

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF REGULAR MEETING
TUESDAY, APRIL 8, 2025**

CALL TO ORDER:

Chairman Smolik called the Planning Commission meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were member Frank Toth, Council Liaison Bruce Abens and Chairman James Smolik.

Vice-Chairman Paul Schumann and member Steve Ali were excused.

Also present were Assistant Law Director Toni Morgan, City Engineer Christina Eavenson, Planning and Development Director Kimberly Lieber and Deputy Clerk of Council Tina Wieber.

MINUTES:

Chairman Smolik asked if the members had a chance to review the minutes of the regular meeting on March 11, 2025. He asked if there were any corrections. Hearing none, the minutes were approved as submitted.

CORRESPONDENCE:

APA Cleveland Planning & Zoning Workshop

Chairman Smolik asked Director Lieber to discuss the APA Planning and Zoning Workshop.

Director Lieber stated that the registration was currently open for the May 15th Planning and Zoning workshop in Independence and the Planning Commission opted to attend that workshop in lieu of bringing in an educational speaker. She asked that they let Tina know if they planned to attend to ensure that all the members who planned on attending that day were registered. She stated that it was from 8:00 a.m. to 4:00 p.m. and promised to have a very educational variety of topics. She mentioned that that they had set a date for a public meeting for the Lorain Road and Lear Nagle Road traffic study public meeting, which would be on Monday, May 12th at 6 PM at LCCC Ridge Campus and were planning on hosting it there in the lobby, which was in the study area. She stated that the building was in the study area of the traffic study, so they would be able to experience the traffic firsthand on their way to the public meeting. She added that there would be a presentation by their consultant and then they would have some engagement opportunities for attendees and some additional input opportunities through the website after that meeting.

Chairman Smolik asked who the consultant.

Director Lieber stated that it was Woolpert.

OLD BUSINESS:

NEW BUSINESS:

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Director Lieber asked if Deputy Clerk Wieber would read them in the numerical order as opposed to the agenda order starting with the second applicant as technically it was old business.

PPZ2024-0319 City Limits, 39462 Center Ridge Rd, PPN 07-00-046-101-006

Owner: Stephen Joseph, 36821 Sugar Ridge Rd, North Ridgeville, OH 44039. Proposal consists of building and site improvements for restaurant and lounge. Property is zoned B-3 Highway Commercial District.

Application was read.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber stated that as they were aware, Council had approved the rezoning from industrial to commercial, so the use of a restaurant was permitted, and a lounge was a conditional use in the district. She explained that Planning Commission had previously tabled the development plan with the request for some additional information and she wanted to go through some of their requests and how the plans stood that day. She stated that Planning Commission had requested the relocation of the ingress curb cut further west in order to protect the utility pole and hydrant and for the right of way to provide more spacing and separation. She discussed that the site plan did show the curb cut had been moved as a result of striping around that landscaped area but she believed that Planning Commission was hoping to enlarge the curbed landscaped area to create more directionality at that curb cut to create protection for the utility pole and the hydrant. She added that she wasn't sure that just adding paint or striping adjacent to that planter really satisfied what the Commission was looking for to create more of a buffer in that location. She mentioned that they had requested that the parking lot be patched, sealed and restriped on a site plan and the note was updated. She stated that Planning Commission had asked for more detail on the elevations to include proposed colors, materials and construction detail and a canopy detail had been added to the drawing, the overall height of the building was noted, but the construction detail remained a little bit limited and there was no detail on the stucco application. She indicated that if Planning Commission approved the elevation, that would have to be worked out in the permit process. She stated that they had requested a little bit more landscape detail and they received a planter spec and a shrub detail. She discussed that they had asked the applicant to ensure that the railing was provided around the entire patio portions above grade, and it was a little vague as to where the railing was going to be located but it was now shown around. She stated that she believed that the applicant was going to provide an update as to their proposed fence style. She said that lastly the Commission had requested a photometric plan and light fixtures needed for review and they did receive a photometric plan, but it had not been presented in a manner that they could review in accordance with the code. She explained that it was not on the 10-foot grid and was not in foot candles. She added that they also needed to see compliant light fixtures because the fixtures that were shown at an angle were not full cut off. She stated that the light plan said that they would be horizontal, but that was not the cut sheet they received as it showed angled, so they still had some of those lighting details that needed to be worked out prior to any permit issuance.

Engineer Reitz stated that Planning Commission should be aware that the engineering concerns were with the landscape island in particular to protect the fire hydrant as well as the existing sign there. He mentioned that they agreed with the comments that were just stated and that they would prefer that the area of the parking lot that was to be removed for the landscaping be curbed for safety purposes, because that fire hydrant was kind of sticking out that way and that being by the exit, the proposed exit driveway, they were concerned about vehicles hitting it and a curb would protect that as well as

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enlarging the landscaping island instead of striping. He discussed that secondarily, they would support the sealing, striping and patching of the parking lot versus just strictly striping it because that parking lot had been there a while and they would like to see that happen first for the reconfiguration of the new parking area.

Chairman Smolik asked if there was a representative present for the application.

Stephen Joseph, 36821 Sugar Ridge Rd, North Ridgeville, OH 44039.

Geoffery Smith, 124 Middle Ave, Elyria, OH 44035.

Chairman Smolik stated that they were before the Commission previously in regards to that project and asked if they had any additional information they could provide.

Mr. Joseph stated that regarding the original site plan, the striping was out in the right of way, which was out past the telephone pole and the fire hydrant sat outside it towards the road from the telephone pole. He discussed that they had asked him to move his striping back and stated that he did and took it behind the utility pole which exposed the fire hydrant and the electric pole. He stated that he didn't how they wanted him to configure that because the fire hydrant stuck out into the right of way of Center Ridge Road.

Mr. Smith stated that they would be looking for some direction on that. He added that he thought the photometric plan was something that could be approved in house through the administration.

Director Lieber stated that first with the parking and that landscape island, they could absolutely have no parking striped in the right of way and that was a problematic condition that the plan allowed them to correct, but by expanding that landscape island a little towards the west, giving a greater presence, that it would have the effect of protecting the utility pole by folks not driving tightly around the corner. She discussed that regarding the lighting plan, it could be approved administratively, it just needed to be presented with all the information required to determine zoning compliance, and so far, that hadn't happened.

Mr. Joseph stated that it was already on the plans that they were going to patch and seal and restripe.

Mr. Smith stated that it sounded like Mr. Reitz didn't show that on the plans.

Mr. Reitz clarified that in the original request it was that it be sealed and restriped, but now the remaining item would still be installing a curb around the section of the island where the fire hydrant sat and the existing sign, because he thought that would be an additional measure of safety for that fire hydrant, the pole and the sign.

Chairman Smolik stated that there was some new additional information presented to the Commission and asked if the applicant wanted to talk about that.

Mr. Joseph stated that that was what he had proposed for the railing instead of what was shown on the drawing because it was a one and three-quarter inch schedule 40 steel railing painted but he thought that the powder coated aluminum railing looked a lot better and would present the property a lot better.

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Chairman Smolik stated that for clarification, what had just been submitted was a substitute for the metal railing detail and also there was a shop drawing in there of a railing system that was for another project and asked if that was gone as well.

Mr. Joseph stated that was correct. He mentioned that regarding the stucco, it was just going to be cement stucco over the existing cement brick.

Chairman Smolik asked if any of the Commission members had any questions or comments.

Member Toth asked regarding the pots that he planned on using for traffic control, which size he would be selecting because the information he submitted there were a variety of sizes shown.

Mr. Joseph stated that he was going with the 30-inch pot.

Chairman Smolik asked about the triangular area towards the back that he was going to leave as aggregate and weeds, if there was a reason that he wasn't going to plant grass back there.

Mr. Joseph stated that the reason was because there were so many utility poles, and the water actually drained back that way because the ditches from the Turnpike ran down that way and the and the railroad track ran down that way and all the water went down there. He mentioned that he didn't think he could keep it up because the water would saturate the grass too much and he wouldn't be able to mow it. He stated that he would rather keep it in stone so that the aggregate would just drain itself.

Chairman Smolik asked if it was going to be stone and not weeds and stone.

Mr. Joseph stated that no, it was going to be sprayed for weeds and was just going to be aggregated and would be maintained.

Chairman Smolik asked if they were going to generate a new photometrics plan.

Mr. Joseph stated that the engineer was going to it that week. He stated that he had it on 30-foot squares because the parking lot was so big that he thought that if he put it on 10 by 10s, they wouldn't be able to read the numbers. He stated that he put it on 30-foot squares and he had all the lumens all the way out to the ends of the parking lot and thought that it would kind of cover the rest of the parking lot.

Chairman Smolik asked if the elevated outdoor section was concrete.

Mr. Joseph stated that was correct. He mentioned that it was going to be split face block and then a concrete cap.

Chairman Smolik asked if there were any other questions or comments from the Commission.

None were given.

Chairman Smolik asked if there were any questions or comments from the general public.

None were given.

Moved by Smolik and seconded by Toth to approve application with the conditions that the curb recommendations be made to protect the utility pole and fire hydrant and the administration shall review the incomplete lighting plan and photometrics.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PZ2025-0335: Panda Express, 32429 Cook Rd, PPN 07-00-003-102-104, -045, -046

Applicant: Phillip Meador, Heights Venture Architects, 5741 Legacy Dr, Suite 320, Plano, TX 74024.
Owner: Cook Road Properties, LLC, 7670 Tyler Boulevard, Mentor, OH 44060. Proposal consists of constructing a new drive through restaurant. Property zoned B-3 Highway Commercial District.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber stated that the proposal consisted of a new drive-through restaurant and that drive-through restaurants were permitted in the B-3 Highway Commercial District. She discussed that the project site consisted of three parcels on Cook Road and were all zoned B-3, which included the vacant undeveloped lot just to the east of Starbucks and then also two adjacent parcels, one that had a commercial building that had been used as an auto repair business and that the parcel after that before the multi-tenant Plaza. She stated that the building was a 2,700 square foot building that was a combination of stone, composite cladding, EFIS and they were showing a dumpster enclosure that would be constructed out of similar materials. She explained that it would have a double drive-thru and that code required stacking for at least 10 vehicles and must be designed to allow vehicles to exit the waiting lane. She stated that the applicant had updated a previous version that didn't have the exit to include it, but didn't believe they had a stacking exhibit to show the 10 cars. She mentioned that a detailed landscape plan was included and that they did get some feedback from the City Arborist that was incorporated, but the site plan did show a new ground sign in an area where there was an existing tree that was to the west of the driveway, that would need to be relocated and she would champion the relocation and not removal of any trees for any future sign placement. She said that the lighting plan had been reviewed and that it showed the lighting levels were code compliant. She discussed that the fixtures would be mounted at 18 feet, but they did not have fixture cut sheets provided for the pole lights and if there were building lights, they had not received cut sheets for those building lights either. She said that they had seen conceptually where the signs would be located on the property and building, but an official sign package had not been submitted and oftentimes those would come later, so that would be reviewed when it was submitted. She indicated that for that project, access management was a key concern of staff along the stretch of Cook Road and that there were a lot of curb cuts that were frequent and poorly defined. She explained that there were some newer developments that were connected to the older developments through cross access easements. She added that it didn't conform with the current access management standards for spacing. She mentioned that a positive to that project was the curb cut to the auto repair building would be removed. She said that Panda Express did show that they were going to be utilizing the existing curb cut shared with Starbucks and then they would also share some parking spaces and the drive aisle that would be adjacent to the Starbucks drive through. She stated that the drive aisle between Starbucks and the new parking would be one direction, just the same direction as the drive

through traffic in that location and cross access was also provided between the Panda Express property and then the commercial building to the east on Cook Road. She discussed that there were numerous access and utility easements that are impacting that property and adjacent properties. She indicated that in terms of parking, the project met the requirements and that 27 spaces were required given the area, and 40 were provided. She stated that staff had a conversation with Panda about the spaces that were shown closest to Cook Road, the ones that would be heading into Cook Road and there were four and now there were three in that location. She mentioned that in her opinion those would create the likelihood of conflict between the vehicles traveling in and out of Cook Road and then also on site traffic circulation because with the two curb cuts to Cook Road in such close proximity and vehicles that might be entering or exiting either curb cut and cutting across the property, and then they had drive through traffic that would be heading out of the drive through and then the potential of parking in those spaces with people backing out of those spaces, she just thought that those spaces should be removed and they could be removed without impacting the parking count. She said that sidewalks were required and provided along with a pedestrian route to the building. She stated that bike parking was required for that use, which should be shown on the plan. She mentioned that truck turns were provided, and she noted that the exhibit showed both a 40-foot fire vehicle and then also semi-truck, but it looked like the semi-truck could only traverse the site if some of the parking spaces were vacant. She stated that she was not sure, based upon discussion with the applicant, what type of vehicles they expected to make deliveries or what vehicles made deliveries currently to Starbucks, but if they were going to be semis, then there could be some potential issues depending on the time of day that those truck deliveries were made. She stated that the applicant did submit a traffic impact study and that recommended that a 100-foot eastbound right turn lane be constructed on Cook Road leading to Starbucks and the Cook shared driveway that had not been included in the Panda Express submission. She said that there had been some discussion with the City's Woolpert consultant who had conducted the Lear/Lorain study that they had requested that they reviewed that traffic impact study also in light of just traffic in the situation happening just up the street, given the heavy traffic in that location and noting the minimal driveway space in between those curb cuts. She explained that Woolpert made some suggestions for potential improvements to access and on-site circulation, and those included potential of maybe one way drive aisle in or out since there were the two and modifying the on-site traffic circulation to maybe one way, just to reduce the number of potential conflict points. She said that those were shared with the Panda team, but they were not amenable to discussing those changes to either the driveway locations or circulation patterns. She added that she did see that there was a benefit having removed one of the existing driveways to Cook Road, but the future use of a restaurant was going to drive significantly greater traffic than an auto repair place in that location would have because it was in fact a drive through auto oriented use, and it was going to add more traffic to a pretty congested intersection. She stated that the driveway spacing and cross access site circulation was a key issue with the project and she didn't know that staff had fully digested or been able to discuss all of their concerns and potential improvements with the applicant, so she would leave it in Planning Commission's hands to carefully consider those issues with the project. She recommended that the Planning Commission make lot consolidation a condition of approval and stated that she had some other recommendations including providing bike parking, removing those three spaces, identifying loading or unloading areas and identifying the type of vehicle for the truck turn and making adjustments if needed to circulation, if it would be semis, show the vehicle stacking and provide some lighting clarifications.

Engineer Reitz stated that they agreed with the comments that were made by the Director in reference to the traffic considerations, especially when looking at the Woolpert traffic study review that talked about making one of the driveways in and making the other one an exit, because they did have a lot of cross traffic there between basically three properties that would be sharing two different driveways. He stated

that they did agree with the Planning Commission considering some of the comments from the Woolpert follow-up study and commented that during a deep further detailed engineering review, they would still have some issues to discuss with the applicant for water quality features and so forth because some of the storm water was going into the Starbucks property and they wanted to make sure that they not only looked at making sure that they were meeting the EPA requirements for not only water quality but water quantity control there because of how it was being proposed. He added that they did propose some infiltration trenches in their bioswales as they may be within the property, but they would reserve further discussion with them after it moved forward, once they got into a more detailed engineering study.

Assistant Law Director Morgan stated that she was hearing a lot of access issues and was hoping the applicant spoke to those, but asked the administration if there was anything, specifically ordinance wise, that they were in violation of.

Director Lieber stated that they did have minimum spacing requirements between driveways and they didn't meet the minimum spacing, however, both of the curb cuts were existing, and it would be removing one in the middle, but it was new construction and to her was an opportunity to improve beyond the existing condition and to prevent problems before they occurred. She added that there was still a role for Planning Commission discussion, even if those curb cuts existed, because there was substantial change by adding a new drive-thru restaurant that shared access and shared parking in part with Starbucks in that case.

Chairman Smolik asked if there was a representative present for the application.

Phillip Meador, Heights Venture Architects, 5741 Legacy Dr. Suite 320, Plano, TX.

Mr. Meador stated that what was interesting about this project was the existing curb cuts and that they were close together. He indicated that there were actually access easements that were created and in fact, the existing drive that they were still utilizing on the right, that one was created in 1969 and was still there, so they would have to get permission from whoever that was connected to. He mentioned that the same thing applied for Starbucks because when they did their project, they actually put in an access easement that went through and even expanded at one point to include a car wash that was planning on going in to the south of that at one point and they somehow got connected into that. He stated that they were going to somehow create access and that was going to go all the way through the side. He stated that some of the issues had been that in order to change those drives, they would have to get permission from other people to do so and they had talked to Starbucks, and they were pretty adamant that they liked their access the way it was. He added that they were actually enlarging it a little bit to try to help with being able to get a truck in and out, which they were fine with, but when they tried talking to them about some other things they really were pretty adamant that they liked their access the way that the easement was drawn going through the site. He said that that made it obviously difficult to do some of the recommendations like the right-in, right-out, or make that a right-in only or even one of the suggestions was to remove that one and do just the entrance that was a little bit further away from the intersection specifically to help traffic. He stated that regarding the parking count, they were aware that they were above the minimum and some of the numbers that Panda had sent him was that when it came to their dine-in during the lunch hour, they tended to average between 42 and 45 per day transactions and while there might be a little bit of people coming in a little early and people that would come a little late, it was still a decent number of people and the parking spots were needed, at least as many as they

could get there. He mentioned that the average that they aimed for was about 40, give or take. He said that those three spaces that were off of Cook Road, those were intended as drive through waiting spaces and the idea was that whenever an item was either slow or something like that, somebody would just pull into that spot temporarily and then somebody would bring out their food when it was ready. He added that those spots weren't really intended for every day, just somebody parking there. He said that one of the discussions with Panda was if those were removed, they would need to go somewhere else and would then have that traffic coming back over and then into the main parking and that could actually cause a couple of other conflicts in different ways just because that traffic would be going back and forth. He stated that they did try to provide that sidewalk connection and the intent now was that there was a little bit of space over there next to that and that was where they were planning on putting the bike rack. He stated that he thought they had a call out for that to be on the drawing but they would definitely put that in there. He mentioned that regarding the truck access, he thought the engineers actually did a little bit larger truck than they normally did. He stated that a WB55 was what they typically tried to plan for and he thought they had a WB65, so that was a much larger truck than what normally was planned for. He said that typically regarding where the drop off was, the truck would pull up to the side of the building and basically offload. He stated that the deliveries were almost always early in the morning before any of the Panda customers would come in there. He mentioned that he thought they would work on the traffic study a little bit because he did see a couple of conflicts because they couldn't go into the Tesla parking spots. He stated that they could go into the Panda spots because there shouldn't be anyone there.

Director Lieber commented that they were showing the trucks coming in and out off of Cook, but wouldn't the trucks be coming in and out of Lorain Road and down Cook from Lorain, not heading west on Cook, but coming off the highway onto Lorain and then turning onto Cook and then coming that direction. She stated that she thought it might matter in terms of showing the truck turn, which direction the trucks would be permissibly coming from and going to, to show the turn radius.

Chairman Smolik stated that was correct, he assumed that they would be coming from the interchange.

Mr. Meador discussed that when he drove to go to the meeting that night, they actually happened to drive by the site and so he saw that that was the typical direction coming off the highway and they would update that to show that. He said that regarding the stacking, that they did have 14 stacking, and they typically aimed for about a 10 by 20 space for the stacking cars, and he thought they got 14 in there. He commented that they would definitely send more on the light fixtures and that there were some building lights that probably needed to be considered but he didn't know if they sent a night shot to them of what one of those looked like but they would send that as well to be reviewed.

Chairman Smolik asked if there was anyone from the general public that had some questions or concerns about the project.

Connor Grizay, 3849 Beavercrest Dr, Lorain, OH 44053.

Mr. Grizay stated that he operated the automotive business at 32425 Cook Road. He commented that he really just wanted to touch on some of the traffic that he saw throughout his day-to-day activities there. He mentioned that he tried to read the documents that were presented about the traffic and read all the charts and just wanted to touch on some points about the trucks. He stated that the applicant said that Panda would be delivering in the morning, which was Starbucks's busiest time. He said that they had to

block off their parking lot from Starbucks due to the customers driving over the curbs to get around the traffic. He added that he did have a camera up front because prior to having the camera, somebody side swiped the vehicle that he had parked up front and drove away and that was due to the traffic from Starbucks being so busy. He discussed that when he went in on the weekends, there were five to seven cars parked in his lot but that he didn't have a problem with that at all, especially if it helped the safety of consumers and citizens. He stated that there was a preschool down on the west side off of Lorain heading towards Lear Nagle and there was also a school east of his building as well. He said that Starbucks users also used Cheap Tobacco, the detailer lot and even the BP because that was how much traffic really that Starbucks really brought. He stated that regarding the Tesla charging stations, he saw multiple new trucks and cyber trucks, things like that that that he had never noticed before and that there was a lot of yelling and cursing and horns that went on throughout the day. He mentioned that regarding the Starbucks entrance, which was very thin, a lot of people turned left and that traffic light was very short right there, as they were all aware, and it would get backed up very quickly because if somebody was waiting to turn right three cars behind somebody who was waiting to turn left, it made it really challenging and he saw it get backed up very quickly. He added that the day prior he had seen a lady who had to swerve out of the way because she was going to turn right out of Starbucks, and somebody was pulling left off of Cook Road into Starbucks parking lot and she had to go over the curb or else it would have been an accident, a very slow moving accident, but still just something to note. He commented that he had seen the plans and how they were going to have the two driveways, and he was worried that that was very close. He stated that people had to pay attention for vehicles coming west and east and not only that, but out of the BP parking lot, there was a back parking lot from Panera, Dunkin, Chipotle and LC all right there along with the schools there to the east of what was shown in the picture, as well as the detail and Cheap Tobacco, which were very busy towards the later hours. He said that he was just really concerned about the traffic being there. He stated that he knew that the lot on the corner of Lorain Road was probably not as sizable as the three parcels that Panda wanted to build on, so he did understand that the size of the matter was not too pristine, but he didn't know if that was another option or if that was even possible. He stated that he did believe that would help with the traffic a little bit. He said that his last point was that when he was reading the traffic report, he saw that they suggested plans to add lanes to Cook Road and maybe even Lorain Road, which would not be beginning until 2036 and would be 10 years after Panda was built and he didn't know if they would want to bring in more traffic before doing that road construction. He commented that as Kim had mentioned something about doing the fixing and enlarging before they would want to build and bring more traffic.

Chairman Smolik asked if there was anyone else in the audience that had any questions or concerns.

None were given.

Council Liaison Abens asked if they had permission from Starbucks to use that particular driveway currently.

Mr. Meador stated that yes, they did meet with them in order to make sure that the site plan married up with theirs and they were happy with how they did it. He said that they were aware of what they were doing, and they were okay with that.

Member Ali stated that for the record, Cook Road was a non-truck route.

Member Toth commented that they were given an alternative circulation that was strictly one way,

which would eliminate quite a few of the conflict points in their parking lot and asked the applicant to reiterate in detail why a one-way flow would not work for their project there with traffic flowing one way.

Mr. Meador stated that when they were looking at that specific comment, what they ran into was by basically sending all the traffic going up through that one side, it would back up in a very specific way and potentially cause some other conflicts in other places by at least allowing traffic to come back up through the Panda. He commented that if both entrances were maintained, there was also an option point, so the traffic could potentially queue and also move in other ways. He said that that was really kind of the main idea of why Panda would like to keep that was basically the flexibility of allowing the traffic to do what it needed to do.

Mr. Toth asked if that didn't also open up the opportunity for overflow out of Starbucks to basically run amok in that lot.

Mr. Meador commented that that was a good point and as was previously brought up, it sounded like Starbucks was already kind of working on doing that anyway, so that may be something that they needed to take back and consider.

Chairman Smolik stated that his initial comment was that just because it was an available lot, didn't necessarily mean that that was the right use for the lot. He commented that it seemed like there was a lot jammed in on that parcel and not only was the parcel tight to begin with, but that was probably one of the busiest intersections in the city. He stated that traffic, traffic, traffic, that was the consensus and even the administration made comments regarding it, but it seemed like they really weren't picking up on it and the fact that traffic was such a major issue, not only for the administration but for the general public.

Mr. Meador stated that without having lived there, obviously they didn't know that intersection quite as well as they did. He remarked that it was a very valid concern, and that Panda did try when they moved into a location, to look at the traffic. He mentioned that Panda typically did not have quite as much traffic as a Starbucks or a Chick-fil-A. He stated that they would like to but it was typically a little bit lower for a restaurant. He added that he could see where the right turn lane coming in might need to be definitely looked at again because that might definitely help create that little the sell lane, so that way people could more safely turn right into the property. He stated that the reason they did not show it originally was that Starbucks, when they went in, a lot of that grass space was their water quality and retention space, so by putting that in they would have to then figure out how to basically mitigate what they took away to put in that decel lane. He mentioned that it was also a concern there because there wasn't a lot of opportunity to do that. He said that they tried to put in some water quality and to meet the requirements and looking at that plan that they could actually put a little bit more in, but he could definitely see where traffic was definitely a concern. He stated that they did learn literally just the other day that once Panda potentially took those properties and consolidated them, they would potentially be the one who actually owned that easement and could potentially remove it and that that might be an opportunity there.

Chairman Smolik stated that he had mentioned that eventually the three parcels were going to be consolidated, Panda would own it, then they would create an egress, they would create some type of easement for Starbucks then through their lot.

Mr. Meador stated that the easement was probably already existing and that would probably stay with the parcels when they were combined. He mentioned that regarding the one on the right that was there, he believed that that easement when it was originally created, that was the one that he mentioned from 1969. He stated that there was some kind of a trucking lot or something to the south and it looked like that actually was the original drive that accessed that lot. He said that on the aerial photo, it showed that the lot to the south, that drive on that that was kind of in between, was actually an access easement that supposedly connected that, but at some point or another they built that wall there and closed it off. He added that in looking through the documents, just a few days ago they discovered that Panda, once the lots were consolidated, would potentially be the owner of that, which would give them some rights to be able to do something about that.

Chairman Smolik stated that the applicant mentioned there was some preliminary discussion with Starbucks and that Starbucks felt like they were okay with the way the traffic was, which was sort of alarming considering, he had seen that intersection himself. He stated that one would think though that they would be a willing partner to try and help them out as well because it was not only the applicant's parcel but the Commission had to look at the whole entire thing and had to look at the Starbucks parcel and then also assuming down the road that that strip mall was going to be ready for redevelopment as well. He stated that they would have all of those parcels interchanging and they had to look at how all that functioned. He asked how the applicant wanted the Commission to proceed and if they wanted to go back and look at some of the traffic issues or if they wanted the Commission to look for a vote.

Mr. Meador stated that he thought what Panda would want was for them to go ahead and have a vote on it. He stated that they understood that there were some potential traffic issues and if that was a condition to look at that, then he thought they would definitely take a closer look and would definitely work on that.

Chairman Smolik stated that the Commission was a recommending body and that they would vote and then whatever their recommendation was, Council would need two thirds vote to override it.

Director Lieber stated that if the project were not to be recommended, that the applicant would have to refile a new application

Chairman Smolik asked if that was okay with the applicant.

Mr. Meador stated that based on his discussions with Panda, he thought that they would want to have the vote that day.

Chairman Smolik asked based on what was provided that night.

Mr. Meador stated that was correct.

James Martynowski, Osborne Capital Group, 7670 Tyler Blvd, Mentor, OH 44060.

Mr. Martynowski stated that he was with Osborne Capital, and they were the property owners actually where Starbucks was and that location as well. He stated he did want to bring up that regarding the proposed car wash, there was an existing recorded easement between all three parcels, which he believed came in for approvals but were not going forward at that time. He explained that there was an

easement recorded with access between all parcels. He mentioned that there was the ability and the requirement when the car wash was built to have access to those parcels so that somebody could make a right off of Lorain Road and go through two entrances and it would relieve some of that traffic that was coming off of Cook Road when that got developed and that was in place and was a recorded easement between the parcels that were there. He stated that he believed it was brought to the City for approval.

Director Lieber stated that that was correct and that they had received an extension but she was also aware that the property was for sale and that the development was not assured at that point.

Mr. Martynowski stated that it wasn't, but there was a recorded easement that required them or whoever built on it, to have cross easement access through those parcels. He mentioned that regarding the other easement they were discussing, the older one that was on the right side of Panda, the east side of Panda, he believed that there was a 30 or 40 foot easement that was created in 1969 and that was to the benefit of the property as he mentioned behind there, which was the existing truck parking or whatever, but they had the easements to their benefit for ingress and egress. He said that they didn't use it currently, but it was there and in order to do anything with that, they would have to go back to them. He mentioned that they talked about a right turn decel in front of Starbucks and asked if that was what was talked about.

Director Lieber stated that it was a recommendation of the applicant's study, but they really didn't have the ability to have that conversation with the City's traffic people and the Panda traffic people. She added that Panda wanted to move forward that night rather than have that discussion.

Mr. Martynowski stated that the existing retention was actually further back. He said that it was right in front of the Starbucks parking stalls on the Starbucks parcel, that area out front. He discussed that in looking at the overall was basically a large front right of way when Cook Road used to be at a different angle and then it was bent and twisted to line up with Lear Nagle. He stated that the large green area on the slide, that a lot of that was actual right of way for the City. He discussed that there could be something done as far as if a right decel lane needed to be done and he didn't think it would affect the retention area.

Chairman Smolik asked if there were any further questions or comments from the Commission.

None were given.

Chairman Smolik commented that as a point of order, a motion in affirmative did not mean they had to vote in the affirmative, but that it just meant that they got a motion out on the table.

Moved by Smolik and seconded by Toth to approve the application.

A roll call vote was taken and the motion failed.

Yes – 0 No – 4

ADJOURNMENT:

Chairman Smolik adjourned the meeting at 7:56 PM.

**NORTH RIDGEVILLE PLANNING COMMISSION
REGULAR MEETING-TUESDAY, APRIL 8, 2025**

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James Smolik
Chairman



Tina Wieber
Deputy Clerk of Council

Tuesday, May 13, 2025
Date Approved