

**NORTH RIDGEVILLE PLANNING COMMISSION  
MINUTES OF  
REGULAR MEETING JULY 11, 2017**

**To Order:** Chairperson Swallow called the Planning Commission meeting to order with the pledge to the flag at 7:00 p.m.

**Roll Call:** Present were members Jim Smolik, Tim Anderson, Council Liaison Bernadine Butkowski and Chairperson Jennifer Swallow.  
Absent was member Jim Maleski.

Also present was Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan, Assistant Engineer Cathy Becker, Safety-Service Director Jeffrey Armbruster and Deputy Clerk of Council Donna Tjotjos.

**ELECTION:** Vice-Chairman

Chairperson Swallow explained that member Smolik took over the remaining term for member Pierce, so the position of Vice-Chairman becomes vacant. She asked for nominations for Vice-Chairman.

Chairperson Swallow nominated Jim Smolik as Vice Chairperson. She asked if there were any other nominations. No other nominations were made. Member Smolik accepted the Vice-Chairman's position and took his seat.

Chairperson Swallow thanked Vice-Chairman Smolik for his decision in becoming a member of the Planning Commission.

**Minutes:**

Chairperson Swallow asked if there were any corrections to the minutes dated June 13, 2017. She stated if there are no objections, those minutes will stand approved as presented and will be placed on file.

**Correspondence:**

**Old Business:**

Chairperson Swallow noted there was no correspondence or old business for this meeting. She asked the Clerk to read the first application.

**NEW BUSINESS:**

**APPLICATION:**

**APPLICANT:** Richard Costin, Lemmon and Lemmon, Inc., 1201 S. Main Street,  
North Canton, OH 44720

**OWNER:** Bagley Lorain Properties, 9095 Gatestone  
**REQUEST:** Site plan approval for Assisted Living and Independent Living facility in a Special Development District.  
**LOCATION:** Northeast corner of Bagley and Lorain Road in a Special Development District  
Permanent Parcel Nos. 07-00-011-102-149 and 07-00-011-102-150

Application was read along with comments received from Chief Building Official Fursdon, Safety-Service Director Armbruster, Assistant City Engineer Becker, City Planner David Hartt, Police Chief Freeman and Fire Chief Reese.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Tony Perez, Owner of Lemmon and Lemmon Inc., 1201 S. Main Street, North Canton, Ohio. John Walsh was also present who is representing GBC Design. He is an owner and their Civil Engineer who prepared their site plan.

Chairperson Swallow asked if the representative could give a brief explanation of their plan.

Tony Perez explained that the proposed location is on the northeast corner of Lorain and Bagley Road. He explained a little bit about Lemmon and Lemmon and what they do. Their sister company is Danbury Senior Living. They currently have thirteen senior living buildings in the state of Ohio. There are five under construction and by 2018 they will have eighteen senior living care facilities in the state of Ohio. They are proposing one hundred and six units of assisted living and memory care that will be located in the building nearest to Lorain Road. There will be thirty-six units that are primarily memory care. It will be a licensed building through the Ohio Department of Health and it will be licensed as a residential care facility. There will be full amenities; including dining, housekeeping and medical assistance in the one hundred and six, two story building. On the south parcel, the other side of the pond, they are proposing a sixty-nine unit, three story building that will be an independent living building. This building will be geared toward more active seniors who are not quite ready for the assisted living building. The sixty-nine unit building will have larger units. The units will be as large as 1,400 square feet. They will have full amenities and full dining. Between both of the buildings combined, they should have one hundred and fifty, full-time and part-time job creations through this project.

Chairperson Swallow opened the floor for questions and comments of the Planning Commission members.

Member Butkowski stated that the Fire Department suggested the applicant put in that driveway to connect the buildings. She asked if they planned on doing that for the safety forces.

Tony Perez stated that if they connected anywhere, it is probably going to have to be in front of that pond. It's going to be interesting because of the setback, but he thinks they may be able to do that. He understands their concern. The problem toward the back is that there are some wetlands and if they are able to do that they will connect it up there as well.

Member Butkowski stated it is for their safety. She added that you want the Fire Department to be able to get around that area.

Tony Perez stated he understood that and that is why within each of the parcels they did create fire lanes all the way around the buildings. He asked John Walsh if that was something they could do in the front.

John Walsh stated that they could do a temporary in the back.

Tony Perez asked if they provided another option in their comment or was it just connection.

Member Butkowski indicated it just stated connection. She didn't believe that the connection had to be used every day, but just a connection that is kept snow free and can be used all year round so it can be used if it was there.

Tony Perez stated if they have to do it, they will probably push the area toward the front on Bagley Road.

Member Butkowski stated wherever the applicant can, so that it is maintained always and can be used for emergency.

Tony Perez stated it is understood.

Chairperson Swallow asked where the deliveries will be to the buildings since this does abut a residential development.

Tony Perez showed the area where the deliveries will be for both buildings.

Chairperson Swallow asked if the only drives to this facility were on Bagley.

Tony Perez stated yes, because once the land starts going up to the north, the elevation changes and it would be too hard to get an entrance on Lorain.

Chairperson Swallow stated that her concern is that they be mindful, as this does abut a residential neighborhood and sometimes those delivery trucks can be noisy. She asked if that could be taken into consideration with landscaping and fencing. The landscape approval isn't part of this application submission.

Tony Perez explained on the northeast side there is a buffer there. His intent for that whole northeast side is to keep as many existing trees as he can. Obviously, they will be removed if they are dead, but they will infill and plant as much as they can. He will also do some other buffering as well. They spent a lot of time and dollars on landscaping throughout the whole campus. He stated there are a lot of trees that are currently there.

Vice-Chairman Smolik asked if there has been fire turning movements done on this site plan.

Tony Perez stated yes.

Vice-Chairman Smolik stated he believes one of the concerns that the Chief had was instead of backing up or trying to turn the fire truck in the rear, that it be connected with an emergency access where it would be chained off. That is probably what he was trying to convey.

John Walsh stated they have a software product that is called auto turn, where it actually shows the tire tracks and all of that. They did run a fire truck through there and they are able to maneuver it. He stated they will work with the Chief to see what his typical truck is and provide that document to him.

Vice-Chairman Smolik noted the tight area near the lake.

John Walsh stated there is a drive isle that goes all the way through and a fire lane that wraps all the way around the building, so there is no need for fire trucks to back up anywhere. He has a complete loop all the way around.

Vice-Chairman Smolik noted on the plans that it shows detached garages and he didn't see any renderings of those. He asked if that construction is going to be similar to the main buildings.

Tony Perez stated it will be similar to the construction of the main buildings.

Vice-Chairman Smolik stated that the main buildings look like they are cultured stone and asked what materials would be used.

Tony Perez stated they tend to do a lot of hard surface, as much as they can, especially on the front elevations. They use brick on the front elevations.

Vice-Chairman Smolik asked if that was cement siding; the beige or tan part.

Tony Perez explained that it is vinyl siding. There is a mixture of cultured stone, brick, vinyl shake and vinyl siding.

Vice-Chairman Smolik asked if the garages will have gutters that will direct any run off into the parking lot.

Tony Perez stated yes.

Vice-Chairman Smolik stated he understands that the applicant wants to keep as many trees as possible in terms of the buffering. He asked if they had any thought of installing fencing in order to keep the car lights away from that residential area.

Tony Perez stated that the thought is to go in there and clean that out and see what trees are going to be able to be left and then fill. He asked if the landscape plan is reviewed with the submittal.

Chief Building Official Fursdon stated the landscape plan will be required with the final approval.

Vice-Chairman Smolik addressed Chief Building Official Fursdon and asked if it is approved by the Administration or does that get Planning Commission's approval.

Chief Building Official Fursdon stated it has to come back to Planning Commission for final approval.

Tony Perez stated he didn't know that. He asked if they had to just present a landscape plan.

Chief Building Official Fursdon explained this is a preliminary meeting. At the final meeting, he would have to provide the landscape plans.

Tony Perez stated that they would infill with new trees. There wasn't a thought into installing fencing but if it is a recommendation, they would take that under consideration.

Vice-Chairman Smolik stated that his concern is car lights and whether mounding or fencing could eliminate that concern.

Tony Perez stated they would take a look at that.

Vice-Chairman Smolik stated that the Engineer had some concerns about the property lines along the subdivision in terms of drainage. He assumed once the applicant gets far enough into the civil engineering, they will have the swales and all that. He asked when the applicant will be in front of the Board of Zoning for the setback variances.

Tony Perez stated it was scheduled two Thursdays ago, but they didn't have a quorum so it was rescheduled for this Thursday.

Vice-Chairman Smolik addressed Engineer Becker and stated that it looks like Lorain Road has an extra wide right-of-way there. He asked if there were plans in widening that.

Engineer Becker stated not at this time.

Tony Perez stated that the extra widening there pretty much mirrors the top of the slope. There is no room to widen.

Vice-Chairman Smolik asked if the dumpster would be board on board fence around it or masonry.

John Walsh stated board on board is what they typically use.

Chairperson Swallow asked if there were any other comments or questions from the Commission. Hearing none she asked if the Administration had anything else to add. Hearing none, she opened the floor to the audience for any comments or questions. Hearing no comments from the audience, she entertained a motion.

It was moved by Butkowski and seconded by Anderson to approve the site plan presented for an Assisted Living and Independent Living facility in a Special Development District.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 4          No, 0

Deputy Clerk of Council Tjotjos stated the motion passed by a vote of four to zero.

### **COUNCIL**

**REFERRAL:** T 64-2017 An Ordinance amending Section 1240.01 of the Codified Ordinances of the City of North Ridgeville, Ohio, known as the zoning code ordinance, to rezone the following land: located at Sugar Ridge and Bender Road; Parcel Number 07-00-047-000-111 and owned by Triple Seven, LLC.

Petition to rezone was read along with comments received from Chief Building Official Fursdon, Safety-Service Director Armbruster, and Assistant City Engineer Becker.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Robert Graham stated he does industrial real estate in Lorain County for those who gave birth to Taylor Woods Industrial Park and this is an extension of Taylor Woods Industrial Park. It is one of the premier industrial parks in the county and it has protective covenants to make it stay nice. It has attracted a lot of companies as you already know. This is a 32 acre expansion of that and they call it Taylor Woods, Phase 4.

Chairperson Swallow opened the floor for questions and comments of the Planning Commission members.

Member Butkowski asked what the use of the land was going to be. She asked if someone had purchased or was the applicant just rezoning.

Robert Graham stated that they would like to have it rezoned to light industrial, just as the property to the north and east is zoned and that they would like to bring jobs to North Ridgeville. They feel that there is a demand for smaller companies to have a place to go and this would be the place. It would include small businesses and at least one or two office flex buildings which matches a real attractive appearance to the industrial use. They aren't excluding any large companies, but larger companies want the larger sites that are now in Taylor Woods. There are ten, thirteen, twenty, thirty and forty-acre parcels now available in Taylor Woods on Taylor Parkway, but this piece would be geared toward the smaller companies.

Member Butkowski asked if this parcel would be subdivided down to five acres per unit.

Robert Graham stated that their plan is to go as low as eight tenths of an acre. He stated some of you may remember Reaser Court in Elyria; off of Ternes in how quickly it sold out and it met the need in the market place and also the need to capture and keep jobs. It doesn't get the glory as something like Riddell does, but it is generally long lasting.

Chairperson Swallow asked if he had any identified companies as tenants for that parcel.

Robert Graham stated not that he can reveal at this time. They are in discussions with two different companies and one is looking at a three to four-acre parcel. The other one is looking at 1.75 acres.

Chairperson Swallow asked if he had any idea, without revealing confidentiality, as to what types of uses might be in those areas. She stated that light industrial permitted uses includes a lot of different businesses and it would be beneficial to the Planning Commission and neighborhood if they had an idea of what types of uses would be going in there.

Robert Graham stated that he can say that the first one is looking at an office flex building and that takes small companies of various kinds. The other one is a single tenant building they would own and operate out of. One of the things that they have done on Taylor Woods is put on protective covenants to keep, even though it is zoned and permitted, junkyards and trash yards and other undesirable things out of Taylor Woods. They will be doing the same thing here. They want to make sure that no one manufactures marijuana and no one manufactures alcohol and other things that would be a detriment to the city.

Chairperson Swallow asked if he ever had any restrictive covenants that would restrict emissions from the light industrial facility.

Robert Graham stated they haven't done that in the past and he wasn't sure how to measure that. They do make a clear effort to put on those protective covenants to keep quality high.

Vice-Chairman Smolik asked where the site access would be and if it would be off of Bender Road.

Robert Graham stated the access would be off Bender Road.

Chairperson Swallow asked if there were any other comments from the Commission. Hearing none, she opened the floor to the Administration for questions and comments. Hearing none, she opened the floor to the members of the audience for questions and comments. She asked that they step to the podium and state their name and address.

Brendan McCool of 38733 Sugar Ridge Road stated this is right across the street from him. He asked which part of Bender this would be coming off of, the north side or south side.

Robert Graham stated that Bender Road is a north and south street, so it would be on the west side of Bender Road.

Brendan McCool asked if the truck traffic would be coming from Taylor Street only, or would it be coming from Chestnut Ridge Road too.

Robert Graham stated that they would encourage them to come from Taylor Parkway and Bender Road.

Brendan McCool stated it would then keep truck traffic off of Sugar Ridge and maintained on Bender Road. He asked if it would be possible to get the list of covenants to see what is being restricted. He stated he can smell maple syrup in his house from the popcorn factory. He didn't want a plastic factory moving in across the street from him and smelling that all day. He would like to see a list to see what would be restricted as it would be a little piece of mind.

Chairperson Swallow asked that the audience address the Commission and the Commission can then request the applicant to answer. She asked if there was anyone else that would like to make a comment.

Mike Babet of 38601 Sugar Ridge stated he is right next to the commercial zoning on Sugar Ridge. There is no other residential in front of Riddell as mentioned earlier. It is primarily commercial. He stated everything in this area is residential. From Bender Road west, it is designated as residential other than Melody Grove and a grandfathered sign on the corner of Sugar Ridge Road and Bender Road. The actual use of that commercial zoned land is residential. With no sidewalks and no access to get anywhere other than Waterbury; they don't have a frontage of residential to buffer from industrial, then they, children and family, will be



exposed to whatever business goes in there. He stated he owns a business on Taylor Parkway. When he moved his business in that area, he knew it was an industrial area. When he moved into his home he knew it was a residential area. This rezoning affects Sugar Ridge Road. They don't have sewers and a lot of them still have well water. If there is going to be some change in the zoning, he would prefer to stick with what is happening in the area which is to buffer that back from Sugar Ridge Road and that there would be residential in the front. He stated that there has been some innuendo about this being like zoning, but it is not like zoning. There is ninety-three acres of undeveloped I-2 that Beckett owns, there is sixty acres on the Parkway and there is over ninety acres between I-80 and Center Ridge Road. There are a little over a hundred and some acres of undeveloped industrial land. He asked why have another thirty-two acres that will be undeveloped. The City isn't getting any tax revenue as they are all farming that land. He sees no benefit for the City and he sees no benefit for the people on the street to rezone this.

James Firak of 38625 Sugar Ridge Road stated that this area he would characterize as wetlands and they see a lot of bird life and pools of water any time it rains. It seems that this rezoning would conflict with the North Ridgeville kind of greening that he read about on the website.

Chairperson Swallow deferred to the Administration for comment.

Safety-Service Director Armbruster stated that as many years as he has been here, there has never been a park proposed for this area. It is zoned industrial from Route 83 all the way down to Elyria and that is why you see the pink, orange and the red. The homes that face Sugar Ridge Road east of there are across from Kalt Manufacturing which is a higher industrial zoning than what is being requested on this part of Sugar Ridge. He stated industrial zoning is located behind every one of those homes. There has been no conversation at all making that area parkland. Sewers are a question but the City is addressing those. Up closer to Race Road the westerly sewers were put in. There are homes located to the north and a few homes going toward Elyria on the right hand side of Sugar Ridge Road that are for sale and some not, but it is the intention of using that property because it is all zoned industrial, continuous through there to try to attract businesses to help keep our one percent income tax and to try and help our City run properly. If it was spot zoning it would be one thing, but this is not spot zoning in any way whatsoever. It fits all the way down and someday, that is all going to be industrial base down there with factories and businesses that will be behind those homes. This is the largest area in North Ridgeville for the City to grow its industrial base. There isn't any other area like this. Along Mills Road, there are homes that back up on all sides of that industrial area. On Lorain Road, there is a pallet factory that is across residential zoning. There isn't enough industrial land in the City to grow businesses.

James Firak stated that he doesn't see any benefit to the residents in this area to rezone this property and he wants to see it stay rural.

Safety-Service Director Armbruster stated if he lived there, he can certainly understand that. Unfortunately, regardless of whether this gets rezoned or not, someday, there will be factories in

their backyard.

An audience member spoke and asked if he was suggesting they should sell.

Safety-Service Director Armbruster stated he is not suggesting they should sell. This is the way the property has been zoned since 1966.

An audience member spoke and stated that piece isn't zoned like that.

Safety-Service Director Armbruster stated he understands that but the point he was trying to make is that it is not spot zoning and it is like zoning.

Chairperson Swallow interrupted and asked that only one person may speak at a time. She asked that they come to the podium. The Commission is here for the evening and they will listen to everyone but they have to speak one at a time. This meeting is a public meeting and it is being recorded. This process needs to remain in place.

Tim Pelfrey of 38322 Sugar Ridge Road showed the area where the residential area is on the zoning map. He stated the industrial zoning is all behind the residential area. This is what everyone is pointing out. He explained that there is a buffer strip that Beckett put in between the industrial zoning and the residential zoning. He asked to keep the residential area the way it is. He stated he worked for Invacare for thirty years and that area is industrial. It is getting crowded and traffic is becoming congested based on the industrial use.

Albert Krage of 37903 Sugar Ridge Road stated that he is opposed to having more industrial businesses. He stated that these people are going to have to look at that through their front windows. He stated that if they wanted to live like that they would have bought on Center Ridge Road, Root Road or even in Avon. This is what is happening here. He was opposed to this rezone and requests that there be better planning. He continued to state that the truck traffic is already bad and the roads are getting all beat up. This will get worse and it will cost a lot more in taxes to do repairs with what is being thrown at them.

James Stermole of 37872 Sugar Ridge Road stated he lives west of Race Road. He purchased his property knowing that it was in a residential area. He purchased his property knowing that it was zoned industrial directly behind him. Mr. Beckett is a fine neighbor. The problem he has is that as you go further down Sugar Ridge Road, the Administration may claim it is not spot zoning and technically, it is not, but while to the north it is zoned industrial, Sugar Ridge Road is still a residential street and is still a residential neighborhood. It needs to remain that way. There is no reason to rezone this property to industrial.

Assistant Law Director Morgan explained that when a business is going to come in here, they still have to come back in front of the Planning Commission. Some people are concerned about possible odors or the appearance. It still has to come back here even if this gets rezoned.

Chairperson Swallow asked if there was anyone else that would like to speak. Matthew Knoth of 38423 Sugar Ridge Road stated that Mr. Armbruster raised a similar scenario with Dolby Pallets on Chestnut being on a residential street. To him that is a prime example of why he believes anyone here does not trust that type of development. You can just have a giant junkyard in front of your business. Put whatever you want out there and anyone can come by and pick it up. There is trash all over and people pulling in and out and to him that is a concern. He stated the Safety-Service Director brought it up and to him that is disgusting. If he lived across from that every day he would complain.

Brad Baker of 37801 Sugar Ridge Road stated that he is not in favor of this at all. He stated that there should be a compromise between the City's desires, developer's desires and the residents. As a resident along Sugar Ridge Road he asks that if they had similar buffers behind Sugar Ridge Road and along Sugar Ridge Road, maybe that would work for all parties. He isn't agreeing to this but stated a compromise should be considered.

Kim Stermole of 37872 Sugar Ridge Road stated they have lived there thirty-two years. They back up to Beckett's property. When they bought there, there was nothing there. She stated her neighbor told them when they moved in to put trees there because some day it will be industrial back there. They did that. She stated this is their home and they just want to keep it the way they bought it. She asked if all this residential zoned land will become industrial one day. She stated that over the thirty-two years they have fought City Hall to keep this a neighborhood and she is now tired. She said she didn't want to be up here on a Tuesday night fighting the Administration to protect what they have worked for all their lives. She added that there is truck traffic now and there will be more if this is rezoned industrial. She asked that the City allow it to remain their neighborhood.

Pamela Madalone of 38390 Sugar Ridge Road stated she is located directly east of this parcel and most of her neighbors have said what she wanted to say but wanted to state that she wants her parcel of land to stay like it is. She has two horses with a barn in the back. She has nothing more to say other than the neighborhood does not need industrial zoning there. There is plenty of land on Taylor Parkway.

Tom Barnes of 38515 Sugar Ridge Road asked if there was going to be a stop light there, if that is rezoned.

Chairperson Swallow stated she would have to defer that question to the Administration.

Tom Barnes asked if sewers come are they going to come down Bender Road. He asked if people on Sugar Ridge Road are going to get sewers and if the City is going to tax the industries there, so that the existing residents don't have to pay for the sewers.

Chairperson Swallow stated those questions are future related and is not a decision in front of Planning Commission this evening.

Tom Barnes stated that there are two businesses proposed for this parcel, who will keep up the property and maintain it.

Chief Building Official Fursdon responded that is the property owner's responsibility.

Chairperson Swallow explained that as the Assistant Law Director noted, this is in front of Planning Commission to make a recommendation to Council on the issue of rezoning only. If the applicant comes forward with a plan, a design plan, to the Commission, everyone will have another opportunity to be heard as there will be another public hearing to discuss the design, lights, traffic flow patterns, etc. This meeting is strictly whether this parcel should be rezoned.

Tom Barnes stated he just wanted the Commission to take those things into consideration. He stated he doesn't see why this parcel is being considered since there are numerous acres on Taylor Parkway available.

Debbie Babet of 38601 Sugar Ridge stated she is opposed to this rezoning as she lives directly across the street from this and has small children. This is not the place to put it. They had their business on Taylor Parkway for many years and there is plenty of property on that parkway for sale for many years. It is not filling up at all. There is plenty of property available and so, there is absolutely no reason to rezone this property.

Sue Wilhelmy of 37939 Sugar Ridge Road stated that she isn't located near this but she has been here numerous times because of the truck traffic, which has not been resolved one-hundred percent. She stated that if this area is rezoned, there will be more truck traffic. She noted Mr. Graham's statement when he said they would be encouraged to come off Taylor Parkway. She stated that they are not going to do that because they take the shortest route. She stated this area is residential and has been from the beginning. It is not an industrial area. She stated there is industrial zoning behind the residential area. There is also a natural buffer and so there is no need for new buffers. She noted other places in the City where there is industrial land as well as in Elyria. She asked that they leave the area residential.

Carolyn Greene of 38693 Sugar Ridge Road stated she has lived in this town for sixty-eight years. The last forty years she has lived directly across from this field. This entire town sixty-eight years ago looked like the area she pointed to on the zoning map. She stated of course you can expect development, but you are taking away every rural area of the county. They moved there for that reason. She stated that there are plenty of other places that can be developed to be orange or yellow or whatever. The white green area should remain that way.

Cindy Morris Firak of 38625 Sugar Ridge stated she lives directly across the street. She thanked the Commission for listening to those that have spoken. She stated that if the Commission members lived across the street and were used to watching the deer with binoculars and then suddenly you see a bunch of people on their break outside smoking where your kids may be

across the street, and then they would be upset too. She stated that if the green area is becoming an asphalt parking area they would be upset too. If the light pollution across the street makes it so they might have a hard time sleeping or having a nice dark fire in your yard, then they would be upset too. She would like it if the people who are making this decision would consider that they are human beings. She stated that the Planning Commission members have an opportunity to do the right thing. She stated that there would be a lot more people that would be impacted by that kind of change in our community than those thirty-seven people that were notified. She stated that they moved here because they wanted to be away from Cleveland and industry. They moved here because they wanted a place where it was clean and green. She is an organic gardener. She didn't want the fumes from some factory to come into her home. She spoke of property values being decreased. She suggested that they consider what is being said here tonight. She stated they are opposed to the rezoning. She added that she believes that land has fly ash and asked that it be looked into. She noted the psychological impact living across the street from industrial use could have an impact on the children.

Chairperson Swallow addressed the Clerk and asked if this notice was given in accordance of the requirements in the code.

Deputy Clerk of Council Tjotjos responded yes and stated that the rezoning ordinance requires notification to be sent to property owners within five hundred feet of this property and that those property owners were notified.

Chairperson Swallow asked if there were any other comments from the audience. She asked that the comments be limited to those that the Commission has not yet heard.

Michael Babet responded to Safety-Service Directors comments regarding property for sale and that the property is intended for industrial land. He stated that there is no property for sale down Sugar Ridge Road right now. He stated that there is property for sale in Eyria. He stated that for Mr. Armbruster to insinuate that this will all be industrial shows that there is a plan in place. He asked those that aren't the Administration to please think clearly and open mindedly.

Ashley Sirius of 38445 Sugar Ridge Road stated that one of the reasons they moved here over a year ago was because they wanted to go back to how they grew up in a rural area. She wanted to give the perspective from their generation as they haven't lived here that long. She stated that she grew up in LaGrange and her boyfriend lived on the east side. They wanted something that brought them back to their roots. One of the main reasons they bought that house was for the view of the country. There is so much land on Taylor Parkway to use.

Kathy Zaleski of 37814 Sugar Ridge Road stated that there are no sewers, but there are a lot of wells. She asked who was going to take care of the pollution. What guarantee will they have that there will be no emissions there and that the land won't be polluted. There are many young families in this area that have to be considered.

Chairperson Swallow stated that there hasn't been any actual business being proposed yet and so without knowing the type of development or use, it's hard to address those questions. She asked if there was anyone else that would like to speak on this matter.

A member of the audience did not introduce herself stated that she received two notices in the mail. The first notice was about this parcel only and the second one was about both issues and they each have different dates. She wanted to know if there was still going to be a meeting on August 7.

Deputy Clerk of Council Tjotjos responded that August 7 is the public hearing.

A member of the audience asked if that was a separate meeting.

Deputy Clerk of Council Tjotjos explained the process in which a zoning petition is filed and the necessary steps it takes to proceed in receiving approval starting with Planning Commission's review and then proceeding with Council's review and rezoning legislation adopted.

A member of the audience still asked for clarification.

Chairperson Swallow explained once again and added that legislation for the rezoning requires three readings from Council.

A member of the audience asked when the third readings will occur.

Chairperson Swallow explained the three readings and their dates. The third reading is August 7 after the public hearing and during the regular Council meeting.

Safety-Service Director Armbruster stated that the next Council meeting is July 17 at 7:30 p.m.

Chairperson Swallow asked if there were any further comments from the audience.

A member from the audience stated that letters were sent out and he didn't get a letter.

Chairperson Swallow asked for his address and name.

Tim Pelfrey of 38322 Sugar Ridge Road.

Deputy Clerk of Council Tjotjos stated she believed that was outside of the five-hundred feet.

Tim Pelfrey indicated he has to be within the five-hundred feet as the lady next to him is even further.

Chairperson Swallow asked if there were any other comments related to the rezoning.

Assistant Law Director Morgan stated that wouldn't affect the validity of the notification requirements. She stated that we make our best efforts and we really do try, but it won't affect the validity of this meeting.

Cindy Morris Firak of 38625 Sugar Ridge stated unfortunately, because of how it was presented to our community and the neighbors and because it wasn't listed on the website and because most of the audience is here because of word of mouth. Under location on the notice it doesn't list it as Sugar Ridge Road. The second letter dated received makes it look deceptive, which makes the Commission immediately appear to be trying to pull something over on them.

Deputy Clerk of Council Tjotjos posted the notice on the smartboard and the notice mailed gave the location of the rezoning.

Assistant Law Director Morgan stated that the notice was provided in best efforts. There is a room full of people here and so we were fairly successful.

Chairperson Swallow announced that this meeting is being recorded and we need to make sure we have a clear record of it and so she asked again that the members of the audience take turns speaking.

Assistant Law Director Morgan stated that if anyone feels that they didn't get the information, then they could give us their information so it doesn't happen again.

Chairperson Swallow asked if there were any comments regarding the rezoning.

A member of the audience asked if they could attend Council to voice their opinions.

Chairperson Swallow stated that the Council meetings are public and are held the first and third Monday of the month. She stated that the Council meetings are on the website.

Chief Building Official Fursdon explained the Council meetings again. Council sets the time for the public hearing.

Brad Baker of 37801 Sugar Ridge asked when Planning Commission will be making their determination on this rezoning.

Chairperson Swallow explained that there will be a motion tonight during this meeting to make a recommendation to Council.

Brad Baker asked if the Planning Commission makes a recommendation to rezone, then Council moves forward with the process. He asked if the Planning Commission makes a recommendation not to rezone as proposed, what would be the consequence of that.

Chairperson Swallow stated that Council can overrule that recommendation. She stated that the Planning Commission is just here to make a recommendation to Council.

Brad Baker asked when that determination will be made.

Chairperson Swallow stated that he will hear their recommendation tonight.

Chairperson Swallow recalled the applicant to the podium and asked if it was possible to have access from this parcel strictly from Taylor Parkway.

Robert Graham stated no. It would have to have access from Bender Road. He stated that their purpose is to have the access on Bender Road to keep all the traffic onto Bender Road into Taylor Woods. A sign would be placed on Sugar Ridge Road stating no truck traffic. He stated that they will do everything they can to cooperate with the neighbors. North Ridgeville needs an industrial base. He stated North Ridgeville is growing like crazy residentially, and we need to balance that with jobs and an industrial base.

Chairperson Swallow announced again that we can't have people speaking from the audience unless they are at the podium. She asked if there were any further comments from the Planning Commission.

Vice-Chairman Smolik asked if the applicant had any initial thoughts about buffering on Sugar Ridge Road.

Robert Graham stated definitely. He showed the area where there is a buffering of trees. He stated that he and his wife have already talked about the possibility of coming to live there. They are really focused on buffering with evergreen trees that are full all summer and all winter long. They will also provide a visual barrier that fits the needs of both parties as a compromise. He stated that he understands the concerns.

Vice-Chairman Smolik asked if there was a time table as far as development of this parcel.

Robert Graham stated there isn't a time table.

Member Butkowski asked if the first parcel on the east side is still residential. She asked if it would be possible if the applicant could cut off the frontage of that parcel on Sugar Ridge and not rezone that portion of it. That would mean to only develop that portion to which is rezoned I-2 and that way it won't impact those people on Sugar Ridge Road as quickly. The back land could be developed. This way it would be even across as I-2.

Robert Graham stated that they have not only discussed it but they have drawn up preliminary plans to keep all that residential and just rezone the back portion. They would place the trees



along Sugar Ridge Road in that portion that is not rezoned so that it keeps the attractiveness along Sugar Ridge Road. That would involve just developing the back part of it with that little street.

Member Butkowski asked if the applicant could take that portion of it off the request to make it industrial so everyone knows that it is still residential and he could still do that. She stated it would be cheaper because he wouldn't have to pay as much taxes for residential as he would industrial. Then the buffer can be placed along with the industrial buildings.

Chairperson Swallow addressed the Assistant Law Director and asked if that wouldn't require a lot split and a new application on the zoning.

Assistant Laws Director Morgan stated that it is a little premature as to what we are doing here. Council has asked the Planning Commission as to whether they think this should be rezoned to light industrial. So that is really the focus on what needs to be addressed.

Chairperson Swallow asked if there were any other comments from the Administration.

Member Butkowski stated if that is the case, then he could withdraw the application, split the lot and come back again.

Chief Building Official Fursdon stated that he doesn't have to split the lot. He would only have to rezone a portion of it.

Member Butkowski stated that no one is standing there breathing down his neck to start building and so, he could go over the process again. This could make the whole thing work.

Chairperson Swallow stated she appreciates the comments, but Planning Commission does have to act on the referral that was submitted by Council.

Member Butkowski stated she would like to know what he plans on doing before she votes.

Chairperson Swallow stated that the issue before the Commission tonight is whether or not this should be rezoned as light industrial. She addressed Chief Building Official Fursdon and asked if he had a comment.

Chief Building Official Fursdon stated that there is nothing carved in stone because there isn't a firm plan in front of the Commission as to how he wants to develop this parcel, but he indicated that he was going to put in a street off Bender Road and a cul-de-sac. All those properties that face Sugar Ridge Road, that would be their rear yard and there is a required buffer strip for all those properties and it is his belief that is seventy-five feet in width.

Chairperson Swallow stated that there is no plan before the Commission and so, they are

speculating and burdened with making a decision without knowing what the potential for development is there. While we can talk about potentials, she believes that the Commission needs to stick with the issues of rezoning.

Robert Graham asked if the width for residential was a minimum of ninety-one feet and the depth was two hundred and twenty five feet.

Chief Building Official Fursdon stated in that area because there are no sewers, the width would be ninety feet and the depth would be two hundred, but square footage would need to be twenty-one thousand, one hundred and fifty.

Robert Graham asked if they went two hundred and thirty-five feet back and did not apply for rezoning of that two hundred and thirty-five feet.

Chief Building Official Fursdon stated he could then split that off at the ninety foot lots or whatever that dimension would be at ninety feet or greater for the lots.

Robert Graham stated if they went two hundred and forty, they would have another five feet for trees.

Assistant Law Director Morgan stated that is not before the Commission this evening.

Chairperson Swallow stated that if there were no further comments from the Commission or Administration, she would entertain a motion.

Vice-Chairman Smolik addressed the Administration and asked what the posted truck routes are in this area.

Safety-Service Director Armbruster stated that there are no trucks allowed down that area. The signs are posted and he is sure that there are trucks that do go down there.

Members of the audience wanted to speak.

Chairperson Swallow stated that the only comments that will be heard need to relate to the rezoning of this parcel. She applauds everyone for coming out and asking questions and informing themselves of what is going on here and clearly you have all done that. She can't speak for the other members of the Commission, but she has heard what has been said and she truly understands their position and again the only issue here tonight is simply the rezoning of the property and whether or not it fits in with surrounding zoning and the community vision.

Chairperson Swallow asked for a motion on this matter.

It was moved by Swallow and seconded by Smolik to recommend Council adopt T 64-2017, an Ordinance amending Section 1240.01 of the codified Ordinances of the City of North Ridgeville, Ohio, known as the zoning code Ordinance, to rezone the following land: located at Sugar Ridge Road and Bender Road; Parcel Number 07-00-047-000-111 and owned by Triple Seven, LLC.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 3            No, 1 (Butkowski)

Deputy Clerk of Council Tjotjos stated the motion passed by a vote of three yes and one no.

**ADJOURNMENT:**

Chairperson Swallow stated the next regular meeting will be August 8, 2017. She then adjourned the meeting.

The meeting was adjourned at 8:40 p.m.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Deputy Clerk of Council, Donna Tjotjos

  
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Date Approved