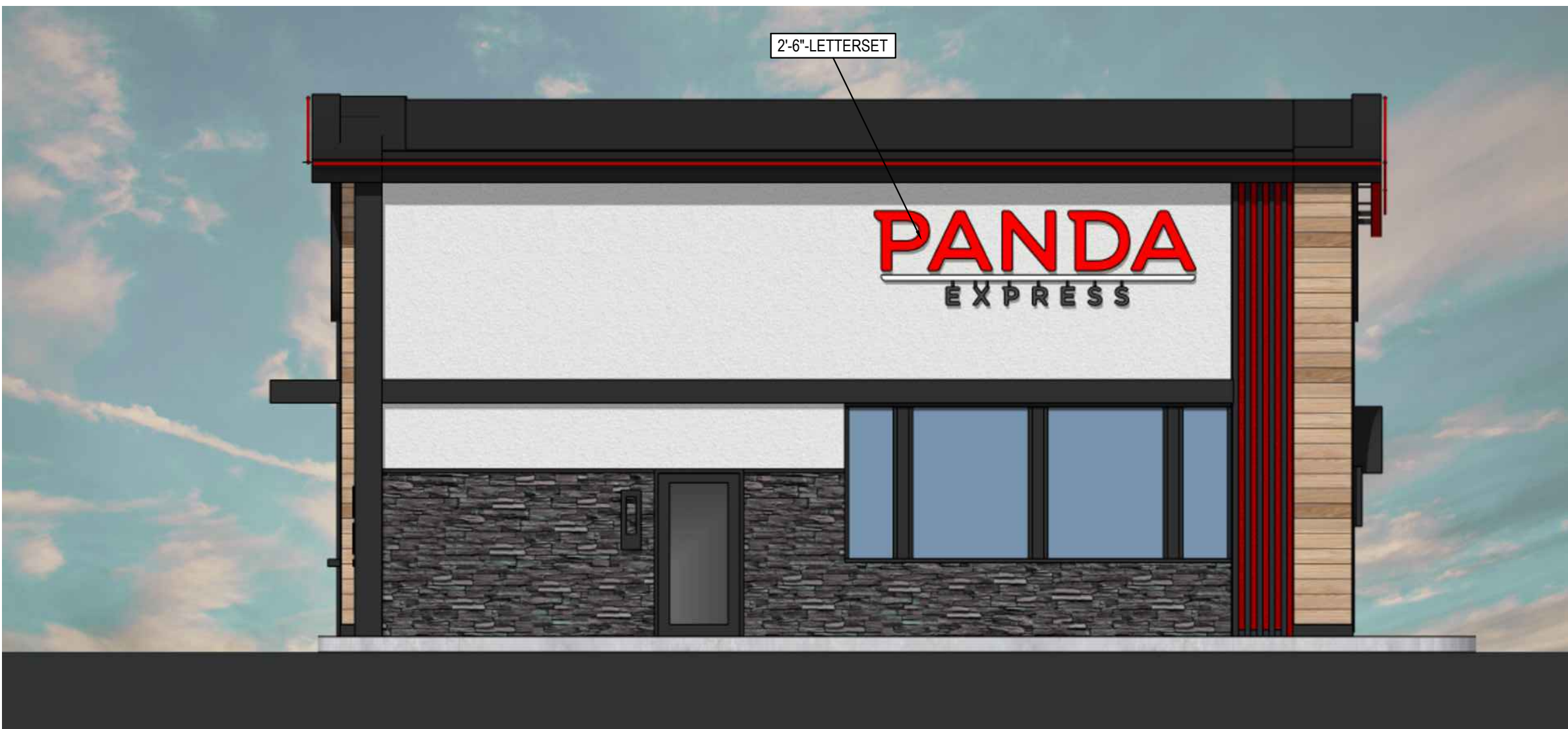
Engineering Division

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.



DRIVE THRU ELEVATION 6
Scale= 3/16" - 1'0" A-203



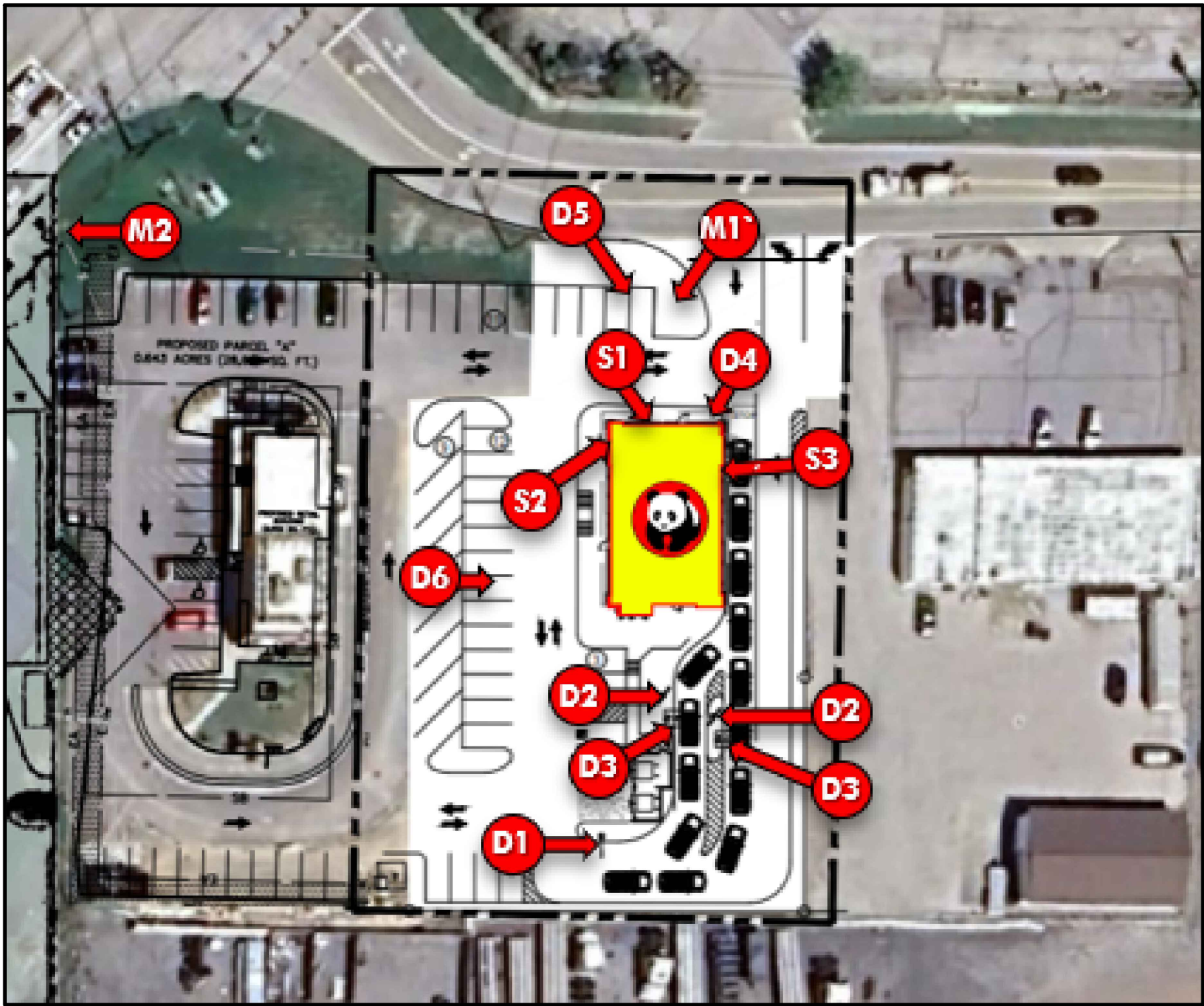
FRONT ELEVATION 3
Scale= 3/16" - 1'0" A-203



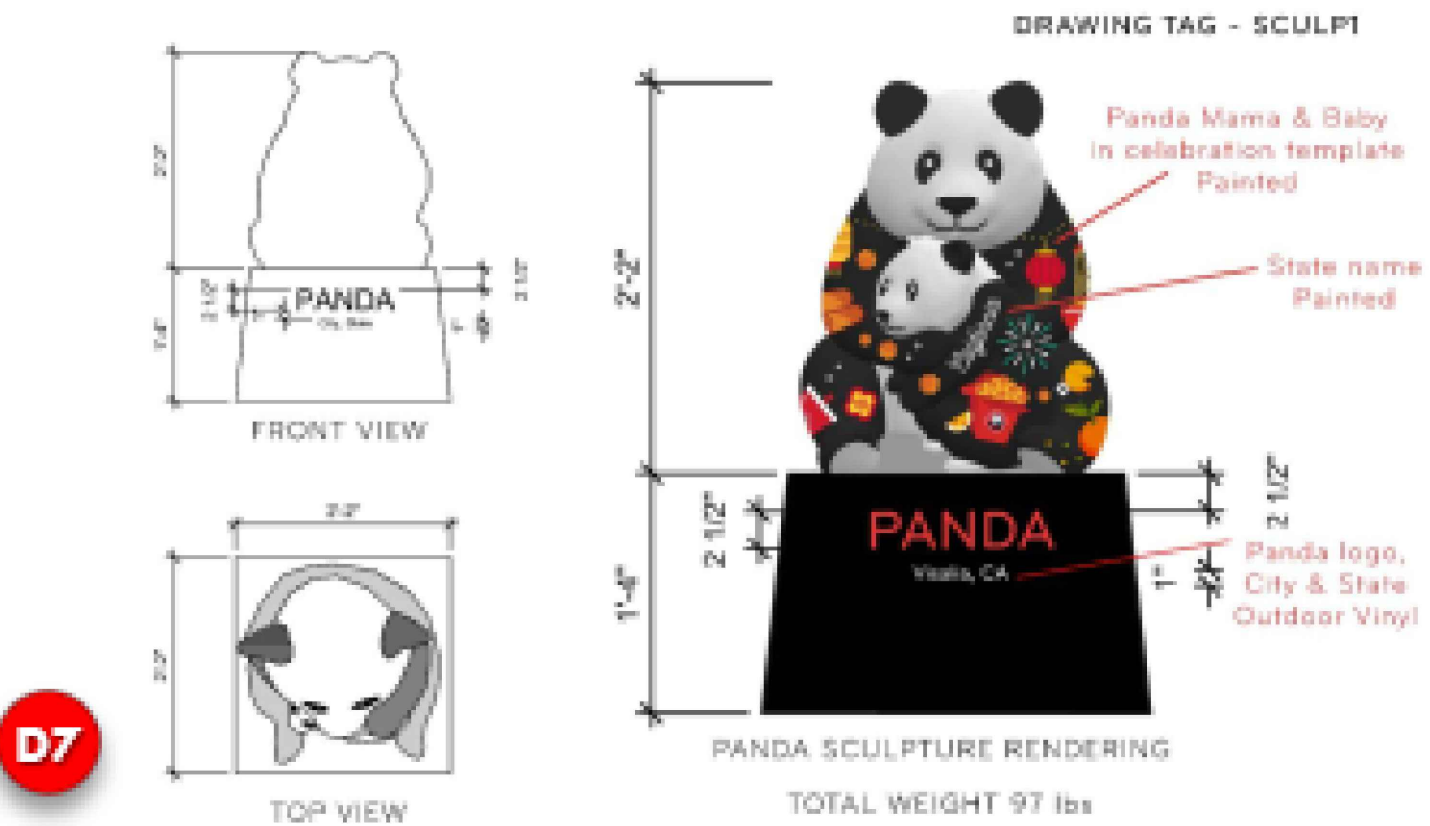
ENTRY ELEVATION 5
Scale= 3/16" - 1'0" A-203



PERSPECTIVE 2
Scale= 3/16" - 1'0" A-203



KEY SIGNAGE ON SITE 4
Scale= NTS A-203



MONUMENT SIGN TO BE LOCATED NEAR BIKE RACK AREA



8' TALL MONUMENT SIGN



4'-4"

PROPOSED MODIFICATION OF EXISTING MONUMENT (PENDING SB AND DEVELOPER APPROVAL)



PROPOSED SIGNAGE 1
Scale= NTS A-203



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS:

ISSUE DATE:

PLANNING SET	01-28-25
PLANNING SET 2	07-08-25
PLANNING SET 3	08-13-25

DRAWN BY:

PANDA PROJECT #: S8-26-D36943
PANDA STORE #: D36943
ARCH PROJECT #: 24120

David Scott Rosellus, AIA
OH Registration #0614255
Not for Regulatory Approval,
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PANDA EXPRESS
PANDA HOME R3
32425 COOK ROAD
N. RIDGEVILLE, OH 44039

A-203

EXTERIOR COLOR ELEVATIONS
PROPOSED SIGNAGE



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1683 Walnut Grove Ave.
Rosemead, California
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L01.0

LANDSCAPE PLAN

PANDA HOME R4

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT.	MIN. SIZE
TREES					
	AA	2	Acer x freemanii 'Jeffersred' Autumn Blaze® Freeman Maple	Cont. or F.G.	2" CAL
	CC	1	Cercis canadensis 'Covey' Lavender Twist® Eastern Redbud	B&B	2" CAL
	GP	3	Ginkgo biloba 'PNI 2720' Princeton Sentry® Maidenhair Tree	2" Cal.	B&B
	JS	6	Juniperus chinensis 'Spartan' Spartan Juniper	Cont. or F.G.	6' HT

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT.	MIN. SIZE	SPACING
SHRUBS						
	BM	17	Buddleja x 'Miss Molly' Miss Molly Butterfly Bush	5 gal.	24" HT	60" o.c.
	IG	86	Ilex glabra 'Shamrock' Inkberry	3 gal.	18" HT	36" o.c.
	JB	12	Juniperus horizontalis 'Blue Chip' Blue Chip Juniper	5 gal.	24" SPD	60" o.c.
	SG	26	Spiraea japonica 'Goldmound' Goldmound Japanese Spirea	3 gal.	18" HT	36" o.c.
	SL	24	Spiraea japonica 'Little Princess' Little Princess Japanese Spirea	3 gal.	18" HT	36" o.c.

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT.	REMARKS
GROUND COVERS				
	TURF	Poa pratensis Kentucky Bluegrass	sod	
ROCK / STONE				
	RR	1-1/2" River Rock River Rock mulch	4" depth	

LANDSCAPE CALCULATIONS

ZONING: B3 - HIGHWAY COMMERCIAL

FRONT YARD LANDSCAPING
10' MIN. PLANTING STRIP PROVIDED

PARKING LOT SCREENING IN FRONT YARD
ROW OF SHRUBS PROVIDED AS REQUIRED

COMMERCIAL DISTRICT LANDSCAPING
TREES: 1 PER 50 LF OF BUILDING
TREES REQUIRED: 226/50=
TREES PROVIDED: 5 TREES
5 TREES

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 4" THICK LAYER OF RIVER COBBLE, 1"-2" DIA., OVER LANDSCAPE FABRIC (ANY APPROVED) IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

GENERAL GRADING AND PLANTING NOTES

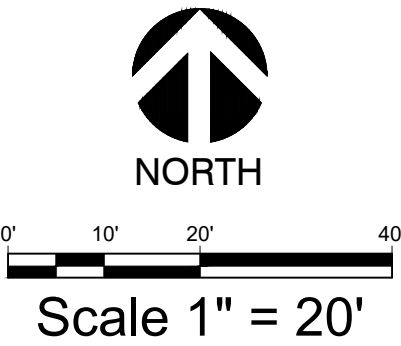
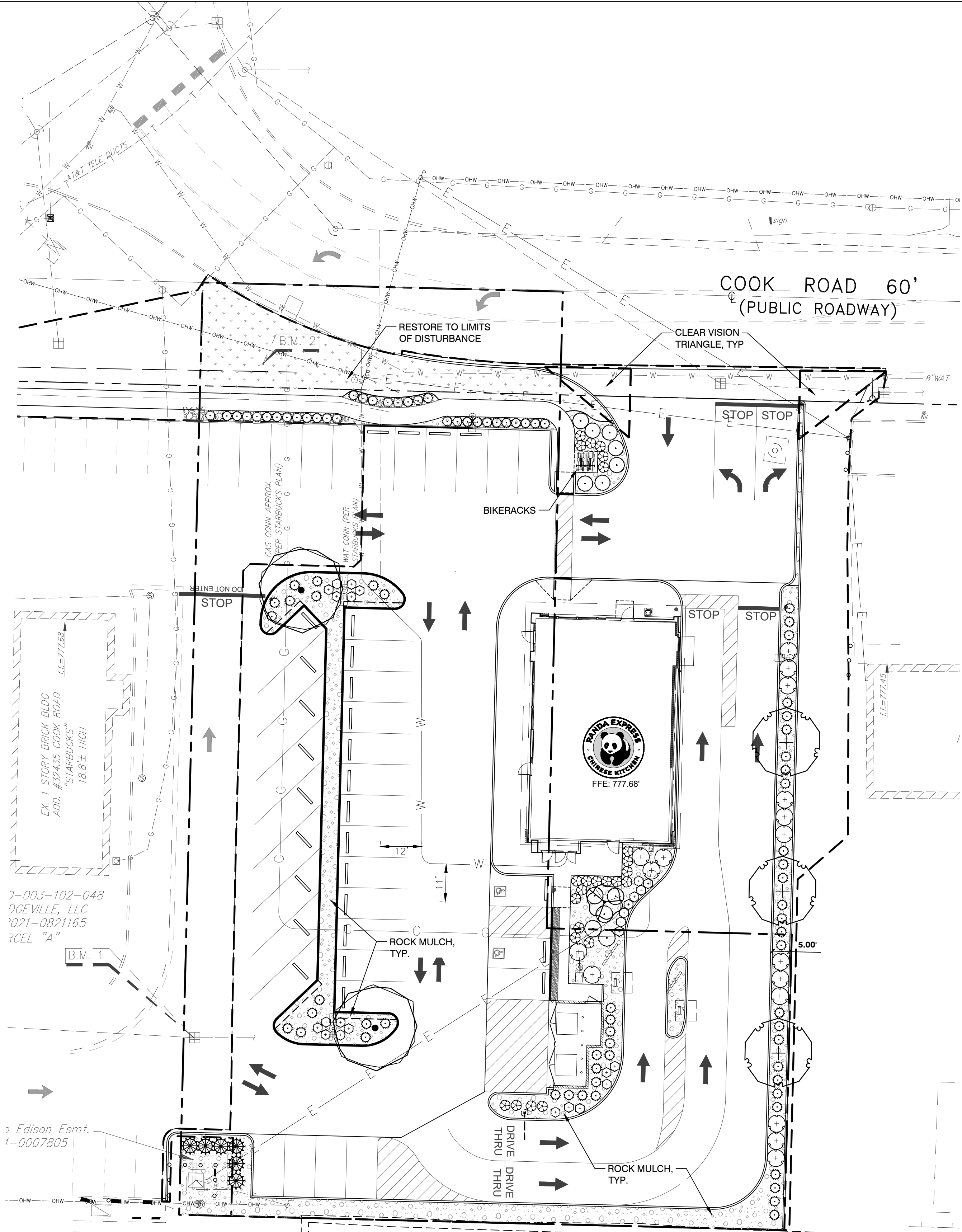
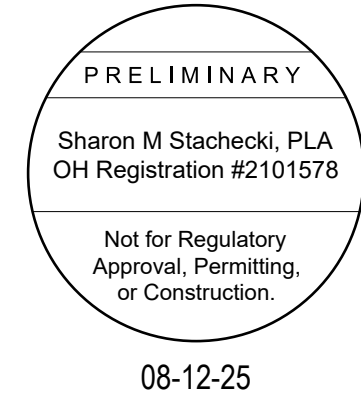
- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
 - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT AND TOWNSHIP LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
 - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

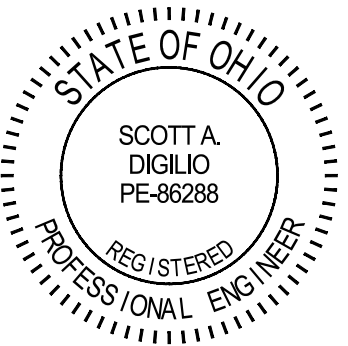
IRRIGATION CONCEPT

- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
- THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
- ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
- ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

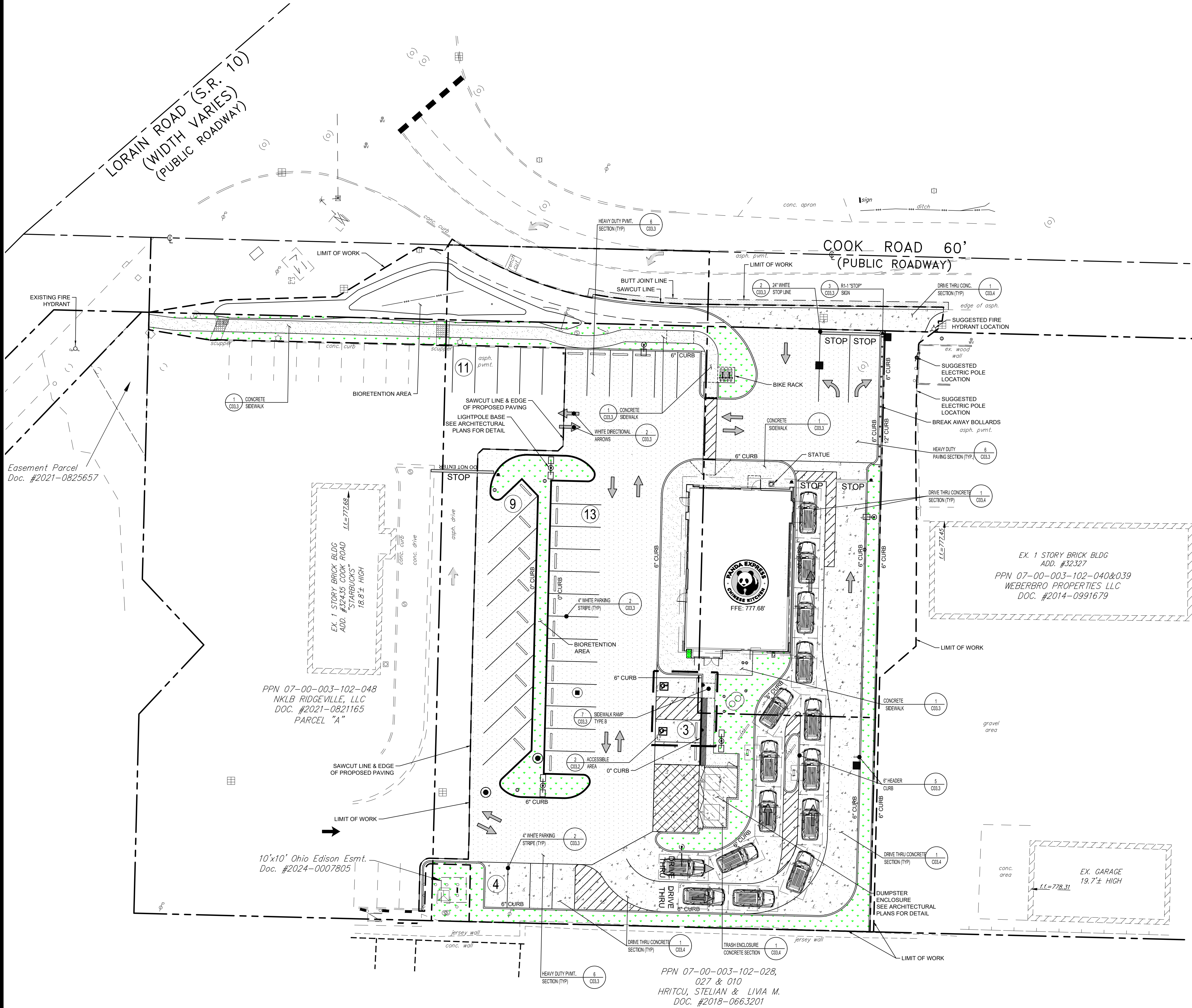




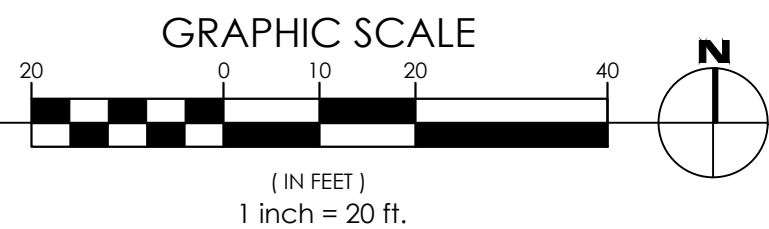
1. ALL SITE CLEARING, TOPSOIL STRIPPING, EXCAVATION, EMBANKMENT, GRADING, COMPACTION, SUB GRADE PREPARATION AND OTHER WORK HEREIN CONTEMPLATED SHALL MEET OR EXCEED THE STANDARDS AND SPECIFICATIONS SET FORTH BY THE GOVERNING MUNICIPAL AUTHORITY OR STATE DOT. THE HIGHER QUALITY STANDARD SHALL APPLY. ALL WORK SHALL BE INSPECTED AND APPROVED BY PERKINS TOWNSHIP/ERIE COUNTY OR UTILITIES INSPECTOR.
2. THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES SHALL BE INVESTIGATED AND VERIFIED IN THE FIELD BY THE CONTRACTOR BEFORE STARTING WORK IN THE CONSTRUCTION AREA. EXCAVATION IN THE VICINITY OF EXISTING STRUCTURES AND FIBER OPTIC CABLE INSTALLATIONS SHALL BE PERFORMED BY HAND. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY AND ALL DAMAGES TO EXISTING FACILITIES, MAINTENANCE AND PROTECTION OF EXISTING UTILITIES AND STRUCTURES AND FIBER OPTIC CABLE INSTALLATIONS.
3. THE CONTRACTOR IS TO UNCOVER ALL LINES BEING TIED INTO AND VERIFY LOCATION AND ELEVATION BEFORE ANY CONSTRUCTION.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL STREET AND SIDEWALK CLOSURES WITH THE MUNICIPALITY.
5. CONDUCT DEMOLITION OPERATIONS AND REMOVAL OF DEBRIS AND SPOILS TO INSURE MINIMAL INTERFERENCE WITH OWNER OPERATIONS.
6. INSURE SAFE PASSAGE OF PERSONS AROUND AREAS OF DEMOLITION. REMOVE FROM SITE ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM DEMOLITION AND LAWFULLY DISPOSE OF SAME.
7. ALL ITEMS TO BE REMOVED SHALL BE PROPERLY AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
8. AT LOCATIONS OF UTILITY REMOVAL, ANY OPEN TRENCHES REQUIRED, SHALL BE BACKFILLED WITH COMPACTED TRENCH BACKFILL.
9. NOTIFY UTILITY OWNER 72 HOURS IN ADVANCE OF ANY UTILITY SHUTDOWN.
10. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER ALL ITEMS DESIGNATED TO BE REMOVED OR RELOCATED.
11. IF ANY ITEMS ARE ENCOUNTERED IN THE FIELD THAT ARE NOT SHOWN ON THE PLAN WHICH REQUIRE DEMOLITION OR RELOCATION, THE CONTRACTOR SHALL NOTIFY THE A/E IMMEDIATELY.
12. THE SURVEY BASE PROVIDED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY. THE OWNER, ARCHITECT & ENGINEER(S) ARE NOT RESPONSIBLE FOR ANY MISCHARTED OR UNCHARTED UTILITIES, OR OTHER ERRORS DETECTED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL SITE CONDITIONS.
13. THE CONTRACTOR WILL PROTECT ALL UTILITIES, STREETS, STRUCTURES, VEGETATION, AND ADJACENT PROPERTY DESIGNATED TO REMAIN. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES, STREETS, STRUCTURES, VEGETATION AND ADJACENT PROPERTY WILL BE REPLACED OR REPAIRED AT THE CONTRACTOR'S EXPENSE.
14. CONTRACTOR TO ADJUST RIMS OF EXISTING STRUCTURES WITHIN SCOPE OF WORK TO FINAL GRADE ELEVATIONS.
15. EXISTING LATERAL CONNECTIONS FOR UTILITIES SHALL BE COORDINATED WITH THE CORRESPONDING UTILITY COMPANY FOR CAPPING AND CUT OFF WITHIN THE SCOPE OF WORK.
16. THE CONTRACTOR IS TO COMPLY WITH FEDERAL, STATE, AND LOCAL ORDINANCES WITH REGARD TO REMOVAL AND DISPOSAL OF MATERIALS FOR ALL ITEMS TO BE DEMOLISHED. WORK INCLUDES THE COMPLETE REMOVAL AND LEGAL DISPOSAL OF ALL OBJECTS AND MATERIALS (REGARDLESS OF THEIR NATURE) INCLUDING BUT NOT LIMITED TO TREE ROOTS, ORGANIC SOIL, DRUMS, TIRES, WOOD, BROKEN CONCRETE PIECES, AND FENCES ABOVE THE REQUIRED ELEVATION.
17. BURNING ON OWNERS PROPERTY IS NOT PERMITTED.
18. SIDEWALK DEMOLITION SAWCUTS SHALL BE AT THE NEAREST EXISTING JOINT.
19. FULL DEPTH SAWCUTS ARE REQUIRED FOR PAVEMENT REMOVALS, ADJACENT TO EXISTING PAVEMENT TO REMAIN.
20. SAWCUT ALL TREE ROOTS ENCOUNTERED IN LIEU OF USING SHOVELS (HAND SHOVELS OR MECHANICAL). LANDSCAPE PLANS FOR TREE PROTECTION AND REMOVALS SHALL TAKE PRECEDENCE.
21. ALL CONCRETE SAWCUTTING SHALL BE PERFORMED WITH A WETSAW TO CONTROL DUST.



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SITE PLAN



SITE INFORMATION

JURISDICTION: NORTH RIDGEVILLE, OHIO

PROPOSED PARKING
REGULAR 38
HANDICAP 2
TOTAL = 40

DRIVE AISLE WIDTH: 24'

PAVING NOTES

ALL GEOTECHNICAL PAVING SECTIONS ARE PER SEPARATE
GEOTECHNICAL ENGINEERING REPORT BY TERRACON.

SITE NOTES

1. SEE ARCHITECTURAL PLANS FOR ADDITIONAL SIGNING, STRIPING AND BUILDING DETAILS.
2. ALL STRIPING SHALL BE WHITE STRIPING APART FROM ADA.
3. WHEEL STOPS TO BE RUBBER, NOT CONCRETE.
4. STANDARD BOLLARDS SHALL BE PLACED AT BUILDING DT LANE BUILDING CORNER AND AT DT WINDOW. BOLLARDS SHALL HAVE THERMOPLASTIC COVER.
5. CONCRETE SHALL BE PLACED BETWEEN BACK OF CURB AND FACE OF BUILDING TO ENSURE POSITIVE DRAINAGE AWAY FROM BUILDING.

LEGEND

	HEAVY DUTY ASPHALT
	CONCRETE DRIVE THRU AND PARKING AREA
	CONCRETE FOR TRASH ENCLOSURE
	CONCRETE SIDEWALK
	GRAVEL
	LANDSCAPE PERVIOUS AREA
	(E) PROPERTY LINE TRAFFIC FLOW DIRECTION/ STRIPING WHERE NOTED



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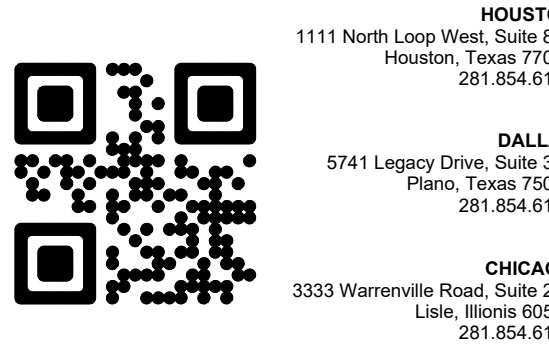
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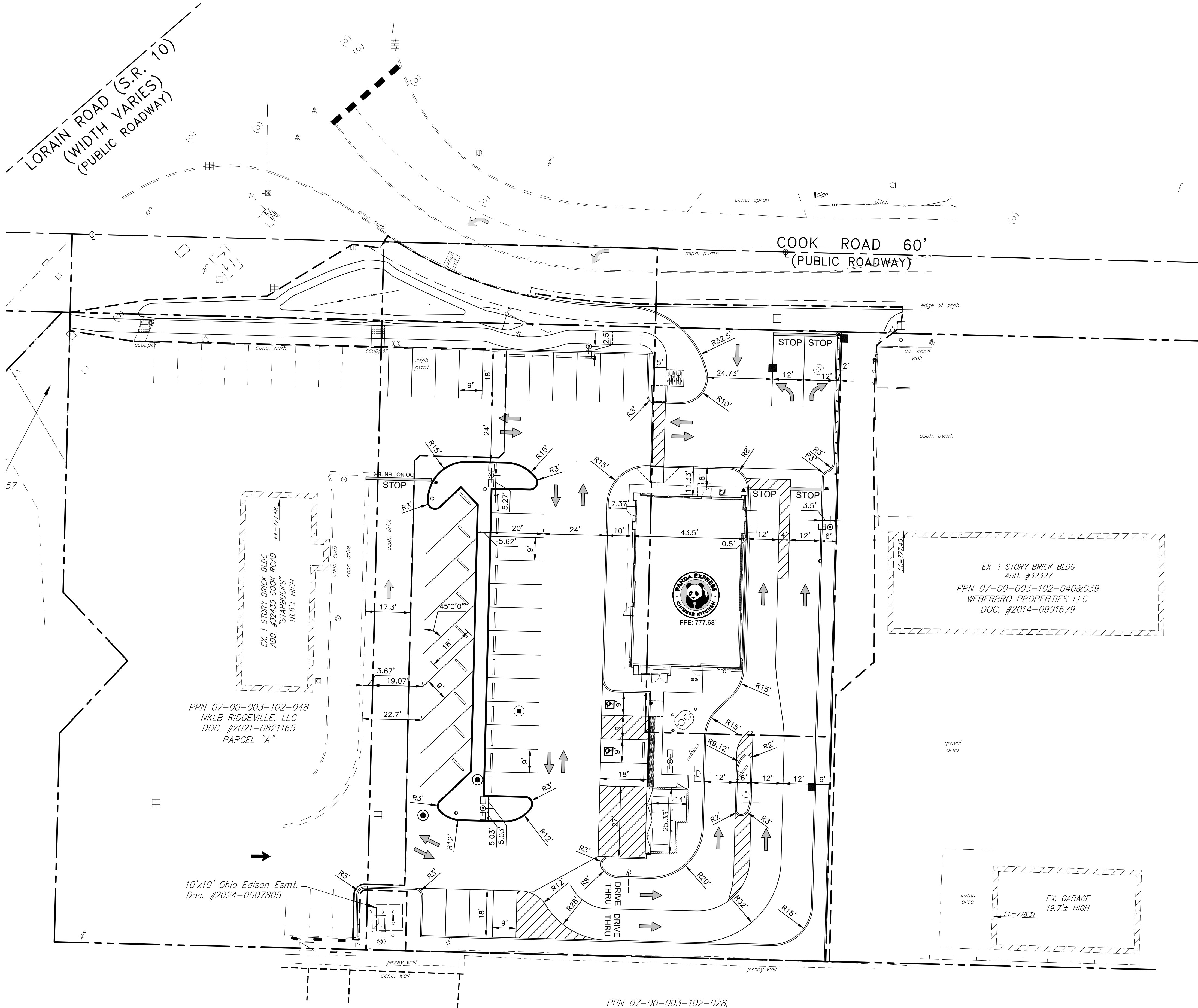
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SITE PLAN

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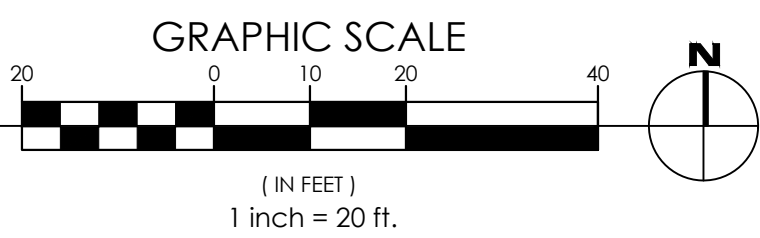
User: julia.delaney File: C:\Users\julia.delaney\Documents\RTM Engineering Consultants, LLC\0573.5115C-PX-N Ridgeville OH\Project Files\03 DESIGN DRAWINGS\02 SHEET SET\C03.0-SITE PLAN_D36943.dwg Time: Aug 10, 2025 - 9:29am



STAKING NOTES

1. ALL DIMENSIONS ARE MEASURED TO FACE OF CURB UNLESS OTHERWISE NOTED.

STAKING PLAN



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Heights Venture ARCHITECTURE DESIGN



PANDA EXPRESS

PANDA HOME R4

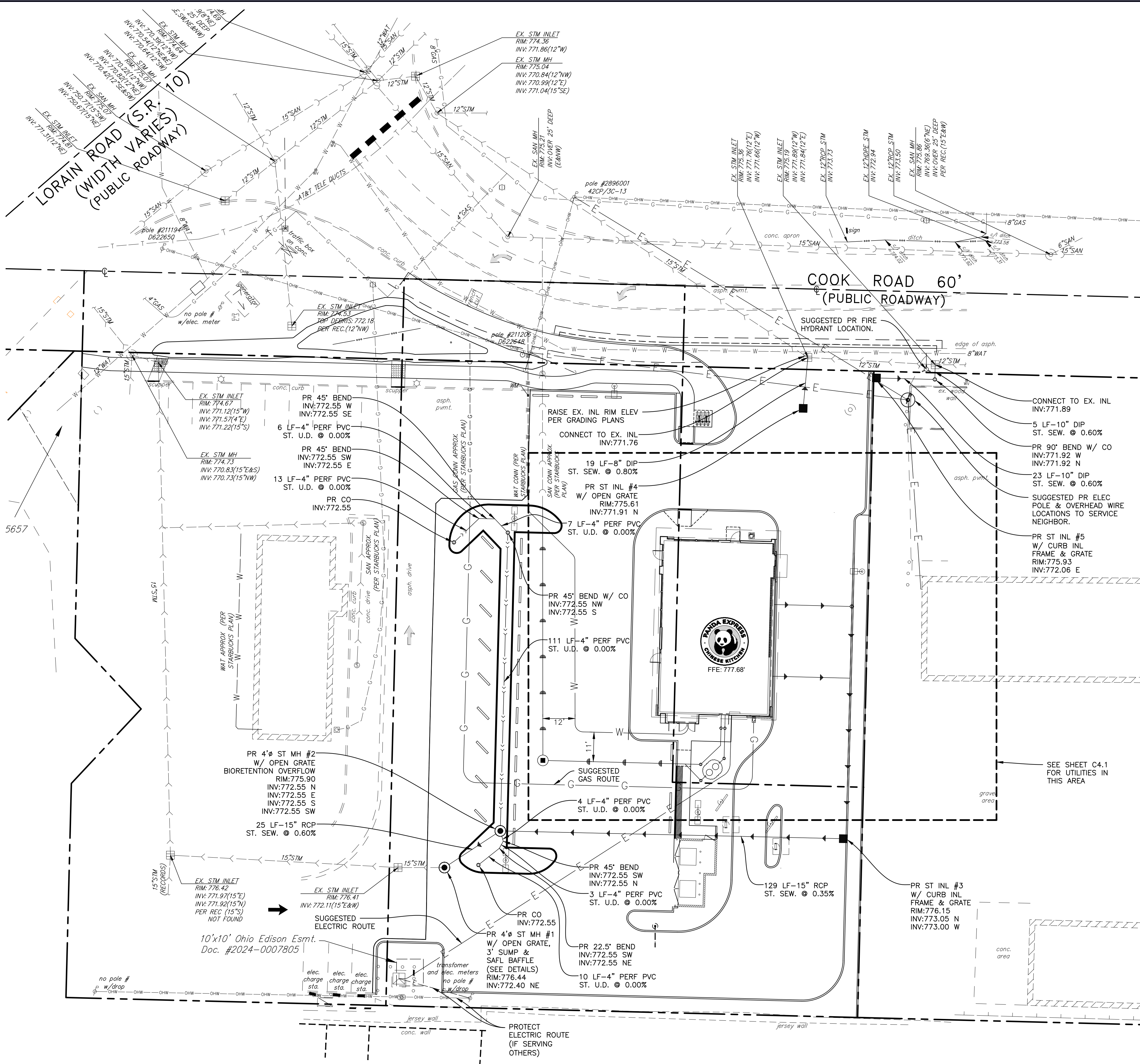
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STAKING PLAN

C03.1

PANDA HOME R4



NOTES:

- EX. ITEMS SHALL BE FIELD VERIFIED. RELOCATION OR ADJUSTMENT MAY BE NEEDED. CONTRACTOR TO VERIFY.
- CONTRACTOR SHALL VERIFY ALL WORK, INCLUDING BUT NOT LIMITED TO, SIZES, MATERIALS AND LOCATION, WITH UTILITY COMPANIES PRIOR TO INSTALLATION.
- VERIFY SERVICE LOCATIONS WITH BUILDING PLANS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY DISCREPANCIES.
- RIM GRADES ALONG CURBS ARE FLOW LINE ELEVATIONS.
- SEE SPECIFICATIONS ON SHEET C01.3 AND C01.4 FOR ALL STORM, SANITARY, AND WATER PIPE AND STRUCTURE SPECIFICATIONS.
- ALL UTILITY TIE DIMENSIONS ARE FROM CENTER OF UTILITY AND TO BACK OF CURB WHEN TIED TO CURB LINES, UNLESS OTHERWISE NOTED.
- CONTRACTOR TO INSPECT EXISTING SEWER AT POINT OF CONNECTION. CONTRACTOR TO VERIFY THAT EXISTING PIPE IS IN GOOD WORKING CONDITION. CONTRACTOR TO REPAIR AS REQUIRED.
- CONTRACTOR TO NOTIFY OWNER/ENGINEER IF CONFLICTS OCCUR.
- NEW OPENING/CONNECTIONS TO EXISTING MANHOLE/STRUCTURES SHALL BE CORE-DRILLED.
- TEST PITS MUST BE EXCAVATED IN ADVANCE OF CONSTRUCTION IN ORDER TO CONFIRM DEPTH AND LOCATION OF EXISTING UTILITIES. NO ADDITIONAL PAYMENT WILL BE MADE FOR TEST PIT EXCAVATION.
- ALL NEW STORM STRUCTURES SHALL HAVE ADA COMPATIBLE OPEN LIDS, PER JURISDICTION STANDARDS.
- ALL UTILITY CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY CONSTRUCTION STANDARDS AND SPECIFICATIONS.
- THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL INSPECTIONS, CERTIFICATIONS, EQUIPMENT ETC., THAT MAY BE REQUIRED.
- CONTRACTOR SHALL COORDINATE GAS, ELECTRIC AND TELEPHONE CONDUIT, PIPING, AND CONDUCTOR REQUIREMENTS WITH MEP PLANS AND UTILITY PROVIDER PRIOR TO INSTALLATION.
- STREET ASPHALT PAVEMENT SHALL BE RESTORED IN ACCORDANCE WITH DOT REQUIREMENTS AND STANDARDS.



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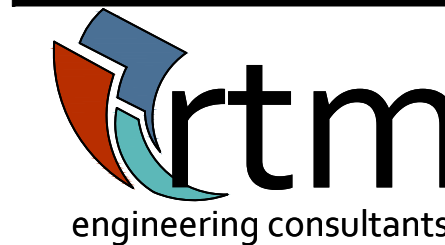
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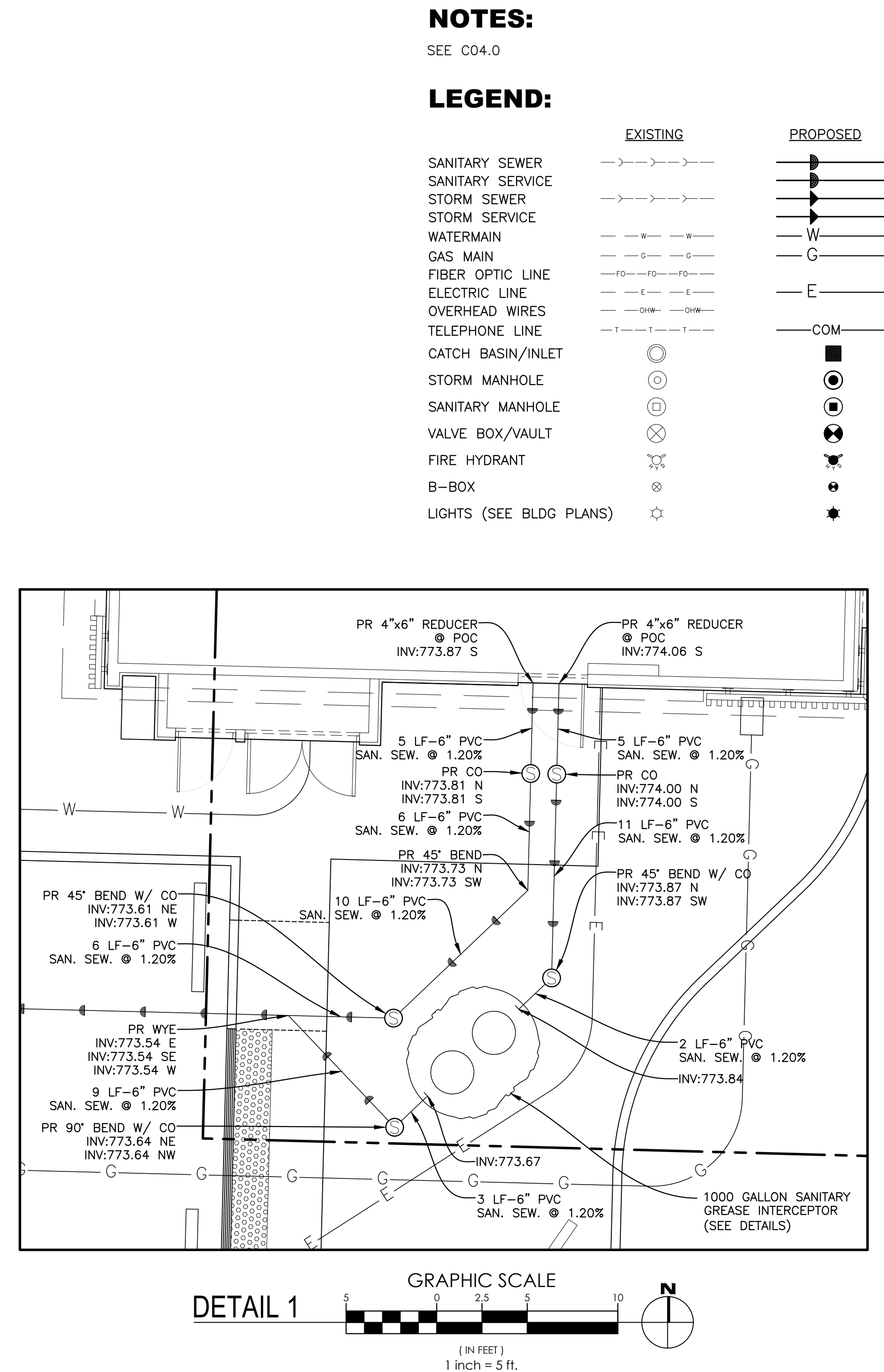
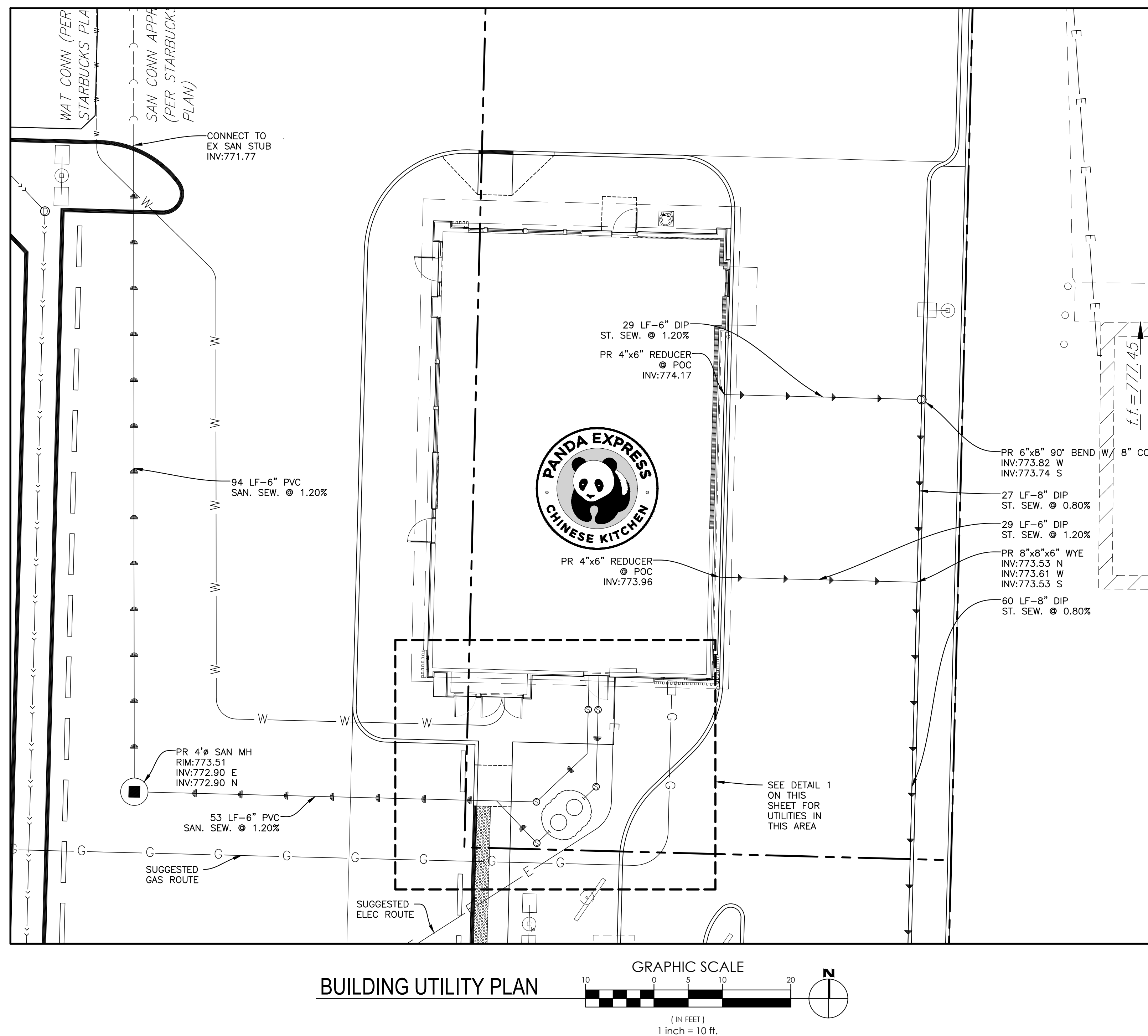
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UTILITY PLAN

C04.0

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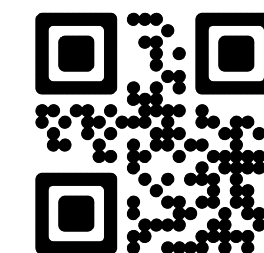
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PANDA EXPRESS
PANDA HOME R4

32429 COOK RE

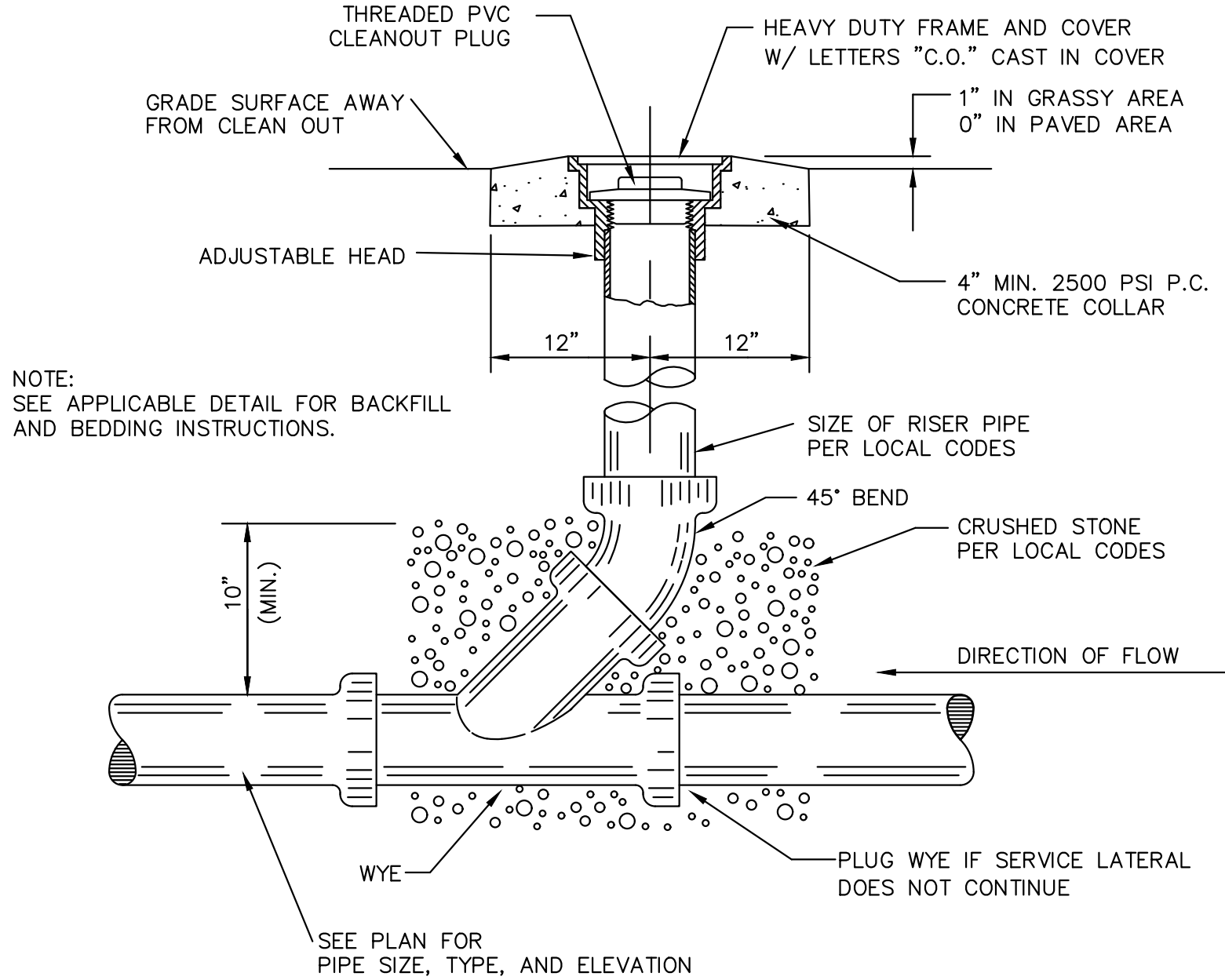
NORTH RIDGEVILLE, OH 44039

UTILITY PLAN

C04.1

PANDA HOME R4

User: julie.delaney File: C:\Users\julie.delaney\Documents\Drawings\02 SHEET SET\04.0-UTILITY PLAN\036943.dwg Time: Aug 10, 2025 9:31 am



SEWER CLEAN-OUT
NOT TO SCALE

SPECIFICATIONS

- Notes:
- 6" plain end inlet/outlet
 - Unit weight - w/ cast iron covers: 824 lbs. (for wet weight add 8,413 lbs.)
 - Maximum operating temperature: 150° F continuous
 - Capacities - Liquid: 1,000 gal. ;
Grease: 5,495 lbs. (753 gal.) @100GPM
Grease: 4,959 lbs (679 gal.) @200GPM
Solids: 211 gal.
 - Satisfies Miami DERM 99% efficiency requirements; retaining the following capacities at 99.0% efficiency:
5,272 lbs. (722 gal.) @100GPM
3,127 lbs. (428 gal.) @200GPM
 - For gravity drainage applications only.
 - Do not use for pressure applications.
 - Cover placement allows full access to tank for proper maintenance.
 - Vent not required unless per local code.
 - Engineered inlet and outlet diffusers with inspection ports are removable to inspect / clean piping.
 - Integral air relief / Anti-siphon / Sampling access.
 - Adjustable cover adapters provide up to 4" of additional height.
 - Designed for below-grade, above-grade, indoor or outdoor installations.
 - Safety Star®, access restrictor built into each cover adapter, prevents accidental entry to tanks (450 lb rating).

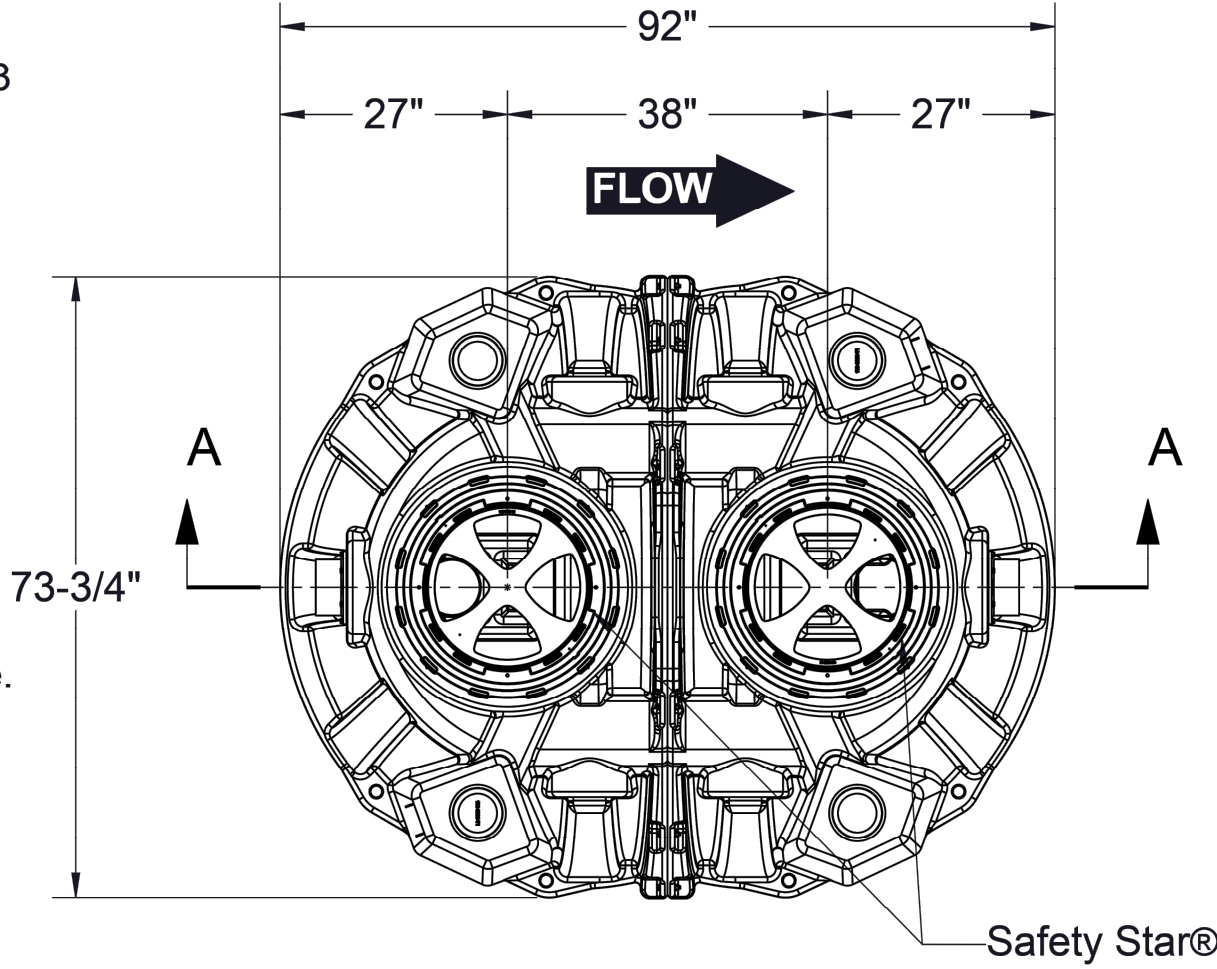
ENGINEER SPECIFICATION GUIDE
Schier Great Basin™ grease interceptor model # GB-1000 shall be lifetime guaranteed and made in USA of seamless, molded polyethylene with minimum 7/16" uniform wall thickness. Interceptor shall be furnished for above or below-grade installation with adjustable cover adapter and Safety Star® access restrictor built into each cover adapter. Interceptor shall be certified to ASME A112.14.3 (Type D) and CSA B481.1 as well as certified to IAPMO/ANSI Z1001-2021. Interceptor flow rate shall be 100 GPM or 200GPM. Interceptor grease capacity shall be 5,495 lbs. Cover shall provide water/gas-tight seal and have minimum 16,000 lbs. load capacity.

CERTIFIED PERFORMANCE
Great Basin™ hydromechanical grease interceptors are third party performance-tested and listed by IAPMO to ASME #A112.14.3 and CSA B481.1 grease interceptor standards and greatly exceed requirements for grease separation and storage. They are compliant to the Uniform Plumbing Code and the International Plumbing Code.

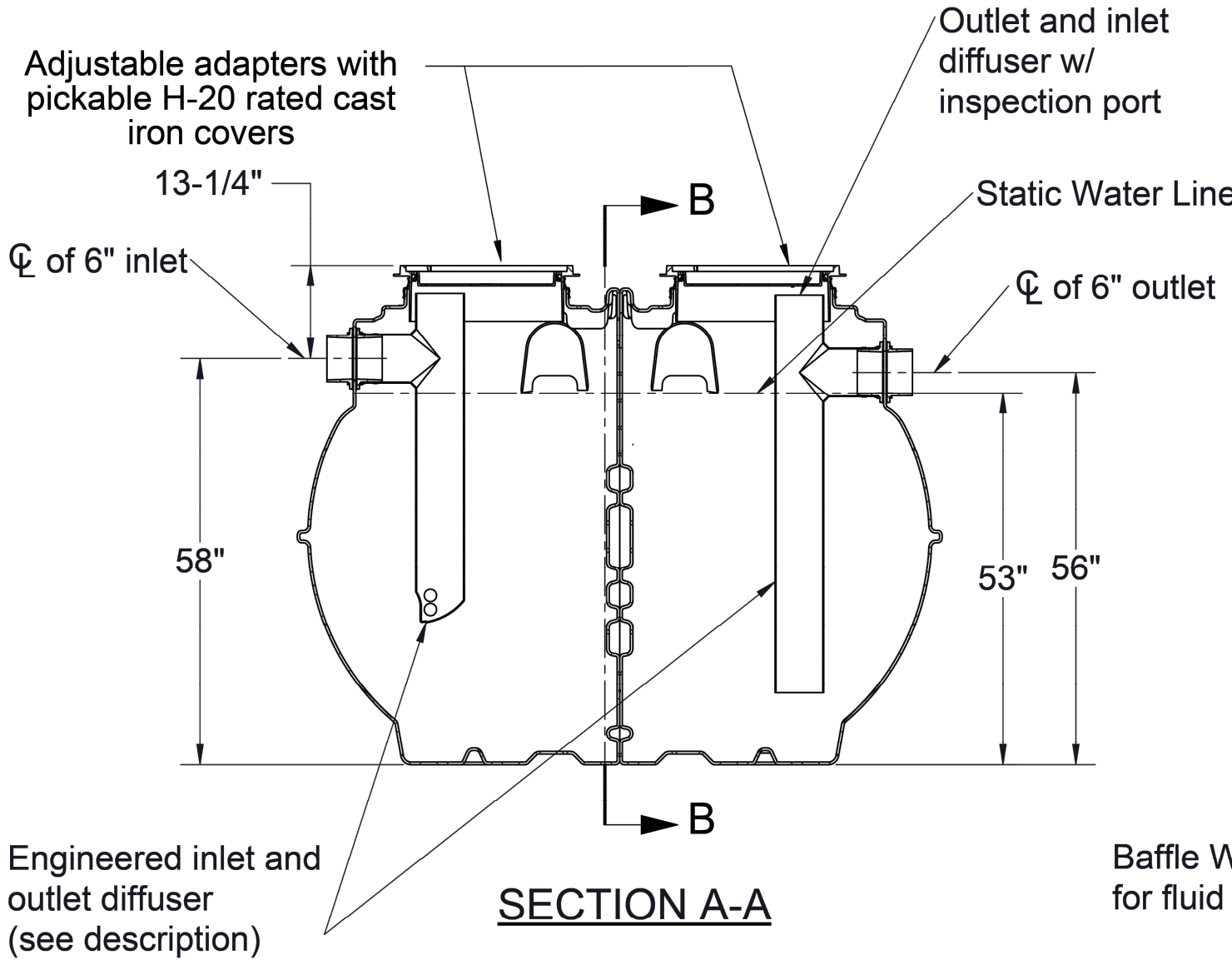
Type D certification does not require a flow control



Satisfies Miami DERM 99% efficiency requirements. Product labels are permanently attached to inside and outside of unit for easy viewing.



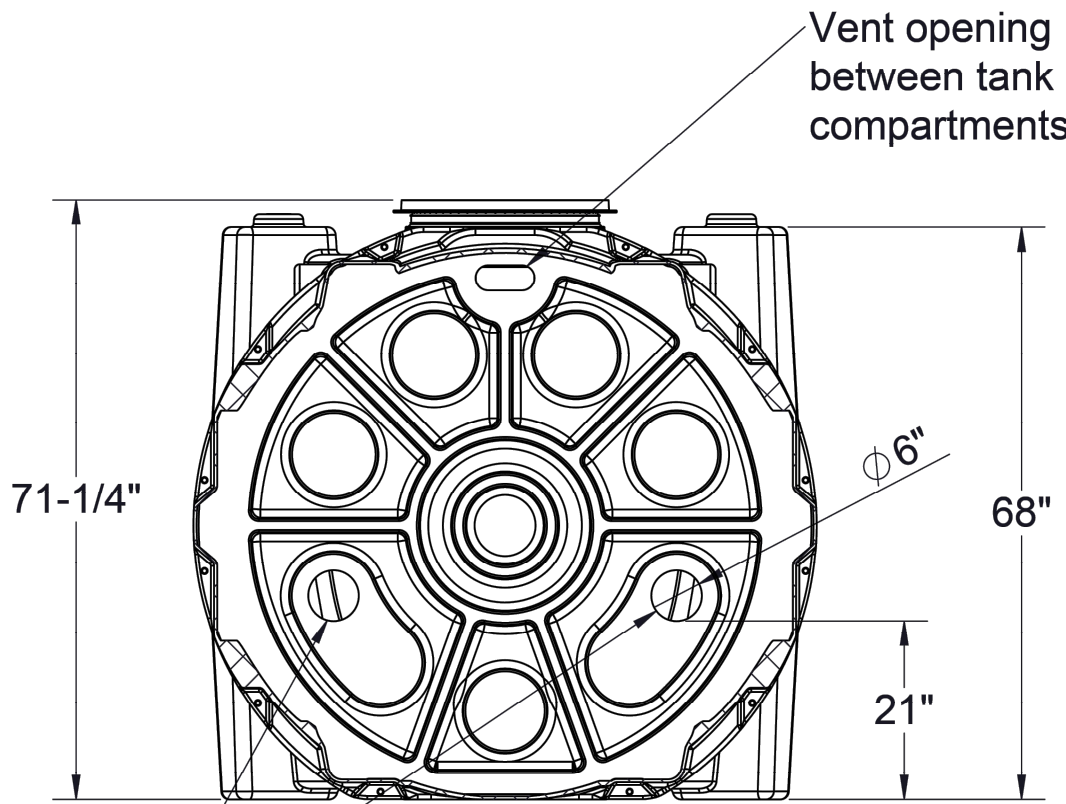
TOP VIEW
(COVERS REMOVED FOR CLARITY)



SECTION A-A



ISOMETRIC VIEW



SECTION B-B

SPECIFICATION SHEET

MODEL NUMBER:

GB-1000

PROPRIETARY AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF SCHIER PRODUCTS. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF SCHIER PRODUCTS IS PROHIBITED.

PART NUMBER: 4080-002-01

DESCRIPTION:

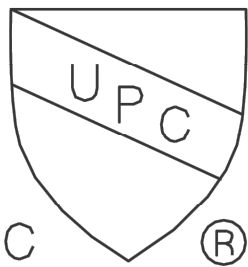
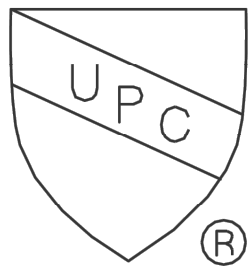
GB-1000 GREASE INTERCEPTOR 100 GPM/ 200 GPM
6" INLET/OUTLET, H-20 RATED CAST IRON COVER

DWG BY: B.BROWN

DATE: 10/18/2021

REV: 02

ECO: 032822TA



SCHIER

6455 Woodland Dr
Shawnee, KS 66218
Tel: 913-951-3300
Fax: 913-951-3399
schierproducts.com



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
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Facsimile: 626.372.8288

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REVISIONS:

ISSUE DATE:

PLANNING	01-28-25
PLANNING	03-13-25
PLANNING	07-07-25
PLANNING	08-11-25

DRAWN BY: rtm

PANDA PROJECT #: D36943

PANDA STORE #: -

ARCH PROJECT #: 24120



Heights Venture
ARCHITECTURE ♦ DESIGN

HOUSTON
1111 North Loop West, Suite 800
Houston, Texas 77008
281.854.6100

DALLAS
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Plano, Texas 75024
281.854.6100

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3333 Warrenville Road, Suite 200
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281.854.6100

PANDA EXPRESS
PANDA HOME R4

32429 COOK RD

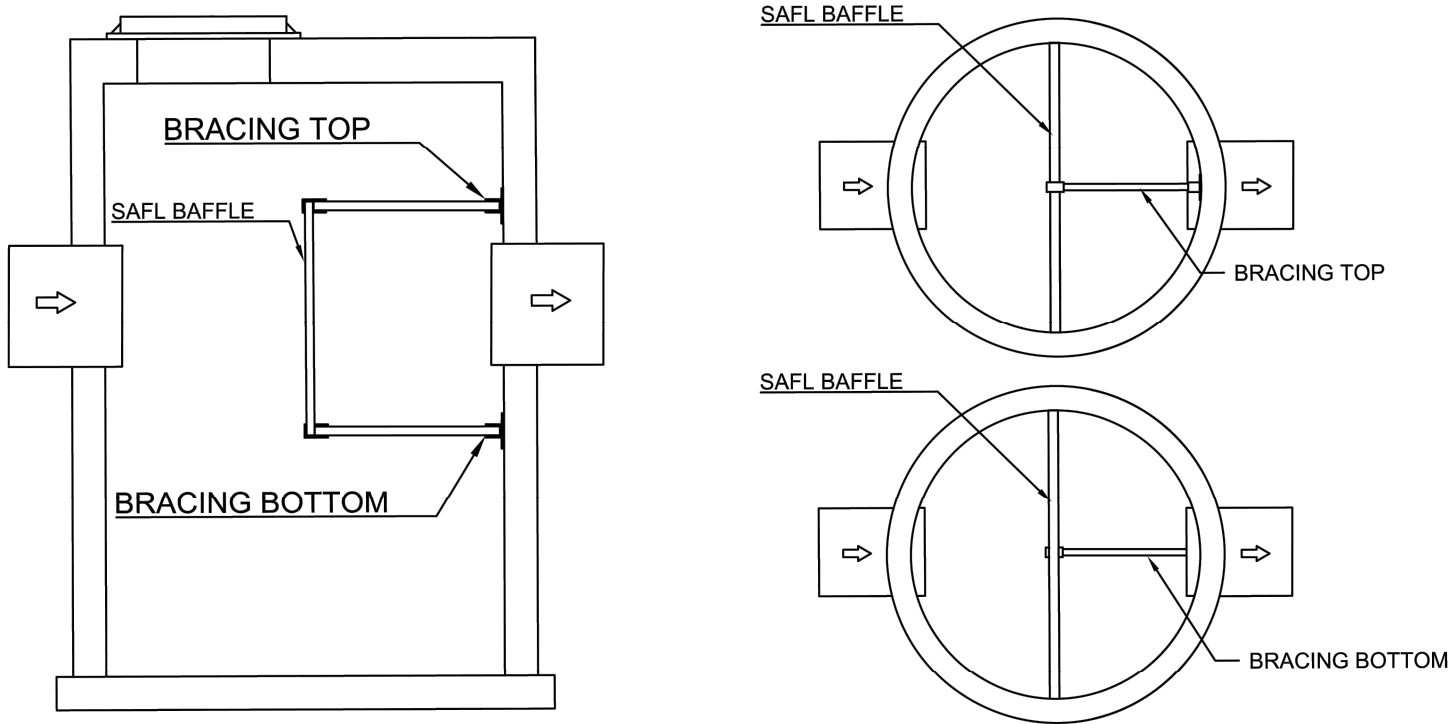
NORTH RIDGEVILLE, OH 44039

UTILITY DETAILS

C04.3

SAFL BAFFLE BRACING REQUIREMENTS

Rev A.2 (05-09-2023)



SIDE VIEW

TOP VIEW

Guidance for Cross Bracing - SAFL Baffle

Pipe Inside Diameter (inches)	Bracing Needed Above This Flow (CFS)	Max Flow with 2 Braces (1 top, bottom)	Max Flow with 4 Braces (2 top, 2 bottom)
24	20	30	40
30	30	45	60
36	40	60	75
42	55	70	90
48	75	105	130
60	110	160	200

Note: Flows shown are maximum design flows with a slope of less than 3%. Contact Upstream Technologies if pipe slopes are 3% or greater.

Also see: [Stacking Guide](#) & [Sizing Guide](#)

PATENT PROTECTED Patents: US #8663466B2 - US #8715507B2 - US #9506237B2 - CA #2742207

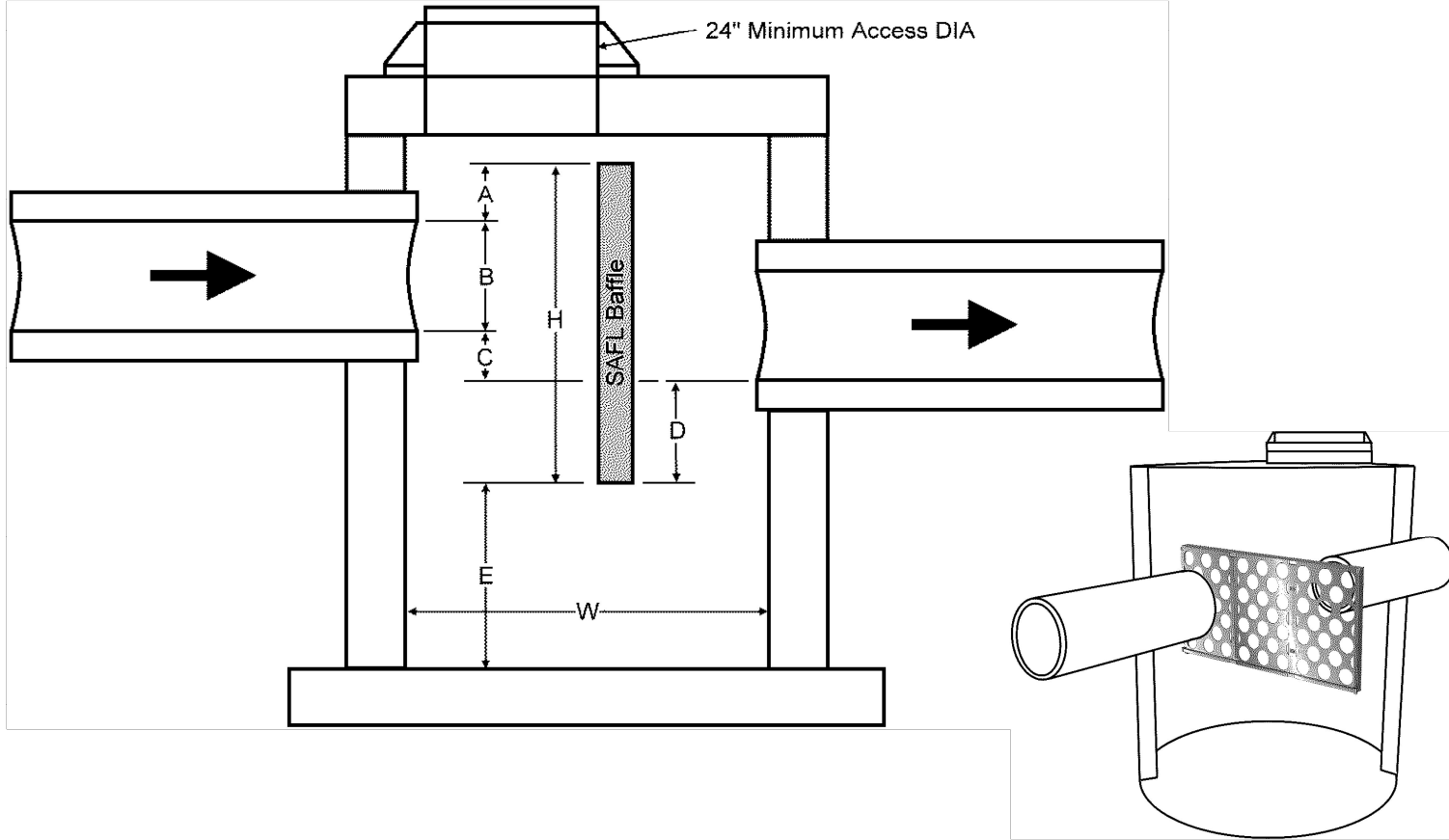
This generic detail does not encompass the sizing, fit, and applicability of the SAFL Baffle for this specific project. It is the ultimate responsibility of the design engineer to assure that the design is in compliance with all applicable laws and regulations. The SAFL Baffle is a patented technology of Upstream Technologies, Inc. Upstream Technologies does not approve plans, sizing, or system designs.

SAFL BAFFLE BRACING DETAIL
UPSTREAM TECHNOLOGIES INC.
5201 EAST RIVER ROAD, SUITE 303
FRIDLEY, MN 55421
651-237-5123



SAFL BAFFLE SIZING REQUIREMENTS

Rev A.2 (05-09-2023)



A	0 to 6" 6" is ideal
B	Inlet pipe inside diameter
C	0 to 6" 0" is ideal
D	12"
E	36" Minimum. 48" or greater is ideal and results in less frequent sump cleanout
W	W = Sump diameter if round or width if rectangular
H	Baffle height = A + B + C + D
Purchase Baffle Size	W x H View the complete list of Available Baffle Sizes
	Also see: Bracing Guide & Stacking Guide
NOTE 1	If H is greater than 57" two SAFL Baffles may be stacked.
NOTE 2	75% of flow must be horizontal. No more than 25% falling from above
NOTE 3	This detail does not cover sizing the sump for sediment removal efficiency. Contact Upstream for sump sizing or use SHSAM Software
NOTE 4	For more information, see our Design Guide

PATENT PROTECTED Patents: US #8663466B2 - US #8715507B2 - US #9506237B2 - CA #2742207

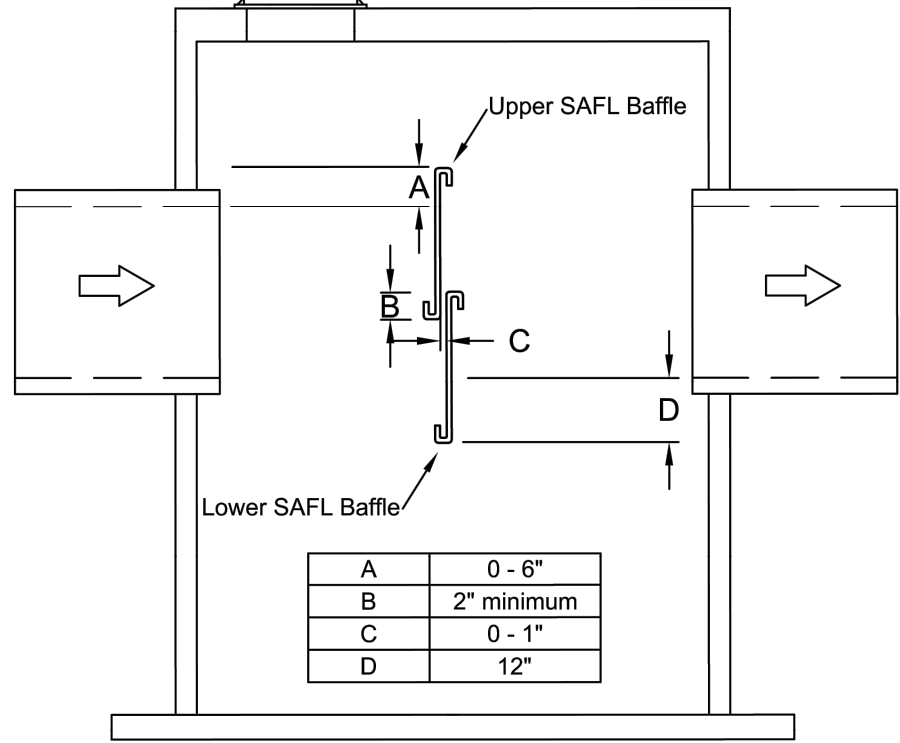
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SAFL BAFFLE SIZING DETAIL
UPSTREAM TECHNOLOGIES INC.
5201 EAST RIVER ROAD, SUITE 303
FRIDLEY, MN 55421
651-237-5123

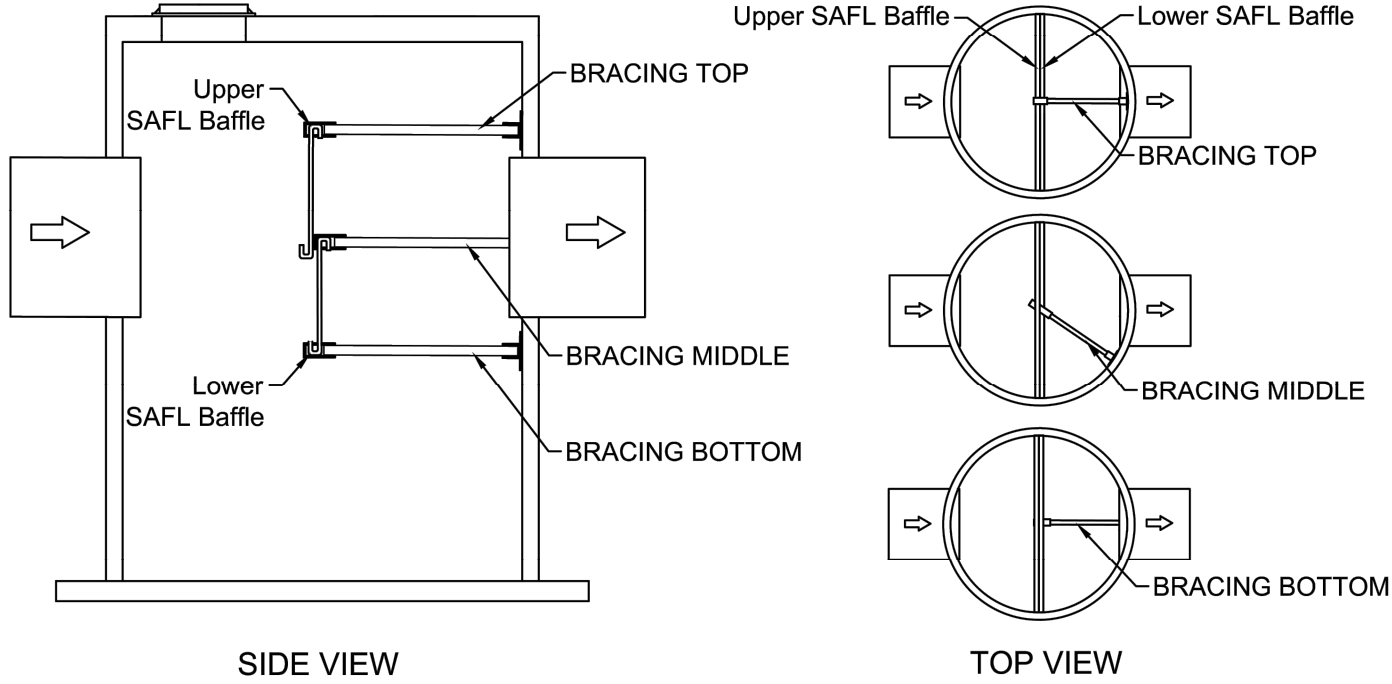


SAFL BAFFLE STACKING REQUIREMENTS

Rev A.2 (05-09-2023)



Bracing for Stacked Baffles



SIDE VIEW

TOP VIEW

Also see: [Bracing Guide](#) & [Sizing Guide](#)

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FRIDLEY, MN 55421
651-237-5123



PANDA EXPRESS, INC.
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DRAWN BY: rtm

PANDA PROJECT #: D36943

PANDA STORE #: -

ARCH PROJECT #: 24120



Heights Venture ARCHITECTURE DESIGN



PANDA EXPRESS

PANDA HOME R4

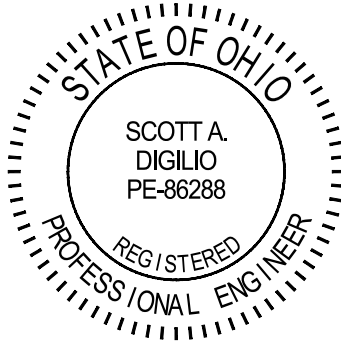
32429 COOK RD

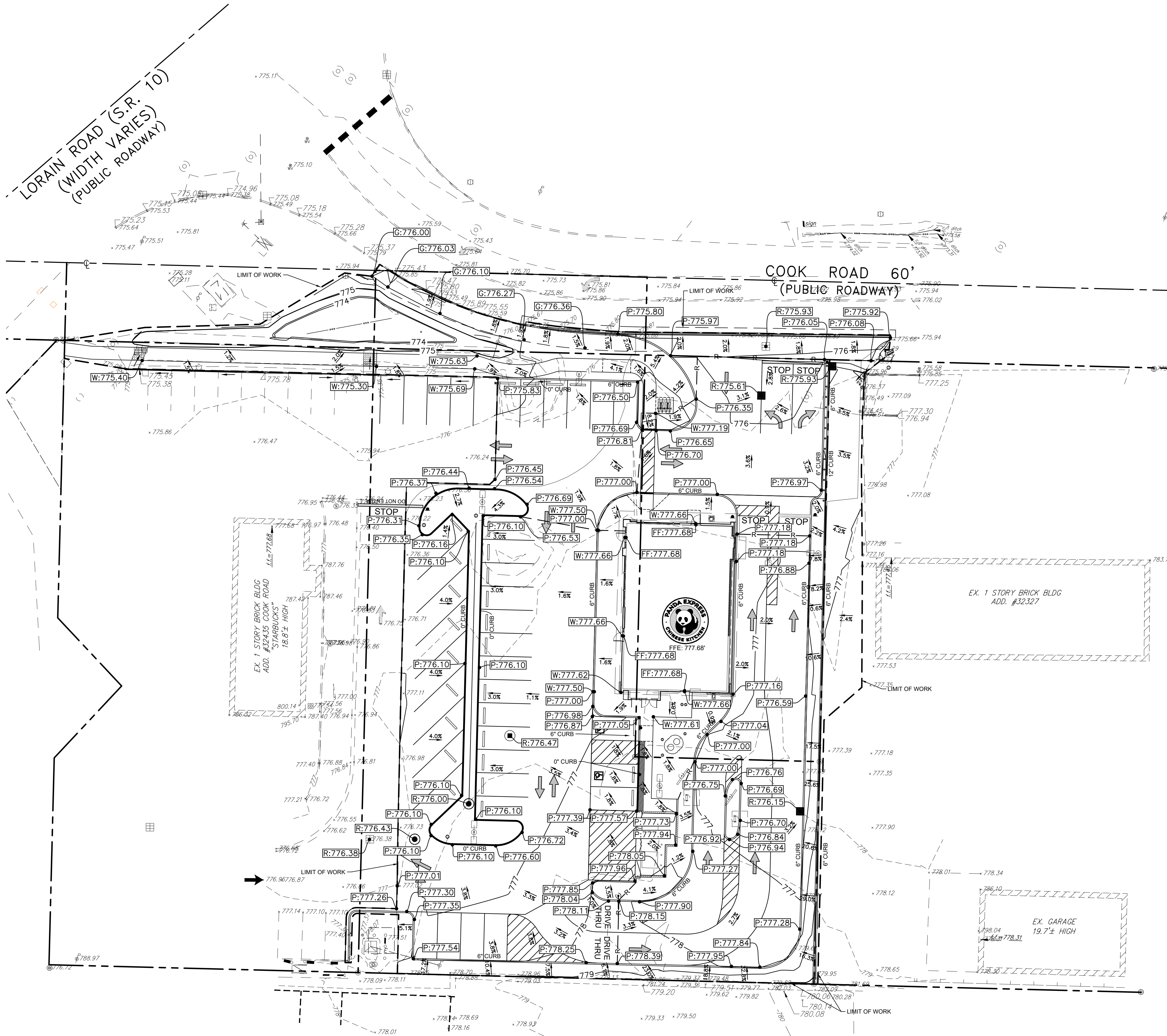
NORTH RIDGEVILLE, OH 44039

UTILITY DETAILS

C04.4

PANDA HOME R4





GRADING LEGEND		
DESCRIPTION	EXISTING	PROPOSED
SPOT ELEVATION	× XXX.XX	P:XX.XX
CONTOUR LINE	— 600 —	— 600 —
FLOW ARROW	1.21%	1.21%
STORM CATCHBASIN OR INLET	□	■

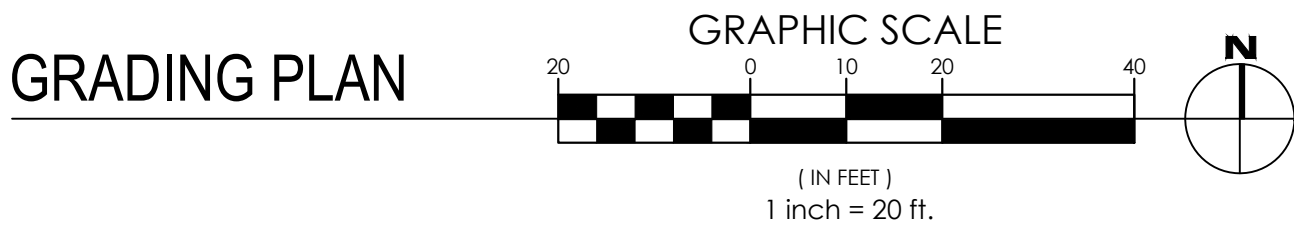
FF:XXX.XX OR FFE XXX.XX FINISHED FLOOR
FL:XXX.XX FLOWLINE
G:XXX.XX TOP OF GROUND
P:XXX.XX PAVEMENT
R:XXX.XX RIM
W:XXX.XX TOP OF WALK
TC:XXX.XX TOP OF CURB

GRADING NOTES

- ALL GRADES SHOWN ARE TO FLOWLINE UNLESS OTHERWISE NOTED.
- PROPOSED ELEVATIONS SHOWN ON PROPOSED CURB LINES ARE FLOW LINE ELEVATIONS UNLESS NOTED OTHERWISE. ADD 0.50' TO OBTAIN TOP OF CURB ELEVATIONS.
- CONTRACTOR SHALL FIELD VERIFY GRADES IN THE LOCATIONS INDICATED AT THE TIME OF CONSTRUCTION. CARE SHALL BE TAKEN TO MATCH EXISTING GRADES AT PROPERTY LINE TO ENSURE A SMOOTH TRANSITION BETWEEN PROPOSED ASPHALT PAVEMENT AND ADJACENT PROPERTY.

HYDROLOGY STATEMENT

ONSITE STORMWATER RUN-OFF WILL SURFACE FLOW TO A BIORETENTION AREAS AND INLETS THAT LEAD TO AN UNDERGROUND PIPE SYSTEM.



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REVISIONS:

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DRAWN BY:

rtm

PANDA PROJECT #: D36943
PANDA STORE #: -
ARCH PROJECT #: 24120



Heights Venture
ARCHITECTURE • DESIGN

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Lisle, Illinois 60532
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PANDA EXPRESS
PANDA HOME R4
32429 COOK RD

NORTH RIDGEVILLE, OH 44039

GRADING PLAN

C05.0



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REVISIONS:

[illegible]

ISSUE DATE:

	PLANNING	01-28-
	PLANNING	03-13-
	PLANNING	07-07-
	PLANNING	08-11-

DRAWN BY:

rtm

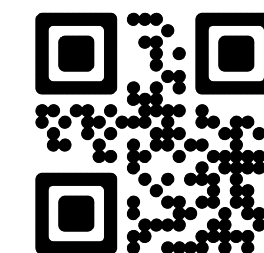
PANDA PROJECT #: D36943

PANDA STORE #:

ARCH PROJECT #: 24120



Heights Venture
ARCHITECTURE ♦ DESIGN



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5741 Legacy Drive, Suite 320
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Lisle, Illinois 60532
281 854 6100

PANDA EXPRESS

PANDA HOME R4

32429 COOK RD

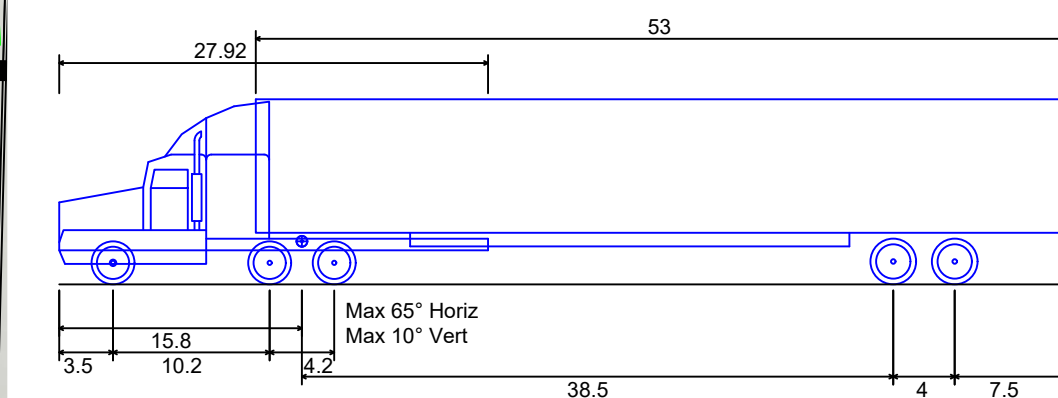
NORTH RIDGEVILLE, OH 44039

TRUCK TURNING
EXHIBIT

X01.0

PANDA HOME R4

Page 61 of 12



WB-55 - Interstate Semi-Trailer	
Overall Length	65.800ft
Overall Width	8.500ft
Overall Body Height	12.052ft
Min Body Ground Clearance	1.334ft
Max Track Width	8.500ft
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	45.000ft

FIRE TRUCK TURNS

GRAPHIC SCALE

30 0 15 30 60

(IN FEET)
1 inch = 30 ft.

N

WB-55 TURNS

GRAPHIC SCALE

30 0 15 30 60

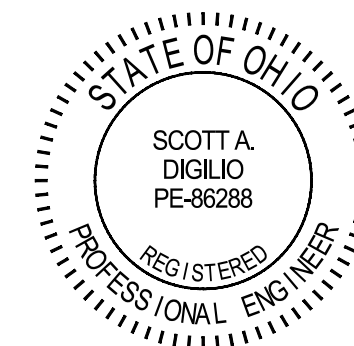
(IN FEET)

1 inch = 30 ft.

N

Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°

Ohio Utilities Protection Service
Call 811
before you dig



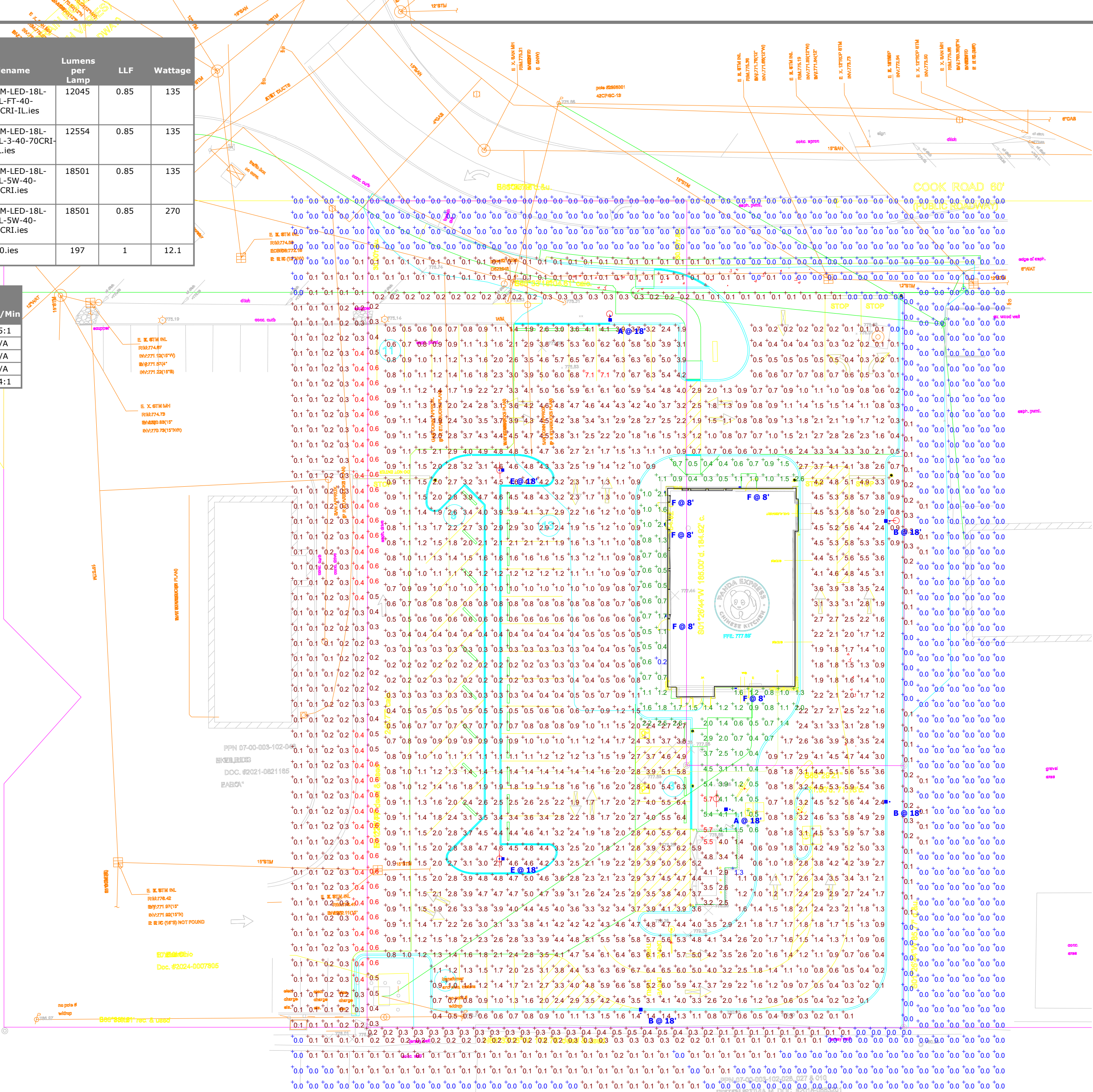
Schedule								
Symbol	Label	QTY	Catalog Number	Description	Filename	Lumens per Lamp	LLF	Wattage
	A	2	SLM-LED-18L-SIL-FT-40-70CRI-IL	CONTACT RYAN ZINSELMEIER-314-531-2600	SLM-LED-18L-SIL-FT-40-70CRI-IL.ies	12045	0.85	135
	B	3	SLM-LED-18L-SIL-3-40-70CRI-IL	CONTACT RYAN ZINSELMEIER-314-531-2600	SLM-LED-18L-SIL-3-40-70CRI-IL.ies	12554	0.85	135
	E	2	SLM-LED-18L-SIL-5W-40-70CRI		SLM-LED-18L-SIL-5W-40-70CRI.ies	18501	0.85	135
	C	0	SLM-LED-18L-SIL-5W-40-70CRI		SLM-LED-18L-SIL-5W-40-70CRI.ies	18501	0.85	270
	F	5	1649XX-LED	Wall Lantern	L90.ies	197	1	12.1

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
CALC SUMMARY- AROUND BUILDING	+	1.5 fc	5.7 fc	0.2 fc	28.5:1	7.5:1
CALC SUMMARY- OUTSIDE PROPERTY LINE	+	0.1 fc	0.4 fc	0.0 fc	N/A	N/A
CALC SUMMARY- PAVED SURFACE	+	2.3 fc	7.1 fc	0.0 fc	N/A	N/A
CALC SUMMARY- PROPERTY LINE	+	0.3 fc	0.6 fc	0.0 fc	N/A	N/A
TRASH ENCLOSURE	+	3.1 fc	5.5 fc	1.3 fc	4.2:1	2.4:1

Note

1. MOUNTING HEIGHT OF 18' (16'POLE), WALL MOUNTED-8'
2. CALCULATIONS TAKEN AT GROUND LEVEL
- 3.CONTACT VILLA LIGHTING- RYAN ZINSELMEIER- RYAN.ZINSELMEIER@VILLALIGHTING.COM- 314-531-2600
4. LAYOUT IS AN ESTIMATE

E. seamati Parcel
Doc. #2021-0825857



Plan View

Scale - 1" = 25ft



PANDA EXPRESS
NORTH RIDGEVILLE

Designer
R. ZINSELMEIER
Date
07/28/2025
Scale
NOTED
Drawing No.

Summary

1 of 1

RECEIVED 8.5.2025

Panda-Ridgeville | Drawings

From:phillip.meador@hva.cc
To: klieber@nridgeville.org
CC: twieber@nridgeville.org; maria.almazan@hva.cc

Kim,
At the links you will find our updated drawings based off the meeting we had. Comment from our Civil Team, we were able to show an update for the sidewalk as we had discussed, but they ran into a possible issue. Without running extensive calculations, the sidewalk placement near the parking causes modification to the storm system. They are unsure of the full extent of the change, only that it would be needed to place the sidewalk there. We do think that it could result in a guardrail being required due to the grade change. As a result, while we are showing this location, we are suggesting that the sidewalk be up near street because of the modifications that may be required.
I would like to mention, since it was a question during our meeting, the building has EIFS (with the insulation layer) above the Stone, but the Dumpster Enclosure uses only the Finish Coat layers to give it a stucco like finish. Both are the same colour.
We did update the Signage sheet to show the proposed modification to the multitenant sign at the street corner. We also located the Bike Rack.
Please let us know if this gives you everything you need, and if we are still on for the Sept 9th hearing date.

Phillip Meador
Project Architect
+1 (281) 854-6174

Heights Venture Architecture + Design
5741 Legacy Drive, Suite 320 Plano, TX 75024
Houston | Dallas | Chicago

Files: [Download All](#)

A203_Signage_D36943.pdf	Download	1.4 MB
L01.0 Landscape Plan_D36943.pdf	Download	1.0 MB
N RIDGEVILLE D36943 CIVIL PLANNING.pdf	Download	29.9 MB

Download links will expire on: 2025.09.18 16:18 CDT

sent via
www.tonicdm.com

PM

Phillip Meador

To:  Kim Lieber

Cc:  Julie Delaney

 Reply  Reply all  Forward   ...

Wed 8/6/2025 5:09 PM

Kim,

Received from Panda that in the area, their distributor has the truck deliveries between Midnight and 5AM. The following snip is from Google Maps for the Starbucks. While there is some traffic around 5, it does not really pick up till the 6-7 timeframe in the morning. There is the possibility that when the truck leaves, it could impact the Starbucks, but it is likely to be minimal. Panda gets delivers typically only one or two times a week, depending on demand. We will put the estimated delivery window on the Truck Turn Exhibit.

Popular times

Wednesdays ▼



LIVE Not too busy



Planning Review

July 24, 2025

Project: Panda Express
Location: 32429 Cook Road
PPNs: 07-00-003-102-104, 07-00-003-102-045, 07-00-003-102-046
District: B-3 Highway Commercial District

Project Summary:

This proposal consists of a new drive through restaurant. Drive through restaurants are permitted in the B-3 Highway Commercial District. Panda Express presented their project earlier in 2025 and was denied. This is a new submittal with changes addressing many of staff and Planning Commission's concerns, specifically regarding access and circulation.

The project site consists of three parcels on Cook Road zoned B-3, including the vacant lot to the east of Starbucks and two adjacent parcels to the east with an existing commercial building used for an auto repair business that will be demolished. The three parcels will be consolidated as part of the project. All surrounding property is similarly zoned B-3 District.

The 2,700 square foot building façade will be comprised of a combination of stone, composite cladding and EIFS. The proposed dumpster enclosure is shown constructed out of EIFS applied as a stucco product over masonry with steel gates. A double drive through is shown. Code requires stacking for at least 10 vehicles and must be designed to allow vehicles to exit the waiting lane. A stacking exhibit shows 15 vehicles fully within the drive through with room for more stacking on site. The applicant has provided an escape lane.

A detailed landscape plan is included in the submittal. Ornamental landscaping is included along the road frontage and along the drive through. Landscaping and bioretention are included in the parking lot island.

The lighting plan shows light levels slightly in excess of code requirements. Parking lot lights will be mounted at 18 feet. Fixture cut sheets were provided for the pole lights.

A conceptual sign package was included in the submittal. Insufficient information exists to conduct a thorough zoning review of proposed signage. It is typical to receive a detailed sign package during the permitting process.

Currently, access along this stretch of Cook Road is frequent and poorly defined, not in conformance with access management standards. With this project, the existing curb cut to Starbucks and the auto repair building will be removed. One combined curb cut on the east side of the property is proposed, as far away from the Lorain-Cook intersection as possible. The curb cut will be three lanes, allowing for

both right and left turns out of the property. Panda Express provides cross access to Starbucks and will share parking spaces and the drive aisle adjacent to the Starbucks drive through for circulation.

Code requires one parking space for every 100 square feet of area or one per three seats, whichever is greater. Based on square footage, 27 spaces are required and 40 spaces are provided. Sidewalks are required for any new commercial construction. A sidewalk has been provided along with a pedestrian route to the building entrance. Bike parking is required for this use.

Truck turns were provided. The exhibit shows a 40-foot fire vehicle can traverse the site. A semi-truck must traverse the site by entering against drive through traffic. The applicant should clarify how deliveries are expected to occur on the site.

As previously stated, the most significant change to the Panda Express proposal was the relocation and combination of curb cuts. The site will have one access point rather than two with an additional poorly defined cross access. It was agreed by staff that the deceleration lane suggested in the applicant's TIS was less desirable, but that the combined curb cut relocation would have more positive benefits both to onsite traffic circulation and limiting offsite traffic impacts. Previously, a bank of four parking spaces was shown between two curb cuts directly where the drive through would also outlet. This unsafe condition has been eliminated with this new site plan.

Recommendations:

- Planning Commission should make lot consolidation a condition of approval.
- Provide bike parking per 1285.03(c).

APPROVED
SEP 09 2025

Application for New Business or Change in Use



APPLICABILITY

Section 1243.02(b)(1) When Required. Regardless of whether or not a building permit is required for construction activities, any change of use, establishment of a new use or new business occupancy must be reviewed and issued a Certificate of Zoning Compliance.

Sections 246.16/248.04 Notification of Change in Business Owner. Whenever a business, commercial or industrial space or building changes occupants, that new occupant is required to inform both the Police and Building Departments of his or her new occupancy to enable more reliable emergency response and hazard inspection.

APPLICANT: Excluding signage, are you proposing any exterior changes to the building or property? Examples include building façade changes, parking lot reconfiguration, landscaping changes, lighting changes, etc. If so, **DO NOT** submit this form. Planning review is required for your project. Contact the Planning and Development Department for information about the development plan review process and submission requirements.

BUSINESS INFORMATION

Business name: White Rose Ballet Academy Business address: 16287 Lear Rd Unit 4
Business owner: Kaitlyn Culp Business owner email: whiteroseballetacademy@gmail.com
Business owner home address: 30413 Wolf Rd City, state, zip: Bay Village, OH 44140
Business owner phone number: 440-409-6815 Emergency phone number: 440-986-0851

PROPERTY OWNER INFORMATION

Property owner name: Liberty Parkway HRD LLC
Property owner address: 25255 Center Ridge Rd. City, state, zip: Westlake, OH 44145
Property owner phone: (440) 382-9777 Property owner email: commercial@cmpliving.com

USE INFORMATION

Previous use/occupant: Unknown Building/unit area (square feet): 1600 sq ft
Describe proposed use*: Ballet Studio

*Based upon the proposed use, the City may require the additional submission of a site plan showing lot configuration, building locations, provision of adequate parking and loading, driveways, etc. If a proposed use is determined to be a conditional use in a particular zoning district, development plan review and Planning Commission approval is required.

AUTHORIZATION AND ACKNOWLEDGEMENT

Applicant signature: [Signature] Property owner signature: [Signature]

Submit this application to the Building Division with the \$50 application fee.

I hereby authorize the City of North Ridgeville 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	DDF No.	Date Received	Amount Paid
	<u>PP2 2025-0372</u>	<u>8/5/2025</u>	<u>50.00</u>



To: Planning Commission

From: Kim Lieber, AICP, Director of Planning and Development

Re: Similar Use Determination Referral

Date: August 18, 2025

Code Reference:

1210.06 - Similar use determinations

(a) Since every potential use cannot be addressed in this Zoning Code, the Planning Commission shall have the authority to review those uses that are not specifically listed in a zoning district. Requests for similar use determinations shall be referred by the Planning and Development Director.

(b) The Planning Commission may determine either that a proposed use is substantially similar to another permitted use or a conditional use in a district based on the proposed use activities, character of the business, similarity to existing uses within the City and consistency with the district's purpose, or that a proposed use is not similar to other uses listed within the district. Any determination of the Planning Commission must be approved by Council.

(c) A similar use determination shall be considered an interpretation of the use regulations and not a use variance or zoning amendment. Once a use has been determined to be similar, it shall be submitted to the Clerk of Council to be codified and included in the list of uses for that zoning district.

Owner: Liberty Parkway HRD LLC

Addresses: 6287 Lear Nagle Road
33549 Liberty Parkway

Zoning: I-2 Light Industrial District

Background:

The current owner acquired two properties in the Liberty Industrial Park in early 2024. Exterior alterations to 6287 Lear Nagle were approved in May 2024, which included new siding, painting existing masonry, adding doors and filling in the loading dock. The owner also obtained permits in summer 2024 to add new interior walls in order to create more tenant spaces.

Since that time, leasing has occurred, and businesses have opened without tenants going through the city's required new business application process. The property owner and tenants were informed of this requirement in July 2025. It is also unclear to what extent tenant improvements have been made and whether improvements or uses are consistent with the building's certificate of occupancy.

The city has been working with the owner and tenants to address this situation. However, several new business applications have been received for uses that are not among those expressly permitted uses listed in the I-2 Light Industrial District.

Those businesses include:

- White Rose Ballet Academy – ballet studio
- Gym Skills – gymnastics facility

Code Review:

The I-2 Light Industrial District contains a long list of permitted uses, primarily manufacturing, wholesaling, storage and warehousing. Recreation, gym or related uses are not listed by right. The I-2 Light Industrial District does, however, allow any use permitted in an I-1 Industrial Park District.

Under the category of “Special Permitted Uses” in 1274.02(h), the following uses are listed:

- (1) Cafeterias or restaurants specifically designed and intended for use by those employees and management of uses permitted in this District, but not necessarily exclusively for their use.
- (2) Bowling alleys, auditoriums, meeting rooms or other buildings primarily intended for the mutual use of the permitted uses located within this District, for meetings, programs, displays, recreation and other such uses as the industrial users of this District may deem necessary.
- (3) Outdoor recreational facilities designed and intended for use by employees and management of those industries within this District. These facilities and associated uses shall comply with the requirements of this chapter with respect to front yard, side yard and rear yard clearances. These facilities, if lighted, must be shielded away from any thoroughfares and residential districts.
- (4) Day-care facilities, branch banks and other industrial facilities to meet the needs of industrial employees.

This section does allow for certain types of recreation uses, but they appear geared towards serving the employees of the district in an accessory capacity.

Prior Approvals:

Gyms and other fitness related uses are located within other industrial districts in North Ridgeville, which prompted me to research how these approvals were granted. I found that the BZBA issued a similar use determination for the gymnastics facility Ten Point O on Taylor Parkway in 2004. This property is zoned I-3 Heavy Industrial District. Approvals were more recently granted for Method Sports and Fitness on Victory Lane which included gymnasiums and sports facilities in the I-2 Industrial District.

Based on the prior similar use determinations made by the BZBA, the new business application for Gym Skills was approved. However, that leaves the ballet studio. Since a code change in 2022, Planning Commission is now responsible for making similar use determinations.

As Planning Commission may have noted, our zoning code lists *very specific* permitted uses (saddle factory, sail manufacturing, scaffolds, spraying supplies equipment yard, to name a few) in the I-2 District and other districts. Past similar use approvals have followed the same granular approach. Many of these distinctions, however, are minor variations that could reasonably be grouped under broader, common categories.

It is my opinion that a ballet studio is essentially a place for physical activity, instruction and recreation, just like sports training facilities, CrossFit gyms, yoga studios or gymnastics centers. While not specifically addressed by previous similar use determinations, a ballet studio fits into the same category.

Based on prior approvals and taking this broader approach, it is my recommendation that the Planning Commission affirm and approve the similar use of ***indoor fitness and training facility*** and that this use be added to the list of permitted uses within industrial districts in the codified ordinances. Amending the code to expressly list a use once it has been determined 'similar' ensures clarity and consistency, avoiding the need for future staff or applicants to dig through old meeting minutes or parse interpretations to confirm what is allowed.

I recommend a definition be established for this use, as follows:

"Indoor Fitness and Training Facility" means a building or portion thereof used primarily for participatory physical activity, fitness or instructional training, whether operated for profit or not-for-profit. Examples include, but are not limited to, dance studios, yoga studios, martial arts schools, gymnastics centers, fitness studios or indoor sports training facilities. This use is distinct from *Commercial Recreation, Indoor*, which refers to facilities intended primarily for entertainment, amusement or spectator-based activities.

DATE:	<u>July 21, 2025</u>	1 ST READING:	<u>July 21, 2025</u>
INTRODUCED BY:	<u>Councilman Abens</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-110

**AN ORDINANCE AMENDING SECTIONS 1268.02, 1270.02,
AND 1272.04 OF THE NORTH RIDGEVILLE ZONING
CODE TO UPDATE USE REGULATIONS FOR
AUTOMOBILE SERVICE STATION AND GASOLINE
STATION.**

WHEREAS, this Council has established regulations which govern various permitted and conditional uses in the B-3 Highway Commercial District, B-4 Commercial Parkway District, and B-5 Architectural Business District; and

WHEREAS, because certain uses and commercial activities more intensely affect the surrounding area in which they are located than other uses, from time to time it is important to review uses for proper classification as permitted uses, conditional uses or uses not permitted in various districts; and

WHEREAS, the Zoning Code currently defines “automobile service station” and “gasoline station” as synonymous uses under Section 1240.10; and

WHEREAS, the North Ridgeville Planning Commission carefully considered the proposed amendments at their meeting of _____, and, by formal motion, recommended that the ordinance be _____; and

WHEREAS, following the publication of newspaper notice in conformance with the provisions of Section 9.1 of the Charter and Section 1246.03(d) of the Zoning Code, a public hearing was held on the _____; and

WHEREAS, it is the desire of this Council to so amend these Codified Ordinances.

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

SECTION 1. That *Section 1268.02 Permitted and Conditional Uses* in the B-3 Highway Commercial District of the Zoning Code be amended as follows:

1268.02 PERMITTED AND CONDITIONAL USES.

(a) Permitted Uses. A building or premises may be used for the following purposes in a B-3 Highway Commercial District:

- (1) Animal hospital and clinic.
- (2) Antique shop.

(3) Appliance store (major appliances, e.g. T.V., washing machine, and radio sales).

~~(4) Automobile service station~~

~~(4) (5)~~ Automobile repair and accessory sales.

~~(5) (6)~~ Boat and marine sales.

~~(6) (7)~~ Camping trailer sales and service.

~~(7) (8)~~ Cemetery (minimum of ten acres); mortuary; crematory.

~~(8) (9)~~ Church and professional building.

~~(9) (10)~~ Clinic and professional building.

~~(10) (11)~~ Drive-in bank.

~~(11) (12)~~ Drive-in ice cream and soda sales.

~~(12) (13)~~ Drive-in restaurant.

~~(13) (14)~~ Drive-in theater.

~~(14) (15)~~ Farm, fruit and produce stand (adequate off-street parking shall be provided to take care of all customers).

~~(15) (16)~~ Florist shop and retail sales.

~~(16) (17)~~ Food locker.

~~(17) (18)~~ Funeral home.

~~(18) (19)~~ Furniture store.

~~(19) (20)~~ Garden and nursery center.

~~(20) (21)~~ Gift and novelty shop.

~~(21) (22)~~ Greenhouse.

~~(22) (23)~~ Grocery and meat market.

~~(23) (24)~~ Heating and plumbing materials (sales, yard).

~~(24) (25)~~ Heavy equipment sales.

~~(25) (26)~~ Laboratory (medical or dental).

~~(26) (27)~~ Lumber yard; builders materials and supplies.

~~(27) (28)~~ Monument sales.

~~(28) (29)~~ Motel and hotel.

~~(29) (30)~~ Office building.

~~(30) (31)~~ Parking lot (subject to the provisions of Chapter 1284).

~~(31) (32)~~ Pet store.

~~(32) (33)~~ Customary accessory uses.

~~(33) (34)~~ Any permitted use in a B-2 Central Business District.

(b) Conditional Uses. The following uses shall be deemed to be conditional uses in this district.

(1) Bars and taverns.

(2) Bowling alleys, provided that the building used for such purposes shall be not less than 100 feet from any residential district.

(3) Swimming clubs and other commercial recreation and amusements.

(5) Kennels.

(6) Car washes, provided that there shall be a separation distance of one (1) mile between car wash businesses where the car wash is the primary use. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where a car wash is an accessory use.

(7) Automobile service station, provided that there shall be a separation distance of one (1) mile between automobile service station businesses where the automobile service station is the primary use on the lot. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where an automobile service station is an accessory use.

- (c) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:
- (1) Self-storage facilities.

SECTION 2. That *Section 1270.02 Permitted and Conditional Uses* in the B-4 Commercial Parkway District of the Zoning Code be amended as follows:

1270.02 PERMITTED AND CONDITIONAL USES.

- (a) A building or premises may be used for the following purposes in a B-4 Commercial Parkway District:
- (1) Automotive center (sales and service).
 - (2) Automobile service stations. **Provided that there shall be a separation distance of one (1) mile between automobile service stations businesses where the automobile service stations is the primary use. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where an automobile service station is an accessory use.**
 - (3) Automobile repairs (minor and major).
 - (4) Clinics and professional office buildings.
 - (5) Convention halls, auditoriums, and assembly halls.
 - (6) Gifts and novelties sale.
 - (7) Hotels.
 - (8) Laboratories (medical and dental).
 - (9) Motels.
 - (10) Night clubs, including the sale of alcoholic beverages.
 - (11) Restaurants, including drive-ins.
 - (12) Cabins and campground rentals.
 - (13) Other similar uses which serve the long-distance motoring public.
- (b) The following uses shall be deemed to be conditional uses in this district.
- (1) Boat and marine sales; construction equipment (sales and service).
 - (2) Camping trailers and mobile homes (sales only).
 - (3) Car washes, provided that there shall be a separation distance of one (1) mile between car wash businesses where the car wash is the primary use. Separation distances shall be measured by a straight line connecting the closest distance between the lots. The separation requirement shall have no application where a car wash is an accessory use.
 - (4) Farm implements (sales and service).
 - (5) Heavy equipment sales.
 - (6) Truck service.
 - (7) Truck terminals.
- (c) Single-family residential uses shall be specifically prohibited in the B-4 District, except for the dwellings of resident watchman and hotel and motel operators whose work requires their continual presence on the premises.
- (d) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:
- (1) Self-storage facilities.

SECTION 3. That *Section 1272.04 Permitted and Conditional Uses* in the B-5 Architectural Business District of the Zoning Code be amended as follows:

1272.04 PERMITTED AND CONDITIONAL USES.

(a) A building or premises may be used for the following purposes in a B-5 Architectural Business District:

- (1) Ambulance service.
- (2) Antique store.
- (3) Apparel and accessories store.
- (4) Appliances (household).
- (5) Art gallery.
- (6) Automobile accessory store, sales, and service.
- (7) Bakery.
- (8) Banks (see also loan and finance offices).
- (9) Barber shop.
- (10) Barber and beauty shop supply store.
- (11) Beauty shop.
- (12) Bed and breakfast inns.
- (13) Blueprinting.
- (14) Bicycle shop.
- (15) Book store.
- (16) Business equipment and supply.
- (17) Business or trade school.
- (18) Camera and photographic equipment supply store.
- (19) Child care center.
- (20) Churches and temples.
- (21) Candy, nut, and confectionary store.
- (22) Clinic (dental or medical).
- (23) Dairy bar.
- (24) Dairy products store (bottling operations excluded).
- (25) Dance studio.
- (26) Delicatessen.
- (27) Department store.
- (28) Discount center and store.
- (29) Drug store.
- (30) Dry cleaning (custom and self-service).
- (31) Dry goods store.
- (32) Eating place, grill.
- (33) Egg and poultry store.
- (34) Floor covering.
- (35) Florist; gift shop.
- (36) Funeral home and cemetery.
- (37) Furniture; household furnishings.
- (38) Garden and lawn supplies store.
- (39) Grocery store and meat market (supermarket).
- (40) Hardware and sporting goods.
- (41) Hobby shop.
- (42) Motel.
- (43) Health salon.

- (44) Rest home.
- (45) Jewelry store.
- (46) Laboratory (dental and medical).
- (47) Laundry (custom and self-service).
- (48) Lighting fixture sales.
- (49) Liquor store (sale by package only).
- (50) Libraries.
- (51) Loan and finance offices (see also banks).
- (52) Locksmith.
- (53) Luggage store.
- (54) License bureau.
- (55) Museum.
- (56) Music store; pianos, radio, and television.
- (57) Newspaper publishing sales and service.
- (58) Novelty shop.
- (59) Office (any office in which chattels or goods, wares, or merchandise are not commercially created, exchanged, or sold).
- (60) Office supply store.
- (61) Night club.
- (62) Optician and optometrist shops.
- (63) Paint and wallpaper store; art supplies.
- (64) Parking lot, either publicly or privately owned and operated.
- (65) Post office.
- (66) Plumbing and heating shop and supplies (enclosed storage only).
- (67) Professional services.
- (68) Pressing, altering, and repair of wearing apparel.
- (69) Printing and publishing, including processes related thereto.
- (70) Private clubs and lodges; YMCA; commercial recreation; fraternal societies.
- (71) Public utility offices and salesrooms.
- (72) Repair, rental, and servicing of any product, the sale of which is permitted in this District.
- (73) Restaurant.
- (74) Resale shop; used clothing and furniture.
- (75) Shoe store (sales and repair).
- (76) Sign painting shop.
- (77) Surgical supplies store.
- (78) Surplus store.
- (79) Telephone exchange and office.
- (80) Theater and theatrical studio.
- (81) Toy store.
- (82) Travel agency.
- (83) Variety and notions store.
- (84) Wall and floor coverings store.
- (85) Cemetery.
- (86) Drive-in bank.
- (87) Drive-in ice cream.
- (88) Drive-in restaurant.
- (89) Farm, fruit, and produce stand.
- (90) Gift and novelty shop.
- (91) Office building.

- (92) Pet store, pet cemetery with flat markers only.
- (93) Customary accessory uses.
- (94) Assisted living for the elderly.
- (95) Planned unit development.
- (96) Animal clinic or animal hospital.

- (b) The following uses shall be deemed to be conditional uses in this district.
 - (1) Bowling alleys shall be deleted, except as part of a larger planned unit commercial development (PUD), with buffer strip.
 - (2) Swimming clubs and other commercial recreation and amusements, with buffer strip.
 - ~~(3) Automobile service station, with buffer strip.~~
 - ~~(4) RESERVED~~
- (c) Residences can co-exist at the same location when living quarters are maintained with a minimum of 1,040 square feet.
- (d) Existing structures converted to a business shall be grandfathered with regard to setback, side yard, and rear yard requirements, but must have "Theme Design" on three prominent sides of the building to respect the architectural theme of the District.
- (e) Similar uses as determined in accordance with Chapter 1210, except for the following uses which are expressly prohibited:
 - (1) Self-storage facilities.

SECTION 4. That, in all other respects, the North Ridgeville Zoning Code, as amended from time to time, shall remain in full force and effect.

SECTION 5. That 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 §121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

Councilman Bruce Abens, Ward 3 and Chair
Councilman Clifford Winkel, Ward 4
Councilwoman Holly Swenk, Ward 1



COMMITTEE REPORT
BUILDING & LANDS COMMITTEE MEETING
DATE: August 18, 2025

FIRST REVIEW: August 18, 2025

COMMITTEE ACTION: 3-0

2025-110 An Ordinance amending Sections 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service stations and gasoline stations.
(Introduced by Mayor Corcoran; First Reading on 07-21-2025)

The Committee reviewed and considered 2025-110. They decided to return it to City Council for further consideration after the Planning Commission reviewed 2025-110 to provide a recommendation to City Council.

(Clerk Notes: 2025-110 was referred to the Building & Lands Committee and the Planning Commission on July 21, 2025, for further discussion and consideration. According to the City Council bylaws, a report must be prepared after a committee meeting if any actions were taken during that meeting. As a result, Ordinance Number 2025-110, not the committee report, will be reintroduced under Second Readings on September 15, 2025, for review and consideration, including actions from the August 18, 2025 Building and Lands Committee Meeting and the September 9, 2025 Planning Commission Meeting.)

Signed: 08/25/2025

Members of the Committee:

Member: Holly Swenk Member: Holly Swenk

Member: Clifford Winkel Member: Clifford Winkel

Chairman: Bruce Abens Chairman: Bruce F. Abens

**NORTH RIDGEVILLE CITY COUNCIL
BUILDING AND LANDS COMMITTEE MEETING MINUTES
CITY COUNCIL CHAMBERS – 6:15 P.M.
MONDAY, AUGUST 18, 2025**

To Order and Pledge of Allegiance:

Chairman Bruce Abens called the Building and Lands Committee meeting to order at 6:15 p.m. and led the Pledge of Allegiance.

Roll Call:

Members present: Chairman Bruce Abens, Councilman Clifford Winkel, and Councilwoman Holly Swenk.

Others Present: Councilman Jason Jacobs, Councilman Eric Shaffer, Councilwoman Georgia Awig, Councilman Martin DeVries, Planning and Development Director Kim Lieber, Law Director Brian Moriarity, and Deputy Clerk of Council Tina Wieber.

Action on Minutes:

Chairman Abens asked if there were any corrections to the minutes dated August 19, 2024. No discussion was offered. The minutes stand approved as submitted.

{Clerk notes: The Chair began with the second item of new business.}

Discussion regarding 2025-115:

2025-115 An Ordinance amending Chapter 628 Fair Housing of the North Ridgeville General Offenses Code.
(Introduced by Mayor Corcoran; First Reading on 08-04-2025)

Chair Abens asked the Planning and Development Director Kim Lieber to explain Ordinance Number 2025-115.

Director Lieber explained that a question was raised through the Council's office regarding the City's Fair Housing Board. Upon reviewing the City's Fair Housing Ordinance, it was noted that the Ordinance had originally been established in 1989 and had seen little change since. This prompted a more in-depth review, as is often the case with older legislation. Director Lieber added that the goal became not only to address the Fair Housing Board but also to ensure the Ordinance was current and aligned with both federal and state law. Maintaining a local fair housing Ordinance demonstrated the City's commitment to protecting residents' rights. It also helped the City qualify for federal funding, such as Community Development Block Grants or other HUD-funded programs.

Director Lieber noted that federal law prohibits discrimination based on race, color, religion, sex, national origin, familial status, and disability, while Ohio law also includes ancestry and military status. The City's existing Ordinance did not fully reflect these protected classes and was outdated. The updated Ordinance was designed to reflect recognized federal and state protected classes, without adding any others. The proposal is to eliminate the Fair Housing Board, which was previously staffed through the Treasurer's Office, because there was no clear understanding of its roles and duties. The Board's intended function was not related to home rehabilitation or

physical improvements, but rather to ensure access to selling, purchasing, or renting housing and to ensure that landlords met their federal obligations.

Director Lieber mentioned that neither the Board nor City officials have the expertise needed to investigate and enforce fair housing laws. The proposed Ordinance aims to promote partnerships with nonprofit organizations or other government agencies. These agencies are better equipped to handle enforcement and education, demonstrating the City's commitment. The City reached out to Lorain County, which manages fair housing through its Community Development Department, and received positive feedback about forming a memorandum of understanding or agreement to provide fair housing services for North Ridgeville. Lorain County already receives calls from across the county, including North Ridgeville. Director Lieber reiterated that the Ordinance aligns with federal and state laws, ensuring equitable housing access for all residents, reducing legal liability for the City, and creating a partnership with Lorain County for fair housing services.

Chair Abens inquired whether the Law Director had any comments.

Law Director Moriarty stated that he reviewed the proposed legislation, and it complies with current state law.

Chair Abens inquired whether any members of City Council had questions or comments.

Councilman Winkel asked if the Fair Housing Board would be dissolved under the proposed Ordinance. He understood it would no longer be in effect, noting it had not met in years and had no active members.

Councilman Winkel raised a question regarding the scope of fair housing ordinances in other jurisdictions, specifically whether they addressed housing conditions such as unsafe living environments caused by landlords. He acknowledged that such matters would normally be under the Building Department's jurisdiction.

Director Lieber clarified that, with the elimination of the Fair Housing Board, any issues not related to discrimination—such as housing conditions—would be directed to the Building Department. She added that the Department's goal is to implement a rental registration program to maintain the integrity of the neighborhoods.

Chair Abens asked if the fair housing Ordinance affects HOAs that have rules against renting properties within their HOA.

Director Lieber responded that the Ordinance does not regulate HOAs. This defines the obligations of landlords when they rent, but it doesn't require rental or prohibit rental in any way.

No further comments from the Administration or the Committee.

Moved by Winkel and seconded by Swenk to send Ordinance Number 2025-115 back to City Council for consideration as submitted.

A voice vote was taken, and the motion carried.

Yes – 3

No – 0

Discussion regarding 2025-110:

2025-110 An Ordinance amending Sections 1268.02, 1270.02, and 1272.04 of the North Ridgeville Zoning Code to update use regulations for automobile service stations and gasoline stations.

(Introduced by Councilman Abens; First Reading on 07-21-2025)

Chair Abens explained his reasoning for supporting legislation to limit the number of gas stations in North Ridgeville. The following highlights his reasoning.

- While traveling throughout the city, there are a large number of existing gas stations, as well as several vacant lots and corners that could potentially accommodate more gas stations.
- Some gas stations have closed, leaving behind environmental and redevelopment challenges due to the need for soil reclamation and tank removal.
- Once a property becomes a gas station, it is difficult to repurpose if the business fails or closes.
- Although the State mandates removing underground tanks upon closure, bankruptcies often prevent proper removal, leaving the City liable. Examples include the former BP station at Center Ridge Road and State Route 83, and the Marathon station near Cook Road and Lorain Road, which remained vacant for years due to improperly removed tanks.
- The number of gas stations has a similar issue to the car washes in North Ridgeville, which have also been limited by prior legislation.
- The proposed Ordinance would not apply to gas stations that are part of a larger development project, such as Giant Eagle or Meijer.
- The legislation is a “win-win” for the city, highlighting the need for long-term planning and drawing lessons from past zoning decisions that heavily favored residential development.
- The City could limit the number of gas stations to prevent ending up with many abandoned, unusable stations until environmental cleanup is finished.

Chair Abens inquired whether the Administration had any comments.

Mayor Corcoran understood the reasoning for the legislation. He noted that the City is currently going through a zoning code change. He wants to avoid introducing legislation that would prevent a particular business from entering the city. Mayor Corcoran cautioned against trying to enforce the legislation.

Director Lieber provided the following positives and negatives of the legislation.

Positive Impacts of Ordinance:

- The Ordinance would reduce the number of gas and service stations, helping to prevent oversaturation.
- It aligned with community preferences to limit auto-oriented uses that contribute to traffic and congestion.
- Reclassifying gas stations as conditional uses would give the City, staff, and Planning Commission greater control over design, buffering, traffic flow, and lighting. Conditional use status allowed for more thorough review compared to permitted uses by right.
- The Ordinance would help preserve the character and aesthetics of commercial corridors by preventing gas stations from dominating key commercial areas.

- Limiting gas stations could gradually phase out underperforming stations.
- The Ordinance would be consistent with the City's car wash policy, the one-mile spacing requirement.

Negative Impacts and Considerations:

- Existing gas stations within one mile of another would become non-conforming under the new Ordinance. If a non-conforming station remained vacant for over a year, it could not reopen as a gas station.
- Vacant stations posed a risk of blight due to high cleanup and redevelopment costs.
- Non-conforming gas stations seeking to reopen or change ownership would need to appeal to the Board of Zoning and Building Appeals (BZBA), placing BZBA in a difficult position.
- Ordinance could impact redevelopment, especially if lenders were hesitant to finance properties that could not be rebuilt after damage.
- Lenders often requested zoning letters to confirm rebuild eligibility, and the Ordinance could complicate this for commercial properties.
- The City's non-conforming Ordinance limits expansion or continuation of non-conforming uses, which should be reviewed for compatibility.

Director Lieber encouraged thoughtful planning aligned with the City's ongoing zoning code update. She believed the Planning Commission should discuss the issue. She suggested quantifying the impact by mapping affected gas stations to understand better which properties would be affected. The zoning districts impacted by the Ordinance include B-3 and B-4, which would become conditional; B-5, which would eliminate gas stations; and B-2, which already lists gas stations as conditional, but without spacing requirements specified in the Ordinance. Further discussion is needed on how properties in B-2 would be affected and if it was overlooked.

Chair Abens inquired whether the Law Director had any comments.

Law Director Moriarty stated that he had no comments.

Chair Abens inquired whether the Committee had any comments.

Councilman Winkel suggested that, rather than immediately changing legislation, Council could consider implementing a temporary moratorium on new gas stations. This would allow time to complete the ongoing zoning code update and assess whether permanent changes were necessary.

Director Lieber noted that moratoriums typically last six months.

Law Director Moriarty confirmed that a moratorium can be renewed if needed, but extending beyond a year might present legal challenges.

Councilwoman Swenk asked whether the non-conforming status applied to car washes, referencing the corner of Lorain Road and Lear Nagle Road, where four car washes were located.

Director Lieber confirmed that similar non-conforming rules would apply.

Councilwoman Swenk remarked that the BP gas station at Center Ridge Road and State Route 83 had closed due to road widening, which had removed the gas pumps.

Mayor Corcoran explained that the BP gas station at Center Ridge Road and State Route 83 shut down voluntarily, and the soil is still contaminated. The City is exploring options to purchase that property.

Chair Abens explained that gas stations typically have a lifespan of about 30 years, after which they must be rebuilt or closed. Given economic shifts and changes in motor transportation, closures could happen sooner, potentially leaving the City with multiple vacant gas stations. The difficulty and expense of reclaiming contaminated land show the need for foresight from the City in limiting gas station development. The intent was not to limit other types of businesses, which should be evaluated on their own merits, but to address the development challenges posed by gas stations. He noted that gas stations were often the easiest development option for vacant lots along major corridors, such as Center Ridge Road, Lorain Road, and State Route 83.

Councilman Winkel agreed with the suggestion to involve the Planning Commission in reviewing the legislation.

There was consensus from the Committee that the direction was to send the Ordinance back to Council only after the Planning Commission had the opportunity to review and provide recommendations to City Council.

Mayor Corcoran mentioned that the Planning Commission might suggest various amendments, which could complicate the legislative process.

Director Lieber noted that the City's amendment ordinance process requires proposed changes to first be presented to the Planning Commission, followed by a public hearing, before the Council can vote. These steps provided opportunities for both the Planning Commission and the public to offer input and recommendations. This would allow the Planning Commission to review the Ordinance and suggest edits before the Council takes any action.

Councilwoman Swenk wanted to know the timeline for the zoning code update.

Director Lieber stated that the goal was to complete the drafting of the zoning code by the end of the year, with adoption efforts to begin in the first quarter of the following year. Preliminary drafts of district definitions and use standards had already been developed, and dimensional standards were in progress. She agreed to share early drafts with the Planning Commission to ensure alignment with the proposed Ordinance. She noted that conditional use designations were being considered for auto-oriented businesses due to their potential impact on surrounding properties. Director Lieber stressed the importance of understanding how the Ordinance might affect existing businesses, not just future development, and recommended gathering more data that impacts before taking action.

Chair Abens proposed a motion to send the Ordinance back to City Council for further consideration, following a review by the Planning Commission and a public hearing.

Mayor Corcoran clarified that the Ordinance was already under review by the Planning Commission, and depending on their feedback, amendments might be necessary.

{Clerk notes: Chair Abens's motion to send the Ordinance back to City Council for further consideration, following a review by the Planning Commission and a public hearing, was not a formal motion because there was not a Second; however, Chair Abens withdrew the motion unilaterally.}

Moved by Winkel and seconded by Swenk to send Ordinance Number 2025-110 back to City Council for consideration as submitted.

A voice vote was taken, and the motion carried.

Yes – 3

No – 0

Adjournment:

The meeting was adjourned at 6:28 p.m.

Date Approved:

Fijabi Gallam, MMC
Assistant Clerk of Council

**CITY OF NORTH RIDGEVILLE
PLANNING COMMISSION**

☒	Approval Granted	☐	Request Rejected
☒	Refer For Council Approval:		
☒	BZBA Approval Required:		
☒	Other Conditions: <i>ASK Council for extension to review</i>		
DATE: <i>9.9.25</i>		BY: <i>[Signature]</i>	

DATE:	<u>September 15, 2025</u>	1 ST READING:	<u>September 15, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
	<u></u>	ADOPTED:	<u></u>
		EMERGENCY:	<u></u>

ORDINANCE NO. 2025-127

**AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 1446
REGISTRATION OF CONTRACTORS IN THE BUILDING AND HOUSING CODE.**

WHEREAS, the City of North Ridgeville is committed to protecting the health, safety and welfare of its residents by ensuring that construction and related work is performed by qualified, accountable and properly registered contractors; and

WHEREAS, updating the contractor registration ordinance provides an opportunity to clarify requirements, simplify the fee structure and allow for registrations on a rolling basis to better serve contractors and improve staff workflow; and

WHEREAS, contractors performing work in state-licensed trades must maintain a valid and current license as required by Ohio law, and the City’s ordinance should reflect this obligation; and

WHEREAS, it is necessary to strengthen the procedures for suspension and revocation of contractor registrations, and to enhance the penalties available for noncompliance, in order to protect public safety and ensure accountability; and

WHEREAS, this amendment maintains the longstanding exemption allowing homeowners to perform work on their own residences, provided such work is conducted in accordance with permit and inspection requirements; and

WHEREAS, it is the desire of this Council to amend these Codified Ordinances.

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

SECTION 1. Chapter 1446 *Registration of Contractors*, which presently reads as set forth in the document attached to this Ordinance as **Exhibit A** shall be amended, and as such, shall read in its entirety as set forth in the document attached to this Ordinance as **Exhibit B**.

SECTION 2. All other ordinances or parts of ordinances or resolutions that are inconsistent or in conflict with the newly amended and adopted chapter are likewise repealed to the extent of such inconsistency or conflict only.

SECTION 3. 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 §121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law..

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

CHAPTER 1446. REGISTRATION OF CONTRACTORS

1446.01 Trade and tradesman defined

For the purposes of this chapter:

- (a) "Trade" means the performance of work requiring special skill, including, but not limited to, the activities in paragraphs (b)(1) to (10) hereof.
- (b) "Tradesman" means a person, firm, corporation, partnership, or any combination thereof, whose operations, as such, involve the performance of work requiring special skill or the use of specialized building trades or crafts, and shall include, but not be limited to, the following:
 - (1) Masonry, which shall include, but not be limited to, brick laying, block laying and concrete and cement work.
 - (2) Carpentry, which shall include, but not be limited to, woodworking, siding, roofing and window installation.
 - (3) Plumbing, electrical, heating, tinning and air-conditioning work.
 - (4) Decorating, which shall include, but not be limited to, paper hanging, interior painting and exterior painting.
 - (5) Floor covering, which shall include, but not be limited to, tiling, carpeting and floor finishing.
 - (6) Wall covering, which shall include plastering, dry wall, taping and lath work.
 - (7) Excavating, which shall include, but not be limited to, sanitary sewer work, storm sewer work and general excavating.
 - (8) Iron work, which shall include, but not be limited to, structural and ornamental iron work.
 - (9) Sign erecting, which shall include painting and erection of signs.
 - (10) Glazing.

(Ord. 5157-2014, 7-21-14)

1446.02 Registration required; classification of contractors

Any person, firm, corporation, partnership, or combination thereof, engaged as a contractor, as classified as follows, shall be required to register with the City and shall be subject to the provisions of this chapter:

- (a) Contractor A. Contractor A shall be any tradesman who or which engages in construction or improvements within the City and who employs persons, firms, corporations, partnerships, or any combination thereof, in more than one trade, whether acting for themselves or others, and whether the trades are employed by or under subcontract with the tradesman. In the event that a trade is under subcontract, no work shall be commenced by that tradesman unless the tradesman has first been registered by the City.
- (b) Contractor B. Contractor B shall be any tradesman who or which engages in construction or improvements within the City in one trade category, whether acting for himself, herself or others, and whether such trade is being performed by himself or herself, his or her employees or under subcontract. In the event that the one trade category is under subcontract, no work shall be performed by the tradesman unless the tradesman is first registered by the City.

- (c) Contractor C. Contractor C shall be any tradesman who engages in construction or improvements within the City, whether acting for himself, herself or others, who or which engages in repairs, alterations, reconstruction, appliance installation, work other than new construction, or replacement.

(Ord. 5157-2014, 7-21-14)

1446.03 Registration applications; qualifications of applicants; expiration and renewal of registration; bonds; insurance

- (a) Application for registration shall be made to the Chief Building Official on forms provided therefor.
- (b) The applicant shall have a minimum of two years of practical experience, and an affidavit to this effect shall be provided. In lieu of the experience required, the applicant may qualify with two years of technical training in an accredited school.
- (c) The applicant shall provide any and all references as may be requested on the application form in the manner provided.
- (d) All registrations shall expire on December 31 of the year in which they are in force. Renewal of registration may be commenced thirty days prior to the expiration date. For renewal of registration, the final date will be January 31 within the year that the registration is to be renewed. Failure to renew such registration within the period prescribed shall require payment of double the registration fee.
- (e) Every applicant for registration shall, upon the approval of his or her application, furnish and file with the Chief Building Official a bond in the penal sum of twenty-five thousand dollars (\$25,000), such bond to be approved as to form by the Director of Law and as to the sufficiency of sureties by the Mayor or his or her assignee, guaranteeing full and faithful compliance by the applicant with all the provisions and regulations of applicable building codes of the City and the State.
- (f) Every applicant for registration shall, upon the approval of his or her application, furnish and file with the Chief Building Official proof of liability insurance in a minimum sum of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) aggregate or the equivalent. Such insurance shall be approved as to form and as to the company by the Director of Law, and as to sufficiency by the Mayor.
- (g) Any company issuing a policy of insurance pursuant to the requirements stated in subsection (f) above shall provide no less than 30 days notice of cancellation to the Mayor in the event the policy, certificate, or equivalent liability coverage is cancelled.

(Ord. 5157-2014, 7-21-14)

1446.04 Fees for registration

Upon approval of the application for registration and before a certificate is issued, the following fees shall apply:

(a)	Contractor A		
	(1)	Initial Fee	\$250.00
	(2)	Renewal Fee	\$125.00
(b)	Contractor B		
	(1)	Initial Fee	\$100.00
	(2)	Renewal Fee	\$50.00
(c)	Contractor C		
	(1)	Initial Fee	\$100.00
	(2)	Renewal Fee	\$50.00

(Ord. 5157-2014, 7-21-14)

1446.05 Revocation of registration

Registration may be revoked or suspended by the Chief Building Official for the following reasons:

- (a) Violation of the provisions of this chapter or any other provision of this Building and Housing Code;
- (b) Misrepresentation of material facts in order to become registered, or in the renewal of registration;
- (c) Failure to secure permits, inspections and approvals required by this Building and Housing Code and regulations of the Building Department;
- (d) Use of registration to obtain a permit for another;
- (e) Failure or refusal to correct a violation of this Building and Housing Code within a prescribed period of time or to correct incompetent work as ordered by the Chief Building Official;
- (f) Unethical business practices, conviction involving moral character or when revocation is deemed necessary in the public interest;
- (g) For any valid reason adversely affecting the health, safety and welfare of the citizens of the City.

(Ord. 5157-2014, 7-21-14)

1446.06 Written notice of revocation; hearings; appeals

- (a) The Chief Building Official shall notify, in writing, persons affected by a revocation of registration, and a hearing shall be held by the Chief Building Official on the same.
- (b) After a proper hearing, the Chief Building Official may revoke or suspend registration for a period of not more than twelve months.
- (c) Upon a subsequent offense, and subject to a proper hearing, the Chief Building Official may revoke or suspend a registration for a period of up to five years.
- (d) Persons, firms or corporations aggrieved by the decision of the Chief Building Official may appeal, within five days, to the Board of Zoning and Building Appeals.
- (e) A hearing shall be held by the Board of Zoning and Building Appeals, and the Chief Building Official's decision shall be either affirmed or rejected. If the decision is affirmed, additional penalties may be prescribed by the Board.

(Ord. 5157-2014, 7-21-14; Ord. 5748-2020, 5-18-20)

1446.07 Exemptions from registration

- (a) Homeowners; Compliance With Building and Housing Code Required; Inspection of Work. No provision of this chapter shall be interpreted to require that a bona fide owner of a one, two or three-family dwelling, who personally performs work upon the premises, shall be registered. However, such homeowners shall be required to obtain necessary permits and perform work in accordance with this Building and Housing Code. Such work shall be inspected.
- (b) Governmental Agencies; Public Utilities. Registration requirements shall not apply to Federal, State, County or municipal governmental agencies or public utilities furnishing services to the City under a municipal-utilities franchise agreement, or to industrial, commercial or institutional organizations, wherein a

maintenance department, doing work under the provisions of this Building and Housing Code, is provided, except that should work covered by this Building and Housing Code be contracted to outside concerns, then such contractors shall be registered in the City, as provided in this chapter.

(Ord. 5157-2014, 7-21-14)

1446.99 Penalty

Whoever violates any of the provisions of this chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 5157-2014, 7-21-14)

CHAPTER 1446. REGISTRATION OF CONTRACTORS

1446.01 Contractor defined

"Contractor" as used in this Chapter, means any individual, firm, co-partnership, corporation, association or other organization, or any combination of any thereof, who or which by himself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs, remodels or performs any service on any buildings, structure or appurtenance thereto, or who or which undertakes or offers to undertake, or purports to have the capacity to undertake, or submits a bid so to do. The term "contractor" includes subcontractor and specialty contractor, whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

1446.02 Registration required

- (a) No person, firm or corporation shall perform any work or service in the City in the capacity of a contractor, as herein defined, without first obtaining a certificate of registration from the Chief Building Official.
- (b) Contractors performing electrical, plumbing, HVAC, hydronics, or refrigeration work, or any other trade for which a license is required under Ohio Revised Code Chapter 4740, shall maintain a valid and unexpired Ohio Construction Industry Licensing Board (OCILB) license in the trade for which registration is sought. Only contractors holding such licenses, or business entities employing such licensees, are eligible to obtain permits for work in the corresponding trade. This requirement applies to all work governed by the Ohio Building Code and the Residential Code of Ohio, except as expressly exempted under Section 1446.06 (Homeowner Exemption).

1446.03 Application procedure

- (a) Application. Application for a registration certificate shall set forth the name of the applicant, his place of business, his experience in the work for which a certificate is applied and such other information as the Chief Building Official may require. Evidence that the applicant is currently licensed by the State of Ohio shall be sufficient evidence of qualification.
- (b) Additional Requirements. Applications for registration certificates shall be accompanied by the following additional documentation.
 - (1) All contractors shall submit a bond in the penal sum of twenty-five thousand dollars (\$25,000), to be approved as to form by the Director of Law, guaranteeing compliance by the applicant with all the provisions and regulations of applicable building codes of the City and the State, binding the surety to correct or abate any violation of OBC, RCO or this Building and Housing Code or of pertinent rules and regulations promulgated under them whenever the applicant for registration, named as the principal on the bond, refuses, neglects or fails to correct or abate the violation within a reasonable time limit set by the Chief Building Official.
 - (2) All contractors shall submit a certificate of liability insurance in a minimum sum of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) aggregate or the equivalent and naming the City of North Ridgeville as the certificate holder.
 - (3) All contractors with employees shall submit a valid Ohio Bureau of Workers' Compensation Certificate of Coverage.

1446.04 Fees, issuance

- (a) Fees. Upon approval of the application for registration and before a certificate is issued, the following fees shall apply:

- (1) For initial registration, the fee shall be \$150.00.
- (2) For registration renewal, the fee shall be \$75.00.
- (b) Issuance. The registration certificate shall be valid for one (1) year from the date of issuance. Contractors may renew their registration at the renewal fee rate up to 30 days after registration expiration.

1446.05 Revocation of registration

- (a) Revocation or Suspension. A certificate of registration may be revoked or suspended by the Chief Building Official for the following reasons:
 - (1) Misrepresentation of material facts in order to become registered, or in the renewal of registration;
 - (2) Use of registration to obtain a permit for another;
 - (3) Failure to secure permits, inspections and approvals required by this Building and Housing Code and regulations of the Building Division;
 - (4) Faulty or defective workmanship;
 - (5) Departure from or disregard of plans and specifications approved with permit issuance; or
 - (6) Violation of the provisions of this chapter or any other provision of this Building and Housing Code.
- (b) Notice. The Chief Building Official shall notify the certificate holder, in writing, of any action to revoke or suspend the registration certificate. The holder of a suspended or revoked certificate shall not do any work, except that which is necessary to correct any violation of the Building and Housing Code as specified in the notice, subject to specific inspection requirements.
- (c) Suspension. The determination of the length of time for suspension shall be at the discretion of the Chief Building Official, reasonably exercised and calculated to take remedial action and protect the public interest. In the event of appeal, the duration of suspension is subject to the review of the Board of Zoning and Building Appeals.

1446.06 Exemptions from registration

- (a) Homeowners. The provisions of this chapter shall not apply to a homeowner performing work personally on a residence that he or she owns and occupies as their primary residence. This exemption applies only when the homeowner personally performs all labor. A homeowner may not act as a general contractor and hire subcontractors to perform any portion of the work unless such subcontractors are properly registered in accordance with this chapter. All required permits must be obtained in the homeowner's name, and all work is subject to inspection and must comply with the Building and Housing Code.
- (b) Public Utilities. No provision of this chapter shall be interpreted to require licenses, registration or certificates of qualification for officials or employees of public utility organizations to engage in the installation, alteration, repair, maintenance or utilization of any device, appliance, installation or appurtenance forming part of the equipment for generation, transmission or distribution of any commodity or service which such public utility organization is authorized by law to furnish or provide. Public utility organizations, as exempted herein, shall be limited to those utilities whose activities are regulated by the Public Utilities Commission of Ohio (PUCO) or are otherwise exempt from municipal regulation by operation of federal law.

1446.07 Appeals

Persons, firms or corporations aggrieved by the decision of the Chief Building Official may appeal, within ten days of the date of notice, to the Board of Zoning and Building Appeals. If timely appeal is made, a hearing shall be held by the Board, and the Chief Building Official's decision shall be either affirmed or rejected.

1446.99 Penalty

- (a) In addition to any other civil or criminal penalties, any person, firm or corporation performing work as a contractor who violates any provision of the chapter shall be subject to one or more of the following penalties:
 - (1) A monetary penalty of twice the initial registration fee and, after Stop Work Order is issued, a per diem monetary penalty of the same amount; and
 - (2) In addition to penalties upon the subcontractor in violation, any general contractor in violation of this chapter, shall be fined twice the initial registration fee for each violation, and, match the fine levied upon the subcontractor, whether or not said subcontractor pays said fine.
- (b) Where a registration certificate has been suspended or revoked pursuant to Section 1446.05, no building permits may be issued to the contractor during the suspension or revocation period. Upon application for reinstatement and payment of the required fees, a monetary penalty shall be imposed in an amount equal to twice the registration fee that would otherwise have been paid from the date of the suspension.
- (c) Any violation of Section 1446.02 shall constitute a misdemeanor of the first degree.

DATE: September 15, 2025
INTRODUCED BY: _____
REFERRED BY: _____

1ST READING: September 15, 2025
2ND READING: _____
3RD READING: _____
ADOPTED: _____
EMERGENCY: _____

ORDINANCE NO. 2025-128

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE REHABILITATION OF TAYLOR PARKWAY AND OTHER APPURTENANCES.

WHEREAS, the City of North Ridgeville has received a conjoined grant from the Ohio Department of Development (ODOD) and JobsOhio for \$300,000.00, and a grant from the Ohio Department of Transportation (ODOT) for \$150,000.00 for the resurfacing of Taylor Parkway; and

WHEREAS, the previous asphalt pavement overlay on Taylor Parkway is in disrepair and no longer meets the proper standards for the health, safety, and economy for vehicles and pedestrian traffic; and

WHEREAS, the existing concrete section of Taylor Parkway is in disrepair and needs joint repairing; and

WHEREAS, the total estimated cost of construction is \$610,000.00 and the local share for which the City will be responsible is estimated to be \$160,000.00; and

WHEREAS, the City of North Ridgeville has appropriated \$160,000.00 to cover their share of the project costs; and

WHEREAS, bidding documents and specifications will be prepared and made available by the Engineering Division for this project.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to pay the City's share of the project not to exceed \$160,000.00 from the appropriated fund.

SECTION 2. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to enter into a Cooperative Agreement with JobsOhio, the Ohio Department of Development, and the Ohio Department of Transportation

SECTION 3. 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 §121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>September 15, 2025</u>	1 ST READING:	<u>September 15, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
	<u></u>	ADOPTED:	<u></u>
		EMERGENCY:	<u></u>

ORDINANCE NO. 2025-129

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT ADDENDUM ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH TRI R PROPERTY MANAGEMENT, LLC FOR LANDSCAPING SERVICES.

WHEREAS, during annual appropriations, Council approved budget for landscaping services of City owned lands and grounds; and

WHEREAS, Public Works solicited request for quotes for landscaping services, Tri R Property Management, LLC was awarded the five-year contract as the lowest quote for services which was below the State bid limitation; and

WHEREAS, during annual appropriations Council approved the installation of landscaping on Ranger Way in, a one time beautification project. The City contracted with Tri R Property Management, LLC, the lowest quote for services; and

WHEREAS, during annual appropriations Council approved the replacement of fencing for city owned cemeteries, a one time project. After review of the project, it was determined the installation of new landscaping bordering the cemeteries would be more cost efficient as the city has experienced damage to the existing fencing which resulted in this request. The City would like to enter into a contract with Tri R Property Management, LLC, who submitted the lowest quote; and

WHEREAS, funds were appropriated in the 2025 budget for these purposes, however, the total contract costs exceed the Mayor's contract authority, requiring Council approval; and

WHEREAS, Council finds that continuing the contract serves with Tri R Property Management, LLC for landscaping services to be in the City's best interests and allows timely completion of the projects.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to enter into a contract according to law and in a manner prescribed by law with Tri R Property Management, LLC for annual landscaping services not to exceed \$76,000, the installation of landscaping at Ranger Way not to exceed \$50,000.00 and the installation of landscaping at City owned Cemeteries, not to exceed \$73,000.00.

SECTION 2. Execution of said contracts is hereby retroactive to February 1, 2025.

SECTION 3. 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 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>July 7, 2025</u>	1 ST READING:	<u>July 7, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-104

**AN ORDINANCE DESIGNATING THE NORTH RIDGEVILLE COMMUNITY
IMPROVEMENT CORPORATION AS AN AGENCY OF THE CITY UNDER OHIO
REVISED CODE SECTION 1724.10; AUTHORIZING THE EXECUTION OF AN
AGREEMENT AND PLAN FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION,
RESEARCH AND DEVELOPMENT.**

WHEREAS, the Section 13 of Article VIII of the Ohio Constitution provides that, to create and preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is in the public interest and a proper public purpose for a municipal corporation, its agencies or instrumentalities, or corporations not for profit designated by such municipal corporation as its agency or instrumentality, to perform the acts and exercise the powers therein provided; and

WHEREAS, pursuant to Chapter 1724, Ohio Revised Code as it may hereinafter be amended (herein called the “*Act*”), there has been formed a corporation known as “North Ridgeville Community Improvement Corporation,” a corporation not for profit as recorded on the Records of Incorporation and Miscellaneous Filings of the Secretary of State of the State of Ohio; and

WHEREAS, the City and this Council desire to designate the North Ridgeville Community Improvement Corporation as an agent for the City for the purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development of the City; and

WHEREAS, there are substantial and pressing issues including but not limited to the development and encouragement of industry, commerce, distribution and research within the confines of this City, which may best be solved by and with the assistance of said corporation; and

WHEREAS, it is hereby found and determined that the policy of this City is to promote the health, safety, morals and general welfare of its inhabitants through the designation by ordinance of a community improvement corporation as the agency of the City for industrial, commercial, distribution and research development in the City; and

WHEREAS, any political subdivision which has designated a community improvement corporation as such agency may enter into an agreement with said corporation to provide any one or more services specified by Chapter 1724, Ohio Revised Code; and

WHEREAS, this Council has determined that it would be in the best interests of the City to approve and authorize the execution of an Agreement and Plan for Industrial, Commercial, Distribution, Research and Development (the “*Agreement and Plan*”), all pursuant to Section 1724.10, Ohio Revised Code;

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

SECTION 1. Designation of the CIC. The North Ridgeville Community Improvement Corporation is hereby designated as the agency of the City, for the industrial, commercial, distribution, research and development of the City of North Ridgeville, Ohio.

SECTION 2. Agreement and Plan of Development. The form of Agreement and Plan for Industrial, Commercial, Distribution, Research and Development by and between this City and the North Ridgeville Community Improvement Corporation, attached as **Exhibit A**, is hereby approved and authorized with changes therein not inconsistent with this Ordinance and not substantially adverse to this City and which shall be approved by the Mayor and Director of Finance. The Mayor and Director of Finance, for and in the name of this City, are hereby authorized to execute the Agreement and Plan, provided further that the approval of changes thereto by those officials, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof.

SECTION 3. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This ordinance shall be in full force and effect from and after the earliest time permitted by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

AGREEMENT AND PLAN FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION, RESEARCH AND DEVELOPMENT

This AGREEMENT AND PLAN FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH DEVELOPMENT (the “*Agreement*”), is being entered into as of the ____ day of _____, 2025, by and between the CITY OF NORTH RIDGEVILLE, OHIO (the “*City*”), a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio (the “*State*”), and the NORTH RIDGEVILLE COMMUNITY IMPROVEMENT CORPORATION (the “*CIC*”), a community improvement corporation organized and existing as a corporation not for profit under the laws of the State.

RECITALS

WHEREAS, the City, by Ordinance No. 2025-____ passed on _____, 2025 and in accordance with Section 1724.10, Ohio Revised Code, has designated the CIC as the agency and instrumentality of the City for the industrial, commercial, distribution and research development of the City and has approved this Agreement and the Plan and authorized the Mayor and the Director of Finance of the City to execute this Agreement on behalf of the City; and

WHEREAS, upon the designation of the CIC as the agency and instrumentality of the City for the aforementioned purposes, the CIC, by Resolution No. ____ adopted on _____, 2025, has proposed that the CIC and the City enter into this Agreement pursuant to Section 1724.10, Ohio Revised Code to provide for a plan for industrial, commercial, distribution and research development within the City (the “*Plan*”), all as provided for in Section 1724.10, Ohio Revised Code;

NOW, THEREFORE, the City and the CIC do hereby agree as follows:

Section 1. Plan. The initial Plan shall be to advance, encourage and promote the industrial, commercial, distribution and research development of the City in a manner which:

- a. Creates and preserves jobs and employment opportunities in the City and the State.
- b. Improves the economic welfare of the people of the City and of the State.
- c. Encourages and causes the maintenance, location, relocation, expansion, modernization and equipment of sites, buildings, structures and appurtenant facilities for industrial, commercial, distribution and research activities within the City and thereby preserves, maintains or creates additional opportunities for employment within the City.
- d. Maintains and increases the tax valuation of property within the City in order that tax revenues may be available to provide services for the preservation of public peace, health, safety and general welfare of the City.
- e. Is consistent with social, economic and geographic factors present in the City.
- f. Is not inconsistent with job needs and skills present in the City.

- g. Is not inconsistent with environmental factors present in the City.
- h. Is in accordance with its applicable planning and zoning.

Section 2. Furtherance of the Plan by the CIC. Such initial Plan may be amended and supplemented from time to time by the City and the CIC and to that end, and to the extent as requested by the legislative authority of the City:

a. The CIC shall prepare and maintain a current inventory and catalog of lands, buildings, or other improvements within the City which are or may become available and suitable for the location, relocation, expansion, modernization or conversion of or to industrial, commercial, distribution or research development facilities in furtherance of this Agreement and the Plan and the accomplishment of its purposes. The CIC agrees that it will, from time to time, supplement and amend any such inventory and catalog in order that it may be currently maintained.

b. The CIC shall cause the preparation of an analysis of the social, economic, geographic and other advantages which the City can offer in support of industrial, commercial, distribution or research development in a form suitable for distribution to those which the City and CIC seek to interest in such development in the City.

Section 3. Implementation of the Plan. In furtherance of the Plan, as from time to time amended, the CIC may, to the extent as requested by the legislative authority of the City:

a. As the agency and instrumentality of the City, advance, encourage and promote the maintenance, location, relocation, expansion, modernization and equipment of buildings, structures and appurtenant facilities, and the acquisition of sites therefor for lease or sale by the City or the CIC for industrial, commercial, distribution and research development activities within the City. Any real or personal property, or both, proposed for acquisition, by gift or purchase, construction, improvement or equipment for such purpose is referred to herein as a “*Development Project*.”

b. From time to time, prepare and present to the executive and legislative authorities of the City recommendations for action to be taken in aid of industrial, commercial, distribution and research development in the City. Where appropriate, such recommendations shall include the location, relocation, construction, expansion, modernization, modification or improvement of municipal facilities or services.

c. Upon the request of the Mayor (which may be in lieu of a request of the legislative authority of the City), review any Development Project proposed to be financed by the City pursuant to the authority granted by Article VIII, Section 13, Ohio Constitution and Chapter 165, Ohio Revised Code, to determine whether or not such Development Project is in accordance with this Agreement and the Plan and following such review shall certify to such City its determination.

d. Cause advertising, promotional and educational material to be prepared, printed or otherwise reproduced and distributed and otherwise made available to such extent and in such manner as in the judgment of the CIC will best assist the industrial, commercial, distribution and research development in the City.

e. Contact and solicit any person, firm or corporation (“*Employer*”) which then or in the immediate future is likely to or may be induced to locate, relocate, expand, modify or improve industrial, commercial, distribution or research activities or facilities within the City or which then or in the immediate future threatens to terminate or reduce employment in any such activities or facilities then existing within the City in order to induce said Employer to locate, relocate, expand, modify, improve or maintain its said industrial, commercial, distribution or research activities or facilities in the City.

f. Advance, encourage and promote the establishment, growth and maintenance in the City of industrial, commercial, distribution and research facilities in accordance with and in furtherance of the purposes set forth in Section 1 of this Agreement by:

(i) insuring mortgage payments required by a first mortgage on any industrial, economic, commercial or civic property for which funds have been loaned by any person, corporation, bank or financial or lending institution upon such terms and conditions as the CIC may prescribe.

(ii) incurring debt, mortgaging its property, no matter from what source and by what method acquired, and issuing its obligations for the purpose of acquiring, constructing, improving and equipping buildings, structures and other properties, and acquiring sites therefor, for lease or sale by the CIC, provided that any such debt shall be solely that of the CIC and shall not be secured by the pledge of any moneys received or to be received from the City, the State or any political subdivision thereof.

(iii) making loans to any person, firm, partnership, corporation, joint stock company, association, or trust, and may establish and regulate the terms and conditions with respect to any such loans; provided the CIC shall not approve any application for loan unless and until the person applying for said loan shows that he has applied for the loan through ordinary banking or commercial channels and that the loan has been refused by at least one bank or other financial institution.

(iv) purchasing, receiving, holding, leasing, or otherwise acquiring and selling, conveying, transferring, leasing, subleasing, or otherwise disposing of real and personal property, together with such rights and privileges as maybe incidental and appurtenant thereto and the use thereof, including but not restricted to, any real or personal property acquired by the CIC from time to time in the satisfaction of debts or enforcement of obligations.

(v) acquiring the good will, business, rights, real and personal property, and other assets, or any part thereof, or interest therein, of any persons, firms, partnerships, corporations, joint stock companies, associations, or trusts, and may assume, undertake, or pay the obligations, debts, and liabilities of any such person, firm, partnership, corporation, joint stock company, association, or trust; may acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others in whole or in part for the construction of industrial plants other business establishments; and may acquire, construct

or reconstruct, alter, repair, maintain, operate, sell, convey, transfer, lease, sublease, or otherwise dispose of industrial plants or business establishments.

(vi) acquiring, subscribing for, owning, holding, selling, assigning, transferring, mortgaging, pledging, or otherwise disposing of the stock, shares, bonds, debentures, notes, or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association, or trust, and while the owner or holder thereof, may exercise all the rights, powers, and privileges of ownership, including the right to vote therein.

(vii) mortgaging, pledging, or otherwise encumbering any property acquired pursuant to the powers contained in paragraphs (iv), (v) or (vi) of this subsection 3(f).

(viii) making application to the Director of the Ohio Department of Development of the State for insurance or advance commitments for insurance of mortgage payments required by a first mortgage on any Development Project for which the CIC has loaned its funds or upon which the CIC has borrowed funds, and may make assignments of insured mortgages and provide other forms of security in accordance with the provisions of Section 122.451, Ohio Revised Code.

(ix) soliciting, receiving and using donations or commitments of money or other property of any kind whatsoever from private corporations, firms or organizations.

(x) otherwise exercising any or all of the powers and privileges permitted by, and subject to the limitations of, Section 1724.10, Ohio Revised Code.

g. Sell or to lease any lands or interests in lands owned by the City determined from time to time by the legislative authority of the City not to be required by the City for its purposes, for uses determined by the legislative authority of the City as those that will promote the welfare of the people of the City, stabilize the economy, preserve, maintain or provide employment, and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and will preserve, maintain or provide additional opportunities for their gainful employment. The legislative authority of the City shall specify the consideration for such sale or lease and any other terms thereof. Any determination made by the legislative authority of the City under this paragraph of this Agreement shall be conclusive. The CIC acting through its officers and on behalf and as agent of the City shall execute the necessary instruments, including deeds conveying the title of the City or leases, to accomplish such sale or lease. Such conveyance or lease shall be made without advertising and receipt of bids. A copy of this Agreement shall be recorded in the office of the county recorder of the County of Lorain, Ohio in which the City is located, prior to the recording of a deed or lease executed pursuant to this Agreement.

Section 4. Miscellaneous.

a. The City may convey to the CIC lands and interest in lands owned by the City and determined by its legislative authority not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and

preserve, maintain or provide additional opportunities for their gainful employment. The consideration for any such lands and interests in lands so conveyed shall be the fair market value thereof as determined by a qualified appraiser, designated and employed by the City, and confirmed by its legislative authority. The CIC may also, as agency for such development and to the extent requested by the legislative authority of the City, acquire from others additional lands or interests in lands and may convey lands or interests in land provided, however, that any lands or interests in land the CIC may so acquire or convey shall be so acquired or conveyed for uses that will promote the welfare of the people of the City, stabilize the economy, preserve, maintain or provide employment, and assist in the development of industrial, commercial, distribution and research activities required for the people of the City and for their gainful employment. Any conveyance or lease by the City to the CIC shall be made without advertising and receipt of bids. If any lands or interests in lands conveyed by the City to the CIC are sold by the CIC at a price in excess of the consideration received by the City from the CIC therefor, such excess shall be paid to the City after deducting therefrom the following costs to the extent incurred by the CIC; the costs of acquisition and sale by the CIC, taxes, assessments, costs of maintenance, costs of improvements to the land by the CIC, debt service charges of the CIC attributable to such lands or interests, and a reasonable service fee determined by the CIC.

b. The City shall not be required to make any financial contributions to the CIC and nothing in this Agreement and the Plan shall be construed as permitting the CIC to obligate the City except as expressly set forth in this Agreement.

c. All costs of the CIC shall be paid solely from the funds of the CIC and the City need not contribute any moneys to the CIC to meet its costs. In no event shall any moneys raised by taxation be obligated or pledged for the payment of any bonds or other obligations issued or guarantees made pursuant to this Agreement.

d. Not less than two-fifths of the governing board of the CIC shall be comprised of appointed or elected officers of the City or other political subdivision designating the CIC as its agency pursuant to Section 1724.10, Ohio Revised Code.

e. In the event of any voluntary or involuntary dissolution or liquidation of the CIC, or in the event of failure to reinstate the Articles of Incorporation of the CIC after cancellation thereof, any remaining assets of the CIC shall be paid over and distributed as determined by the governing body of the CIC with the approval of the Court of Common Pleas of the County of Lorain, Ohio, to one or more political subdivisions of the State from which on the date of the dissolution, liquidation or cancellation of the Articles of the CIC there exists a designation of the CIC to act as agent for industrial, commercial, distribution and research development, to be used exclusively for designated civic projects or public charitable purposes.

f. The term of this Agreement shall commence on the date of its making and shall continue in effect thereafter except as otherwise provided in this subsection 4(f). Upon the expiration of twelve months after either party shall have given to the other party notice of intention to withdraw from this Agreement, no further actions, agreements, contracts, liabilities or obligations shall be initiated or incurred pursuant to this Agreement, but any action, agreement, contract, liability or obligation which has been commenced, entered into, initiated or incurred prior to the expiration of such twelve month period shall not be affected by such withdrawal and this

Agreement shall remain in full force and effect as to any such action, agreement, contract, liability or obligation and the CIC shall continue as the Agency of the City under this Agreement and the Plan and the designation made by the legislative authority of the City in the ordinance confirming and authorizing this Agreement, as to all such actions, agreements, contracts, liabilities or obligations. Notice of withdrawal shall be given to the City by delivering a copy of such notice to the office by the Clerk of Council of the City and to the CIC by delivering a copy of such notice to the person in charge of its principal office.

g. No provision, term or covenant contained in this Agreement shall be construed as prohibiting or limiting the City from independently exercising any and all powers it may have under the Constitution of the State, Chapter 165, Ohio Revised Code, or any other law.

h. This Agreement may be amended or supplemented from time to time as desired and approved by the legislative authority of the City and the Board of Directors of the CIC.

i. This Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same agreement. It shall not be necessary in proving this Agreement to produce or account for more than one of those counterparts.

(THIS SPACE INTENTIONALLY LEFT BLANK – SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the City and the CIC, by their duly authorized officers, have caused this Agreement to be executed as of the day and year first above written.

NORTH RIDGEVILLE COMMUNITY IMPROVEMENT
CORPORATION

By: _____
Vice President

Attest: _____
Secretary

CITY OF NORTH RIDGEVILLE, OHIO

By: _____
Mayor

Attest: _____
Director of Finance

Approved as to form and correctness:

Director of Law

DATE:	<u>August 4, 2025</u>	1 ST READING:	<u>August 4, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>

ORDINANCE NO. 2025-115

AN ORDINANCE AMENDING CHAPTER 863 *FAIR HOUSING* OF THE NORTH RIDGEVILLE BUSINESS REGULATION AND TAXATION CODE.

WHEREAS, the City of North Ridgeville has long maintained a Fair Housing ordinance, reflecting its commitment to ensuring equal access to housing for all residents;

WHEREAS, the City desires to update its Fair Housing Ordinance to mirror all currently mandated state and federal protected classes, and to ensure consistency in enforcement and policy application across all housing practices;

WHEREAS, in lieu of maintaining a local Fair Housing Board, the City recognizes the value of leveraging partnerships with nonprofit organizations and government agencies to support public education, outreach and enforcement related to fair housing rights; and

WHEREAS, it is the desire of Council to amend these Codified Ordinances.

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

SECTION 1. Chapter 863 *Fair Housing* of the Business Regulation and Taxation Code, which presently reads in its entirety as set forth in **Exhibit A** be amended, and as such, shall read in its entirety as set forth in the document attached to this Ordinance as **Exhibit B**.

SECTION 2. 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 §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

EXHIBIT A**CHAPTER 628 FAIR HOUSING¹****628.01 Scope**

The provisions of this chapter shall apply to all housing located within the territorial limits of the City.

(Ord. 2401-89, 11-6-89)

628.02 Designation of policy

It is hereby declared to be the continuing policy of the City to do all things necessary and proper to secure for all its citizens their right to equal housing opportunities, regardless of their race, color, creed, sex, marital status, religious belief, national origin, age or handicap.

(Ord. 2401-89 Passed 11-6-89)

628.03 Definitions

As used in this chapter:

- (a) "Board" means the Fair Housing Board, as established by this chapter.
- (b) "Discrimination," "discriminating" and "discriminate" mean to render any difference in treatment to any person in the sale, lease, rental or financing of a dwelling or housing unit because of a person's race, color, creed, sex, marital status, religious belief, national origin, age or handicap.
- (c) "Familial status" means one or more individuals who have not attained the age of eighteen years, being domiciled with:
 - (1) A parent or another person having legal custody of such an individual or individuals; or
 - (2) The designee of such parent or other persons having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or in the process of securing legal custody of any individual who has not attained the age of eighteen.
- (d) "Handicap" means, with respect to a person:
 - (1) A physical or mental impairment which substantially limits one or more of such person's major life activities;
 - (2) A record of having such an impairment; or
 - (3) Being regarded as having such an impairment.

The term "handicap" does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)) and Section 624.01(b) of this General Offenses Code.

¹State law reference(s)—Ohio Civil Rights Commission - see Ohio R.C. 4112

Cross reference(s)—Block Grant Grievance Board - see ADM. Ch. 268; Interfering with civil rights - see GEN. OFF. 606.20; Ethnic intimidation - see GEN. OFF. 636.21

- (e) "Housing" includes any building, facility or structure, or portion thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more persons, groups or families, and any vacant land offered for sale or lease for the construction or location thereon of such building, facility or structure.
- (f) "Lending institution" means any bank, insurance company, savings and loan association or other person or organization regularly engaged in the business of lending money or guaranteeing loans.
- (g) "Person" means one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.
- (h) "Real estate agent" includes any real estate broker, real estate salesman or an agent thereof, or any other person, partnership, association or corporation who or which, for consideration, sells, purchases, exchanges, rents, or negotiates or offers or attempts to negotiate the sale, purchase, exchange or rental of real property, or holds himself or herself out as engaged in the business of selling, purchasing, exchanging, renting or otherwise transferring any interest in real property.

(Ord. 2401-89, 11-6-89)

628.04 Unlawful housing practices

- (a) It shall be an unlawful housing practice and a violation of this chapter:
 - (1) For any person or real estate agent:
 - A. To discriminate against any person in the selling, leasing, subleasing, renting, assigning or otherwise transferring of any interest in a housing unit.
 - B. To discriminate against any person by refusing to negotiate on, or making false representations on the availability of, the housing unit which is for sale, lease, sublease or rental.
 - C. To include in the terms, conditions or privileges of any sale, lease, sublease, rental, assignment or other transfer of any housing, any clause, condition or restriction discriminating against any person in the use or occupancy of such housing.
 - D. To discriminate in the furnishing of any facilities, repairs, improvements or services or in the terms, conditions, privileges or tenure of occupancy of any person.
 - (2) For any lending institution to discriminate in lending money, guaranteeing loans, accepting a deed, trust or mortgage or otherwise making available funds for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of any housing, or discriminate in the fixing of the rates, terms, conditions or provisions of any such financial assistance.
 - (3) For any person or real estate agent, with respect to any prohibited act specified in this chapter, to publish or circulate, or cause to be published or circulated, any notice, statement, listing or advertisement, or to announce a policy or to make any record, in connection with the prospective sale, lease, sublease, rental or financing of any housing, which indicates reliance, determination or decision based on race, color, creed, sex, marital status, age, religious belief, national origin or handicap.
 - (4) For any person or real estate agent to assist in, compel or coerce the doing of any act declared to be an unlawful housing practice under this chapter, or to obstruct or prevent enforcement or compliance with the provisions of this chapter, or to attempt, directly or indirectly, to commit any act declared by this chapter to be an unlawful housing practice.
 - (5) For any person or real estate agent:
 - A. To induce or attempt to induce the sale, transfer of interest, or listing for sale, of any housing by making representations regarding the existing or potential proximity of real property owned,

used or occupied by any person of any particular race, color, creed, religious belief, national origin or handicap, by direct or indirect methods.

- B. To make any representations to a prospective purchaser or lessee that any housing in a particular block, neighborhood or area may undergo, is undergoing or has undergone a change with respect to the racial, color, religious, national or ethnic composition of such block, neighborhood or area.
 - C. To induce or attempt to induce the sale or listing for sale of any housing by representing that the presence or anticipated presence of persons of any particular race, color, religious belief or national origin in the area will or may result in:
 - i. The lowering of property values.
 - ii. A change in the racial, color, religious, national or ethnic composition of the block, neighborhood or area in which the property is located.
 - iii. An increase in criminal or antisocial behavior in the area.
 - iv. A decline in quality of the schools serving the area.
 - (6) For any person or real estate agent to cause or coerce, or attempt to cause or coerce, retaliation against any person because such person has lawfully opposed any act or failure to act that is a violation of this chapter, or has, in good faith, filed a complaint, testified, participated or assisted in any way in any proceeding under this chapter.
 - (7) To deny any person access to, or membership or participation in, any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting housing, or to discriminate against a person in the terms or conditions of such access, membership or participation.
 - (8) To do any other thing or engage in conduct which would otherwise make unavailable equal housing opportunities.
 - (b) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.
- (Ord. 2401-89, 11-6-89)

628.05 Posting of notices

- (a) Every real estate agent shall post, in a conspicuous location in that portion of his or her place of business normally used by him or her for negotiating the terms of a sale or lease of housing, and each person who operates a multi-unit residential building containing more than two units shall post, at all times when prospective tenants are being interviewed, in a conspicuous location in that portion of the housing business normally used by him or her for negotiating the rental of a housing unit therein, a notice prepared by the Fair Housing Board which contains the following language, printed in black on a light-colored background, in not less than fourteen-point type:

"It is a violation of the Fair Housing Law of the City of North Ridgeville, State of Ohio, for any real estate agent, or for any person owning or managing a multi-unit apartment dwelling, to:

- (1) Deny housing to any person because of race, color, creed, sex, marital status, religious belief, national origin, age, handicap or familial status.
- (2) Discriminate against any person because of that person's race, color, creed, sex, marital status, age, religious belief, national origin or handicap, with respect to the terms, conditions or privileges of housing accommodations or in the furnishing of facilities or services in connection therewith.

If you believe you have been discriminated against, contact the City of North Ridgeville Fair Housing Board, the Ohio Civil Rights Commission or the U.S. Department of Housing and Urban Development."

- (b) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.

(Ord. 2401-89, 11-6-89; Ord. 3192-96, 11-18-96)

628.06 Filing of reports

- (a) On or before January 1, 1990, every owner of twenty-five or more rental housing units located in one or more buildings in the City shall file with the Fair Housing Board a written report providing information set forth in the following paragraphs for the three-month period beginning October 1, 1989. For each three-month period thereafter, every such owner shall file with the Board, within thirty days after the end of the three-month period, an additional written report.
- (b) Reports filed hereunder shall be signed by the owner of the building or his or her authorized agent, shall be on a form to be supplied by the Board on request, and shall contain the following information:
 - (1) The name and address of each building, the name and address of the owner, the name and address of the managing agent, the name and address of the resident custodian, the total number of units in each building, excluding units rented or available for rent only to employees of the owner or of a managing agent, the approximate rental range for a one, two and three-bedroom apartment if the building contains such a unit, and the number of units occupied on the last day of the three-month period, or January 1, 1990, for the initial report, by one or more black persons and by one or more Spanish-surnamed persons.
 - (2) The total number of applicants for rental units in each building during the three-month period, and the number of such applicants who were black persons and Spanish-surnamed persons. For purposes hereof, the term "applicant" means a person who personally appears before the owner or a managing agent, whether at the building involved or at an office of the owner or of a managing agent, for the purpose of renting a unit, whether or not such person submits a written application.
 - (3) The total number of units in each building which were rented during the period, and the number of such units which were rented to one or more black persons and to one or more Spanish-surnamed persons. For purposes hereof, a unit is rented during the period if, during the period, it becomes occupied by a new tenant who had not previously resided in the building.
 - (4) Report forms supplied by the Board shall include a request for voluntary information concerning minority employment practices of the owner or agent signing the report and concerning advertising by the owner or agent in media directed primarily to minority persons.
- (c) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 698.02.

(Ord. 2401-89, 11-6-89)

628.07 Fair housing board

- (a) There is hereby established the Fair Housing Board, to consist of three members who are qualified electors of the City and who shall not hold any public office at the Municipal, County, State or Federal level at any time while a member of the Board. Any duly appointed Board member who is running for any public office shall be automatically disqualified from further membership on the Board. The day the Board member files petitions with the County Board of Elections shall be the date of the disqualification. No Board member shall be appointed who is employed in any real estate or lending institution.
- (b) The Board members shall be appointed by the Mayor. Of the members first appointed, one shall hold office for a term of one year; one shall hold office for a term of two years; and one shall hold office for a term of three years. Their successors shall be appointed for terms of three years. The Mayor shall fill all vacancies by

appointment for the unexpired term. A Board member whose term has expired shall be eligible for re-appointment to the Board.

- (c) The executive secretary of the Board shall be appointed by the Mayor and shall be an employee of the City.
- (d) The Mayor may recommend to Council the removal of any member of the Board for neglect of duty or malfeasance in office. Council may remove a member of the Board from office by a vote of two-thirds of its membership only after having first given to such member a copy of the charges against him or her and an opportunity to be publicly heard in person or by counsel in his or her own defense. Any such removal shall be final.
- (e) Two members of the Board shall constitute a quorum for the purpose of conducting the business thereof. A vacancy on the Board shall not impair the right of the other members to exercise all powers of the Board.
- (f) Each member of the Board shall serve without salary, but shall be paid necessary and actual expenses incurred in performing the business of the Board.
- (g) The Board is charged with the following duties to implement the stated policy of this chapter:
 - (1) To investigate all complaints of unlawful housing practices which are filed with it.
 - (2) To initiate complaints of unlawful housing practices on the basis of auditing or testing carried out by its staff or volunteers authorized by the Board.
 - (3) To endeavor, by conciliation, to resolve such complaints.
 - (4) To hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath, and, in connection therewith, to require the production, for examination, of any books or papers relating to any matter under investigation or in question before the Board.
 - (5) To render at least once a year to the Mayor and to Council a full written report of all its activities and recommendations.
 - (6) To recommend to the Mayor, when it deems it to be necessary, educational and other programs designed to promote the purposes of this chapter.
 - (7) To adopt rules and procedures for the conduct of its business.
 - (8) To do such other acts as are necessary and proper in order to perform those duties with which it is charged under the terms of this chapter.

(Ord. 2401-89, 11-6-89)

628.08 Procedures re complaints; decisions of board; enforcement

- (a) Any person subjected to an unlawful housing practice may file, within 360 days of the alleged violation, with the Fair Housing Board, a complaint, in writing, sworn to or affirmed, which shall state the name and address of the person alleged to have committed the violation complained of and the particulars thereof, and such other information as may be required by the Board. The Board may also corroborate or initiate complaints on the basis of testing carried out by its staff or volunteers authorized by the Board.
- (b) Upon the filing of a complaint, the Executive Secretary of the Board shall make such investigation as he or she deems appropriate to ascertain facts and issues. If the Executive Secretary determines that there are reasonable grounds to believe a violation has occurred, he or she shall attempt to conciliate the matter by methods of initial conference and persuasion with all interested parties and such representatives as the parties may choose to assist them. Conciliation conferences shall be informal, and nothing said or done during such initial conferences shall be made public by the Board, any member of the Board or its staff unless the parties agree thereto in writing.

- (c) The terms of conciliation agreed to by the parties shall be reduced to writing and incorporated into a consent agreement to be signed by the parties, which agreement is for conciliation purposes only and does not constitute an admission by any party that the law has been violated. Consent agreements shall be signed on behalf of the Board by its Chairperson.
- (d) The Board is authorized to seek the cooperation and aid of the Ohio Real Estate Commission or the Ohio Civil Rights Commission in any investigation under this chapter.
- (e) If the Executive Secretary determines that the complaint lacks reasonable grounds upon which to base a violation of this chapter, he or she shall so inform the Board, and the Board may, in its discretion, dismiss such complaint or order such further investigation as may be necessary, provided that the Board shall not dismiss such complaint without first affording the complainant an opportunity to appear before the Board.
- (f) If the Executive Secretary, with respect to a matter which involves a violation of this chapter, fails to conciliate a complaint after the parties have, in good faith, attempted such conciliation, fails to effect an informal conciliation agreement or a formal consent agreement, or determines that a complaint is not susceptible of conciliation, he or she shall notify the Board immediately, and the Board shall thereafter schedule a public hearing to determine whether a violation of this chapter has been committed. The Board shall serve upon the respondent a statement of charges and a summons and shall serve upon all interested parties a notice of the time and place of the hearing. The respondent or his or her authorized counsel may file such statements with the Board prior to the hearing date as it deems necessary in support of its position. The hearing shall be open to the public, except that the respondent may request, in writing, a private hearing. The determination of such request shall be discretionary with the Board. The hearing shall be held not less than fifteen days after service of the statement of charges and the summons. The summons so issued shall be signed by two members of the Board, and the issuance of such summons shall require the attendance of named persons and the production of relevant documents and records. The failure to comply with a summons shall constitute a violation of this chapter. The interested parties may, at their option, appear before the Board in person or by a duly authorized representative and may have the assistance of an attorney. The parties may present testimony and evidence, and the right to cross examine witnesses shall be preserved. All testimony and evidence shall be given under oath or by affirmation. The Executive Secretary shall keep a full record of the hearing, which record shall be public and open to inspection by any person. Upon request by any principal party to the proceeding, the Board shall furnish such party a copy of the hearing record, if any, at such cost as the Board deems appropriate.
- (g) If, at the conclusion of the hearing, the Board determines, upon a preponderance of the evidence, that the person complained against has violated this chapter, the Board shall, after consultation with the Law Director in executive session, state its findings and order the person complained against to cease and desist from such unlawful conduct and to take such affirmative action as will effectuate the purposes of this chapter, with notice that if the Board determines that the person complained against has not, after fifteen calendar days following service of the Board's order, complied with the order, the Board shall recertify the matter to the Law Director for enforcement.
- (h) Upon recertification to the Law Director for enforcement, he or she shall seek compliance by appropriate civil action brought in the name of the Fair Housing Board of the City before a court of competent jurisdiction. Where the court, in any such proceeding, determines that there has been a violation of this chapter, the court shall award compensatory damages and, where appropriate, punitive damages, along with attorney fees. The court may also order such other relief as it deems necessary or appropriate.
- (i) If, at the conclusion of the hearing, the Board shall determine, upon a preponderance of the evidence of the record, that the person complained against has not violated this chapter, the Board shall state and make public its findings and issue its order dismissing the complaint.

(Ord. 2401-89, 11-6-89)

628.09 Other remedies of complainants

Nothing contained in this chapter shall prevent any person from exercising any right or seeking any remedy to which he or she might otherwise be entitled or from filing any complaint with any other agency or court of law or equity.

(Ord. 2401-89, 11-6-89)

628.10 Intimidation in connection with housing

- (a) No person, whether or not acting under color of law, shall by force or threat of force willfully injure, intimidate, or interfere with, or attempt to injure, intimidate, or interfere with any of the following:
 - (1) Any person because of race, color, religion, sex, familial status, as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, disability as defined in that section, or ancestry and because that person is or has been selling, purchasing, renting, financing, occupying, contracting, or negotiating for the sale, purchase, rental, financing, or occupation of any housing accommodations, or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations.
 - (2) Any person because that person is or has been doing, or in order to intimidate that person or any other person or any class of persons from doing either of the following:
 - A. Participating, without discrimination on account of race, color, religion, sex, familial status, as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, disability as defined in that section, or ancestry, in any of the activities, services, organizations, or facilities described in division (a)(1) of this section;
 - B. Affording another person or class of persons opportunity or protection so to participate.
 - (3) Any person because that person is or has been, or in order to discourage that person or any other person from, lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, familial status as defined in Ohio R.C. 4112.01, national origin, military status as defined in that section, disability as defined in that section, or ancestry, in any of the activities, services, organizations, or facilities described in division (a)(1) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate.
- (b) Whoever violates division (a) of this section is guilty of a misdemeanor of the first degree.

State law reference(s)—ORC 2927.03

EXHIBIT B:**CHAPTER 628 FAIR HOUSING****628.01 Scope**

The provisions of this chapter shall apply to all housing located within the territorial limits of the City.

628.02 Designation of policy

It is hereby declared to be the continuing policy of the City to do all things necessary and proper to secure for all its citizens their right to equal housing opportunities, regardless of their race, color, sex, national origin, familial status, religion, disability, ancestry or military status.

628.03 Definitions

As used in this chapter:

- (a) "Discriminating housing practice" means an act that is unlawful under any State or Federal statute regulation, executive order or directive regarding equal access to housing financing, listing opportunities or any other practices impeding the equal accessibility of housing to all persons regardless of race, color, sex, national origin, familial status, religion, disability, ancestry or military status.
- (b) "Dwelling" means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.
- (c) "Family" includes a single individual.
- (d) "Financial institution" means any bank, credit union, insurance company, savings and loan association or other entity or organization that makes or purchases loans or provides other financial assistance that operates or has a place of business in the City.
- (e) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts or unincorporated organizations.
- (f) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

628.04 Discrimination in the sale or rental of housing

No person shall engage in the following practices regarding any property of whatever kind within the City:

- (a) To refuse to sell or rent after the making of a bona fide offer, or refuse to negotiate for the sale or rental of, otherwise make unavailable or deny, a dwelling to any person because of race, color, sex, national origin, familial status, religion, disability, ancestry or military status.
- (b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, sex, national origin, familial status, religion, disability, ancestry or military status.
- (c) To make, print or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, sex, national origin, familial status, religion, disability, ancestry or military status, or an intention to make any such preference, limitation or discrimination.

(d) To represent to any person because of race, color, sex, national origin, familial status, religion, disability, ancestry or military status that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, sex, national origin, familial status, religion, disability, ancestry or military status.

628.05 Discrimination in the financing of housing

No financial institution shall deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of race, color, sex, national origin, familial status, religion, disability, ancestry or military status of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given.

628.06 Enforcement

(a) The discrimination practices prohibited herein not only have a serious adverse impact upon the individual or group subjected to such practices but also cause a severe and adverse impact on the public welfare of the citizens of the City through denying its citizens the benefits of a diverse community and by projecting an image that the City countenances such illegal practice. The City, through its Law Department, may at the direction of the Mayor or Council take such actions as are necessary to enforce the provisions of this chapter including, but not limited to, engaging the services of other government or nonprofit agencies to assist in education and enforcement and filing court actions against violators of this chapter enjoining such illegal practices.

(b) The City is empowered to aid, at the request of State, Federal or individual complainants, in the investigation and enforcement of the provisions of this chapter or of any related State or Federal law whether enacted at this time or subsequent to the enactment of this chapter.

DATE:	<u>September 2, 2025</u>	1 ST READING:	<u>September 2, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-122

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ADVERTISE FOR BIDS AND ENTER INTO A 12-MONTH
CONTRACT (WITH RENEWAL OPTIONS) ACCORDING
TO LAW AND IN A MANNER PRESCRIBED BY LAW,
WITH THE LOWEST AND BEST BIDDER FOR
CUSTODIAL SERVICES.**

WHEREAS, the City's contract for custodial services will expire on December 31, 2025, and needs to be rebid; and

WHEREAS, the areas being serviced are City Hall, Senior Center, Public Works Department, Police Department, Parks and Recreation (all indoor facilities and restrooms at South Central Park, Shady Drive Complex, Root Road Park and Frontier Park).

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

SECTION 1. The Mayor is hereby authorized to advertise for bids and enter into a 12- month contract, beginning January 1, 2026, and ending December 31, 2026, according to law and in a manner prescribed by law with the lowest and best bidder for custodial services, not to exceed \$135,000.00 per year.

SECTION 2. Said contract shall be renewable upon the expiration of the initial term for two additional one-year terms, contingent upon the agreement of both parties.

SECTION 3. The cost for said custodial services shall be paid from the appropriate fund(s).

SECTION 4. 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 5. This Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>September 2, 2025</u>	1 ST READING:	<u>September 2, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-125

**AN ORDINANCE AMENDING ORDINANCE NO. 2024-91 WHICH
ESTABLISHED A WATER METER SERVICE CHARGE.**

WHEREAS, per Ordinance No. 2024-91, which was adopted by City Council on October 21, 2004, the City of North Ridgeville instituted a water meter service charge of no more than \$3.50 per month/per meter, per residential household and commercial business for the purpose of the purchase and installation of existing water meters which are determined to be beyond its useful life and/or not operating properly; said service charge began collection on January 1, 2025; and

WHEREAS, a Water Meter Service Fund needs to be established for the collection of water meter service charges. The fund will be used for the purchase and installation of water meters and appurtenances as part of the mass water meter replacement project and to assist in financial sustainability for future water meter replacement needs; and

WHEREAS, language needs to be added to address delinquent accounts and collecting through the lien process as is similar to water, sewer, and stormwater delinquencies.

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

SECTION 1. Ordinance No. 2024-91 is hereby amended by establishing a Water Meter Service Fund as follows:

1046.09 - Meters

- (i) The Water Meter Service Fund shall be used for the collection of the water meter service charge. It will be used for purchasing and installing water meters now and in the future.

SECTION 2. Ordinance No. 2024-91 and Chapter 1046.06(d) are also amended to include the following language:

Collection of Delinquent Accounts: At least once a year, but sooner if warranted, all delinquent water meter service charge accounts shall be collected utilizing the procedures outlined in Chapter 215, Lien Procedures.

SECTION 3. All other sections, terms and provisions of Ordinance No. 2024-91 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

SECTION 4. 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 §121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>September 2, 2025</u>	1 ST READING:	<u>September 2, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
	<u></u>	ADOPTED:	<u></u>
		EMERGENCY:	<u></u>

Introduced on the floor on 09-02-2025

ORDINANCE NO. 2025-126

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT ADDENDUM ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH MCBRIDE DALE CLARION FOR COMPLETION OF THE ZONING CODE UPDATE PROJECT.

WHEREAS, the City of North Ridgeville is updating its zoning code to reflect current planning practices and support orderly development; and

WHEREAS, in 2024 the City engaged McBride Dale Clarion to provide professional services in order to conduct a zoning code diagnosis and provide preliminary recommendations; and

WHEREAS, McBride Dale Clarion has continued with the process of drafting updated code language essential to completing the zoning code update; and

WHEREAS, funds were appropriated in the 2025 budget for this purpose, however, the total contract cost will exceed the Mayor's contract authority, requiring Council approval to continue the project; and

WHEREAS, Council finds that continuing this contract serves the City's best interests and allows completion of a project already underway.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to enter into a contract addendum according to law and in a manner prescribed by law with McBride Dale Clarion to update the North Ridgeville Planning and Zoning Code, in a total project amount not to exceed \$120,000.00.

SECTION 2. 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 3. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR