

n/MINUTES OF MEETING
PLANNING COMMISSION
MAY 23, 2024

Members Present: Coyne, Allen, DeMarco, Bishop

Presence Noted: Raymond Reich, Building Commissioner
Kathryn Kerber, Director of Planning and Community Development

Chairman Bishop called to order the April 16, 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 there are any revisions to the minutes of the April 16, 2024 Planning Commission meeting. Mr. DeMarco moved to approve the minutes as presented. Mr. Allen seconded.

4 Ayes – 0 Nays
Passed

1. WXZ DETROIT ROAD DEVELOPMENT – Final Review – 19340-64 Detroit Rd. – Development Plan Review for Retail Space including a new retail building in a local business zoning district. Mr. Dave Budge, of WXZ Development came forward to present their project.

Mr. Budge said that they were here for Preliminary Review and have gone through Design Board one time. The set of plans they submitted a few weeks ago reflect the comments from Design Board and from this Commission's preliminary review in April. They went to the BZA to address setback variances on the parking lot, which they were granted.

Mr. Bishop said that Arcus Group did not clean up the submission based on this Commission's comments from last time. They are still using the net square footage rather than the gross square foot. However, upon recalculation, the 24 spaces comply with the Code requirement. They will note in the motion that the square footage calculation should be based on gross square feet and the garage square footage should not be counted for parking requirement.

Mr. Budge said that they don't have final Design Board approval and Building Commissioner Reich said that he saw no reason to send them to Design Board until they get final approval here. Mr. Bishop said that the final approval from Planning Commission will be conditioned on Design Board's final approval. Mr. Bishop said that the Design Board minutes state that the existing stone will stay and new storefront to be gray with wood trim, storefront to be aluminum with white stucco but the color palette does not reflect those colors. Mr. Budge said he does not recall that conversation with Design Board and that most of the discussion was about landscaping. The color palette has not changed since they first came to Planning Commission in April.

Regarding the elevations, Mr. Bishop said that the Code does not allow dryvit in the first 3' of an elevation. However, this can be rectified simply. This regulation is in the Business District regulations. Mr. DeMarco said that they can raise the stone to the 3' line and Mr. Budge agreed

that they will do that. Mr. Bishop also urged Mr. Budge to clarify the colors with the Design Board. Mr. Bishop said that the landscape plan in front of them tonight will override the renderings showing landscaping in the package. The separate Landscaping plan that is submitted is the final landscape plan. Mr. Bishop said it looks like they are trying to incorporate the small retaining wall on the south side of the parking lot between Detroit and the south edge. Mr. Budge said that they removed the bench and put a planting area there and they will grade it down to a 6" curb behind that. There will be an elevated curb on the west edge of the building where the ramp comes up for a transition. Mr. Budge said that the west edge will remain as it is today and be level with the parking lot on the western edge of the lot. He said it will be graded, and they will have a retaining wall on the north side of the parking lot with hedges above that. Mr. DeMarco said he sees the grading toward the apron to the West, which works out fine. His concern is on the east part of the parking bank that still shows a 6" curb there. However, the sidewalk comes up along the side of the building, which could create a grade conflict at the corner. Mr. Budge responded that there is a 1' difference at the top of the bank. It is designed to grade to the north and they want that corner to be higher. The curb will go right up to the ramp and tie it together. They can elevate that curb there if they need to. It will be ADA compliant and they will figure out the grade in the field. Mr. Budge said that he can clarify it for the construction drawings. Mr. DeMarco said he does not see a conflict because it is meeting grade at the apron.

Regarding the sidewalk on the east side, Mr. Budge said that they moved it over onto their property. Originally they were going to try to get an agreement from the neighbor but they decided to just move it so they can have the connection from Beachcliff Market Square to Detroit Rd. Mr. Budge said that it is shown on the landscape plan and the site plan. They have steps going up to the sidewalk in the back, and Mr. Allen said that he wants to make sure the site plan showing the sidewalk is correct and is carried through into the landscaping plan.

Regarding the Landscape Plan, Mr. Bishop said that this is a big improvement from the last time they submitted. On the southeast corner of the site, up to the tree on the apron, Mr. Bishop asked if they could enhance the landscaping somewhat because it is wide-open on the corner. This should be done since they are not making them install the required 4' retaining wall. Mr. Budge said that they can enhance more of the corner to visually buffer it.

Mr. DeMarco agrees with Mr. Bishop's comments and he likes the way they have resolved in front of the buildings by taking out that sea of concrete, which will enhance the property and keep people from parking on the concrete. Mr. Alan thanked the applicant for the consistency of the landscaping. Mr. Coyne agrees and feels this landscaping plan is much better than it was.

Mr. Bishop moved to grant final approval to WXZ DETROIT ROAD DEVELOPMENT, 19340-64 Detroit Rd. for the Development Plan for Retail Space including a new retail building in a local business zoning district, conditioned upon final Design Board approval, enhancement of the southeast corner landscaping, and addressing the use of dryvit within 3' of grade. Mr. DeMarco seconded.

Passed

The idea would be to buffer the cars that will be fairly close to grade

2. LATHER SALON – 20000 Detroit Rd. – FINAL REVIEW – Change of Use to a Hair Salon in a Local Business Zoning District. Ms. Haley Delzani came forward to present the project.

Mr. Bishop began by saying that he knows the applicant is not a developer so he will help her get through this to make it easier. He said that nothing has changed since the last time and he said he would like to try to walk through it. Ms. Delzani asked what he means because they submitted a new site plan with the planters they had asked for at the front and back ends of the Drive-thru. That new site plan was submitted to BZA and Design Board and they all had copies. Mr. Bishop said that they don't have that in their package. They only have the one they saw last time in their packets. Mr. Coyne said that he has 2 pages but none of the other members said they have it. Mr. Bishop said that he is glad to see that new site plan. Mr. Bishop said that they satisfied the site plan part of the review.

Regarding the minutes from Design Board, Mr. Bishop said there is a little bit of conflict with the drawing. They discussed the grilles on the windows and Ms. Delzani said she does not want to have the grills because she does not want to block the light. Mr. Bishop said this Commission discussed 8' trim but the Design Board suggested 2" trim. Ms. Delzani said she does not recall this Commission saying 8" trim. The color palette was discussed and Mr. Bishop asked if she submitted something for that or whether it will stay with what they presented last time. Ms. Delzani said she submitted the color palette, but Mr. Bishop said they don't have what she submitted.

Ms. Delzani said that she wants white trim with a white building but the Design Board said they want black window and door trim. The white is called "Origami" which is a soft, slightly off white and the trim will be the same. Her plan is to go white on white with black light fixtures, address sign and the sign itself. She said she assumed this Commission had what she submitted but she can pull it all up on her phone. Ms. Delzani said her concern about the black trim the Design Board wants is that it is trendy, and will be outdated in 5 years. She believes that white on white is timeless. Regarding the flower boxes, she said that planter boxes will be sitting on the ground because the windows are 2' off the ground and will be painted black. Mr. DeMarco said that he is the person who suggested the smaller trim around the windows at the last meeting, which he still likes. To clarify the windows, she will be replacing the front windows to match because she does not want grills on any of the windows.

Whether the new windows and 2" trim will be black was discussed next. Ms. Delzani suggested she pull up her inspiration picture on her phone that was presented to the Design Board. She showed the pictures of the inspiration board they submitted. They will ideally put planters in the back of the building as well. Mr. DeMarco said that they are talking about design and ultimately the Design Board is the recommending body on design. Mr. DeMarco asked if they would be opposed to painting the trim a shade whiter than the building. Ms. Delzani said she suggested

that but the Design Board said it would be dingy and would not work. Mr. DeMarco said that the applicant is modernizing the building by removing the dental molding and he is fine without the grilles on the windows. He is fine with what she has presented and asked for the sign, which they did not receive. She showed the Commission a picture of her sign that is on her phone.

Mr. DeMarco said he was very disappointed because nothing was done since last time, but apparently it was all done the way the applicant was asked to do things but it just didn't get to them. Mr. Bishop said he likes the versatility in building color that white windows would give the applicant as opposed to black. The Board agreed that anyplace they can add the hints of black would be good. The intent is to have the building light fixtures, planter boxes and sign which will be black script on the building. The Planning Commission said they would like to supersede the request for black windows because it limits flexibility in building color down the road. The Commission agrees that the design palette the applicant showed is great. They also approve the sign as shown, which will not have lights on it other than the adjacent light fixtures.

Mr. DeMarco moved to grant final approval to Lather Salon, 20000 Detroit Rd., superseding Design Board's request for black windows and trim in favor of allowing white windows with white trim, black accents including planter boxes, lighting and signage, as well as approval of the sign as presented by the applicant. Mr. Allen seconded.

4 Ayes – 0 Nays
APPROVED

3. SCRAMBLERS RESTAURANT – 21810 Center Ridge Rd. – PUBLIC HEARING – PRELIMINARY REVIEW – Change of Use to a Restaurant with Outdoor Dining in a General Business Zoning District. Mr. Tony D'Agastino, Restaurant Owner, came forward to present the plan.

This item was approved by the Design Board and Mr. Bishop asked if the signage was discussed by Design Board. Building Commissioner Reich said he will look back to see if the signage was officially approved. The parking is not a problem on the site and two wall signs are permitted because this is an end tenant space. Mr. Bishop asked if the landlord has a problem with the green posts as shown. He said that the posts do not match the colors in the rest of the center. Mr. DeMarco said that he was thinking the same thing, but from his standpoint he said it baffles him as to why the landlord would allow this tenant to change the color. This would open the door to other tenants changing the color of the posts and ultimately losing the cohesiveness at the Center. He recommends keeping the front and the immediate piece on the east side the same color. Allow the green and the white siding to be on the canopy and leave the parts that are owned by the shopping center as is. Mr. DeMarco said he has no problem with the patio posts being the branding green color and the white siding on the canopy structure looks good. Mr. DeMarco said that they should keep the existing material and color on the main building rather than add new materials to it that changes the colors. Mr. Bishop said he feels the tan background of the existing building takes away from the coloring of the applicant's sign. Mr. DeMarco said he finds it unusual that the landlord is allowing this tenant to change the color which loses the consistency across the center. Mr. DeMarco asked what the aluminum screen on the patio is and

whether it is a fixed structure. Mr. D'Agastino responded that it is a fixed structure to keep trash and things from blowing right through the patio. It is an aluminum material that looks like wood. Mr. Bishop and Mr. DeMarco said they love what they have done with the patio. Bollards will be on the north and south ends of the drive-thru, including a painted area indicating no parking in front of the old entrance driveway of the drive-thru. Suggestion was had about making the planters impact resistant to avoid the need for bollards. Mr. D'Agastino said that they should have a submission that represents the striping indicating a no-parking zone, but the Commission does not have that. Discussion was had regarding the pavement area to be striped. Mr. Bishop said he prefers the existing background for the sign because it blends with the rest of the shopping center rather than adding siding to the wall. What is proposed on the elevations where the two signs are showing, it is being indicated that siding will be applied to the existing stucco and painted a different color. They would like to leave it the way it is and put the signage over the stucco, and then the green accents can be painted as shown. The canopy of the patio should be left as shown, with the exception of bollards behind. The stucco should stay on the main portion of the building but the green accent below can be painted or ship lapped. Mr. Allen requested two planters on the island on the east end in addition to the existing landscaping to provide more protection.

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

4 Ayes – 0 Nays
Passed

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

4 Ayes – 0 Nays
Passed

Mr. Bishop said that having a couple of photos of the existing center would be helpful for this conversation and asked for those at the next meeting.

Mr. Allen asked if the only lighting on the patio will be the string lights. The applicant said he is not sure but will have an answer at the next meeting.

Mr. Bishop moved to grant preliminary and final approval to Scramblers Restaurant, 21810 Center Ridge Rd., conditioned on the exterior as discussed, keeping the original face material as is, with the signage placed onto that facia. The green accent trims should be done as shown. Two planters shall be added to the east as discussed and pavement striping will be as shown on the submitted plan. Mr. DeMarco seconded.

4 Ayes – 0 Nays
APPROVED

4. ROCKY RIVER LITTLE LEAGUE – 21600 Center Ridge Rd. (At Goldwood School) – PUBLIC HEARING – Preliminary Review – Replacement Concession Stand. Ms. Jill Brandt, Architect came forward with Scott Combs to represent the project.

Mrs. Brandt began by explaining that they are demolishing the existing consisting structure and constructing just about in the same footprint as this one and expanding it in the east/west directions about 6-8' and expanding the breezeway in between. It will be concrete block construction with an upper level and a little window for the announcer booth and more storage. She showed color samples. All of the games are played during the day, so there is no site lighting and no change to anything else. The only lighting will be over the restrooms for safety. The announcer equipment will be the same as the existing so there will be no change to the decibel levels. The closest residential structure is about 130' in the east/west direction and about 250' away in the north/south direction. This project has School Board approval and Little League is working with them to renew their lease.

This project will need a variance for height and Mr. Bishop said he sees no reason to deny that request. Security lighting was touched on and Building Commissioner Reich said that there is one light that is on a pole now. Considering using a motion sensor for what lights they have was suggested.

Mr. DeMarco asked if there will be heating or cooling in the attic space and Mrs. Brandt responded that there will not be heating or cooling but there will be a fan and some roll up doors for the announcer. Mr. DeMarco agrees with Mr. Bishop that he would support the variance for height. They are fundraising and are almost there. Mr. DeMarco is fine with the materials as submitted. Mr. Allen and Mr. Coyne are both fine with this proposal and have no questions.

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

4 Ayes – 0 Nays
Passed

There being no public comment, Mr. Bishop moved to close the public hearing. Mr. Allen seconded.

4 Ayes – 0 Nays
Passed

Mr. Allen moved to grant preliminary and final approval to Rocky River Little League, 21600 Center Ridge Rd., for a replacement concession stand. Mr. DeMarco seconded.

4 Ayes – 0 Nays
APPROVED

5. ROCKY RIVER PLANNING COMMISSION – Discussion of Rocky River Zoning Map.

Kathryn Kerber, Director of Planning and Community Development, began by explaining that the reason why this is being done is because a lot of the colors for the residential districts are indistinguishable from each other, so the new map updates the colors. Also, there have been changes since 2010 that should officially be reflected on the zoning map. There were also some errors on the 2010 map when it was adopted.

Ms. Kerber explained that the first map is labeled as “proposed”, which is what they are proposing should be the new Zoning Map. Next is the same map with updates noted, so there is a box around each of the changes compared to the 2010 map. There is also a copy of the 2010 map. The stapled packet has a zoom in of each of the pages, with the old version and the new version circled and explains why each of the changes are being proposed.

While referencing the close-up map sheet, Mr. Bishop explained that the Kennedy office building on Linda St. (#1) was not picked up on the 2010 map, despite being rezoned from R-5 to LB prior to that map. The Gilliland building (#2) which was rezoned in 2005 but was not included on the 2010 map. Additionally, the Community Garden (#3) was rezoned to PF in 2010 but was not reflected on the 2010 map. He said that Ordinance 48-11, rezoned the former Taylor Motors property (#4) to LB. The Ingersoll parcels were split apart from the bigger parcel (#5), which was done since the 2010 map. 700 Lake (#6) was rezoned after the 2010 map. The Hilliard lots were consolidated and partially rezoned (#7) for the development next to the Hilroc. The former Jan Dell property (#8) was recently rezoned to LB. The Wooster/Shoreland corner lot (#9) was purchased by the City in 2005 but was not rezoned to PF and this is the time to do that. St. Christopher sold off half of a lot (#10) to their neighbor who built a house on it, but it was never rezoned from PF to R-1. Mr. Bishop said that they spoke of designating 3 specific properties as OB-3 in order to reconcile non-conforming parcels. They are the Westlake property (#11) and two properties on Center Ridge (#12) at 20525 and 20325 Center Ridge Rd.

Mr. Bishop explained that the property where Market sits is shown as Service Manufacturing (SM). Even when you go back to the 1972 map, it was not SM so they believe it to have been mis-colored. Ms. Kerber said that she could not find the Ordinance that showed that property was rezoned in 2010 to LB. Mr. Bishop said he recommends that they carry the OB-2 through those two parcels so they have a straight OB-2 district all of the way through there. It was discussed that if City Council has given final approval of ORD. 51-23, which is the rezoning of Ingersoll Drive parcels to OB-2, then the map should reflect that.

Mr. Bishop said that they are talking about proposing 3 different ordinances. The first Ordinance would be what they just talked about, which is fixing all these zoning to be what they should be that they just discussed. Ordinance No. 2 would be to recommend that all parcels on Allen Court which are currently zoned OB-2 to be rezoned to OB-1, which has a maximum of 55’ height. Included in that would be rezoning the 3 parcels that are SM at the end of Allen Court to OB-1 at the same time because OB-2 with a height of 75’ is not appropriate for that area. OB-1, which is 55’ maximum height is more appropriate for that area. The only remaining SM property would

be Dependable Chemical. They own the small parcel that is zoned OB-2 at the very east end of their property, and he recommends that that particular parcel be rezoned to SM since it belongs to Dependable.

Mr. Bishop said that they want to keep Allen Court as a separate discussion so that if one of these ideas gets held up for some reason, the other ones can still move along in the process. Mr. DeMarco said that since Allen Court is proposed to be switched to OB-1 and given what is existing on the east side of Linda Street, he asked if that east side of Linda should be OB-1 as well. Mr. Bishop said that knowing that Ingersoll is rezoned to OB-2 and the other side of Linda is OB-2, it creates a good transition zone. The OB-2 on both sides of Linda St., with the break line at the back side of the two zones so when coming down Linda, the zoning is consistent. With or without Marion Ramp, the zoning will be from OB-2 to OB-1, then down to LB and GB, which makes sense.

Discussion was had about changing Old Detroit Rd., which is currently zoned General Business (GB) to Local Business (LB), which would control the permitted uses. Heights will remain the same. The uses permitted in LB are much more appropriate for Old Detroit Rd., and would exclude things like drive-thrus, tattoo parlors and car washes. They discussed how far the Local Business zoning district should be extended from Old Detroit Rd. and along Lake Rd. to also include parcels on Depot St. They also touched on details of a DORA (Designated Outdoor Refreshment Area).

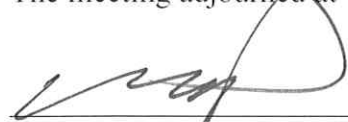
The three ordinances that would be drafted would include all of the “fixes” as discussed above, then rezoning parcels on Allen Ct. and then Downtown River rezoning. Mr. Bishop said that Linda St. should be in the first ordinance. He said that you don’t have to have an ordinance to make a recommendation to change the zoning. Ms. Kerber asked if the Commission wants her to include the Market parcels in the primary Ordinance, even though there is no ordinance to refer back to. Mr. Bishop said that the Planning Commission can recommend the change to OB-2 because it has an existing restaurant on it, it fits the Master Plan and it should be corrected. It is consistent with Linda St. zonings and it is consistent with the Master Plan, which should be enough. He would like to keep Allen Court in an Ordinance by itself. Market should be included in the first Ordinance.

Mr. Allen moved to recommend three Ordinances, as follows: Ordinance #1 is to capture items one through 13, plus bullet point No. 1 on the addendum. Ordinance #2 would be to rezone the parcels on Allen Ct., and Ordinance #3 would be to rezone the Old Detroit business district to update them based on what is reflected in the attachments. Mr. Bishop seconded.

4 Ayes – 0 Nays
Passed

Mr. Bishop said that Krueger Group reached out to see if they can do a special meeting on June 4th at 6:00 pm. It’s basically an informal discussion about Phase II of the Center Ridge Rd. project.

The meeting adjourned at 7:45 pm.



William Bishop, Chairman

Michael DeMarco, Vice-Chairman

Date: 04-11-24

