

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF REGULAR MEETING
TUESDAY, FEBRUARY 14, 2023**

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 Steve Ali, Council Liaison Bruce Abens and Chairman James Smolik. Also present were Chief Building Official Guy Fursdon, Prosecutor Sean Kelleher, City Engineer Christina Eavenson, Planning Economic Development Director Kimberly Lieber and Deputy Clerk of Council Tina Wieber.

Member Paul Graupmann and Vice-Chairwoman Jennifer Swallow were absent.

MINUTES:

Chairman Smolik asked if the members had a chance to review the minutes of the regular meeting on January 10, 2023. He asked if there were any corrections. Hearing no corrections, the minutes were approved.

NEW BUSINESS:

PPZ2023-0164: AGLR Investments, LLC, 34275 Lorain Rd, PPN 07-00-014-106-007

Applicant: AGLR Investments, LLC, 36097 Westminister Ave, North Ridgeville, OH 44039. Proposal consists of splitting a 5.4556-acre parcel zoned B-3 Highway Commercial District into two parcels. Parcel "A" will be 4.3848 acres and parcel "B" will be 1.0708 acres. Parcel "B" fronting Root Road is proposed to be rezoned to R-1 Residence District.

Application was read along with recommendations.

Chairman Smolik asked the applicant to state his name and address for the record and explain the proposed project.

Ryan Schultheiss, AGLR Investments, LLC, 36097 Westminister Ave, North Ridgeville, OH 44039.

Mr. Schultheiss stated that they acquired the parcel four or five years ago and it was currently zone B-3. He explained that they were proposing to split the parcel into two with parcel "B" being rezoned to R-1 for a single family home on which a related party to AGLR Investments, Green Quest Homes, would build a single family home. He stated that they were based in North Ridgeville. He added that they had the commercial property for sale for a number of years off and on with fairly limited interest. He stated that the feedback they had received from the marketplace and realtors was that the one acre parcel "B" didn't have a lot of commercial value due to the size of the lot and with the creek dissecting the parcel. He explained that they thought there was more value for them as the property owner but also potentially for the City as well, from a tax standpoint to build a single family home there. He mentioned that they would leave parcel "A" in the current zoning and keep that marketed for commercial use.

Chairman Smolik asked if any of the Commission members had any questions or comments.

Council Liaison Abens asked that as far as the R-1 was concerned, did they plan on building just one home in that area.

Mr. Schultheiss stated that it would be one single family home. He remarked that he didn't think there would be room enough for two. He added that based on the shape of the proposed lot, their engineer produced the buildable area on the plan, which was a triangle, and he didn't think there was enough room for two even if they wanted two.

Chairman Smolik asked if the triangle on the plan took the setbacks and the ditch setback into account.

Mr. Schultheiss stated that was correct. He stated that the engineer added the seventy-five foot ditch easement and that it should incorporate all of the zoning requirements.

Chairman Smolik asked if they had a customer or if it was a spec home.

Mr. Schultheiss stated that they didn't have a customer. He mentioned that they were just going through the process and didn't have an interested party. He added that it may be spec home and they may market it at some point to see if they could pre-sell it first.

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

None were given.

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

Director Lieber stated that it was a little bit of an unusual situation and that normally they wouldn't be talking about rezoning from commercial to residential. She explained that she could understand how at first one could be concerned about losing commercial tax base for a new home; however, the ditch did present a challenge with the marketability of that property because it bisected that such that it really had little to no commercial value of that remaining parcel "B" as shown on Root Road. She stated that if a commercial project were to be developed, the only way to access that would be to enter out onto the road network and then come around to the side and enter it for maintenance. She mentioned that the development potential was really low. She commented that normally she would be in a position of encouraging rezoning towards commercial but in that case it was a very strange little parcel with the physical limitations and the environmental conditions but they had shown that they could accommodate a dwelling with all of the required setbacks, so she thought it was a reasonable request. She added that it was the smallest reduction of that commercial acreage needed to address the challenge of that parcel. She mentioned that hopefully they would find that the commercial portion became more marketable as a result of that.

Chairman Smolik stated that just for clarification to the right of parcel "B" that was R-1 and asked Director Lieber if that was correct.

Director Lieber stated that it was.

Mr. Schultheiss commented that they used to own that property to the south and that it was a single family home that they had since sold.

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

None were given.

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

None were given.

Council Liaison Abens stated that he did have some concerns. He commented that it being in R-1, he saw a future opponent to any further development of the other parcel. He mentioned that he had seen it in the past. He explained that the other concern was that the ditch was a major carrier of water and the Building Department advised him it wasn't a flood zone there but when he saw a ditch like that he did see the potential for flooding. He stated that he was the guy that would get those calls.

Mr. Schultheiss stated that they had owned the single family home to the south of that parcel and they had a tenant in that house for a number of years and that property also dipped down by the creek similar to the way the proposed property did and he knew it had gotten pretty soggy back there. He stated that it wasn't in the flood zone. He mentioned that he thought they would be close enough to the road and would most likely build as close to the property line on the right as they could just to stay away from the creek and also to provide the buffer to the commercial property. He added that the creek did provide a natural barrier and that there were a lot of trees and vegetation there. He stated that they would plant additional trees if that was needed, not only from the City's standpoint but also for the marketability of the home as well. He discussed that for the commercial property piece that they did envision sort of a retail office environment and it wouldn't be heavy industrial. He remarked that they liked to think that it might even be a pro, where they would have some walkability to some kind of retail center or something like that.

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

None were given.

Moved by Smolik and seconded by Ali to approve the application as presented.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

PPZ2023-0167: Dayton Freight Lines, LLC, 38686 Taylor Pkwy, PPN 07-00-047-000-118

Applicant: EMH&T, Russell Henestofel, 5500 New Albany Rd, Columbus, OH 43054. Proposal consists of constructing a truck transfer terminal. Property is zoned I-3 Heavy Industrial District.

Application was read along with recommendations.

Chairman Smolik asked the applicant to state his name and address for the record and explain the proposed project.

Russell Henestofel, EMH&T, 5500 New Albany Rd, Columbus, OH 43054.

Mr. Henestofel stated that the new truck terminal facility in North Ridgeville was actually a relocation of an existing terminal that was about half the size and was in the Cleveland/Valley View area. He explained that they had outgrown the parcel and needed a little bit more room so that way they could look at their twenty year projection in the North Ridgeville location. He mentioned that it would have twice as many dock doors as their existing facility. He stated that the way the site worked was that the far-east side was the truck entrance only and that was where the trucks would roll into the facility. He stated that all trucks would be coming in off of Route 57 and coming down Taylor Parkway going into the terminal. He added that then they would be able to loop around the facility without ever having to go back onto a main road. He explained that if they had to drop off the trailer in one location to go pick up at the dock and come back out, they wouldn't be doing that on the public roadway. He stated that everything was internal because it was a complete loop for the truck. He added that the exit was on the west side of the location and was truck exit only. He explained that in the middle was where all of the employee vehicles would be parked with the exception of the employee vehicles in the back toward the maintenance portion. He stated that there would typically be about three employees that would work in the maintenance shop on day one and they would park closer to the maintenance facility instead of making them walk all the way through the terminal for safety reasons. He mentioned that the site was all concrete pavement for all the trucks and thought that they were at nine inch concrete pavement on the site all the way through. He discussed that they had a salt storage facility that they were placing on the terminal and also doing a snow scraper to knock off the snow off of the top of the trucks so that as they drove down the freeway it wouldn't be blowing back at the vehicles. He stated that they had been instituting a lot of those at their facilities. He commented that it also had an indoor fueling facility for the trucks. He added that it was only for fleet vehicles and nothing for sale. He stated that the maintenance shop was not for sale or hire and was only for the fleet vehicles as well. He mentioned that the trucks would pull indoors, be able to fuel up and then pull right back out. He discussed that it was tractors only and that trailers were not allowed through there. He stated that the setup provided 118 dock doors on day one and that they were at 62 at their current facility. He remarked that it also allowed some area for storage which could also become an additional 24 dock doors in the future. He stated that they could see on the plans a green space up in the northwest corner that would be additional trailer parking that could go in that facility. He mentioned that for the employee vehicles, they went to the extent of the concrete section, that portion where motorcycles would go because kickstands don't like asphalt, so they would go to that extreme. He stated that they would have EV charging for the employees and it would be setup for future EV's for the trucks. He added that the technology wasn't there yet but the site would be setup so that they could have eight EV truck charging stations. He mentioned that they also had electric ability of forklifts at the facility once that technology got caught up. He stated that for the front office area, there would be 17 front office people, 33 people working the dock area and they would have their own break room across from the dock. He discussed that there would be a warm storage or a Wix area, which was where they could keep product that might freeze overnight and gave the example of Sherwin Williams. He stated that the paint would freeze if it sat on the dock so they would put it in that room to keep it warm until the next morning when it could go out on the trailer. He stated that there would 76 drivers that would be working out of the facility. He added that 48 of them would be out every day and they would just do pick-up and deliveries. He mentioned that about 20 of them would do two pick-up and deliveries. He commented that they would come back midday to pick up another load and go back out. He stated that around 70 trucks would be leaving the facility between 8:00 am and 10:00 am and then those 70 trucks would come back between 4:30 pm and 7:30 pm. He mentioned that there were approximately 28 transportation drivers and they were the ones that typically would go between facilities. He gave an example of the truck leaving the facility and going to Indianapolis and dropping the trailer off there. He stated that they would typically leave around 9 o'clock at night and return between 4:00 am and 9:00 am that same day. He added that on day one they would have about 140 employees. He

commented that there was a patio area up front for employees to gather throughout the year. He mentioned that there were also picnic tables out back by the lake. He remarked that the lake was a large retention basin and that one area would be planted with prairie grass or nesting grass. He stated that the owner was a huge fan of wildlife and that they would be putting in aerators but would also have water fowl like ducks and there would be duck boxes around the pond. He stated that the entire facility would be fenced in and that the front would be 8 feet tall black chain link fence, no barbed wire including the pivot swing gates. He added that when it got to the side it was a six foot with two strands and that they had modified the drawing based on the meeting with staff. He added that they had two directional signs that were shown on the drawings that were two feet tall and were truck entrance and truck exit signs only so that the employees knew which side to go in. He mentioned that the only sign that they had which said Dayton Freight was the building mounted sign.

Chairman Smolik asked if the Commission had any questions or comments.

Member Ali asked if the fuel tanks were above or below ground.

Mr. Henestofel stated that they were below ground.

Member Ali asked if there were oil water separators.

Mr. Henestofel stated that for inside the fuel bay and the maintenance shop yes, there would be oil water separators.

Member Ali asked about the salt.

Mr. Henestofel stated that the salt would be covered. He mentioned that they put sumps in all the storm structures and the two that were closest to that had what was called an Envirohood that was basically a cover that went below the water in the sump to make sure that things didn't get trapped.

Member Abens stated that as far as the trucks directions, concerns of his ward would be that sometimes they would be using Sugar Ridge Road and that he would get all those calls. He asked if there was any way that they could ensure that their drivers consistently came from Route 57 or head to Route 57. He stated that they could have curbing at the exit that would force them into a right turn and wouldn't allow them to make a left.

Mr. Henestofel stated that they would take a look at the truck turning and that may they could shrink the one radius. He mentioned that they definitely put up signage that would state trucks right only. He added that at that facility they were company drivers.

Member Abens asked City Engineer Eavenson if they were satisfied with the facility's water runoff and retainage.

City Engineer Eavenson stated that the plans were very thorough and detailed and she appreciated that. She mentioned that she was sure the storm water report would be forthcoming.

Mr. Henestofel stated that it would be issued out on Friday.

City Engineer Eavenson stated that at first look it looked good.

Member Abens remarked that there would be a lot of water coming off that lot.

Mr. Henestofel stated that they were detaining the 100 year and only had 9 cfs (cubic feet per second) released in the 100 years. He mentioned that they had accounted for it. He stated that 50 year was their critical storm event that they had to do.

Chairman Smolik asked regarding the grass area in the upper right corner on the drawing, if that would be land banked parking.

Mr. Henestofel he stated that it would be for the future. He added that if they looked at the packet there was a full build where they would be putting the parking lot in that location.

Chairman Smolik asked if they would be parking trucks on the grass.

Mr. Henestofel stated that they would not.

Chairman Smolik asked if their retention was based on full build.

Mr. Henestofel stated that it was based upon full build. He remarked that they did a plug and play so that if there were more employees that were hired and they didn't need the trailers, they could build an employee lot but the basin wouldn't need to be changed. He stated that once a wet basin was built, expanding it was a pain.

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

Director Lieber stated that she wanted to extend a welcome to Dayton Freight and that the City was pleased that they chose North Ridgeville to grow and expand their business. She added that they were encouraged that even currently they were looking to the future and had future phase plans. She stated that their plans were completely zoning compliant and for such a big project that didn't always happen. She added that they appreciated their attention to detail.

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

Holly Swenk 36259 Center Ridge Road, North Ridgeville, OH 44039.

Ms. Swenk asked if the majority of the employees were going to transfer to the terminal or if they would be looking to hire.

Mr. Henestofel stated that the majority of them would be transferring but there would be new hires because there would be positions in North Ridgeville that didn't exist at the other location.

Ms. Swenk asked if there would be separate entrances for trucks versus employee vehicles.

Mr. Henestofel stated there would be and that the employees' entrance would be the center driveway and the trucks' entrance would be at the two edges. He said the only exception would be the maintenance employees. He stated that they would be the only ones to share the entrance with the trucks.

Ms. Swenk welcomed them to North Ridgeville.

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

Council Liaison Abens welcomed them to North Ridgeville and stated that he was glad that they chose North Ridgeville.

Mr. Henestofel added that it would be a thirty eight million dollar state of the art facility.

Council Liaison Abens stated that the schools would like them too.

Moved by Ali seconded by Smolik to approve the application as presented.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

CORRESPONDENCE:

Administrative Approvals & Zoning Certificates

Chairman Smolik discussed that there were two administrative approvals and zoning certificates issued. He stated that one was for Stonecreek720 LLC, 6001 Lear Nagle Rd, North Ridgeville, OH 44039 and they received approval of a certificate of zoning compliance for retail sales of gift shop and vape store. He stated that the other was for 2B Clean Auto Detailing, 32325 Cook Rd, North Ridgeville, OH 44039 and they received approval of a certificate of zoning compliance for auto detailing business.

Master Plan Update

Chairman Smolik stated that he handed all of the Commission members a flyer. He discussed that at their previous meeting they had they did a workshop where people had maps in front of them and they were able to answer some of the bigger questions like "What are the greatest opportunities for North Ridgeville?", "Where do you see growth?" and each of the four to five person groups had their maps all pointed out and they collected all that data and compiled the results. He mentioned that now they would open it up to the community. He stated that it was geared toward the public to get their input and the information was on the flyer handed out. He added that the Master Plan wasn't Administrative based or Commission based but wanted it to be resident based. He stated that the dates were February 28th at Liberty Elementary from 6:30 pm to 8:00 pm, March 1st from 4:30 pm to 6:00 pm at Fields United Methodist Church and March 2nd 12:00 pm to 1:30 pm at the North Ridgeville Branch Library. He explained that it was a workshop to get the voice of the people on what they believed some of the greatest opportunities and possible growth for the City of North Ridgeville and would all tie into the Master Plan.

Director Lieber stated that there would be virtual options as well for those that can't attend the meeting dates ridgevilleready.com was a website setup and there would be portal where people could leave their comments there as well. She added that there would be no excuse not to participate.

OLD BUSINESS:

Proposed Zoning Ordinance

AN ORDINANCE REPEALING CHAPTER 1284 OFF-STREET PARKING AND LOADING REQUIREMENTS, CHAPTER 1290 COMMERCIAL AND INDUSTRIAL ACCESS DRIVES AND SECTION 1294.08 LIGHTING LAWS, AND CREATING A NEW CHAPTER 1285 PARKING, LOADING AND LIGHTING OF THE NORTH RIDGEVILLE ZONING CODE

Director Lieber stated that they had a couple different work sessions on the proposed zoning changes and that now they were seeing it in ordinance form. She added that if recommended by the Commission, then it would be advanced to City Council for introduction for first reading at the next meeting. She explained that at their last work session there were four or five different areas where comments were shared or small updates to the language and those had been made and incorporated into the version before them.

Chairman Smolik asked if there were any questions or comments in regards to the proposed zoning ordinance.

Moved by Smolik seconded by Abens to recommend the proposed zoning ordinance as presented.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

NEW BUSINESS:

T-11-2023 AN ORDINANCE AMENDING SECTIONS 1268.02, 1270.02, AND 1272.02 OF THE NORTH RIDGEVILLE ZONING CODE TO UPDATE USE REGULATIONS FOR CAR WASHES.

Director Lieber stated that the ordinance had already been introduced to Council and was now being referred to Planning Commission for their review. She mentioned that the origination of the ordinance was the concern expressed of the proliferation of car washes in the City of North Ridgeville and how they could potentially use their greatest land use tool, which was zoning, to perhaps control and regulate where car washes may locate. She explained that it wasn't an attempt to eliminate them from the City but to more carefully look at the districts where they were located and in what manner they would be permitted and to give the Planning Commission extra tools use in its' review process. She discussed that currently the ordinance showed that car washes were permitted in the B-3 district. She added that they were conditional in the B-4 district and also conditional in the B-5. She stated that there were currently three districts where car washes could be located. She remarked that the ordinance would eliminate car washes as a conditional use from B-5 Architectural Business District. She commented that it was pretty much the area along Center Ridge Road that was west of Stoney Ridge Road. She stated that when looking at the zoning map it was that portion that was a taupe color. She added that in the B-3 and B-4 districts, Highway Commercial or Commercial Parkway, it would make them conditional uses. She stated that currently they were permitted by right in B-3 and the ordinance would make it a conditional use. She remarked that it would add a spacing requirement. She explained that it would allow car washes to locate not any closer than one mile away from another similar business. She stated that spacing and separation requirements were some tools cities use when they felt that there was a use that they wanted in their community but they just didn't want a ton of it in their community for whatever reason, whether due to traffic or other potential impact on surrounding properties. She stated that the spacing restriction would have to do with when the car wash was the primary use. She explained that if it was a gasoline

station and it had an ancillary car wash, that's not what they were talking about. She stated that what they were talking about was when the car wash was the principal use of the property and that would be where the spacing and separation would kick in. She added that it was just an effort to lightly regulate car washes a little more so than had been done in the past also by making them conditional and not permitted uses. She stated that the Commission could use all of the tools in the conditional use chapter to look at the potential impact to surrounding property owners to place conditions for approval on those types of places where they would see that that might be necessary and for the best interest to the public health, safety and welfare.

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

Council Liaison Abens asked if it would stand up to legal challenges.

Prosecutor Kelleher stated that it was conditional use and that the challenge may come from the distance limitation but they were sort of in the business of fighting those things off. He commented that it seemed fine to him.

Director Lieber added that it did nothing to the existing businesses and that any business that was currently there could of course stay and if that business were sold, it could continue even if it were closer than the one mile.

Chairman Smolik asked regarding the one mile, if it was as the crow's fly or if it a roadway mile.

Director Lieber stated crow.

Chairman Smolik asked that if it was less than a mile, could still go to the Board of Zoning and Building Appeals.

Director Lieber commented that any applicant could always appeal a zoning question to the Board so it would be possible but they would have to meet the burden of showing what was so unique about that property and in that case the spacing was really the City's policy of "Hey, we want to limit these because of the number in our community".

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

None were given.

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

None were given.

Moved by Ali and seconded by Smolik to accept the ordinance as presented.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

Work Sessions

Schedule work sessions for:

Planning Commission Training - budgeted in 2023

Chairman Smolik stated that the last item on the agenda was work sessions.

Director Lieber explained that there were two topics that she wanted to schedule a work session for. She stated that the first was for Planning Commission Training. She added that part of the 2023 budget for the Planning Commission included funds in order to secure consulting services to conduct a training of the Planning Commission on things relative to the function of their job, like meeting management or the application of their bylaws or the types of procedures they should be using. She stated that they knew as citizen planners they were volunteers for the Commission and it was their responsibility as staff to ensure that they were well prepared to undertake their role and they should be annually or regularly providing them with continued education opportunities so that everyone could be on the same page in the course of their meetings to ensure that they felt comfortable in their role and that any current changes to the bylaws, rules or ordinances or even State laws that may impact them that they are up-to-date. She explained that she thought it was important for the Boards and Commissions to start doing on a more regular basis to engage in training. She added that it would be approximately a two hour block session and shouldn't be scheduled on a regular meeting night. She wanted to see if they would prefer to pick an alternate weekday night or possibly Saturday morning where they could get together in a more informal atmosphere with a trainer and if given to her ahead of time, find a topic that they would be interested in hearing about.

Chairman Smolik asked if she was asking if they would rather do a weekday or a Saturday morning.

Director Lieber stated that was correct.

Chairman Smolik stated that since two members were absent, to send out an email in order to get everyone's feedback. He commented that he assumed that they would touch base on Ohio's Sunshine Laws, Robert's Rules and then they could look at the projects from a mile high point of view as opposed to under a microscope and asked if that was the sort of training that would happen.

Director Lieber stated that was correct. She remarked that they had adopted some zoning updates within the last year that had given the Planning Commission more descriptive standards by which to review applications than they had in the past and she wanted them to start to feel familiar and comfortable with what those were and how to use those in the course of review of development plans that would be before them. She explained that it was just to learn how to use the tools that they had and to understand what tools they did have. She stated that in July they had a work session on the sign code. She added that she prepared an audit and it was basically a complaint session of all the things they identified that needed fixing or needed to be addressed. She discussed that since then quite a bit of work had happened behind the scenes at the staff level in preparing drafts, having internal meetings, throwing darts and making revisions to get to a place where they had a draft that they felt captured some of the recommendations of the Commission initially made but still had a lot of room for their review and input and discussion.

Sign Code - discuss draft

Director Lieber mentioned that Signs was a big code chapter. She stated that it probably wasn't well

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Sign Code - discuss draft

Director Lieber mentioned that Signs was a big code chapter. She stated that it probably wasn't well suited for another meeting night where there was a busy agenda because of the level of focus and detail she didn't want to spend just twenty five minutes on it. She added that it would probably be more than one meeting's work of discussion. She stated that she wanted to let them know that that was ready when the Commission was ready. She mentioned that she didn't think they would want to do the training and sign code on the same day as it would be too much. She stated that maybe they could also send out an email preferences for that and if it should be more of a week night versus a Saturday.

Chairman Smolik asked if it would be open to the public.

Director Lieber stated that it would be a work session that would be advertised so the public could attend but it didn't mean the public was able to participate.

Chairman Smolik stated that at least they could see the process.


Director Lieber remarked that that was correct.

Chairman Smolik stated that based on that he felt it should probably be a week night.

ADJOURNMENT:

The meeting was adjourned at 7:50 PM.


James Smolik
Chairman


Tina Wieber
Deputy Clerk of Council

Tuesday, March 28, 2023

Date Approved