

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF
REGULAR MEETING MAY 12, 2015**

To Order: Chairman Larry Mollenkamp called the meeting to order at 7:00 P.M. with the pledge to the flag.

Roll Call: Present were Planning Commission Members Tim Anderson, Jim Hurst, Council Liaison Bob Olesen, Vice Chairman Jim Rothgery and Chairman Larry Mollenkamp.

Also present were Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan, City Engineer Scott Wangler, Mayor David Gillock and Deputy Clerk Donna Tjotjos.

Minutes: Chairman Mollenkamp stated that all members of the Commission should have had a chance to review the minutes dated April 14, 2015. He asked if there were any corrections to the minutes. Hearing none, he stated that the minutes are approved as written.

Correspondence: Chairman Mollenkamp noted there was no correspondence received.

Old Business:

Chairman Mollenkamp noted that under old business tonight is the by-law amendment. He asked for a motion that Planning Commission suspend the by-laws and move the order of business so that old business is placed after new business.

It was moved by Rothgery and seconded by Olesen to suspend the by-laws to move old business after new business under the order of business.

Chairman Mollenkamp asked the Secretary to call the roll.

Yes, 5 No, 0

Motion was approved by a vote of five to zero.

NEW BUSINESS:

Chairman Mollenkamp asked the Secretary to read the application.

APPLICANT: Paul Swasey, Lake Ridge Academy, 37501 Center Ridge Road

OWNER: Lake Ridge Academy, 37501 Center Ridge Road

REQUEST: Approval to construct a new science building onto existing school property

LOCATION: 37501 Center Ridge Road in an R-1 District
Permanent Parcel No. 07-00-034-000-109

Application was read along with comments from Chief Building Official Fursdon, Mayor Gillock, Fire Chief Reese, Police Chief Freeman, and Safety-Service Director Armbruster.

It was moved by Rothgery and seconded by Hurst to read the comments received after cloture regarding this application.

Chairman Mollenkamp asked the Secretary to call the roll.

Yes, 5 No, 0

Motion was approved by a vote five to zero.

Chairman Mollenkamp asked the representative from Lake Ridge Academy to step to the mic, present their application and state their name and address for the record.

Mike Bramhall, Bramhall Engineering introduced himself as well as Greg Chaplin, the Architect and Paul Swasey of Lake Ridge Academy. He stated that he could answer the questions with respect to the site plan, the 100 year flood plain with respect to the City Engineer's comments and he asked if the Commission would like the answer to those questions now.

Chairman Mollenkamp stated that whatever the presentation is and asked if the applicant would like the Commission to go forward.

Mike Bramhall stated he would let the Architect speak to inform the Commission about the building itself, which would include what the goals of the school are; which would be a little more exciting than the dirt and pipes.

Greg Chaplin, Hastenstab Architects, 190 North Union Street, Akron, Ohio explained that Lake Ridge Academy desires to build a new science building on the southwest corner where there is open space. The building will contain chemistry and biology lab space with research labs to support those functions, a multi-purpose room that can be used as a breakout space for the lab area as well as other functions. It will also contain another lab, classroom space and shop as well. It will also include an enclosed greenhouse that will be constructed on the south side of the building as kind of a lean two, with a two sided glass door greenhouse. The campus will face the expressway. Mr. Chaplin continued to speak, however, recording was inaudible. He showed the floor plan on the drawings. He explained that the exterior of the building will be a combination of brick that matches the adjacent buildings in color and texture as well as horizontal metal siding. It will match the existing complex.

Chairman Mollenkamp asked if that was the end of his statement and if there were any other comments from the representatives. Hearing none, he opened the floor to the Commission for questions and comments. Hearing no questions or comments he opened the floor for questions and comments from the Administration.

Mayor Gillock stated they have visited with the School over the last months and he is aware of their ideas as far as using the building as a learning tool and some of the things that they are doing with the water recycling. He believes it is a great project and a great addition to the school. He totally supports this application.

City Engineer Wangler stated no additional comments.

Chairman Mollenkamp addressed Engineer Wangler and asked if the list of eight recommendations he provided will be answered to before it moves on after Planning Commission approves it.

Engineer Wangler stated that there is nothing there that is out of the ordinary and will all be addressed administratively in his office with further developed plans.

Mike Bramhall addressed the Chairman and stated that they take no exception to any of the comments and he agreed with Mr. Wangler's comments.

Chairman Mollenkamp asked Assistant Law Director Morgan if she had any comments.

Assistant Law Director Morgan responded no.

Chairman Mollenkamp asked Chief Building Official Fursdon if he had any comments.

Chief Building Official Fursdon addressed the applicant and stated that he needed to sit down with Lake Ridge to make sure they have enough parking and he believes that they do. Nothing was mentioned on the application and it needs to be discussed.

Chairman Mollenkamp stated the subject matter he is looking to be addressed is the water retention and water management. He addressed the applicant and stated he assumed that their water calculations will be correct and will satisfy the ordinances of the city.

Mike Bramhall stated they will.

Chairman Mollenkamp asked if the Commission had any other comments.

Member Hurst stated that the Engineer has asked all the questions related to his concerns and asked for clarification. He asked if the building will be sprinklered.

Greg Chaplin stated the intent is to suppress the building. He stated that they are working through some budget issues with that. However, they do plan on suppressing the building.

Member Hurst asked if the fire protection loop will be set to accommodate this building.

Greg Chaplin stated yes. The pressure testing that was done did indicate there was adequate pressure to suppress this building.

Member Olesen stated he wanted to echo what the Mayor said and added that Lake Ridge Academy has always been a credit to the city and he is really pleased to see them expanding here.

Member Rothgery commended Lake Ridge Academy and stated that every time he has driven back there to check on what is going on; he is always impressed with the campus. It is always above board, very nice and so he commended them for that.

Chairman Mollenkamp opened the floor to the audience and seeing none, he asked the Planning Commission if they had any other comments. Hearing none, he entertained a motion.

It was moved by Hurst and seconded by Rothgery to approve the application.

Yes, 5 No, 0

Motion was approved by a vote of five to zero.

Mike Bramhall, Bramhall Engineering thanked the Commission and wanted to thank the city for all their help. He explained that Lake Ridge had a little beaver problem and city forces came out immediately after they were called and came out a second time shortly after that.

Paul Swasey, representative from Lake Ridge also thanked the city for responding to all their calls for assistance.

Chairman Mollenkamp moved the meeting to old business which is the by-law amendment. He stated that it has been a long time since the Commission first started looking at this by-law amendment and the Commission really has not had an opportunity to discuss the original proposal and the verbiage. He asked the Secretary if the members had the by-law that was to be amended.

Secretary stated yes and explained the by-law that was presented was in reference to Article IV.

Chairman Mollenkamp asked if that should be read.

Secretary explained that the by-law that is on the agenda is the by-law that was postponed during the last meeting and what that by-law was amending was Article IV with suggested verbiage from the Law Department.

Chairman Mollenkamp explained that the verbiage was the fact that the Commission was considering to somewhat copy or mirror what Avon's by-laws state. He then read the proposed amendment. He stated he was the one that initiated this because of the fact that there are times he does not have enough time to get the packet on a Friday and then go through it over the weekend only to find that there are questions that need to be addressed. If all of the members have had the opportunity to review this, he would like to open the floor for discussion for any comments.

Member Olesen stated he has and he has talked about this with other folks. He referred back to the late 1990's and the early 2000's when the perception of this community was that developers weren't welcomed. This perception lives a lot longer than reality does. He stated that some of

the developers already feel that way. This is why North Ridgeville has been slowly developed. This is why, when he looks at these things, he doesn't want to put any more restrictions on developers. He believes that one element in this whole by-law amendment is that yes, the Commission could ask our own people to submit their documents earlier and the city will bear the burden for getting the comments into Planning Commission earlier than what they have been. He is concerned with the perception from the developer in that Ridgeville is not a good place to do business and he would hate to make these changes right now especially when Center Ridge is going to be widened and there are going to be a lot of people at the city's doorstep with new business. He believes that during that time Planning Commission has to act promptly and swiftly to ensure that business comes to our city. He added that the perception was very true back in those days and as Planning Commission remembers, the city did discourage a lot of business from coming in here. Today, we don't. He stated that every member of this City Council and Administration has worked their heads off to try to bring business into this town and it has been very difficult. He doesn't want to do anything that will give them the perception that we are still discouraging their business and therefore he can't vote for this by-law amendment that is in front of the Commission.

Chairman Mollenkamp asked if there were any other comments. He addressed Assistant Law Director Morgan.

Assistant Law Director Morgan asked for clarification as she wasn't quite sure what is being talked about here. She explained that initially, there were some, especially for bigger projects that was seen once, that it was felt that there was pressure to say okay and not feel comfortable with it and so, in response to that she drafted something that would make it easier to postpone it once. Her understanding was, however, that proposal was not favored at this time and that the Secretary put together something that made minor adjustments to that and so, she is unclear at this minute what is in front of the Commission.

Chairman Mollenkamp stated that what is in front of the Commission is the original proposal that was made before all of this started and right now there has been no opportunity to discuss it amongst the Commission members and so, what he is looking for is discussion and feelings of the Commission.

Member Olesen stated that the Commission still has the opportunity of delaying something if they feel they don't have enough information. He stated that the rules don't have to change in order for the Commission to postpone an application. If a member feels they didn't have enough time to review a project, then fine, postpone it until the next meeting. There is also a possibility of Special meetings. He just feels that he doesn't want to put any more restrictions on developers. He was told by a resident on Council floor that he is too lenient and always favored the developers. He stated yes, he does and that is why he ran for office; to do his best to bring more business into this town and not to discourage it. This is where he is coming from on this whole issue.

Chief Building Official Fursdon stated that he didn't know if anything has been drafted to send to Planning Commission, but he believes there is an alternative which would increase the submittal date from 20 days prior to 25 days, which would buy Planning Commission an additional three to five days for review. It wouldn't hold the projects up and if Planning Commission feels they don't have sufficient information or they have that many questions, Planning Commission can always ask for a postponement until the next meeting.

Secretary addressed the Chairman and asked to speak.

Chairman Mollenkamp acknowledged.

Secretary explained that the confusion is that what is before Planning Commission is the old amendment, which was submitted and is being discussed currently. The members moved to postpone decision on this amendment during their last meeting. In between last month's meeting and tonight's meeting there were discussions on possibly providing an alternative. Planning Commission members were given at their desk this evening, a redlined by-law amendment as an alternative if they chose not to be in favor of the original amendment that requires action tonight.

Chairman Mollenkamp asked what amendments were provided in the alternative.

Secretary explained that it would just amend the cloture date from 20 days to 25 days. The Chief Building Official's review and comment deadline would change from 5 days to 4 days. The Administrative Officer's review and comment deadline would change from 5 days to 4 days.

Assistant Law Director Morgan stated that the amendment that was postponed needs to be acted upon first before the alternative amendment could be presented.

Chairman Mollenkamp asked if there were any other comments from Planning Commission.

Member Anderson stated that he tends to agree with Councilman Olesen that the city doesn't want to discourage developers.

Chairman Mollenkamp stated that he agrees with that to a point and only for the simple reason that there are a lot of surrounding communities that use this type of a format and it doesn't seem to bother the developers at that point in time. After they understand that it will take 55 days to go from the very time it hits City Hall until the time Planning Commission takes action on it is no different with what happens in Westlake and Avon. He stated that he does agree with Mr. Olesen with the fact that the city wants the developer happy so that they'll come into our community, but happiness is not always prudent when you miss something in the proposal. Again, he stated that the Planning Commission has the opportunity to suspend or postpone that particular application to another meeting. He is actually leaning in his own mind to not go forward with the original amendment where Planning Commission would have the extra 30 days and he feels that he, himself, needs time but five additional days would be sufficient for him to at

least get information from the Administration and members of Council as to whatever it is and that was his whole premise to this. There were times that he needs questions answered and when he receives the packet on Friday, there is no one available Saturday and Sunday. Monday he is liable to call or come into City Hall and someone is in a meeting and they are not available to answer questions and then it goes on to Tuesday and the next thing you know, he still hasn't had his questions answered until he gets to the meeting and that person isn't here to answer it.

Member Rothgery suggested that if that happens, then the Chairman can make that statement and ask that the case be postponed until the next month. He would think that would be an easy thing to do.

Chairman Mollenkamp stated that after looking at this, yes, but he still feels that if the Planning Commission wants to move on, the members should be able to get in contact with these people and get these questions answered. In his mind, he feels that with the additional five days he can handle that. If there are questions that have not been answered it will come to the point of requesting the application be postponed.

Member Olesen stated he didn't think that anyone doubts the Chair's sincerity in trying to do the job of a Planning Commission member as best as he can. That isn't his point. His point is his concern to alienate or allow the developer to think that there they go making it tougher for the applicant. He continued to state that the city is taking a huge, huge step in this Center Ridge Road widening project and if it doesn't come to be like he thinks is going to happen, in five years, people will see that it was a good idea. He stated that he believes that Planning Commission really doesn't want to alienate anybody at this point by changing the by-laws as to what they do and how they submit.

Chairman Mollenkamp asked if there were any other comments.

Member Hurst stated oversimplified, the proposal that is being discussed was taking a pessimistic view of allowing two months to review as opposed to the fact that if the application is too complex, then the Planning Commission can simply request to postpone based on a request for more review. He believes that after his quick perusal of the alternative set in front of the members tonight, that Planning Commission is moving in the right direction. It feels logical.

Chairman Mollenkamp stated that he felt in being a layman, not being within the political structure within the community, that he needed that time to actually view, physically walk the location, ask questions and he felt at that point in time that was something that was needed in this Commission before they passed it on to Council. Now, he has somewhat changed his feeling. He asked Assistant Law Director Morgan how this now can be changed.

Assistant Law Director Morgan stated that the Commission can make a motion to deny it and vote on it and the old amendment is off the table. She addressed the Secretary and stated that she believes that they can now review the alternative proposal and vote on it at the next meeting.

She asked if they would need a motion at this time and if that is all they would need procedurally.

Secretary explained that procedurally, the Planning Commission would need to dispose of the one that is in front of them; whether that is to deny or whatever. Once that is done, the Chairman can announce that there are new amendments in front of them to review and action can be taken at the next meeting.

It was moved by Rothgery and seconded by Anderson to deny the by-law amendment. Chairman Mollenkamp asked the Secretary to call the roll.

Yes, 5 No, 0

Motion to deny the original by-law amendment was approved by a vote of five to zero.

Chairman Mollenkamp stated that there is before the members a redlined proposal for the by-laws, which basically is going to extend the cloture date from 20 to 25 days. He addressed Chief Building Official and asked if that was going to be enough time for him to review the applications.

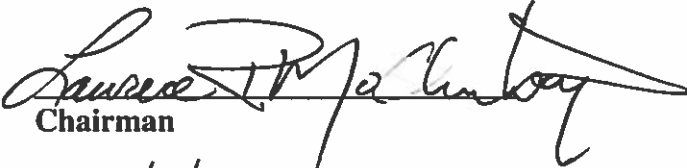
Chief Building Official Fursdon stated that he will make it work to try to buy the members more time in so that by the time it gets to Council, Planning Commission doesn't still have more questions.

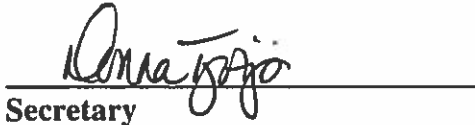
Chairman Mollenkamp directed the new by-law amendment be placed on the agenda for the next meeting for discussion and action. He noted that there are several pages that are being amended. He thanked Assistant Law Director Morgan for all the help and work she put into this and the Secretary for trying to lead him along in helping him get this somewhat right. He then stated there is no other business before the Commission and adjourned the meeting.

ADJOURNMENT:

Chairman Mollenkamp stated that since there is no new business the meeting is adjourned.

Meeting adjourned at 7:35p.m.


Chairman


Secretary

6/9/15
Date Approved