

MINUTES OF MEETING  
PLANNING COMMISSION  
NOVEMBER 16, 2021

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Planning Commission Members Present: McAleer, Capka, Allen, DeMarco, Bishop,

Presence Noted: Ray Reich, Building Commissioner  
Kate Straub, Planning and Zoning Coordinator  
Michael O'Shea, Assistant Law Director

Council Member Present: James Moran, City Council President  
Christina Morris, At-Large Councilmember

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Chairman Bishop called to order the November 16, 2021 meeting of the Planning Commission at 6:30 P.M. in Council Chambers of Rocky River City Hall.

There being no proposed changes to the Minutes of the October 18, 2021 Planning Commission meeting, Mr. DeMarco moved to approve those Minutes. Mr. Capka seconded.

4 Ayes – 0 Nays – 1 Abstain (Allen)  
Passed

There being no proposed changes to the Minutes of the October 27, 2021 Special Planning Commission meeting, Mr. Capka moved to approve those minutes. Mr. DeMarco seconded.

4 Ayes – 0 Nays – 1 Abstain (McAleer)  
Passed

**1. THE KRUEGER GROUP – PPN 304-26-005 (Vacant Lot next to 22591 Center Ridge Rd.) – PUBLIC HEARING – Preliminary Review – Multi-Family Apartment Development.**  
Present to discuss the project are Jack Doheny of The Krueger Group, Paul Glowacky of Dimit Architects, and Peggy Brown, Landscape Architect.

Mr. Bishop began by saying that the public hearing portion was closed at the October 19<sup>th</sup> meeting where this item was tabled and nobody from the public is here. He will not be re-opening the public hearing portion for this item.

Mr. Bishop said that according to the report, the applicants had a meeting with some of the surrounding neighbors and it appears that most of their concerns have been addressed. He said that there was a neighbor named Rose who came forward at the last meeting because she was concerned about the tree in the picnic area. He asked if that was addressed in the landscape plan. Ms. Brown responded that she submitted a revised landscaping plan that identifies all of the existing trees that will remain on the neighboring property, as well as on this property. She said that she believes the tree that Rose was referring to is in the back corner, which are all slated to remain. She confirmed that this page also shows the fence along the south property line.

Mr. Bishop asked the applicants to number the pages of their presentation when they return for final review. He asked that the handwritten notation on the page labeled, "Site Plan" be made permanent for the final review. Ms. Straub said she received a permanent page but because of the timing for the packets, she hand wrote those numbers in. It will be corrected on the final submission. Mr. Bishop said that on the page labeled, "Aerial," they know that they eliminated the second exit lane. If the applicant were to acquire the property to the east, Mr. Bishop asked whether they would consider adding that exit lane back in or whether the plan would be able to accommodate that. Mr. Doheny said that they will explore that if they acquire the property. He added that they received a text message from Mr. Christensen before this meeting saying that he is in full support of the project and wishes them good luck at this meeting.

Relating to the grade level parking deck, Mr. Bishop asked for clarification of the number of handicap spaces. Mr. Glowacky said that the requirement is 2% of the overall parking spaces, which would be 2 spaces per hundred. They are two spaces that are enclosed and two at the front of the building, for a total of 4 handicap spaces, which complies. Regarding the typical upper floor plan, Mr. Bishop said that there is a discrepancy with the junior one-bedroom units at the 595 sq. ft. vs. 625 sq. ft. Mr. Glowacky said that the junior one-bedrooms units are proposed to be 595 sq. ft. and that will be corrected for the final review. Mr. Bishop said that this would still have to go back for another Final Review from Design Board and Ms. Straub confirmed that they will go to Design Board on Monday, December 6<sup>th</sup> for the official Final Review.

Mr. DeMarco asked if there will be any differentiation between the floors regarding the typical upper floor plan and Mr. Glowacky said that they will all be identical. Relating to the items received from the Fire Prevention team, Mr. DeMarco said he wants to be sure they accommodate those items. Regarding the screen fence, he asked what the material will be. Ms. Brown responded that it will be a wood fence that will be stained darker to blend with the building. Mr. Bishop said that he is concerned about the maintenance of the wood fence because of his experience with them over time as opposed to vinyl. Mr. Glowacky said that they discussed doing a high quality, dark stained cedar fence. The materials on the building are dark and they feel like a white or tan vinyl fence is the direction they want to go. Regarding access to the storage units in the basement, Mr. Krueger responded that there is a walkway around the entire space and there is access on the east and west sides of them. Mr. DeMarco said that he would like them to show a door to clarify access to the storage spaces from the garage.

Mr. Allen said he would like to confirm that there is no pole lighting in the parking lot because the minutes say there will not be any. Mr. Glowacky said that there is pole lighting and it is shown on the photometric plan and the lighting will not trespass onto other properties.

Mr. Capka said he wants to make sure that the headlights will not penetrate the fence to the south. Ms. Brown responded that the 6' fence will be solid and there will be a green buffer in that area.

Mr. McAlleer said that he shared the same question regarding the fence. He thanked the applicant for their communication with the neighbors to the south.

Mr. Bishop said that this project will require 3 variances. The first variance is for parking and he said that he would like to put the minutes from the Brighton Chase Board of Zoning Appeals meeting of December 13, 2012 into the record. In that meeting there was substantial testimony from Edwards Communities. They build all over the United States, and they presented statistics about parking in their other communities which supports the variance that they were granted. Those minutes also talk about the need for storage in 1 and 2 bedroom units and what their other communities require. There is also testimony regarding the unit sizes being substantially below the requirement of 750 sq. ft. There were quite a few units as small as around 500 sq. ft. These minutes will provide testimony or evidence from past projects. He would also like to enter into the record the parking requirement for Dublin, Ohio, which is substantially lower than our current requirement and also lower than what our new Code may propose. Dublin requires 1 space per studio or 1 bedroom unit, 1.5 spaces for a 2 bedroom unit and 2 spaces for a 3 bedroom unit and above. They also have a limit of 2 spaces per unit. Our Code requires a minimum of 2 spaces per unit, plus 1 space per 4 units for guest parking. If this project were to be presented in Dublin, which is always considered to be on the cutting edge of development code and zoning requirements in Ohio, this project would require 64 spaces as a minimum and up to 108 maximum spaces. This development is providing 110 spaces and he feels there is good support to grant a parking variance. He said they also provide several spaces above what may be proposed in the revised Development Code, which would be 1.5 for the 1 bedroom and 2 for a 2 bedroom unit. We would still require 1 per 4 units for guest parking. He said that this development is only 12 parking spaces short of our Code requirement. He personally would support a parking variance, and pointed out that there have been no complaints about parking at Brighton Chase, which is well under what our Code requires by at least 20%.

Mr. Bishop said that the applicant is asking for 6 units that will require a variance out of 36 total 1 bedroom units when Brighton Chase had about 50% of the units below the requirement, which demonstrates a precedence. Our Code dates back to 1975 and is not being kept in line with market realities.

Regarding storage, there is a lot of testimony by the applicant and there was a lot of testimony by Edwards Communities as it relates to storage. The market does not demand that much storage and our Code is very outdated relating to the storage requirement. That is also something we are looking at in the revisions to the Development Code. The City also has numerous storage facilities, especially at the site of the former Target that can accommodate storage. For these reasons and judging by the facts and previous experiences, he is in support of all 3 variances.

Mr. DeMarco said he agrees with Mr. Bishop and the Brighton Chase BZA minutes were incredibly telling and a good testimony to support the variances. The percentage variances they were asking for were substantially more than what is being asked for here. Regarding the storage, he asked the applicant to confirm that the thought process that is behind the quantity of

storage units is to accommodate all of the juniors and 1 bedrooms and it is assumed that all of the 2 bedroom units would have their own storage space within the units. The applicant confirmed that point and said that they offer them to everyone on a rental basis at an extra cost and they have plenty of empty storage spaces.

The other Commission members expressed their appreciation for the Brighton Chase minutes as a reminder of those discussions and they also support the variances.

There being no further discussion, Mr. Bishop moved to grant preliminary approval for a Multi-Family Apartment Development to The Krueger Group, PPN 303-26-005, conditioned upon final Design Board approval and the granting of the 3 variance requests by the Board of Zoning and Building Appeals. Mr. Allen seconded.

5 Ayes – 0 Nays  
PASSED

**2. 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 this Ordinance, Mr. Reich said that if there are any further comments regarding this Ordinance they can discuss them, but they don’t have the revision to the wording completed for the width of a driveway to accommodate a 3-car garage and the length and width of an additional parking pad in the driveway. He requested they table this and he will re-write it for the next meeting.

Mr. Bishop moved to table Ordinance 71-21 for revisions. Mr. Allen seconded.

5 Ayes – 0 Nays  
TABLED

The meeting adjourned at 7:00 p.m.

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William Bishop, Chairman

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Michael DeMarco, Member

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