

21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS
ON
SEPTEMBER 25, 2024

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, SEPTEMBER 25, 2024, AT 7:00 PM FOR A VARIANCE TO OPERATE AN INDOOR STORAGE FACILITY AS A CONDITIONAL USE IN A GENERAL BUSINESS ZONING DISTRICT ON A PROPERTY THAT IS LESS THAN 2 ACRES IN AREA VS. 2 ACRES IN AREA REQUIRED (Section 1183.09 #20) FOR DEPOT STREET DEVELOPMENT, 19061 DEPOT ST.

BEFORE REACHING A DECISION, THE BOARD WILL GIVE THOSE IN ATTENDANCE AN OPPORTUNITY TO BE HEARD.

PLANS SHOWING THE PROPOSED LOCATION ARE ON FILE IN THE BUILDING DIVISION OFFICE AND ARE AVAILABLE VIA E-MAIL OR TO VIEW IN PERSON AT ROCKY RIVER CITY HALL, 21012 HILLIARD BOULEVARD. YOU MAY ALSO VIEW THE PLANS BY VISITING THE CALENDAR ON THE HOME PAGE OF THE CITY WEBSITE (www.rrcity.com) AND CLICKING ON THE MEETING LISTED FOR THIS DATE. PLEASE CONTACT KATE STRAUB, PLANNING & ZONING COORDINATOR AT kstraub@rrcity.com OR BY CALLING 440-331-0600 EXT. 2037 FOR MORE INFORMATION.

Notices sent to:
See attached list

Name	Address	City	State	Zip
JANET M FUCHS	5225 AVENIDA PESCADORA	FORT MYERS BEACH	FL	33931
VALDE ENTERPRISES, LLC	21055 LORAIN RD	FAIRVIEW PARK	OH	44126
JDS- OLD RIVER, LLC	19064 DETROIT RD	ROCKY RIVER	OH	44116
JDS- OLD RIVER, LLC	19107 OLD DETROIT RD	ROCKY RIVER	OH	44116
DEPOT STREET DEVELOPMENT LLC	1836 W 25TH ST	CLEVELAND	OH	44113
JOF PROPERTIES LLC	19421 STORY RD	ROCKY RIVER	OH	44116
NORFOLK SOUTHERN	155 GREEN MEADOWS DR.	LEWIS CENTER	OH	43035
WESTLAKE CONDO ASSOCIATION	19000 LAKE RD.	ROCKY RIVER	OH	44116



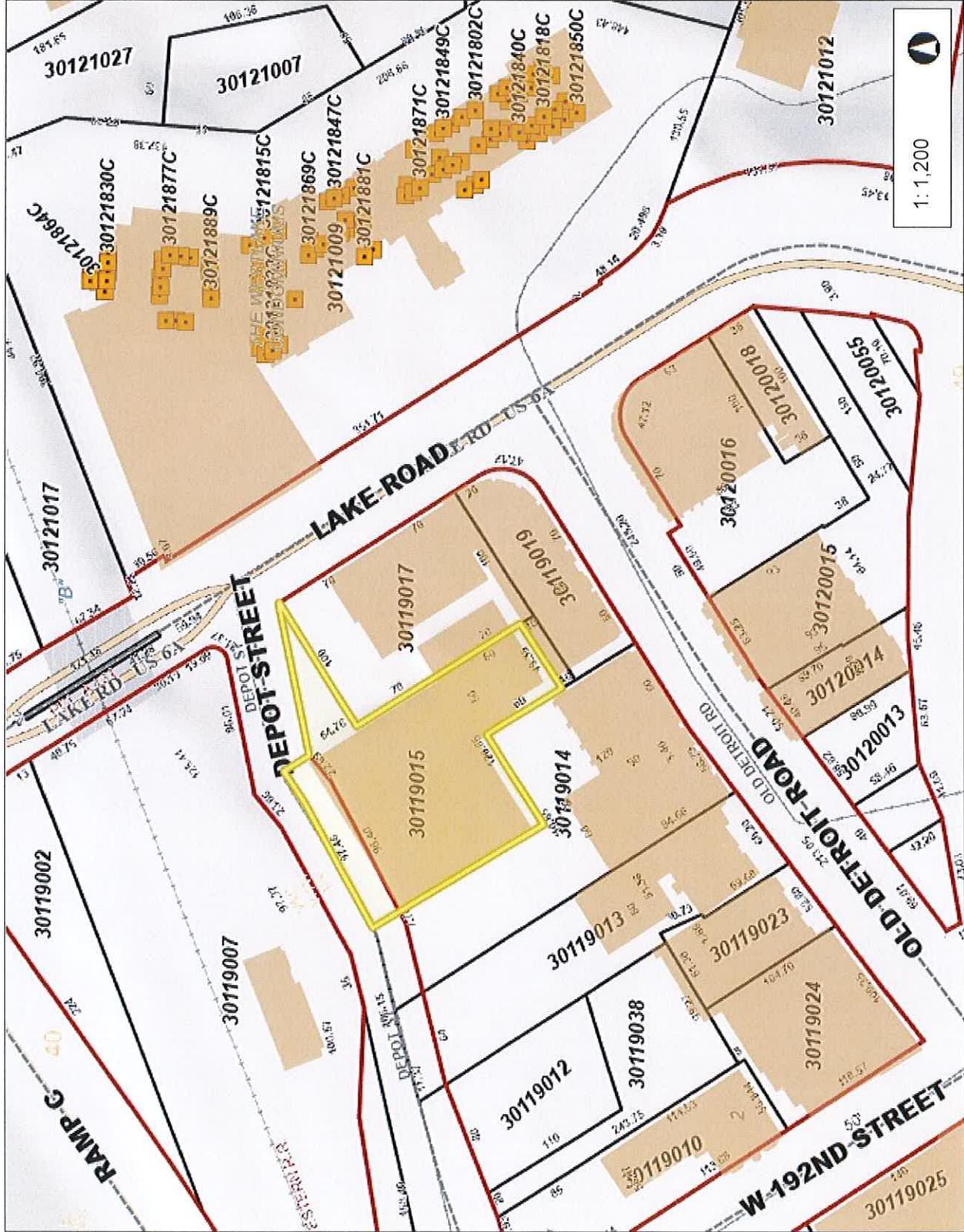
Cuyahoga County GIS Viewer



Date Created: 9/18/2024

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Buildings - 2017
- Private Road



1: 1,200



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

1183.09 CONDITIONAL USES IN THE BUSINESS DISTRICTS.

Schedule 1183.09 sets forth regulations governing minimum lot area and minimum lot width requirements for conditional uses in the Central Business Mixed Use, Local Business, and General Business Districts. Supplemental requirements pertaining to such uses are set forth in Section 1183.11, and the specific sub-sections are referenced in Schedule 1183.09, below.

Schedule 1183.09
Regulations For Uses in the Business Districts

Conditional Use	District	Minimum Lot Regulations ⁽¹⁾		Also See Section:
		Area	Width	
1. Assembly hall	CBD, MX	(2)	(2)	1183.11(b)
2. Auditorium	CBD	1 acre	150 ft.	1183.11(b)
3. Car Wash	GB	2 acres	125 ft.	1183.11(c)
4. Commercial recreation, indoor	GB	1 acre	150 ft.	1183.11(e)
5. Commercial recreation, outdoor	GB	2 acres	200 ft.	1183.11(f)
6. Conference center	MX	1 acre	150 ft.	1183.11(b)
7. Cultural institution	CBD, MX	1 acre	150 ft.	1183.11(b)
8. Drive-thru facility in association with a permitted use	LB, GB, MX	1 acre	125 ft.	1183.11(c)
9. Freestanding automated teller machine or drive-thru	LB	1 acre	125 ft.	1183.11(c)
10. Health Club	LB	1 acre	125 ft.	1183.11(h)
11. Hotel/motel	CBD	(2)	(2)	1183.11(b)
12. Library	CBD, MX	(2)	(2)	1183.11(b)
13. Live-work unit	CBD	(2)	(2)	1183.11(j)
14. Medical/dental/health services clinic	LB	1 acre	125 ft.	1183.11(k)
15. Membership clubs	CBD, MX	(2)	(2)	1183.11(b)
16. Motor vehicle sales and rental	GB	2 acres	200 ft.	1183.11(l)
17. Parking structure	CBD	2 acres	200 ft.	1183.11(m)
18. Place of worship/church	CBD, MX	2 acres	200 ft.	1183.11(b)
19. Restaurant, outdoor dining	CBD	(2)	(2)	1183.11(o)
0. School, specialty/personal instruction	MX	(2)	(2)	1183.11(w)

20. Self-storage facility, indoor	GB	2 acres	200 ft.	1183.11(p)
21. Service establishment, business	MX	(2)	(2)	1183.11(v)
22. Single-family dwelling, attached	CBD, LB, GB	2 acres	200 ft.	1183.11(q)
23. Theater, indoor	MX	(2)	(2)	1183.11(b)
24. Utility substation/distribution facility, indoor	CBD, LB, GB	(2)	(2)	1183.11(r)
25. Vehicle repair garage	GB	2 acres	200 ft.	1183.11(s)
26. Veterinary office, animal hospital	LB	(2)	(2)	1183.11(t)
27. Electronic Message Board	LB, GB, MX, CBD	(2)	(2)	1193.07(e)
<p><u>Notes to Schedule 1183.09</u></p> <p>(1) All standards contained in the regulations governing specific zoning districts shall apply unless the specific standards set forth in this Chapter are more restrictive.</p> <p>(2) Shall comply with the regulations for the district in which the conditional use is located.</p>				
<p><u>List of Districts:</u></p> <p>CBD Central Business District LB Local Business District GB General Business District</p>				

(Ord. 64-23. Passed 10-23-23.)

1183.11 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.

The following are specific conditions, standards, and regulations for certain conditional uses and are in addition to the criteria and standards set forth in Sections 1183.03 through 1183.09.

(a) Adult Care Facility for Six (6) to Sixteen (16) Persons & Residential facility for 9-16 persons.

- (1) All activities, programs and other events shall be directly related to the conditional use applied for and as it is granted, and any changes from the approved conditional use shall be reviewed and approved by the Planning Commission according to the procedures in Chapter 1131. All activities, programs and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents, or to the community in general.
- (2) The architectural design and site layout of the facility and the height of any walls, screens, or fences connected with any said facility shall be compatible with adjoining land uses and the residential character of the neighborhood.

- (o) Restaurant, outdoor dining. Restaurants shall be permitted to operate outdoor dining on sidewalks, including areas within the public right-of-way and in courtyards, provided that pedestrian circulation and access to store entrances shall not be impaired. The following standards shall apply to outdoor eating areas:
- (1) If outdoor dining is proposed to be in the public right-of-way, a permit shall be obtained from the Safety Service Director before a zoning certificate is issued.
 - (2) Planters, fencing, or other devices shall be used as a way of defining the area occupied by the outdoor dining.
 - (3) Extended awnings, canopies, or large umbrellas shall be permitted if located to provide shade or cover.
 - (4) The operators of outdoor dining shall maintain a clean, litter-free, and well-kept appearance within and immediately adjacent to the area of cafe activity.
 - (5) The outdoor seating area shall be used in conjunction with, and is under the same management and exclusive control of, a restaurant located on the same or contiguous property.
- (p) Self-storage facility, indoor.
- (1) The leases for all self-storage units shall include clauses prohibiting the following:
 - A. The storage of flammable liquids or radioactive, highly combustible, explosive or hazardous materials.
 - B. The use of property for uses other than dead storage.
 - (2) The Fire Department shall be provided with 24-hour access to the grounds. A lockbox shall be provided for its use.
 - (3) The maximum size of individual storage compartments shall be 500 square feet.
 - (4) Such uses should be located on an arterial or collector street.
 - (5) No door openings shall be constructed facing any residential zoning district. The Planning Commission may grant an exception to this regulation due to the shape of the parcel, the location of surrounding structures and utilities, and the location of access points. If the Commission grants such an exception, a twenty (20) foot buffer yard shall be provided along the residential zoning district boundary. In this buffer yard, a six (6) masonry wall shall be provided.
 - (6) Ornamental fencing is permitted and encouraged in the front of the building. No fence shall be topped with barbed wire or sharp edged materials.
 - (7) All storage shall be within a completely enclosed building. The outdoor storage of inventory, materials, vehicles, or merchandise is prohibited, unless specifically approved by the Planning Commission during the application process for the requested conditional use.
 - (8) No activities, such as the sale, repair, fabrication, or servicing of goods, motor vehicles, appliances, equipment, or materials shall be conducted from the self-storage units.
- (q) Single-family dwelling, attached.
- (1) In the CBD Districts, single-family attached dwellings shall only be permitted in the following locations in the CBD District and shall conform to the regulations in Chapter 1155, Single-family Attached District Regulations, except that the maximum setback adjacent to public rights-of-way shall be fifteen (15) feet.

ROCKY RIVER BOARD OF ZONING & BUILDING APPEALS

INSTRUCTIONS TO APPLICANTS

MEETINGS: 2nd Thursday of each month at 7:00 P.M. – Council Chambers, First Floor of City Hall.

DUE DATE FOR SUBMITTALS: 2 weeks (14 days) prior to the scheduled BZA meeting. Late or incomplete submittals will not be forwarded to the Board for inclusion on the upcoming agenda.

WHO MUST ATTEND: A representative, including the property owner, must be present at the BZA meeting for all variance requests.

APPLICATION FEE: Residential Variance - \$100.00 first variance + \$35.00 each additional variance
Commercial Variance - \$150.00 first variance + \$35.00 each additional variance request.

SUBMISSION REQUIREMENTS: Please provide 10 sets of the following:

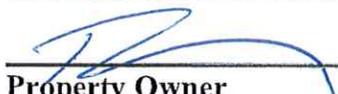
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.)
- 2) **This fully completed Variance Application**, which includes a written explanation of the project. Please refer to the Typical Variance Sheet for guidance on which standard (Practical Difficulty **OR** Unnecessary Hardship) applies to your request – only complete questions under the appropriate heading.
- 3) **Detailed site drawing**, showing all existing structures on the subject property, as well as structures on affected neighboring properties. Dimensions of all existing structures (length, width and height, where appropriate). All proposed structures/improvements must also be shown on the site drawing, with dimensions and distances from property lines clearly labeled.
- 4) **Elevation drawings** (for pergola, garage, addition or exterior alteration).
- 5) **Photographs** of your property and affected adjacent properties. Also, submit a photo example of proposed fences and storage sheds.
- 6) **Support letters** from surrounding property owners, if available.
- 8) **PLEASE NOTE THAT THE GRANTING OF A VARIANCE IS NOT A BUILDING PERMIT. A SEPARATE BUILDING PERMIT MUST BE ISSUED PRIOR TO ALL CONSTRUCTION.**

All documentation or other information shall be delivered to:

Rocky River Board of Zoning & Building Appeals, City of Rocky River Building Department, 21012 Hilliard Blvd., Rocky River, Ohio 44116. Call 440-331-0600 ext. 2037 with questions.

(Applicants may not communicate with or present information relating to their variance request to any Board member directly. Communications must be submitted to the Building Department for delivery to the Board.)

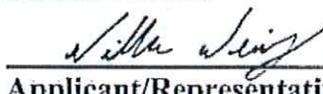
I, (the owner/applicant) understand that upon the granting of my variance request from the BZA, a separate Permit Application fee will be due prior to the issuance of the Building Permit. I will not begin construction until the Building Permit has been issued.



Property Owner

9/17/24

Date



Applicant/Representative

09/17/2024

Date

BZA Application Fee: _____

Date Paid: _____

CITY OF ROCKY RIVER
21012 Hilliard Blvd., Rocky River, Ohio 44116
Telephone (440) 331-0600 — Fax (440) 895-2628

APPLICATION FOR BOARD OF ZONING & BUILDING APPEALS
(Please Print or Type)

Application Filing Date: _____
Zoning of Property _____

Hearing Date: _____
Permanent Parcel No. _____

**NOTICE OF REQUEST OF A HEARING BEFORE THE
BOARD OF ZONING & BUILDING APPEALS**

Address of property seeking variance: 19061 DEPOT STREET

DEPOT STREET DEVELOPMENT LLC
Name of Property Owner

LDA ARCHITECTS / DILLON DENIG
Name of Applicant / Representative

1836 WEST 25TH ST, CLEVELAND OH 44113
Address

5000 EUCLID AVE, CLEVELAND OH 44103
Address

Telephone No. _____
Cell Phone No. (216) 566-1292

Telephone No. _____
Cell Phone No. (216) 539-4502

E-MAIL: tong@getcoenvironmental.com

E-MAIL: dillon@ldaarchitecture.com

Description of what is intended to be done:

The existing building will be renovated consisting of the installation of indoor self-storage units and a new exterior door facing the parking lot. The building will be painted and the scope of work is limited within the existing building envelope.

Sections of the Code from which variance is being requested:

RR 1183.09 CONDITIONAL USES IN THE BUSINESS DISTRICTS

List variances requested:

0.489 ACRES IN LZEU OF MINIMUM LOT AREA OF 2 ACRES FOR INDOOR SELF-STORAGE FACILITY IN GENERAL BUSINESS DISTRICT.

Property Owner's Signature _____

Dillon Denig
Applicant/Representative's Signature

★ Please note that the Board members visit the subject property prior to each BZA meeting. Please indicate whether or not you have a dog(s) that may be outside at the time of their visits.

Yes No

TYPICAL VARIANCE SHEET

Please check appropriate box and answer questions as directed.

	Check as Applicable	VARIANCE STANDARD
<ul style="list-style-type: none"> • Any functional, land or building USE not specifically permitted in either a particular zoning district, or otherwise not permitted by the Development Code 	<input checked="" type="checkbox"/>	(Use) Unnecessary Hardship
ADDITIONS & BUILDINGS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • Rear, side & front setbacks 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Coverage (>28%) 	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • Width 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Distance from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Circular if lot width is <90' 	<input type="checkbox"/>	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
<ul style="list-style-type: none"> • Area allowed (maximum sq. ft.) 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Front setback 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Lot width <100' 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Number of items of information 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • On side of building 	<input type="checkbox"/>	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
<ul style="list-style-type: none"> • Height or Openness 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Front Yard (in setback) 	<input type="checkbox"/>	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application)</i> ; Detached Garages: <i>(Complete Building Permit Application)</i> <i>Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</i>		
<ul style="list-style-type: none"> • Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Square footage 	<input type="checkbox"/>	(Area) Practical Difficulties
Air Conditioners and Generators: <i>(Complete HVAC Permit for A/C or Electrical Permit for Generators)</i>		
<ul style="list-style-type: none"> • In side yard <10' from property line or in front yard 	<input type="checkbox"/>	(Area) Practical Difficulties
Parking: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> • < the number of spaces required 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> • Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties

UNNECESSARY HARDSHIP STANDARD

ONLY ANSWER THESE QUESTIONS IF YOU ARE REQUESTING A VARIANCE FOR ANY FUNCTIONAL, LAND OR BUILDING USE NOT SPECIFICALLY PERMITTED IN EITHER A PARTICULAR ZONING DISTRICT, OR OTHERWISE NOT PERMITTED BY THE DEVELOPMENT CODE. (See Typical Variance Sheet for guidance.)

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

In order to grant a use variance, the Board of Appeals shall determine that strict compliance with the terms of this Code will result in unnecessary hardship to the applicant. **THE APPLICANT MUST DEMONSTRATE SUCH HARDSHIP BY CLEAR AND CONVINCING EVIDENCE** that the criteria in Rocky River Codified Ordinances, sub-section 1133.17(c)(2) is satisfied.

R.R.C.O. Chapter 1133.17(c)(2)A. Please demonstrate hardship with the following:

- i.) Explain how the variance requested stems from a condition that is **UNIQUE TO THE PROPERTY AT ISSUE** and not ordinarily found in the same zone or district. (i.e., topographical or geological limitations; unique structure of original building, etc.)

The unique structure of the original building has limited potential uses.

Originally a garage for taxi cabs, the building is over 50% below grade and has no windows.

- ii.) Explain how the granting of the variance will not have any material adverse effect on the rights of adjacent property owners or residents.

The proposed variance will allow for improvements to an otherwise vacant building.

No material adverse effects will occur as the building is existing.

- iii.) Explain how the granting of the variance will not have any material adverse effect on the public health, safety or general welfare of the City of Rocky River.

The proposed variance will allow for improvements to an otherwise vacant building.

No material adverse effects will occur as the building is existing.

iv.) Explain how the variance will be consistent with the general spirit and intent of the Code.

The variance will allow for a reduced site acreage for an indoor storage facility.

The intent of the code is likely aimed a larger new construction facilities, where as the proposed facility will be a locally owned small business.

v.) Explain how the variance sought is the minimum that will afford relief to the applicant.

The building and site area are existing.

R.R.C.O. Chapter 1133.17(c)(2)B. If applicable, explain what further evidence you would like the Board of Appeals to consider, as follows:

i.) Whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located.

The unique structure of the original building has limited potential uses.

ii.) Whether, and to the extent to which (if applicable), the hardship condition is not created by actions of the applicant.

The owner purchased the property with the intent to improve the property and make a positive impact to the surrounding neighborhood.

PLEASE NOTE: A separate Permit Application and fee will be due prior to issuance of the Building Permit. NO CONSTRUCTION IS TO BEGIN until the Building Permit has been issued.

Mr. Bishop said he would like to ask Mr. Michael Asaad, the owner and landlord of this property, a few questions to clarify some things.

Mr. Bishop said that there is an ongoing problem at this shopping center with the trucks that are not permitted to park in the parking lot all the time. Local Business zoning districts do not permit commercial vehicles to be parked the way that Big Bear Remodeling is parking. They were permitted one box truck to park next to the dumpster location but they are continually parking 2 or 3 pick-up trucks as well as the box truck in the front lot. Mr. Asaad said that there is a driveway in the back and that is where he knows that the trucks go. Mr. Bishop said he goes past there at least 7 times per day and the two white pick-up trucks are there quite often overnight. Then when the balloon store moved in, they were parking their commercial box truck in the front lot all of the time. The remodeler was granted permission to keep the one truck next to the dumpster. Mr. Asaad said he brought this to the remodeler's attention a few times and the truck was removed. The balloon shop is gone and that is the space the dog groomer will move into. He is not sure if the remodeler gets deliveries, and he is not sure if it is difficult to keep things shifted so they are not parking in the front. Mr. Bishop said that it is more because they are parking in the front overnight and that the back end of the truck(s) sticks out over the sidewalk. He thinks that as a landlord, Mr. Asaad must do better with the tenants. Mr. Asaad said he has brought it to his tenant's attention numerous times, and he notices that the truck is moved into the back on the same day. However, he drives past a few days later and it is back in the same spot again.

Mr. Bishop said that he should consider this as notice because the next time he comes back before this Commission they will be tougher on this. He said that when there are prospective tenants, the use and the parking calculations are being considered by the Building Department before they get too far into a lease. Mr. Asaad said that parking is not an issue in the lot because a lot of the businesses are closed or leave by 4:00 or 5:00 pm. They have minimal employees. Mr. Bishop said that they are continually wanting to make small improvements on Center Ridge Rd. and removing the two trucks will be an improvement. Mr. Asaad said that he will let his tenants know today because some of them have complained that the trucks block the view of the front of their businesses. Mr. Bishop said that before a business signs a lease, the building department should do a parking calculation based on the use that is being proposed. Ms. Straub said that she will send the property owner and the business owner of Big Bear Remodeling the minutes from the review for Big Bear's occupancy.

4. DEPOT STREET DEVELOPMENT LLC – 19061 Depot St. – PRE-PRELIMINARY REVIEW – Indoor Storage Facility. Mr. Steven Jennings, Architect, came forward with Mr. Tom Gillespie, property owner, to discuss the project.

Mr. Jennings began by explaining that this building is the former Westlake Cab Company, which is essentially just a large parking garage. The building was in a lot of disrepair when the owner purchased it and they made some emergency roof repairs to secure it and they are now working toward putting 78 indoor storage units in the building. There is also a small triangle piece of

property just to the east, which has 4 exterior parking spaces that will contain the new pedestrian entrance to the facility.

Mr. Bishop said that the current zoning of the property is General Business but there is a prior piece of legislation before City Council introducing Ordinance 32-24, which would change that whole area to Local Business. In General Business, this use is a conditional use, and contains some conditions to be able to construct an indoor storage facility. It is not a permitted use in Local Business. He asked Law Director O'Shea if they can still refer to this property as being zoned General Business because the legislation is not passed yet. Mr. O'Shea said that he cannot answer that question at this time, but he will get an answer for the Commission. Ms. Straub said that depending on the answer to that question, there may be the potential for the applicant to apply for a use variance and Mr. Bishop agreed.

Mr. Bishop said that the conditions he referred to for this use in General Business include the two-acre property size and the 200' frontage requirements, which they do not have. Mr. Bishop supposed they can apply for a variance to the conditions if they interpret this as being zoned General Business. Mr. Jennings said that if the triangle piece is counted, then they would have the 200' frontage requirement. Mr. Bishop said that the site plan does not show the triangle piece as being consolidated, so they should show that for next time. That means they would need a variance to the 2-acre condition.

Mr. Bishop said that all of the units are under 500 sq. ft. and asked if there is a ventilation system because cars would be pulling into the building. Mr. Gillespie said that there is a system in the building because of the previous use as a taxi garage. A very brief discussion was had relating to the applicant's grand plan for this property but that would take approximately 5 years to complete that process. Mr. Bishop said that he is open to this idea for storage units until that time comes.

Mr. DeMarco asked about the area for turn-around that is included and asked how 2 cars would navigate around each other if 2 cars happen to be inside at the same time. Mr. Gillespie responded that most of the units do not have pull-in opportunities so going inside is really not needed. There is the back area that he uses for a shop so he wants to make sure that he protects his ingress and egress. Mr. DeMarco said that there is a condition for the maintenance area that prohibits vehicle maintenance and repair, so he suggested that any note on the drawing should avoid that use because someone might make the assumption that the use will be auto repair. Mr. DeMarco asked if the parking stalls shown on the triangular piece of land are intended to be the parking stalls for this facility and Mr. Gillespie responded that they are for this facility and the man door is right there on the side. He has a handshake type of agreement with Mr. Spielberg. Mr. Bishop said that there is no requirement for parking for this use.

Mr. DeMarco said that he does not have an objection to the use. They are in a situation where they are dealing with what is current, which is General Business and this is permitted as a Conditional Use in that district. He said they should get it done as fast as they can if they want to

do it that way, before the rezoning. Mr. O’Shea said that this application had already been started so the use might be grandfathered in.

Mr. Allen said it sounds like the maintenance shop is not going to be considered the office and the four spots in front satisfy any need for someone to run in and drop something off to their storage unit. Mr. Capka asked about the lease terms for the storage units. Mr. Gillespie said that these units are a month-to-month rental product.

Mr. Bishop said that this is just an informal discussion and the next time around they can have a public hearing. Mr. DeMarco asked if there is a way to show the lot lines on the floorplan to show how the parking is arranged and then try to show the striping arrangement on the adjacent parking stalls for clarification. Mr. Gillespie said he would like to have a special meeting to get this project going and they can have a preliminary/final review and perhaps receive final approval subject to obtaining the variance. However, BZA is needed after that for either the use or the condition of having at least a 2-acre lot. Ms. Straub said that there is an opportunity for special meetings that she can expedite the process if she is able to get the Board members together.

Mr. Bishop said that before they adjourn, he would like to have a standard agenda item every month that states any topics Commission members would like to discuss for the upcoming agenda.

Mr. Allen said he would like to revisit their previous discussions of removal of the Mixed-Use Overlay District and the Central Business Zoning Districts in a future revised Zoning Code.

Mr. Bishop moved to adjourn at 7:55 PM. Mr. Allen seconded.

4 Ayes – 0 Nays
Passed

William Bishop, Chairman

Michael DeMarco, Member

Date: _____

MINUTES OF MEETING
PLANNING COMMISSION
SEPTEMBER 11, 2024

Members Present: Capka, Allen, DeMarco, Bishop

Presence Noted: Michael O’Shea, Law Director
Kate Straub, Planning and Zoning Coordinator

Council Members Present: Michael O’Boyle, Ward 2

Chairman Bishop called to order the September 11, 2024 meeting of the Rocky River Planning Commission at 6:00 P.M. in City Council Chambers of Rocky River City Hall.

Mr. Bishop asked if anyone has comments regarding the August 22, 2024 Planning Commission meeting minutes. There being no comments, Mr. DeMarco moved to approve the August 22, 2024 Planning Commission meeting minutes. Mr. Capka seconded.

4 Ayes – 0 Nays
Passed

1. DEPOT STREET DEVELOPMENT LLC – 19061 Depot St. – PUBLIC HEARING – Preliminary Review of an Indoor Storage Facility. Mr. Tom Gillespie, property owner, came forward with Steve Jennings, Architect, to present the project.

Mr. Jennings said that they have added the information requested by the Planning Commission last month and the site plan now shows the entire property that is part of the project.

Mr. Bishop asked what the exterior changes are. Mr. Gillespie responded that the addition of an entrance door on the east elevation, which will be the main entrance to the facility. They will be painting the entire building, and it was confirmed that this project will go to the Design and Construction Board of Review for the exterior changes.

Mr. Bishop said that since the newly proposed zoning ordinance has not been passed yet, they are still looking at this property as zoned General Business, so this use is considered a Conditional Use. One condition is the size of the property, which is required to be 2 acres. Mr. Bishop said that the new code will reduce the requirements for that condition and they are discussing eliminating it. For that reason, he said he does not object to a variance to the lot size. He said that there are 8 conditions that he wants the applicants to be aware of for this use and some would not apply. However, others do apply and he wants to be sure they know what they are.

Mr. DeMarco asked about signage. Mr. Gillespie said they are planning to paint a sign on the Depot Street elevation. There will be no landscaping. The antenna from the cab company is staying for now and his goal is to get signage on that but was advised that signage on the antenna is not permitted. Mr. DeMarco said that when they include the triangular piece in the frontage width, they are over 200’. He supports the variance for the lot size because this is an existing condition. The only condition he continues to have a concern about is the back area where they are identifying it as a maintenance shop or maintenance parking. He knows they are not

intending to use it as auto storage, but he would like that to be clarified on the plans for when they go to BZA for the variance. He said that auto maintenance and repair in this use is explicitly prohibited. He has no objection to what they are proposing for this property.

Mr. Allen asked whether the Building Commissioner would have to review the exhaust prevention system for the inside of the building. Mr. Bishop said that it is already existing. Mr. Allen said that the system needs to be repaired and he just wants to make sure they get done. Regarding the lighting, Mr. Gillespie said that the lighting is already in and the dividers for the storage spaces only go up 8' and the ceiling is 13' tall. They have new LED lighting throughout the whole building that is on motion detectors, so depending on where you walk, that section of the building lights up. They will have cameras installed that they can monitor on their phones.

Mr. Capka thanked the applicant for the information regarding the lighting and asked about if they will be doing any concrete for the driveway or paving. Mr. Gillespie said that it is currently in good shape, but they will maintain all of that as needed. They will make improvements to the pavement where they cut in the new door on the east elevation. They will repair any surface that may get damaged during the improvements.

Mr. Bishop moved to open the public hearing. Mr. Allen seconded.

4 Ayes – 0 Nays
Passed

There being no members of the public present, Mr. Bishop moved to close the public hearing. Mr. Allen seconded.

4 Ayes – 0 Nays
Passed

Mr. Bishop said that if everyone is in agreement, he would like to grant preliminary and final approval tonight, with conditions.

Mr. Bishop moved to grant preliminary and final approval to Depot Street Development LLC conditioned upon receive the variance from BZA for the lot size and approval from the Design Board for the exterior modifications. Mr. Capka seconded.

4 Ayes – 0 Nays
GRANTED

5. Mr. Bishop said that the agenda reads the Planning Commission will discuss whether the Draft revised Development Code should retain the Mixed-Use Overlay and the Central Business Zoning Districts. He was under the impression that they would be discussing removing those sections now, since they do not exist anywhere. He feels that Chapter 1165 is confusing and there are a lot of assumptions with that. They have already fixed the permitted uses in Office

City of Rocky River

21012 Hilliard Boulevard Rocky River, Ohio 44116

APPLICATION FOR **NON-RESIDENTIAL** PLAN APPROVAL

Submit one application per building or structure; **All** sections must be completed

APPROVALS DATES:

Planning Comm. _____

Board of Appeals: _____

Design & Review: _____



Application Date: _____

Intent Sign Date: _____

<p>1 PLAN SUBMISSION:</p> <p>Plan review will commence once all below plan copies are submitted.</p> <p>Have 2 paper and 1 digital plan(s) been submitted for plan review?</p> <p>Yes, <input checked="" type="checkbox"/> No: <input type="checkbox"/> To be sent by: _____</p>	<p>2 TYPE OF PROJECT:</p> <p><input type="checkbox"/> New Building Construction</p> <p><input type="checkbox"/> Building Addition</p> <p><input type="checkbox"/> Alteration</p> <p><input checked="" type="checkbox"/> Repair/Maintain/Replacement</p> <p><input checked="" type="checkbox"/> Change of Occupancy</p> <p><input type="checkbox"/> Request Existing Bldg C of O</p>	<p>3 PHASED PLAN REVIEW:</p> <p><input type="checkbox"/> Foundation</p> <p><input type="checkbox"/> Framing</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p>
<p>4 APPLICATION RELATED INFORMATION:</p> <ul style="list-style-type: none"> ▪ Is this project being submitted as a result of a previous preliminary plan review? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes ▪ Is this application being submitted as a result of a Notice of Violation or Adjudication Order that you received? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, please provide the adjudication order number: _____ 		
<p>5 PROJECT/BUILDING LOCATION: (OBC 107.2.2)</p> <p>Building Name _____ Street Address <u>19061 DEPOT STREET</u></p> <p>Street Address <u>ROCKY RIVER, OH 44116</u> Sublot No. _____ Lot Size <u>0.489 AC</u></p> <p>Permanent Parcel Number <u>30119015</u> Estimated Time of Completion _____</p> <ul style="list-style-type: none"> ▪ Is this project/building located in a flood plain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ▪ Has flood plain administrator been contacted for requirements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 		
<p>6 BRIEF DESCRIPTION OF THE SCOPE OF WORK COVERED UNDER THIS APPLICATION: (OBC 107.2.1)</p> <p><u>THE EXISTING BUILDING WILL UNDERGO A RENOVATION CONSISTING OF THE INSTALLATION OF PROPOSED INDOOR SELF-STORAGE UNITS AND A NEW EXTERIOR DOOR FACING THE PARKING LOT. THE BUILDING EXTERIOR WILL RECEIVE NEW PAINT AND THE SCOPE OF WORK IS CONTAINED ENTIRELY WITHIN THE EXISTING BUILDING ENVELOPE.</u></p> <p>Total Estimated Cost \$ <u>56,000</u></p> <p>Total Square Footage of all Levels and Areas of Construction <u>14,984</u> SQ. FT.</p>		
<p>7 BUILDING OWNER INFORMATION:</p> <p>Name of owner <u>DEPOT STREET DEVELOPMENT LLC</u> Attention: <u>TOM GZLESPE</u></p> <p>Street Address <u>1836 WEST 25TH STREET</u> City <u>CLEVELAND</u> State <u>OHIO</u> Zip <u>44113</u></p> <p>Phone No <u>(216) 566-1292</u> E-mail <u>tomg@getcoenvironmental.com</u></p>		
<p>8 APPLICANT INFORMATION: (Owner or designated representative) (OBC 107.2)</p> <p>Applicant <u>DILLON DENZG, LDA ARCHITECTS</u> Attention: _____</p> <p>Street Address <u>5000 EUCLID AVE</u> City <u>CLEVELAND</u> State <u>OHIO</u> Zip <u>44103</u></p> <p>Phone No <u>(216) 539-4502</u> E-mail <u>dillon@ldanarchitecture.com</u></p>		

9 REGISTERED DESIGN PROFESSIONAL INFORMATION: Architect Engineer Certified Fire protection system designer

Designer LDA ARCHITECTS Reg /Certificate No 7286

Street Address 5000 EUCLID AVE City CLEVELAND State OHIO Zip 44103

Phone No (216) 932-1890 Fax _____

10 BUILDING CODE INFORMATION:
(Information applies to construction area in a mixed use groups building, or the entire building if a single use group building)

Current use group(s) _____ Construction Type of Project _____ Construction Type of Building _____

Occupancy Description: _____ Method of Demonstrating Energy Code Compliance 2012 IECC _____ 2010 AHRAE 90.1 _____

11 GENERAL BUILDING INFORMATION: (The following information applies to the *entire building* not just construction area) (OBC 107.2.3.)

- Building Information:
 - Use group(s)? S-1 Mixed use groups? No Yes Separated Non-separated
 - Construction type? III-B Building height (FT)? 15 FEET No of stories? 4
 - Occupant load? _____ Storage height (FT)? _____ Storage aisle width (FT)? 6 FEET
- List USE GROUP below for mixed use building _____ List Occupancy Type for associated use group below _____
- Fire Protection Systems. (Enter the type of system such as NFPA 13, NFPA 72, etc., if known. Enter "N/A" if not applicable)
 - Building sprinkler system? N/A Sprinkler demand @ base of riser (PSI)? N/A
 - Limited area sprinkler system? N/A Type 1 hood suppression? N/A In-Rack sprinkler system? N/A
 - Building fire alarm system? N/A Fire detection system? N/A Smoke detection system? N/A

12 CERTIFICATION: (OBC 107.2.5)

I certify that I am the _____ Owner Owner Authorized Agent

All information contained in this application is true, accurate, and complete to the best of my knowledge. All official correspondence in connection with this application should be sent to my attention at the address shown above.

Signature 

Print Name DZLLON DENIG Date 09/17/2024

13 THE AREA BELOW IS FOR OFFICIAL USE ONLY:

Fee Description	Amount	Deposits
PLAN REVIEW		
Permit Fee		
Other Fees		
Sub-Total	\$	\$
B.B.S. +3%		
Curb Crossing		
Street Cleaning		
Curb Cut		
Sewer Tie In Fee		
Total Fees	\$	
Date Received _____	Estimated Cost _____	
Check Number _____	Permit Number _____	
Processed By _____		

Notes: