

MINUTES OF MEETING  
PLANNING COMMISSION  
DECEMBER 14, 2021

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Members Present: McAleer, Capka, DeMarco, Bishop

Presence Noted: Ray Reich, Building Commissioner  
Kate Straub, Planning and Zoning Coordinator

Council Members: Jim Moran, City Council President

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Chairman Bishop called to order the December 14, 2021 meeting of the Planning Commission at 6:30 P.M. in City Council Chambers of Rocky River City Hall.

Chairman Bishop said that he would like to recognize the presence of Tom Long tonight who is with us in spirit. Our Co-Chairman passed away yesterday morning. Tom served several terms over a 20-year period and speaking for the entire Commission, they will miss his insight and intellect but most of all they will miss his common sense, historical knowledge and his sense of humor, which they all grew to love. Mr. Long's wisdom will be sorely missed by this Commission and he said that their thoughts and prayers go out to his three children. Mr. Bishop respectfully requests that the Commission think of Tom while they are here tonight.

Mr. Bishop asked if there are any corrections to the meeting minutes of November 16, 2021. Mr. Capka moved to approve the minutes as presented. Mr. McAleer seconded.

5 Ayes – 0 Nays  
Passed

**1. THE KRUEGER GROUP - PPN: 303-26-005 – Multi-Family Apartment Development - Vacant Lot next to 22591 Center Ridge Rd.** Mr. Jack Doheny of The Krueger Group, came forward to present the final plan.

Mr. Bishop said he understands all of the variances were granted by the BZA and that they received formal final approval from the Design and Construction Board of Review. He said he believes that they addressed all of the minor conditions from the preliminary approval. He asked if anyone on the Commission has any questions.

Mr. DeMarco asked if they will need to come before the Planning Commission if they propose a monument sign in the front that is listed on the site plan but there are no details that have been submitted. Mr. Bishop said that it can be a separate submittal once the monument sign is fine-tuned and ready for approval. Mr. McAleer said that he has spoken to two neighbors since the last meeting and both of them attended the public hearing, which was a new experience for them. They both provided separate positive feedback relating to how this Commission operates and they feel comfortable with the presentation and the fact that their concerns were addressed.

Mr. DeMarco moved to grant final approval to The Krueger Group, PPN 303-26-005 for a Multi-Family Apartment Development at the vacant lot next to 22591 Center Ridge Rd. The applicant will return with a separate sign application when that process is ready. Mr. Capka seconded.

5 Ayes – 0 Nays  
APPROVED

**2. SUNOCO GAS STATION – 20960 Center Ridge Rd. - PUBLIC HEARING - Preliminary Review - Development Plan Review for a Change of Use from an Automobile Service Station/Vehicle Repair Garage with Gasoline Pumps to a Retail Establishment with Gasoline Pumps.** Mr. Ibrahim Kamal, property owner, came forward to present the plan.

Mr. Kamal explained that they would like to convert the portion of the station that was dedicated to garage mechanics to a convenience store. Mr. Bishop asked how the operation will work relating to whether the people who are there to pump gas typically leave their car and come into the convenience store to pick up goods or whether they primarily are there to patronize the convenience store as a separate visit and are not there to get gas. Mr. Kamal said that about 50% of the customers will be there for gas and 50% will get beverage, snacks or drinks. He said that he just got the liquor license. He will be able to offer much more than they sell today, such as ice cream, candy and snacks and he will be selling wine and beer when the convenience store opens.

Mr. Bishop explained that the Code tells them certain things that they have to follow. Regarding parking on the site, he said that they comply with the Code with the two spaces they are showing at each pump, but they need to provide 5 additional spaces to accommodate the convenience store use. The site plan shows that there is a row of parking spaces right up against the north property line and there is a group of parking spaces located only 5' from the face of the storefront when a 10' setback is required for each of those rows of parking. The plan shows 8 additional spaces, so three of them can be eliminated and they will still comply.

Mr. Bishop asked whether there is room on the inside of the building for any sort of compactor for trash. Mr. Kamal said they have a dumpster now and it is emptied three times per week. Discussion was had relating to the fact that the dumpster can be moved to the north end of the building so it can be accessed for dumping. Parking can be laid out along the north property line beginning parallel to the building and working its way west to accommodate 5 spaces. Mr. Bishop said that the way the parking is being proposed on the site plan does not work in function and explained what he meant. He visited the site two separate times and he feels that there is a lot of traffic at that site and when cars start trying to back out it will not be a safe condition, which is why he would like to move all of the parking to the north. He added that this is a very dangerous corner in Rocky River as far as traffic is concerned because it has the highest count of car accidents at the intersection.

Mr. DeMarco said that he gets more concerned as the parking spaces on the north edge get closer to the curb cut on Wagar Rd. because many people enter the site at a higher speed. Mr. Kamal said that he is willing to do whatever he can to be sure the site is safe for everyone.

Mr. Bishop said that there is a requirement for 1 handicap space and it can be the first, most eastern space along the north property line and it was discussed where it should be located for the easiest access. Mr. Kamal said that the most traffic comes from the Wagar Rd. entrances and not necessarily from Center Ridge. The Commission agreed that if they placed a triangular landscaped curbed island at the northern most entry drive off of Wagar Rd. it will provide protection to those motorists backing out of the parking spaces. It will also slightly reduce the width of the curb cut.

Mr. Bishop said that in this particular scenario he would approve waiving the 10' setback requirement for the northern parking spaces because to meet that, it would interfere with the traffic circulation field on the site. The handicap spot should be the first space to the east along that north line and the dumpster can be tucked in there next to the proposed air conditioner condensers. The gate for the dumpsters can be facing Wagar Rd. so it is easier to access to empty it. There should be a rounded triangular island at the northwest corner of the site and have 6 parking spaces to the east of that, with the eastern most space being the handicap parking space. Hours for the dumpster to be emptied begin at 7:00 am.

Mr. Bishop said he feels that the parking situation can be resolved with the re-design that they discussed. Relating to the interior floor plan, Mr. Bishop asked if they can eliminate the exterior door to the restrooms. Mr. Kamal said that they can enter the restrooms from the inside, which is safer than actually entering from outside. He is willing to eliminate the exterior access door for the restroom and the restrooms will be accessed from the interior space. Mr. Reich said that he will research whether ADA will require access to the interior restroom.

Discussion was had relating to the HVAC system and Mr. Kamal said that the internal HVAC plan will be submitted for final review. Mr. Reich said that he will look at the site to see the HVAC plan and what they are intending to do to condition the newly renovated interior space.

Discussion was had relating to the oil separator and a hydraulic tank for the lifts on the inside. Mr. Kamal said that he will work get an all-clear from BUSTR relating to those things

Regarding the exterior elevation, there are two doors that should be eliminated and replaced with some sort of architectural detail. They should remove the door framing and rather than try to blend brick and get a patchy look, they could use a different material like the stucco to fill in those door areas. The stucco on the building needs to be refreshed and should match the material they use on the elevation that has the doors they will eliminate and fill in. Mr. Bishop suggested that they continue the new window system along the diagonal front façade and eliminate the vertical boards (called T-111) so that there is continuity in materials with the front elevation and the diagonal façade.

Mr. DeMarco said that the brick seems to be fine, but he would like to see it tucked pointed around the building. He likes the addition of the brick piers around the canopy supports and he would like to see an update the rest of the exterior and refresh the materials on the front angular façade.

Mr. Kamal said that he will remove the damaged concrete along the exterior walkway, replace the concrete and elevate it from the parking lot or drive area so there is distinction between the two levels. He agreed to update and refresh the landscaping in the existing landscaped areas.

Signage on the site will remain as it is, and window signage will be discussed with the building department when they want to advertise that they sell alcohol so it will comply with the City's window signage code. Building Commissioner Reich said that he will look at the Building Code relating to propane sales and the ice machine. Mr. Kamal said that he will put the ice machine on the interior of the building.

Mr. Bishop moved to table this item for the revisions to the site plan and exterior elevations, as discussed. Mr. Capka seconded.

5 Ayes – 0 Nays  
TABLED

Mr. Reich agreed to visit the site to outline and determine the things should be done on the interior in order to move forward with the project.

**6. ORDINANCE 71-21 - MANDATORY REFERRAL - An Ordinance Amending the Codified Ordinance of the City of Rocky River, Section 905.03 Entitled "Driveway Location and Width" and Section 905.04 Entitled "Driveway Apron Material and Thickness," as Further Described in the Attached Exhibit "A"**

Regarding the 18' x 8' parking pad, Mr. Bishop said that they should add a sentence that describes it and then provide a picture of a sketch to depict the angle to the main driveway. Regarding the 3-car garage, Mr. Bishop said that they thought that if there is less than a 35' front setback, the driveway width could be maintained at 35' all the way out. If there is more than a 35' front setback then they would be limited to an 18' deep parking pad with the angle and then the driveway should taper to 20' at the right-of-way. His question is whether they should be allowed to have an 8' x 18' accessory parking space if they already have a 3-car garage and he does not believe that they should be. Also, if there is not a 35' front setback available, then an accessory parking space is not permitted, regardless of the garage size.

Mr. Bishop said that he believes that the Code relating to driveways should be located in Chapter 11 because it does not belong in this chapter that relates to the right-of-way. The sidewalk and aprons are considered to be right of way. Discussion was had about the minimum and maximum flair that is permitted for an apron and it is unclear where that is regulated in this chapter.

Planning Commission  
Minutes of Special Meeting  
December 14, 2021  
Page 5 of 5

Building Commissioner Reich said he would work with the new Law Director to re-write this section.

The meeting adjourned at 7:45 pm.

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William Bishop, Chairman

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Michael DeMarco, Member

Date: \_\_\_\_\_