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2 CITY OF ELYRIA PLANNING COMMISSION
3 Meeting, held at Elyria City Hall, 131 Court Street,
4 2nd Floor Council Chambers, Elyria, Ohio, on Tuesday,
5 January 7, 2024, at 11:00 a.m.
6 ---
7 PLANNING COMMISSION MEMBERS PRESENT:
8 Mayor Brubaker Chairman
9 Tom Aden Member
10 Sam Battle Member
11 Jim Onderko Member
12 Chris Pyanowski Member
13 Derrick Tedrow Member
14
15 ALSO PRESENT:
16 Mark Craig Administrative Legal
17 Counsel
18 Darryl Farkas Chief Building Official
19 Ashley Scott Director, Office of
20 Community Development
21 William Gall Assistant Fire Chief
22 John Schneider Assistant City Engineer
23 Chris Schoenig City Planner
24 Mary Tomski Secretary
25 ---

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1 MR. TEDROW: Aye.
2 MAYOR BRUBAKER: Aye.
3 Opposed, nay.
4 Motion carried.
5 Item Number 4: There is no miscellaneous
6 correspondence.
7 5: No new business.
8 No old business.
9 We have two public hearings this morning. The
10 first one is 2024-100182, 525 Mussey Avenue, LLC,
11 7716 Depot Road, Lisbon, Ohio 44432, for 525
12 Mussey Avenue, Elyria, Ohio 44035, request for a
13 conditional use per information submitted with the
14 application.
15 Are there any proponents?
16 There's a proponent. If you'd come on up,
17 yep, to the microphone there, and please state
18 your name and address for the record.
19 MR. STEPIC: My name's Mike Stepic, S-t-e-p,
20 as in Paul, i-c, with Rubber City Engineering &
21 Environmental in Akron, Ohio.
22 MAYOR BRUBAKER: Okay.
23 MR. STEPIC: Thank you, sir.
24 Never done one of these things before, so bear
25 with me.

2

1 PROCEEDINGS
2 MAYOR BRUBAKER: Good morning, everyone.
3 We're going to call the Elyria Planning Commission
4 of January 7, 2025 to order.
5 Mr. Aden.
6 Mr. Battle.
7 Mr. Hubbard.
8 Mr. Onderko.
9 MR. ONDERKO: Here.
10 MAYOR BRUBAKER: Director Pyanowski.
11 MR. PYANOWSKI: Here.
12 MAYOR BRUBAKER: Mayor Brubaker; here.
13 Mr. Tedrow.
14 MR. TEDROW: Here.
15 MAYOR BRUBAKER: That being said, I'll
16 entertain a motion to approve the minutes of
17 December 3rd, 2024 as distributed.
18 MR. PYANOWSKI: So moved.
19 MAYOR BRUBAKER: Moved by Mr. Pyanowski.
20 MR. ONDERKO: Second.
21 MAYOR BRUBAKER: Seconded by Mr. Onderko.
22 Any discussion?
23 All in favor, aye.
24 MR. ONDERKO: Aye.
25 MR. PYANOWSKI: Aye.

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1 MAYOR BRUBAKER: You're all right. Take your
2 time.
3 MR. STEPIC: Made the submittal -- and thank
4 you, by the way, for Mr. Schoenig, Mr. Farkas, and
5 Mary Tomski's help on assistance and
6 responsiveness to assisting me on putting the
7 package together.
8 We're looking for a special use zoning change,
9 as well as a conditional use approval.
10 525 Mussey, who is the owner, wishes to do a
11 variety of businesses at the property, and right
12 now, just by definition of the zoning code,
13 working with Mr. Farkas, we -- it was suggested
14 that we needed to make the recommended or the
15 suggested approval request to your Board.
16 MAYOR BRUBAKER: Okay. Before we get any
17 more, let's get some reports from our departments.
18 Mr. Farkas, building department.
19 MR. FARKAS: Mr. Chair, through you.
20 Just for a point of order, the request -- or
21 out of order, the rezoning should be heard first
22 and then the conditional use based on the
23 submittal.
24 In regards to the report, as Mr. Schoenig is
25 taking over the responsibilities of zoning, but

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1 that has yet to take place, I'm going to defer to
2 him for the report, but we'll be here for
3 questions.
4 MAYOR BRUBAKER: Okay.
5 MR. FARKAS: Thank you.
6 MAYOR BRUBAKER: Let's back up.
7 And for the record, Ms. Tomski, please
8 document that Mr. Battle is here.
9 We will back up. The first public hearing
10 will be the zoning, so we'll speak specifically to
11 the rezoning request, which is public hearing
12 2024-100183, 525 Mussey Avenue, LLC, 7716 Depot
13 Road, Lisbon, Ohio 44432, for 525 Mussey Avenue,
14 Elyria, and this request is for the rezone from
15 HI, Heavy Industrial, to SI, Special Industrial.
16 Mr. Schoenig.
17 MR. SCHOENIG: Thank you, Mr. Chair, through
18 you.
19 The properties that we're looking at here are
20 0624007107005, 16-24-118000009, 0624008105-008,
21 0624117000004, and 06-24009-108011.
22 The applicant is requesting the above-listed
23 parcels to be rezoned to a Special Industrial
24 District. Currently, these properties are listed
25 as Heavy Industrial, with the exception of one

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1 parcel, 0624009108011, that is located northwest
2 of the site. That currently lacks a zoning
3 classification per our current zoning map, and the
4 other parcels as indicated are Heavy Industrial.
5 The intent, as indicated by the applicant, is
6 to develop the properties into a business hub.
7 They may include a variety of business operations
8 to stimulate economic growth and employment on
9 otherwise vacant industrial properties.
10 The proposed use listed by the applicant
11 include vehicle storage repair -- further
12 clarification we would need from the applicant to
13 determine the intensity of the repair that is
14 proposed for this facility -- maintenance, general
15 manufacturing and warehousing, material
16 processing, recycling that's going to include
17 metal, wood, vinyl, plastics, and et cetera, as
18 indicated by the applicant, from construction and
19 demolition debris.
20 This rezoning proposal was routed to several
21 city departments. They included the building
22 department, Mr. Farkas; engineering, Mr. John
23 Schneider; Fire Marshal William Gall; and as well
24 as wastewater and water departments. Several
25 comments were received by these departments. That

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1 is indicated in the report that has, of course,
2 been submitted to all of you.
3 As indicated, the four uses are -- they vary
4 in intensities. To get to the point, essentially,
5 wastewater department would prohibit any
6 discharges from any of the processes that were
7 listed, any ancillary processes. Since we have
8 absolutely no control over the source of these
9 liquid wastes, in short, it would be a concern of
10 public health.
11 Purpose of the zoning code, of course, is to
12 promote public health as stated in Section 111 --
13 or I'm sorry -- 1123.01.
14 Additionally, the applicant wishes to create
15 nonconforming uses on this site. As per Section
16 1123.05 of the Elyria Codified Ordinances, any use
17 not permitted as a principally permitted use,
18 permitted accessory use, or conditionally
19 permitted use in any zoning district shall be
20 prohibited in that zoning district.
21 Overall, due to the varying degrees of
22 intensities of the proposed industrial uses, yet
23 to be identified uses as indicated earlier, the
24 creation of nonconforming uses on this site within
25 the proposal and concerns for public health and

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1 welfare for this City, we do recommend disapproval
2 of this application for the rezoning, as well as
3 the conditional use.
4 MAYOR BRUBAKER: Thank you, Mr. Schoenig.
5 Any comments from engineering?
6 Any comments from Assistant Chief Gall?
7 MR. GALL: No comments.
8 MAYOR BRUBAKER: Any additional comments from
9 wastewater?
10 Are there any questions or comments from the
11 panel?
12 And for the record, Ms. Tomski, Mr. Aden is
13 also here.
14 Any questions or comments from the Committee?
15 MR. ADEN: Yeah, I think I'd like to -- if I
16 can get an understanding from the proponent, what
17 is -- so what is it that you're trying to do that
18 you're not -- underneath the current -- where it's
19 at currently are you not able to do?
20 MR. STEPIC: I may get this wrong. I'm not a
21 master of the zoning code as Mr. Farkas is, so if
22 I do something, I'm sure he'll clarify.
23 There was a -- for the special use
24 classification, it was specifically, I believe,
25 the recycling operations -- the construction

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1 demolition to re-recycling operation for the --
 2 since we're on the topic of the change in zoning,
 3 the conditional use approval, I think, covered
 4 some of the other areas. Basically, we're -- from
 5 a consulting standpoint -- I'm seeing this a lot
 6 across the state. About two or three years ago,
 7 the Ohio EPA instituted a program of C&D
 8 processing, which included recycling and transfer
 9 of materials. And there's about 30 sites across
 10 the state now that are permitted by Ohio EPA for
 11 the -- basically it's roll-off businesses, in that
 12 they'll reconsolidate their loads. They'll also
 13 pull out the metals and the recyclable material
 14 such as the wood. In some cases even more
 15 materials will be pulled out such as shingles and
 16 that.

17 They're all permitted by Ohio EPA, but I'm
 18 seeing a lot more of this now in Ohio where it was
 19 big in the west coast and east coast. A lot of
 20 that has to do with higher prices on everything.
 21 The landfills are charging minimus for the
 22 roll-off containers, so they want to reconsolidate
 23 those loads. And also with the lack of CDL
 24 drivers and higher fuel prices, there's a lot more
 25 companies that are going more to the recycling

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1 side trying to pull out those materials and make
 2 it a little bit more efficient, economic
 3 situation.

4 I work for about 20 of those 30 sites across
 5 the state now, so just to give you a little bit of
 6 perspective on that, and I find this in a couple
 7 of cases where these kind of operations just
 8 weren't ever thought of when zoning code was
 9 initially developed.

10 Really, Ohio and the Midwest was never a big
 11 construction demolition debris or waste recycling
 12 area in the United States. That's why Rumpke
 13 Waste Management, Kimble are all going to these
 14 large material recovery facility operations now
 15 for their recyclables.

16 MR. ONDERKO: I got you. Thank you.

17 MAYOR BRUBAKER: I have a couple questions and
 18 concerns here with this Special Industrial
 19 District. It specifically says here it
 20 accommodates a broad range of industrial uses with
 21 high nuisance characteristics allowing these uses
 22 to operate without adversely affecting nearby uses
 23 and activities.

24 And when I drove around there and I looked at
 25 the map, I have huge concerns that we already have

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1 a Superfund site issue right behind where this
 2 property is. We have numerous residential. We
 3 have a river, and less than by the way a crow
 4 flies, less than a half a mile, we have an
 5 elementary school. And when you look at some of
 6 these things that can be conditionally permitted,
 7 I have huge concerns about what potentially could
 8 end up in there with what is in the surrounding
 9 area.

10 It was questioned in here in regards to the
 11 vehicle repair that further clarification needed
 12 to be received from the applicant. Do you have
 13 any further information on that side of it?

14 MR. STEPIC: For the intensity of the repair,
 15 I don't -- I have to admit, that's a new phrase
 16 for me. So if I could get a little bit better
 17 clarification of what they're looking for, for
 18 intensity of repair. That's the first I heard of
 19 the comment. Myself or the applicant, you know,
 20 we can do the best we can to try to clarify that
 21 while we're here.

22 MAYOR BRUBAKER: Okay.

23 Mr. Farkas, Mr. Schoenig, can you clarify
 24 that?

25 MR. FARKAS: Mr. Chair, through you.

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1 I can respond to that as this request came in
 2 last year with the same verbiage, and I can read
 3 my response that I did back then, which is similar
 4 to what it would be now. The request came in as
 5 vehicle storage repair and maintenance,
 6 specifically then for buses with no salvage or
 7 junkyard of the vehicles. I indicated the repair
 8 and maintenance best fits an automotive repair and
 9 services category located in Codified Ordinance
 10 definition Section 1125.07 copied herein.

11 Unfortunately, the proposed use, vehicle
 12 repair and maintenance, is not listed as a
 13 permitted or conditionally permitted use per
 14 Section 1166.02 through 1166.04 of the Codified
 15 Ordinance. From the information provide then, the
 16 proposed use best fits a business automotive or in
 17 a district -- or a Light Industrial District that
 18 would permit either outright.

19 So we had asked clarity. As Chris and I had
 20 worked on the memo together, we had asked, "Is
 21 this still the same game plan? Are they still
 22 going to be using this for bus salvage, et
 23 cetera?" It just says on the request received,
 24 "vehicle storage repair and maintenance." That's
 25 all we have.

13

1 MAYOR BRUBAKER: Okay. Back to the proponent.
 2 MR. STEPIC: I think the idea is to be able to
 3 allow those sorts of activities. I believe at one
 4 time, the applicant had a potential business
 5 opportunity for bus repair and maintenance at the
 6 facility. I don't know if that's still --
 7 opportunity doesn't exist at this point, but
 8 really wanted to include that in the request
 9 should that opportunity arise again. Did the best
 10 I could in the response. Again, you know,
 11 proposed best fits the auto-oriented district,
 12 BAO, or the Light Industry.
 13 My understanding -- again, fairly, you know,
 14 limited understanding of this would be that if
 15 we're asking for a Special Industry or we're
 16 already a Heavy Industry, that anything that would
 17 be approved under the Light Industry or the other
 18 would fall under that umbrella. I could be wrong.
 19 For your -- as for the concerns, I understand
 20 where you're -- what you're speaking to in terms
 21 of the location of the facility and the other
 22 concerns. My first and best answer would be that
 23 any of the proposed operations, such as the C&D
 24 recycling operation or the waste transfer, are all
 25 required to go through a permitting process with

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1 Ohio EPA. They do have stipulated setback and
 2 siting criteria requirements for that. So there
 3 is a permitting process.
 4 They would also be inspected by the local
 5 health department and Ohio EPA on a regular basis,
 6 you know, to prevent any egregious operations.
 7 And they're also required under Ohio EPA to
 8 maintain a financial assurance funding on a --
 9 based on a worse case scenario for any sort of
 10 cleanup of those materials.
 11 And, again, this is a program that's been now
 12 about two years in process with Ohio EPA, and
 13 there's 30 sites across the state. And it's a
 14 third party financial assurance, so Ohio EPA
 15 controls that funding.
 16 MAYOR BRUBAKER: Okay. Director.
 17 MR. PYANOWSKI: Thank you. Through you.
 18 You had mentioned that you yourself -- I think
 19 you're a consultant here for the owner --
 20 MR. STEPIC: Yes, sir.
 21 MR. PYANOWSKI: -- who's also, I think, here
 22 in the crowd. You've worked with a number of
 23 sites across the state as a consultant.
 24 MR. STEPIC: Yes, sir.
 25 MR. PYANOWSKI: Right.

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1 Does this owner, this particular property
 2 owner have another one of these sites anywhere
 3 that we could look at his past performance as it
 4 relates to potential EPA issues that might give us
 5 some confidence.
 6 MR. STEPIC: The operator runs a number of
 7 different types of facilities, but, no, not
 8 currently, don't have a C&D processing license or
 9 permit for further operation. But I could easily
 10 put you in touch with a number of facilities or
 11 the Ohio EPA C&D contacts -- construction
 12 demolition debris contacts -- sorry. I live in a
 13 world of acronyms -- for further information.
 14 MR. PYANOWSKI: Sure. And if this owner had
 15 other facilities and had a good track record, that
 16 might ease some of the concerns was my only point.
 17 MR. STEPIC: Understood.
 18 MR. PYANOWSKI: And then how often is the
 19 EPA -- you talked about regular inspections and
 20 the license renewals and that kind of stuff. How
 21 often is that? Is that an annual thing, license
 22 renewal, so they'd be there at minimum then?
 23 MR. STEPIC: So you get a permit. It's kind
 24 of like a permit to install, which is kind of like
 25 a building permit. Then you get a license to

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1 operate. The license to operate is annual, and
 2 it's renewed annually. They have to, you know,
 3 submit for the renewal. The Lorain County Health
 4 Department would be the inspecting because they're
 5 approved by Ohio EPA for their program. When they
 6 start off the operation, their inspections would
 7 be biweekly for, I believe, it's the first 90
 8 days, and then I think it goes to monthly. And
 9 Ohio EPA would do a quarterly overview of that
 10 inspection program, as well. Lorain County Health
 11 Department, you know, inspects Pearl Avenue C&D
 12 and Lorain County -- I can't think right now --
 13 Republic's site, as well. So it would be all
 14 under their solid waste program.
 15 MR. PYANOWSKI: Thank you.
 16 MR. SCHOENIG: Through the chair.
 17 Mr. Derricotte with the wastewater department was
 18 able to provide us some comments.
 19 Would it be acceptable for him to take the
 20 podium to take further questions?
 21 MAYOR BRUBAKER: Mr. Derricotte, please state
 22 your name and address for the record.
 23 MR. DERRICOTTE: Shane Derricotte, one of the
 24 assistant superintendents in charge of Industrial
 25 Commercial, 1194 Gulf Road.

1 We -- this has been, I don't know, a three
 2 year kind of going back and forth with Mr. Stepic
 3 and the interested parties. And just to give a
 4 little brief history, previous administration,
 5 they were proposing what we call a CWT. That's a
 6 Centralized Waste Treatment facility, which, back
 7 in the Corzan days, would bring hauled waste to
 8 this facility, they would treat it, and then
 9 discharge it to our sewers. Well, that proposal,
 10 if something would go wrong, would totally wipe
 11 out our wastewater treatment facility. So that
 12 was denied.

13 And then some time has gone by where this
 14 proposal -- the past two years this proposal has
 15 been more of a -- where it's confined; no
 16 discharge would be leaving the facility. And we
 17 still have concerns.

18 And he mentioned the public health department.
 19 I myself would mostly likely be out there, the
 20 City, monthly, weekly, if not more just because we
 21 have concerns. The river's so close to this area.
 22 You know, you mentioned nonhazardous waste, but
 23 things happen and slip through. So we would be
 24 there weekly, monthly doing inspections in our
 25 part.

1 But, Chris, is there anything else you want me
 2 to more define or --

3 MR. SCHOENIG: One more question. Exhibit
 4 C -- or rather Appendix C, our topography map that
 5 I've included in this report, would you say
 6 there's any concerns regarding the overall
 7 topography of that site in relation to the
 8 Superfund site?

9 I mean, from what I can see, the elevations
 10 indicate 731 feet and there is a decline towards
 11 the pond, if you will, on that Superfund site.

12 Would you be able to clarify a little bit more
 13 as to any concerns that the wastewater might have?

14 MR. DERRICOTTE: Yeah, that -- on page 8,
 15 ending in 008, I believe that back part of the
 16 building is less than a hundred feet from where
 17 the pond would reach. So, again, just part of the
 18 City and what we already do, we would be there and
 19 we would have concerns for storm water.

20 You know, the ditch, we've sampled it, and,
 21 you know, we're pretty confident 10 to 20 feet is
 22 safe, is clean, you know, but anything deeper, you
 23 know, we're not -- we're not confident in it. If
 24 a hazardous waste possibly could touch that site,
 25 you don't know. You don't know what could react

1 or what could happen. So, yeah, about less than a
 2 hundred feet from that back building.

3 MAYOR BRUBAKER: Any questions for
 4 Mr. Derricotte?

5 Thank you, Mr. Derricotte.

6 Are there any further questions from
 7 Committee?

8 Mr. Aden.

9 MR. ADEN: It just doesn't seem -- it doesn't
 10 seem like this is a very appropriate and a very
 11 safe place to be installing something like this.
 12 It seems like it's a very nice and a great idea,
 13 but maybe not that close to the water.

14 And we already learned our lesson from the
 15 pond, right, from the -- you know, that's just my
 16 opinion.

17 MAYOR BRUBAKER: Okay.

18 Yes, sir.

19 MR. STEPIC: If I can address his comments.

20 MAYOR BRUBAKER: Yes, this is the proponent
 21 time, so speak to it, yes, sir.

22 MR. STEPIC: Mike Stepic. Good comments. I
 23 appreciate them.

24 Yeah, we had originally -- the idea was to
 25 permit the Centralized Wastewater Treatment

1 facility. Once we'd gotten involved with that and
 2 the City's concerns, we, you know, pulled out of
 3 that idea.

4 Right now under any of the proposed
 5 operations, there aren't any proposed discharge
 6 connections for industrial wastewaters. There
 7 might be some domestic connections for bathrooms
 8 and things like that. All things we could
 9 coordinate with wastewater.

10 Welcome the inspections, you know, more
 11 frequent inspections. Building the relationship,
 12 you know, is what I always tell my clients. Build
 13 those relationships and get a good reputation
 14 working together.

15 And then for the -- again, going back to the
 16 other uses, there would be at least an industrial
 17 general storm water permit requirement for the
 18 facility and a storm water pollution prevention
 19 plan document requiring regular trainings,
 20 inspections, and coordination with wastewater.
 21 And that's something we could easily coordinate,
 22 you know, to get your review and input on, as
 23 well.

24 And I think, you know, I can't directly speak
 25 for the applicant, but if there was a concern

1 specific to the rear building or the northern-most
2 building, I'm sure we could talk to you about what
3 limited operations there may be at that particular
4 structure or a buffer zone from the pond or any
5 other, you know, conditions or requirements, you
6 know, you might want to work out associated with
7 the operation of the facility.

8 Nothing's off the table for those kind of
9 items. I understand the concerns of the Board and
10 the comments, I just wanted to provide a little
11 clarity on that.

12 MAYOR BRUBAKER: Thank you.

13 Yes, Mr. Onderko.

14 MR. ONDERKO: Just in general, if the
15 conditional use and the rezone was approved, what
16 would the next step be? Can we just -- for this
17 property, like what would it look like after that
18 in terms of, you know, access for them and to do
19 what they want to do?

20 MR. FARKAS: Mr. Chair, through you, to
21 Mr. Onderko.

22 If the rezoning was granted and then we moved
23 to the next phase of the conditional use, the
24 conditional use would specify what they're going
25 to do. Those are some of the questions that Chris

1 this conversation, it appears to me that maybe you
2 have some unanswered questions, some information
3 that maybe -- whether there's a lack of clarify
4 because of a change from the last proposed and
5 presented potential use or maybe we just -- the
6 application didn't include it.

7 Is there some information that if you had
8 that, that might sway or change your
9 recommendation? I mean, are we -- or is your
10 recommendation solid regardless of some of the
11 things that might have been mentioned here today?

12 I'm not trying to get you to change your
13 recommendation, but if there is further
14 conversation that might change your position on
15 some of those things, that might be helpful to
16 know.

17 MR. FARKAS: Mr. Chair, through you to
18 Mr. Pyanowski.

19 Due to the request being multifold, it is not
20 singular to the recycling processing. They want
21 to add a repair maintenance, they want to do some
22 storage, they want -- they want to do a multitude
23 of requests and bundle into this specific Special
24 Industrial category.

25 Unfortunately, from a zoning perspective,

1 and I still have pending. We're not a hundred
2 percent sure, though. They do somewhat spell it
3 out in their proposal.

4 The next step would be, if it was approved and
5 clean, it would go to the building department for
6 actual plan submittal indicating the areas of
7 building to be utilized, a potential change in use
8 of the building from factory to maybe storage of
9 materials and processing, it would evoke another
10 step, which would trigger fire department, myself,
11 maybe even some engineering.

12 MAYOR BRUBAKER: And just for clarification,
13 Mr. Onderko, if it were to pass out of here, it
14 would go to City Council for both the rezoning,
15 which would require three readings and then
16 Council would have to also approve any conditional
17 use permits.

18 Mr. Pyanowski.

19 MR. PYANOWSKI: Thank you.

20 Darryl or Chris, it seems -- so we have a
21 report. You guys created a report for us, and I
22 think Chris referenced it and read from some of
23 that. And it talks about the recommendations, the
24 disapproval of both the rezoning and the
25 conditional use requests, but I also -- through

1 you're talking about many different types of uses
2 that aren't permitted in a Special Industrial
3 District, that if approved, would automatically
4 create a nonconforming use for the site until
5 lifted.

6 So we are opposed, at least I am from the
7 zoning administrator, to say it is not recommended
8 to approve based on that. If the request was
9 singular to one use, that may be a different story
10 contingent we had knowledge of what that specific
11 use is. Thank you.

12 MAYOR BRUBAKER: Any other questions from the
13 Committee?

14 Are there any proponents? Are there any
15 proponents? Are there any proponents?

16 Are there any opponents? Are there any
17 opponents? Are there any opponents?

18 Come up to the microphone, sir. Yes, sir and
19 state your name and address for the record,
20 please.

21 AUDIENCE MEMBER: I'm not happy with -- you
22 know, I live close to that and it's a major
23 environmental area right there. I'm concerned
24 about that, the wildlife, the creek, all that
25 stuff in that neighborhood there. I mean, y'all

1 need to really think about this before you just
 2 pass it. That's all I got to say.
 3 MAYOR BRUBAKER: Thank you, sir.
 4 Are there any other opponents? Any other
 5 opponents? Any opponents?
 6 Okay. So we have the first public hearing
 7 here is for the rezoning, and I'll reread that.
 8 It's 2024-100183, 525 Mussey Ave., LLC, 7716 Depot
 9 Road, Lisbon, Ohio 44432, for 525 Mussey Avenue,
 10 Elyria, Ohio 44035, requesting for a rezone from
 11 HI, Heavy Industrial, to SI, Special Industrial.
 12 Do I have a motion to approve?
 13 Is there a motion to approve?
 14 So at this juncture, there is no motion to
 15 approve, there is no second, so we cannot take a
 16 vote on this.
 17 I will go ahead and table this until the next
 18 meeting. If there's any additional information
 19 the proponent would like to get to Mr. Schoenig,
 20 Mr. Farkas, we'll give that opportunity and then
 21 we'll reconvene on this at the next meeting in
 22 February.
 23 Because we weren't able to do the rezoning,
 24 there'll be no vote on the conditional use permit.
 25 That will also get tabled until the next meeting.

1 MAYOR BRUBAKER: Any questions from the
 2 Committee?
 3 The proponent?
 4 MR. BENNETT: I'm John Bennett with Brilliant
 5 Electric Sign Company, representing Riveon on
 6 these sign face replacements.
 7 So what we're doing is basically just changing
 8 the graphics on the signage. We're basically like
 9 for like except for the fact that it's a different
 10 name and image, but same background color. So
 11 it's not going to look really much different from
 12 the existing.
 13 MAYOR BRUBAKER: Any questions from the
 14 Committee?
 15 Seeing as none, I'll entertain a motion to
 16 approve 2024-1001176. Do I have a motion?
 17 MR. ONDERKO: So moved.
 18 MAYOR BRUBAKER: Moved by Mr. Onderko.
 19 MR. PYANOWSKI: Second.
 20 MAYOR BRUBAKER: Seconded by Mr. Pyanowski.
 21 Any further discussion?
 22 All in favor, aye.
 23 MR. ADEN: Aye.
 24 MR. BATTLE: Aye.
 25 MR. ONDERKO: Aye.

1 Next item on the agenda is Item Number 8,
 2 Planning Commission Cases. We have one for
 3 2024-1001176, Brilliant Electric Sign Company for
 4 120 East Avenue, Elyria, Ohio 44035, requesting a
 5 waiver of the design review guidelines for
 6 signage.
 7 Mr. Schoenig, Ms. Scott, who's going to take
 8 that one?
 9 Chris.
 10 MR. SCHOENIG: Thank you, Mr. Chair, through
 11 you.
 12 The proposed face replacement for the monument
 13 sign, as indicated by the plans provided, is
 14 internally illuminated with the white background.
 15 This is not permitted per our design review
 16 guidelines.
 17 To give context to this, white background
 18 signs have been previously approved by Planning
 19 Commission.
 20 Recommended approval by Planning Commission
 21 for this. Thank you.
 22 MAYOR BRUBAKER: Thank you.
 23 Anything from Mr. Schneider?
 24 Fire department?
 25 MR. GALL: No.

1 MR. PYANOWSKI: Aye.
 2 MR. TEDROW: Aye.
 3 MAYOR BRUBAKER: Aye.
 4 Opposed, nay.
 5 Motion carried. Thank you.
 6 MR. BENNETT: Thank you very much.
 7 MAYOR BRUBAKER: Item Number 9, the summary
 8 reports for design review applications as
 9 presented, and Number 10 the staff and commission
 10 reports as detailed there, are there any questions
 11 on that?
 12 All right. Our next meeting will be
 13 February 4, 2025. I'll entertain a motion to
 14 adjourn.
 15 MR. PYANOWSKI: So moved.
 16 MAYOR BRUBAKER: Moved by Mr. Pyanowski.
 17 MR. ADEN: Second.
 18 MAYOR BRUBAKER: Second by Mr. Aden.
 19 All in favor, aye.
 20 MR. ADEN: Aye.
 21 MR. BATTLE: Aye.
 22 MR. ONDERKO: Aye.
 23 MR. PYANOWSKI: Aye.
 24 MR. TEDROW: Aye.
 25 MAYOR BRUBAKER: Aye.

