

**NORTH RIDGEVILLE PLANNING COMMISSION  
MINUTES OF  
REGULAR MEETING – TUESDAY, NOVEMBER 12, 2019**

**CALL TO ORDER:**

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

**ROLL CALL:**

Present were members Steve Ali, James Maleski, Vice-Chairman James Smolik, Chairwoman Jennifer Swallow and Council Liaison Bruce Abens.

Also present was Assistant Law Director Toni Morgan, City Engineer Dan Rodriguez, Alternate Council Liaison Michelle Hung and Deputy Clerk of Council Michelle A. Owens.

**MINUTES:**

Chairwoman Swallow asked if members had a chance to review the minutes of the regular meeting on Tuesday, October 8, 2019; and if there were any questions, comments or concerns. No discussion was offered. The minutes are received and placed on file.

**CORRESPONDENCE:**

Chairwoman Swallow noted the Law Department memo regarding tie votes and lost motions. She asked Assistant Law Director Morgan to elaborate.

Assistant Law Director Morgan stated her reason for the memo was to give members the opportunity to formalize a rule concerning lost motions. She explained that a tie vote would count as a denial even though the person can choose to return.

She identified differences between Planning Commission and Board of Zoning and Building Appeals. She stated that Planning Commission requires three members in order for a motion to pass, regardless of the number of members present or voting. She explained that the By-Laws suggest that motions should be in the positive to approve and, if a member does not approve, they would vote no. She stated that it is not a requirement but is strongly suggested by the wording. She asked that the Commission consider amending their By-Laws to address motions that receive a tie vote or lack a second: The motion would be lost and the effect would be the same as a denial of a motion.

Chairwoman Swallow asked for comments from the Commission. No discussion was offered. She asked that Assistant Law Director Morgan draft a rule for the next meeting.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**APPLICANT:** John F. Bokisa, MCI-Metro; 12300 Ridge Road, North Royalton, Ohio 44133  
**OWNER:** City of North Ridgeville – right-of-way  
7307 Avon Belden Road, North Ridgeville, Ohio 44039  
**REQUEST:** Installation of fiber optic cable and conduit in the right-of-way.  
**LOCATION:** The right-of-way of Victory Lane, Lorain Road, Sugar Ridge Road, Center Ridge Road, Emerald Street, Mills Road, Mills Industrial Parkway and Performance Lane.

Application was read.

Chairwoman Swallow asked that the applicant come forward and provide a description of his request. She directed him to sign in, then state his name and address.

John F. Bokisa, MCI-Metro, 12300 Ridge Road, North Royalton, Ohio 44133, He stated that, in several areas in North Ridgeville, they will be completing various projects for their optical distribution network. He explained that there are customers they would like to reach with underground services and a few sites they would like to place cabinets.

He explained there were some administrative issues that resulted in changes to a few of projects that were submitted to Planning Commission.

Chairwoman Swallow commented that she had a list of four projects. She asked Mr. Bokisa if he was requesting postponement or deferral of approval.

Mr. Bokisa asked how the Commission would like to proceed. He asked if possible to approve as written then submit revisions after the fact.

Chairwoman Swallow asked what the revisions encompass.

Mr. Bokisa stated that there were no revisions to two of the projects: the first on Mills Industrial Parkway; the second at 7725 Victory Lane extending west to Lorain Road.

He explained that, for the project at 33755 Center Ridge Road, the cabinet would be moved 300 feet east to North Lear Nagle. Regarding the project at Center Ridge Road and Emerald Street, he stated that they would add a section of aerial on Lorain Road and a lateral underneath Emerald Street. At 35147 Center Ridge Road, he proposed that it be moved two spans east. He indicated that this change was due to the ODOT project.

He spoke about the project at Sugar Ridge Road project, which is being cancelled. He requested that it be withdrawn.

Mr. Bokisa then addressed the administrative comments from City Engineer Rodriguez concerning the installation plans for 38599 Center Ridge Road. He asked him to recommend a

different area of construction – away from the bridge reconstruction project – that would not delay installation.

It was stated that the bridge reconstruction was located on Center Ridge Road, just east of Case Road.

Chairwoman Swallow asked City Engineer Rodriguez if he had any concerns with Planning Commission granting approval of the installation plans that are to be revised. She asked if he felt the proposed changes could be handled administratively by the Engineering Department.

City Engineer Rodriguez responded that the changes could be taken care of after approval; that he could work with the applicant. He explained that installations taking place anywhere within the Center Ridge Road temporary right-of-way could not move forward at this time. He stated that ODOT runs the right-of-way for the next year. He indicated that, by moving the installation east, there could be areas out of the temporary right-of-way but he would need to check with ODOT.

Chairwoman Swallow asked for any other questions from the Commission.

Vice-Chairman Smolik asked about the size of the cabinets that will be installed.

Mr. Bokisa stated that they have a 14-inch depth, 27-inch width and 44-inch height.

Vice-Chairman Smolik asked if they are proposing any landscaping around the cabinets.

Mr. Bokisa indicated that there were no plans for landscaping. He stated that homeowners occasionally plant bushes around cabinets that are located in front of residential properties. He explained that – should there be any landscaping – the industry standard for clearance is approximately 36 inches.

Vice-Chairman Smolik spoke about installation sites in areas without sidewalks. He asked if the junction chambers being installed have a non-skid lid so that, when a sidewalk does go in, it would not create a tripping hazard for pedestrians.

Mr. Bokisa responded yes.

Council Liaison Abens asked if the installation will cause any kind of traffic disruption for any length of time.

Mr. Bokisa stated that, once the excavation starts, work would be completed in a few days. He stated that they will follow the traffic plan that is submitted with the permit for the duration of the project. He indicated that most of the construction zone would remain within the right-of-way and would cause minimal traffic disruption.

Assistant Law Director Morgan spoke about indemnification for the city. She stated that she had

previously sent a right-of-way agreement but would also require an indemnification agreement. She asked if it was forthcoming.

Mr. Bokisa stated that an agreement had been submitted with the previous application. He felt it would have covered the entire project.

Assistant Law Director Morgan responded that it was possible the agreement would cover the whole project but their application had not been presented as a continuation of the previously approved project. She stated that it would need to be discussed in order to confirm it contained all the necessary information.

Mr. Bokisa explained that any MCI-Metro projects would be coordinated through their Legal Department by James Wallace. He stated that they would be prepared to provide another agreement, if needed.

Assistant Law Director Morgan stated that she had sent out what Mr. Wallace had provided before. She stated he could review it to see if it would cover the current project.

Mr. Bokisa responded that the agreement should possibly be different because they will be installing a lot of cabinets.

Chairwoman Swallow asked for questions or comments from the Administration. She asked for discussion from the Commission. No discussion was offered. She opened the floor for public comment. No discussion was offered.

It was moved by Smolik and seconded by Ali to approve [the application as presented].

A voice vote was taken and the motion carried.

Yes – 5      No – 0

**APPLICANT: COUNCIL REFERRAL**

Richard Stickland; UYA Holdings, LLC  
118 Mill Street, Medina, Ohio 44256

**OWNER:** UYA Holdings, LLC; 118 Mill Street, Medina, Ohio 44256

**REQUEST:** Approval to rezone portion of land to B-3 Highway Commercial District.

**LOCATION:** 7385 Race Road; zoned in an R-1 Residence District and B-3 Highway Commercial District.

Permanent Parcel No. 07-00-034-000-137

Application was read.

Chairwoman Swallow asked that the applicant come forward and describe his request.

Richard Stickland, 118 Mill Street, Medina, Ohio 44256, stated that he had obtained the back

portion the property at the end of the summer. He explained that a 60-by-30 pole building sits within the property that is zoned R-1. He stated his request was to have the portion of property surrounding the building rezoned to commercial. He stated that the only improvement made to the building was installation of a concrete floor. He discussed plans to turn the building into a production space. He noted several improvements planned to the interior, such as steel siding, insulation, electric and heat. He stated that, in front of the building and along one side, he would like to install pavement and an access road to the building.

He spoke about a discussion with Chief Building Official Fursdon. He stated that a 15-foot landscape barrier would be required between his property and three homes on Race Road. He indicated that he would also like to install a privacy fence along this part of the property.

Chairwoman Swallow asked about the type of production that would take place in the building.

Mr. Stickland responded that it would be used for aluminum repair. He stated that, for some of the programs they are on at their other location, a separate aluminum repair area is required; but they had run out of space.

Chairwoman Swallow asked about noise and odors that would emanate from the building.

Mr. Stickland replied that all painting would still be done in the main building. He indicated that there would be no more noise than what they currently have.

Chairwoman Swallow suggested that her concern was that the building would be closer to the residential properties.

Mr. Stickland stated that the building was pretty far away from the residences.

Chairwoman Swallow asked how much he planned to expand the building.

Mr. Stickland responded that he did not plan to expand it at all. He stated that, if anything, there may be a small 10-by-10 section on the west side of the building.

Chairwoman Swallow asked Assistant Law Director Morgan if rezoning of the parcel was required in order for aluminum repair to occur.

Mr. Stickland commented that Chief Building Official Fursdon informed him that it was required.

Chairwoman Swallow asked if he had spoken with any of his neighbors abutting the property to be rezoned.

Mr. Stickland indicated that he had been approached by the property owner east of him. He stated that she would like him to purchase her property. He stated that the resident to the south is a renter and he had never met the property owner.

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Chairwoman Swallow asked for any other questions or comments from the Commission. No discussion was offered. She asked for anything further from the Administration. No discussion was offered. She opened the floor for public comment. No discussion was offered.

It was moved by Maleski and seconded by Smolik to recommend that Council approve the petition to rezone and adopt T 106-2019.

A voice vote was taken and the motion carried.

Yes – 5      No – 0

**ADJOURNMENT:**

The meeting was adjourned at 7:29 PM.



**Jennifer Swallow**  
*Chairwoman*



**Michelle A. Owens**  
*Deputy Clerk of Council*

Tuesday, December 10, 2019  
**Date Approved**