

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF
REGULAR MEETING AUGUST 11, 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, Larry Pierce, 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 July 14, 2015. He asked if there were any changes to the minutes. Hearing none, he stated that the minutes are approved as written.

Correspondence: None

Old Business: None

NEW BUSINESS:

Chairman Mollenkamp asked the Secretary to read the application.

APPLICANT: Robert Reese, Aventis Development, 2251 Front Street, Suite 105, Cuyahoga Falls, Ohio 44221.

OWNER: Bagley Lorain Properties, LLC, 9095 Gatestone Road

REQUEST: Preliminary plan approval for an assisted living facility in a Special Development District.

LOCATION: 33734 Bagley Road in a Special Development District

Permanent Parcel No. 07-00-011-102-149 and 07-00-011-102-150

Application was read along with comments received from Administrative Officers, Chief Building Official Fursdon, Police Chief Mike Freeman, Fire Chief John Reese, City Engineer Scott Wangler, Safety-Service Director Jeffry Armbruster, Mayor David Gillock and City Planner, David Hartt, CT Consultants.

Chairman Mollenkamp asked if there was a representative. He asked if they would step to the podium, give their name and address and present their proposal.

Robert Reese of Aventis Development, 2251 Front Street, Cuyahoga Falls, 44221 introduced himself along with Mike Wohlwend of Wohlwend Engineering. He showed a drawing and stated that they spent time on several iterations of the site plan as stated by the City Planner in order to comply with all the setbacks and to be the least intrusive as they possibly could to the neighborhood. Everything works on the plan as designed with the exception of the driveway.

All the comments that were listed from members of staff will be worked on with the staff as they are in agreement with the comments made. He explained that in order to make the truck radius work, Mike Wohlwend will meet with engineering to work out that 35 foot driveway. They have redesigned it with a 35 foot driveway to where the truck will actually make the turn, but they still have to run it through engineering to get their approval.

Chairman Mollenkamp asked if there were any further comments. Hearing none he opened the floor to the members of the Commission and asked if they had any questions or comments.

Member Olesen stated that he is thrilled that this facility has chosen North Ridgeville. He asked how many employees will there be when the facility is fully opened.

Robert Reese stated that there will be 80 full time employees.

Member Rothgery stated his concern is regarding the pond currently located on the property. He asked if there was any consideration given to install a fence around the pond.

Robert Reese stated that he will turn that question over to Mr. Wohlwend.

Mike Wohlwend of Wohlwend Engineering, 4216 Karg Industrial Parkway, Kent, Ohio introduced himself and stated that what they are using the pond for in terms of storm water management is for the additional water generated from their site. They are going to achieve that by lowering the water level as it currently sits at about three to four inches. They are installing a new outlet structure and new storm sewer piping going out to the street. That is how they are going to be handling the storm water aspect. As far as protection of the pond, they do not have any intention of putting a fence around it. They would like to use it for esthetic purposes in giving the residents an area to look out into the pond. If it were more of a residential area with children, then they would be more concerned about it, but at this point, they don't have any intention of putting a fence around it.

Robert Reese stated that these buildings are supervised and there are areas; for example this will have some memory care with it and they are in 24/7 lockdown. They are going to berm the pond as was suggested by staff. They want to make it a really nice water feature because it is right there in front of the center.

Member Rothgery expressed his understanding and stated his concern is with the memory patients and if they busted out of the place, would they be contained some way.

Robert Reese agreed that they do wonder and it is lockdown facility. There are alarms and there is security 24/7. If they do bust out, it is within seconds that they are detained.

Chairman Mollenkamp asked where in this facility will that type of patient be located. He asked the applicant to point to the area on the drawing.

Robert Reese showed the area on the drawing and stated the location is on the courtyard side. The patients will travel indoors. He stated that they want them to have a lot of open space. It is like a race track design affect with all windows where they can walk around and feel as though they are outside, but they are inside. He reiterated that they are in lockdown.

Chairman Mollenkamp asked him to show the area again where they would be located. He stated that it would be really hard to restrict them with a fence. He added that the fire hydrants shown on the plan go along the north, west and south side, but he sees nothing on the east. He stated that it doesn't look as though there is fire protection along the east wall of this facility or a water loop around it to make that happen.

Mike Wohlwend stated he is correct. They had discussions with the City Engineer very early on. He asked what the requirements were for fire lines. He showed the hydrants and lines on the drawing. He stated that the code is 300 feet from a fire hydrant to where they will drag a hose. So with the two locations he showed meets code as to how far they have to be. They do have a drive for them to bring the truck in and turn it around. There is room for them to do that. It does meet city code.

Chairman Mollenkamp stated that they are within the 300 feet of where that driveway loops all the way to the north end of the facility.

Mike Wohlwend stated that all points of a building have to be within 300 feet of a fire hydrant.

Chairman Mollenkamp asked him to point the south one out for him as well.

Mike Wohlwend showed the location of two additional hydrants on the drawing.

Chairman Mollenkamp asked if there were any other questions from the Commission. Hearing none, he opened the floor to the Administration.

Mayor Gillock agreed with Councilman Olesen that the city is thrilled to see this project and he looks forward to seeing it come to the community.

Chairman Mollenkamp called on City Engineer Wangler for additional comments.

City Engineer Wangler stated no additional comments.

Chairman Mollenkamp called on Assistant Law Director Morgan for any comments.

Assistant Law Director Morgan stated no comment.

Chairman Mollenkamp called on Chief Building Official Fursdon for any additional comments.

Chief Building Official Fursdon stated from the Planning Commission's standpoint, this should be good to go.

Chairman Mollenkamp stated he was not on the Planning Commission in 2007 and asked if the applicants just didn't readjust this whole thing in order to not require any variances. He asked how much of this has really changed.

Chief Building Official Fursdon stated that the building layout is significantly different. The number of units is about the same, but when they adjusted their building, they didn't need to request any front variances as the previous application.

Chairman Mollenkamp opened the floor to the audience and stated that if anyone in the audience would like to speak, they would need to step to the podium and state their name and address and asked for them to keep their comments brief.

Mark Madere of 8367 Burlington Drive stated he is a resident within Cypress Station which is adjacent to this development. He asked if there were any ideas of nonporous parking surface so that instead of the water running off it would run downward to avoid having water backing up into the storm sewers or maybe flooding the pond when there may be one of those 100 year storms that seem to come much more frequently than 100 years.

Chairman Mollenkamp asked that if there is anyone in the audience who would like to speak to direct their questions or comments to the Commission so that they can direct who will be responding if necessary.

Mike Wohlwend explained the way they designed the storm water management system. He noted that it will be submitted to the City Engineer for approval. However, it was designed to lower the water level in the existing pond. They are storing all the way up to the 100 year flow in that pond and releasing it slowly. As far as pervious pavement and that sort of thing, based on the existing soil types as they have had soil investigations done, he didn't know that they would work all that well. There is additional maintenance required with some of them and with some of the clay soils they don't work as well. They are putting standard catch basins in which get the water off the driveways and minimize any safety concerns. They look at green building practices on every project, but on this particular site, they chose to do their traditional style storm sewer detention.

Chairman Mollenkamp asked if they put a spillway in that pond, where would it go and where is it.

Mike Wohlwend explained that the emergency overflow will be built into the outlet pipe and so the way it will be designed is that this catch basin he showed on the drawing would be the outlet structure with a six inch orifice and will handle all that water under normal conditions from the pond. If something happens where that orifice gets plugged, they sized the outlet pipe so that the

water will come out and pour into the top of that catch basin and then go out through the storm system that he showed on the drawing.

Chairman Mollenkamp clarified that all the flow will be along Bagley Road and not back toward the adjacent property owners or that development.

Mike Wohlwend stated that was correct and that would be where the existing outlet to the pond would go.

Chairman Mollenkamp asked if there were any other questions.

Dennis Pochatek of 8324 Chesapeake Drive asked what happens with that land that he believes is on the southeast side of that pond and also asked what will be done in terms of buffering where Chesapeake and Pennsylvania are located. He asked how that will be kept quiet. He asked if there were be a wall or hill or what will be over there to stop people from parking on Chesapeake and walking over to this facility. He asked how all of this will be stopped.

Chairman Mollenkamp clarified the question to be regarding the buffer strip on the east edge and what will be happening with the other parcel adjacent to this project.

Mike Wohlwend explained that both parcels are being purchased and that parcel is for future development. At this point they do not know what will be happening there. They are really here to discuss this parcel and the future parcel will be discussed in the future. As far as buffering, he showed the plan on sheet C-7, which is the landscape plan and showed their intentions of buffering just the area shown on the drawing. He stated what is shown is an area of pine trees on top of a mound. The mound doesn't show on this plan, but it does on the grading plan. The mound is about five feet tall. They don't design them as a pile of dirt that's nice and flat. It will meander and go up and down a little bit; however, generally it will be a five foot mound with pine trees spaced all the way across the top. Staff and the Mayor made that very clear right off the bat that they wanted to buffer that area and they are happy to propose that. They drew it all the way to the far side of the building.

Dennis Pochatek stated that on Chesapeake behind his house there are a little bit of trees that are behind that little buffer zone before you get to the pond. The trees belong to this applicant and there are at least three dead ones behind him. On bad storms, he keeps waiting for one to join him in the dining room. He showed the applicant where the trees were located.

Chairman Mollenkamp asked if the trees were located on his property.

Dennis Pochatek responded no, they are on theirs. He stated after the surveyors came in, they noted they were their trees.

Chairman Mollenkamp asked if they were detrimental in terms of falling.

Dennis Pochatek stated yes on his house. He gets to watch them come in.

Mike Wohlwend showed where Mr. Pochatek's house is located. He stated that there is a bank of trees right there and at this point, they aren't showing any work in that area.

Chairman Mollenkamp stated that is not part of the parcel that is being reviewed tonight. He stated that is future development. He stated that even though they are the same owner, the facility is not going that far back. It will actually be separated.

Mike Wohlwend stated that they are separate parcels.

Robert Reese stated that there is no work being proposed on that parcel.

Dennis Pochatek asked if he should then contact whoever owns this property about the trees in order to get rid of them.

Chairman Mollenkamp responded yes.

Robert Reese asked for clarification from the resident in that did he want the trees saved for buffering or did he want them removed. He then gave his contact number to Mr. Pochatek.

Chairman Mollenkamp stated that he is sure the applicant could work something out to help him.

Robert Reese stated that would not be a problem.

Chairman Mollenkamp addressed Chief Building Official Fursdon and asked if he had a question.

Chief Building Official Fursdon stated he was just going to ask if the applicant would accommodate the neighbor and if they could please take the dead trees down.

John Nisky of 8304 Chesapeake Drive stated that in the area where they are located there are some nice trees in there, but there are some dead ones as well. He asked if the intent was to keep the good oak trees, maple trees and nice greenery that are there.

Mike Wohlwend asked if sheet C-7 of the drawings could be put back up on the board. He stated that where the grading plan does not interrupt, they are going to work around all the existing vegetation and add that berm and the pine trees there. He asked what specific trees are they asking.

John Nisky stated that the question he is asking and he pointed to the area on the drawing he was speaking to, there is a lot of oak, maple and good solid trees. In that mix there are also some bad trees. They are not oak or maple and asked what would be happening with those trees. He asked

if they will be going in and tearing it all out.

Robert Reese stated that is not on the grading plan.

Mike Wohlwend stated that it is outside the grading limits. He showed the existing line of wooded area and stated they aren't disturbing anything in the existing woods.

John Nisky asked if they owned up to that line.

Robert Reese responded yes sir.

John Nisky stated that going to that point there with the dead wood he asked if that is something they would take care of.

Robert Reese stated that they want to do that. They want to take out the dead wood. They don't want unsightly trees in there. They will address that and he will give his number so that they can sit down and discuss it.

Chairman Mollenkamp stated that 99% of the time when we get a developer in here like this, they will clean that up and he is glad that these folks have come and actually brought this forth, but the Commission would have looked at that and made sure that would have gotten taken care of except for the parcel that is not being discussed at this time as it is a different parcel.

John Nisky asked if this was the full layout shown on the drawing. He pointed to an area that was notorious for flooding. He explained there is a drain in the area he showed on the drawing and stated that in the spring with the winter thaw, he has a pond back there where ducks come in there and literally stay on that water until it drains. He is concerned that the applicant is going to put something up there where it will keep that water there and create something where they will have standing water in which will bring in mosquitoes and other such bugs and things like that. The other concern of his is that they don't have additional water than what is there because of what is being built.

Robert Reese asked because of the berming.

John Nisky stated because of the berming or he is not sure what drives that water there. He knows that it is low and he knows that it is wet. He stated it drains into the drain but it takes several weeks to get rid of the water.

Mike Wohlwend stated that was one of the Engineer's comments as well in which the recommendation was made for a swale to be placed behind that mound. He stated that they will take a look to see if a swale would work. He would almost prefer a small storm sewer system just to make sure they get that water off the surface and drain it down into the pond. That is absolutely part of what they are going to be looking at.

John Nisky stated that we talk about that here, but is the city going to make sure that happens.

Chairman Mollenkamp explained that they have to get into further discussions with the City Engineer and as far as these minutes, yes, it will be looked at.

John Nisky stated that the applicant mentioned the memory challenged population and asked if this is a 50/50 split with the memory challenged. He stated that when they showed the so-called race track, that it was virtually 50 percent of the development.

Robert Reese stated it is roughly 50 percent. It is actually 54%/46% proposition and he stressed, getting back to the retention pond comment, that these are all indoors. They are restricted indoors and so, fencing would be overkill. He explained that when you see the hallways shown on the drawings, they are all enclosed and completely air conditioned.

John Nisky stated that there is minimal chance of them getting loose. He explained that he came from Lake County and they had several instances with Alter Care where people.....

Robert Reese offered the website for residents to view. This is an A++ facility by one of the top operators in the United States called Maplewood. He directed them to view the website and stated they will be very impressed.

Chairman Mollenkamp asked if there was anyone else in the audience that would care to make a comment.

Greg Moore of 33780 Lorain Road asked which direction they plan to pull the sewers from as across the street from them on Lorain Road is still septic.

Mike Wohlwend stated they will be extending the sewer from Bagley Road which will be to the right side of the plan and will be extended up to their site.

Chairman Mollenkamp stated that wouldn't affect this gentleman as far as septic is concerned.

Mike Wohlwend stated that they will be bringing the public sewer up to the site and getting it closer to the intersection for future extension as well.

Chairman Mollenkamp asked if there was anyone else who would like to speak. Hearing none, he brought the discussion back to the Planning Commission for further discussion. He asked if the Commission had further comments or questions.

Nancy Nisky of 8304 Chesapeake explained her husband was the one who spoke earlier. She asked about the location of the dumpster units and air conditioning units. She stated that the drive off of Bagley will create cars and their lights to shine directly into her back yard. She

asked if there will be something there that will keep that from happening.

Chairman Mollenkamp responded that the buffer strip will take care of that with the pin trees being there.

Nancy Nisky stated it would depend on how far apart the trees are planted.

Chief Building Official Fursdon stated that the five foot high mounds themselves should block a lot of headlights.

Mike Wohlwend added plus the trees will be on top of that mounding.

Nancy Nisky asked about deliveries and dumpsters and where on the property will they be.

Mike Wohlwend showed the area on the property where the dumpsters will be located along with the service and delivery area.

Chairman Mollenkamp stated that everything is facing Lorain Road.

Nancy Nisky stated okay and asked about the drive area that looks like a T.

Mike Wohlwend stated that is a turnaround for fire trucks. There is nothing up there to be serviced.

Nancy Nisky stated okay.

Chairman Mollenkamp asked if the gentleman in the audience had a question.

Audience member spoke and stated he noticed that there is parking on the north side of the building which is the side he is on and stated his concern is the night time lighting for that parking lot. He assumed it will not be directed toward Lorain Road.

Chairman Mollenkamp stated that all the lighting will be looked at through the engineering department, but there hasn't been anything done lately that will shine it into his bedroom. He brought the discussion back to the Commission and asked if there were any other comments. He stated at this point in time, he entertained a motion.

Moved by Rothgery and seconded by Anderson to approve the preliminary plan approval for an assisted living facility in a Special Development District.

Chairman Mollenkamp asked the Secretary to call the roll.

Yes, 5 No, 0

Motion passed with a vote of five to zero.

APPLICANT: Robert Orovets, ThenDesign Architecture, 4135 Erie Street, Willoughby, Ohio 44094
OWNER: Conrad's Tire Realty Company, Inc. 14577 Lorain Avenue, Cleveland, Ohio 44111
REQUEST: Approval to remove front parking and add parking in the rear of the property.
LOCATION: 34043 Center Ridge Road in a B-3 District
Permanent Parcel No. 07-00-017-130-009

Application was read along with comments received from Administrative Officers, Chief Building Official Fursdon, Police Chief Mike Freeman, Fire Chief John Reese, City Engineer Scott Wangler, Safety-Service Director Jeffry Armbruster, and Mayor David Gillock.

Chairman Mollenkamp asked if there was a representative and if so, could they step up to the mic and state their name and address for the record.

Bob Orovets from ThenDesign Architects and John Turk, Conrad's Tire, 14577 Lorain Avenue, Cleveland, Ohio and Dominic Umek also with Conrad Tire and same address.

Bob Orovets made a correction to the application stating that they aren't asking to have the parking removed; it is being removed by the State. They are asking for approval for their site plan to add the parking that they are losing in front of the building. They actually submitted the plans that were approved by the Building Department and Engineering Department. Again, they are losing 12 spaces in the front which were primarily customer parking. The only thing they are doing to the building is adding a door way on the back of the building for customer safety so they don't have to walk around the building. They don't believe they are affecting any of the neighbors as it is part of a shopping center. They will revise to accommodate the comments made regarding the retaining wall from the City Engineer. Other than that, they believe it is pretty straight forward.

Chairman Mollenkamp asked if they had any other comments. He opened the discussion to the Commission for questions or comments.

Member Olesen stated that he is happy they are able to work around this problem. He stated that he has used their free air pump and asked if that was going to stay there.

John Turk stated yes and he uses it too.

Chairman Mollenkamp asked if there were any other questions. He stated that he has none, but commented that he was glad to see them step up to the plate and help the city with the widening project and graciously moving that to stay in business and to help us. He opened the floor up to the Administration.

Mayor Gillock stated that when the city started the Center Ridge Road project, we knew that

there would be situations like this and we are really glad they have been able to work with the Building Department to get this worked out. He explained that the Administration introduced a resolution that was passed by Council that basically said, without extenuating circumstances, any time that we can work with them and grant this type of variance or change, we would want to do that and Conrad's is a very community oriented business to have in town and he is really glad to see that they are still here and that we have been able to work this situation out that will benefit all of us. We are really glad to support this project.

Bob Orovets asked how long would the approval be good for as they are not sure how long it will take to get the project underway.

Chief Building Official Fursdon responded that unless they commence work on the project, the approval is good for two years. Once they commence work on the project there is no limitation.

Dominic Umek stated that once they commence, they will be done. He explained that they have different projects going on and winter is coming and they are trying to fit it in the right time slot.

Chief Building Official Fursdon stated that it isn't a short term approval.

Mayor Gillock stated that there will be work being done and he is not sure about this year, with the utility relocation. There will definitely be work next year, but the city is scheduled to go to bid in January of 2017. All the funding is in place and so now it is just a matter of completing the detailed engineering. The city has to install a sewer and get the utilities relocated. He stated that they may see digging in their front yard next year.

Chairman Mollenkamp asked City Engineer Wangler if he had any comments.

City Engineer Wangler stated no further comment.

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

Assistant Law Director Morgan stated no comments, Mr. Chairman.

Chairman Mollenkamp opened the floor to the audience. Hearing no comments from the audience, he moved the discussion back to the Commission for further discussion. No other comments were made. He asked for a motion.

Moved by Anderson and seconded by Mollenkamp to approve the additional parking in the rear of the property.

Chairman Mollenkamp asked the Secretary to call the roll.

Yes, 5 No, 0

Motion passed with a vote of five to zero.

ADJOURNMENT:

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

Meeting adjourned at 8:06 p.m.



Chairman



Secretary



Date Approved