

MINUTES OF MEETING  
PLANNING COMMISSION  
MAY 18, 2021

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Members Present: Capka, Allen, Long, DeMarco, Bishop,

Presence Noted: Andrew Bemer, Law Director  
Ray Reich, Building Commissioner  
Kate Straub, Planning and Zoning Coordinator

Council Member Present: Christina Morris, At-Large Councilmember  
John Shepherd, Ward 4 Councilmember  
James Moran, Ward 2 Councilmember and Council President  
Michael O'Shea, Assistant Law Director

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Chairman Bishop called to order the May 18, 2021 meeting of the Planning Commission at 6:00 P.M. via ZOOM. Mr. Bishop asked if there are any corrections to the meeting minutes of April 20, 2021. Mr. Long moved to approve the minutes, as presented. Mr. Allen seconded.

5 Ayes – 0 Nays  
Passed

**1. PANERA BREAD – 19705 Center Ridge Rd. –Preliminary/Final Review – PUBLIC HEARING - To operate a drive-thru as a permitted use for an existing restaurant.** Mr. Mark Bolinger, Architect, is in attendance to discuss the proposal.

Mr. Bishop said that this is a continuation of the public hearing from last month when it was tabled. The public hearing was held last month, and then it was closed, so unless someone sees a need to re-open it following the discussion with the applicant, the public hearing will remain closed. Mr. Bolinger summarized the landscaping plan that was revised to detail the mounding and increase the amount of plantings for the benefit of the residents on Goldengate. The mounding and landscaping extends along the length of the drive-thru, from the dumpster to the north end of the drive-thru. The landscaping plan details the plant varieties and the heights of them.

Mr. Bishop asked the applicant if he can confirm where the property line is for Panera against the Brighton Chase property because the dumpster enclosure is required to be 20' from that residential property line. Mr. Bolinger said that the dumpster is 18' from the curb line, and the plantings and fence is more than just a few feet from that curb line. Mr. Glick, property owners' representative, said that he can't answer that question at the moment, but will forward that information. Mr. Bolinger said that there is room to move the dumpster if necessary, but the information will be forwarded to the Building Department.

Mr. DeMarco thanked the applicant for addressing the landscaping issues from last month's meeting. He said that he asked for more Arborvitae at the last meeting at the drive lane, which they have done. He said that they also discussed adding taller greenery farther into the 50' buffer and he asked the applicant to add another 3 to 5 Arborvitaes at the corner of the parking area so that it extends a little farther to the south. Mr. Long said he has no comments regarding the revised landscaping plan. Mr. Allen said that he has no additional comments and that his concern was primarily about pulling the mounding to the south. He echoes Mr. DeMarco's comments regarding the additional Arborvitaes. Mr. Capka said that he appreciates the enhanced landscaping around the building as well, and has nothing further to add.

There being no further discussion, Mr. DeMarco moved to grant preliminary and final approval to Panera Bread, 19705 Center Ridge Rd., to operate a drive-thru as a permitted use for an existing restaurant with the conditions that the distance from the residential property line to the dumpster be verified to be no less than 20' and adding an additional clump of Arborvitae to the south, close to the dumpster enclosure. Mr. Long seconded.

5 Ayes – 0 Nays  
APPROVED

**2. RADIANT BRIDE – 19415 Detroit Rd. – Pre-Preliminary Review - New Commercial Retail Building in a Local Business Zoning District with a Restricted Parking Lot as a Conditional Use.** Mr. Tom McFadden, Applicant, came forward with Mr. Rick Benos of Arcus Group Architects.

Mr. Bishop explained that the applicant was here last month to discuss rezoning the R-1 parcel just to the south of the site to Local Business and they have withdrawn that proposal. Under our Code, it is permitted to have a restricted parking lot on an R-1 property when it abuts a commercial district. Using this conditional use of a restricted parking lot avoids the rezoning process, but also puts more restrictions on the parking area because it will remain R-1 zoning.

Mr. Bishop said that he is opposed to the idea of having the ingress/egress driveway located on Detroit Rd. He thinks there is an opportunity to have a nice green space, sitting area, or an area to photograph there and they can potentially widen the building slightly. The original idea was that they would work with the property owner to the west but he has been told that it didn't work out that the parking lots could be adjoined and the traffic flow can be created between the two properties. He said that he assumes that idea has gone away now and Mr. Benos confirmed that. Mr. Bishop said that the ingress/egress drive in that location is not a good idea and it is really not in keeping with the Master Plan with the walkability that they are trying to establish along Detroit Rd. in that area. He thinks they can easily make up spaces to the west just by extending the parking lot a little bit. Also, the three parking spaces along Prospect Ave. are not compliant in R-1 or Local Business with the setback requirement and he would like to see more landscaping in that required setback. Mr. Bishop said that there is a 25' setback requirement in the restricted parking lot so this would require a variance to allow 15' of a setback. He would be

in favor of allowing a 15' setback as long as it is well landscaped and buffers the house to the south. He said that if this property were re-zoned to Local Business then the 15' setback would be permitted without the need for a variance.

Mr. DeMarco said that he echoes Chairman Bishop's comments about not being in favor of having a curb cut on Detroit Rd. because the proximity of that curb cut to the Dentist's curb cut to the west is very close. In addition, he does not think that they want to have curb cuts for every one of those lots along Detroit Rd. and it would be more beneficial to have ingress and egress off of the side streets that are there. He thinks another reason to support not having that curb cut is because the access point on Detroit Rd. is coming out right where the left turn lanes are crossing each other. This cut would pull out right into where the eastbound traffic is setting up to turn onto Parson's Court and the westbound traffic is turning onto Rockland Ave. He echoes Chairman Bishop's comments about the parking along Prospect Ave. and some additional green space along there would be extremely helpful because at that point, the site starts to overlap where there are residences across the street and having some additional buffering there would be helpful. He would also not be opposed to a variance request for a reduction in the parking setback for the residential property to the south. He also assumes that the trash enclosure where indicated would have to comply with required setbacks. Mr. DeMarco said that they talked a lot about extending the building face across the front of almost the entire lot but if the applicant does not want to do that then providing relief with some green space would be a good idea, and a good place for pictures to be taken.

Mr. Long said that he is not in favor of adding a curb cut along Detroit Rd. because the traffic in that area seems to steadily be getting worse, so removing that as an option is a good idea, especially during busy times of the day. He said that he would be satisfied with a variance to allow a 15' setback along the residential property line rather than needing to rezone this lot. He asked where the curb cut will be off of Prospect Ave. and what kind of egress it will be is a consideration such as left turn out only, or right turn out only and those kinds of things. Mr. Bishop said that they are showing 2 curb cuts on Prospect Ave.

Mr. Allen said that he agrees with removing the curb cut on Detroit Rd. Also, the landscape plan does not seem to match the site plan. He thinks it looks good but it would just need to be revised. Mr. Allen asked if there is an executive summary that would outline the discussion with the commercial neighbor to the west because if there is a hurdle that can be addressed by the Planning Commission, he would love to hear it. Mr. McFadden said that they have had a number of conversations with Dr. Kinsley and they are open to having an easement and it is not off the table as far as they are concerned but he is not sure if a decision has been made on his part. He is not sure what his final thought on this is and he doesn't want to speak for Dr. Kinsley. He said they are open to giving him an easement through what they thought would be the Detroit access. He does not know what his thinking is now since that seems to be off the table. In any event, they are open to trying to be open to all parties. Attorney Lisa Golish, Counsel to Radiant Bride said that she has had a couple of conversations with Dr. Kinsley's counsel but it hasn't been since this development of getting rid of the curb cut. They were talking about an easement along the western side of the Radiant Bride property when a curb cut was still under consideration and

all of the access would be obtained that way. She needs to have a follow-up conversation with him now about eliminating that point of access and allowing it across the parking lot over to Prospect Ave. Mr. Allen said that the applicant's level of open mindedness is shared from his perspective so if there is something that comes up in that conversation that the applicant would like this Planning Commission's thoughts on relative to continued designs, he would be happy to hear them. He said it is great news that the conversation is continuing to take place and he would be happy to be helpful in anything that they can do there.

Mr. Capka said he echoes all of the previous comments and the only additional thought he had relative to the 2 curb cuts on Prospect Ave. is that he wonders if those could each be more narrow or that maybe one curb cut could be eliminated to alleviate some of the parking congestion that could happen there. Another option would be to have one cut be for ingress and one be for egress only. Regarding the parking needs for the business, he asked if there is a certain busy time where the applicant's business would require more parking than at other times. Mr. McFadden said that they have limited business hours. They are busiest on weekends and they are open until 8:00 p.m. two nights during the week. They begin the day at noon and usually close at 5:00 p.m. unless it's one of those two days. They are open on Saturday from 10:00 a.m. to 5:00 p.m. and on Sunday they are open from Noon to 3:00 p.m. There will be 6 appointment rooms that will be staggered by ½ hour for the flow of the parking and traffic. Customers are usually in the shop for 1½ hours. Mr. Capka thanked him for that information. Mr. Bishop said that they do comply with the parking requirement of 26 space. They applicant has been asked to relocate 3 spaces and it looks like they can do that easily.

There being no further discussion, the applicant thanked the Planning Commission for their time and input.

**3. THE KRUEGER GROUP – 22591 Center Ridge Rd. and PPN: 303-26-005 (vacant lot) – Pre-Preliminary Review – Multi-Family Apartment Development.** Mr. Bobby Krueger, Dan Krueger, and Jack Doheny of the Krueger Group who are the property owners of the vacant lot and Paul Glowacky with Dimit Architects for the project are present. Also present is Bill Christensen, property owner of 22591 Center Ridge Rd.

Mr. Bishop began by saying that the applicant addressed a few of the things discussed last month but it is really just a baby step. They really need to address the idea of studio apartments and the number of them, as well as the parking count and parking configuration. Our Code does not permit studio apartments. The applicant is showing 5 studios in a bank on floors 2, 3 and 4. If they eliminate 1 studio they could easily turn the remaining 4 into 1 bedroom apartments. Doing so will only reduce the unit count from 99 down to 96. This won't give them a lot of parking relief but they will be a lot closer to complying with the Code. It would leave them with 10 studios when they are currently asking for 25 studios. He feels like a 10% deviation from the Code is a lot closer than a 25% deviation. He does not have a problem with the size of the building, but the parking is still very short. He doesn't like the bank of parking at the east property line and the long bank in the middle of the property because they need to be broken up with landscaping. He asked the applicants to clarify what covered parking really means to them

because the elevation does not show what that is. The applicant responded that they are proposing carports for the 39 covered parking spots. Actual garages will be built along the perimeter, but the center section of 39 covered spaces are carports. Mr. Bishop asked for the dimension of the lane area between the parking areas and the carports because he is concerned about having sufficient radius for cars to maneuver in and out of the spaces. The applicant said that they meet the requirement of 28' and will label that for next time. Mr. Bishop said that the Commission will need the properties to the east and west shown as well, in order to demonstrate the relationship of this project to those buildings. He said the residential in the rear would not be affected the same way as those along Center Ridge Rd. He asked if they will be far enough along for the next meeting to show the rear elevation of the building where they are showing the carports and the Applicant confirmed that they will be able to show those renderings. Mr. Bishop suggested that this project should go before the Design and Construction Board of Review so they become acquainted with the project and then do another pre-preliminary review before the Planning Commission and the Design Board jointly next month, so that there are no surprises with a project of this large scale. He said the joint meeting will help the Design Board to understand the constraints within the site, what the Code allows, and not just simply looking at the building on its own.

Mr. DeMarco said that his biggest concern is the parking in the back and finding a way to break it up more because it seems like a mass of asphalt. He echoes Mr. Bishop's comments about if there is some sort of garage structure along the south and the east property lines, then it should somehow be broken up. Brighten Chase accomplished that by having modular units with 4-6 enclosed parking spaces in a structure and then there is a gap and a couple of surface parking spaces and then another parking structure. He encouraged the applicant to do something like that so it is not just one long garage that is facing the residences to the south and the apartment building to the east. When Planning Commission and the Design Board get to the architecture, they will want to see 360 degree architecture, including the elevations on every side of the building and the details that accompany it. He said that the Zoning Code calls for residential parking to be enclosed and not just covered, so he thinks they may need to revisit what the carport in the center looks like. He likes the revised entry drive off of Center Ridge Rd. because it gives a better sense of entry. He questions what they are planning to do about potentially designating "guest parking" and whether the surface parking on Center Ridge Rd. will be dedicated as resident or guest parking. On the plans and elevations, Mr. DeMarco said that for the first floor units that front Center Ridge Rd. they are showing doors there and a sidewalk without individual patio slabs so he is wondering if it is intended to be exterior access or private patio areas. He prefers that it be private patio areas in order to keep all access to the units inside the building. He would like to see enhanced buffering between the R-1 residential district to the south and this property. The project narrative speaks to using the existing landscaping that surrounds the site, which is currently quite dense. He does not see how they will be able to salvage a lot of that with covering almost 80% of the site with impervious area, building and parking. If they are planning to salvage some of the old growth trees he would like to see that so he can understand how much they will salvage since they are using that as a selling point of this development. He stated again that he would like to see the elevations because he doesn't think it has much dynamics because it is a flat elevation that resembles a dorm building. There is no

celebration of the entry to the amenity space or common spaces and he would like to see more definition of the balconies. He thinks they need to get past the site plan elements before they get into the architecture because he feels there is quite a bit of ground to make up on the site plan.

Mr. Long said that he agrees with what Mr. Bishop and Mr. DeMarco said. He wonders what type of natural environment will be around this site in order to make it look presentable. He asked what will be the thing that will actually get people to want to live there. He doesn't see anything exciting about the proposal other than the fact that this would be a good place for someone with a very busy job to come to sleep and spend some time there on a weekend. He asked what the "gotcha" about this development is because it needs to have some excitement to it rather than just putting in a bunch of buildings with parking spots.

Mr. Allen echoed the comments about breaking up of the parking and has four issues he would like to express regarding the entrance itself. He said that the surface parking in the front seem far from the entrance. He wonders what the amenity spaces on the site will include. Regarding the main entrance to the west, Mr. Allen said it seems anticlimactic because it is an entrance out onto a walking path. He wonders if that could be a common space patio. The entrance from the rear parking area looks like those individuals would simply be going through a single corridor and he wonders if there is anything that can be done relative to that entrance.

Mr. Capka said he would like to see the landscaping plan for the property to the south. He agrees on the comments regarding breaking up the parking more. He shares Mr. Allen's concern about the ingress from the west and ingress/egress to the east. He's not sure they need a traffic study or not, but he has been there a couple of times during the day and there is a bit of traffic. He's not sure if they want to consider the impact this traffic might have on Center Ridge Rd. Mr. Bishop said that he does not think a traffic study would be necessary because it wouldn't generate much traffic at all like a drive-thru or other commercial projects may generate. Regarding the one egress from the entire site, which is one lane, Mr. Allen said he wonders whether they need a left turn only lane and a right turn only lane coming out of the site so the person turning left during rush-hour doesn't back up 50 cars on the site.

Mr. Krueger said that they engaged a landscape architect who is working with Dimit Architects to study the entire site to see what they can salvage. They want to be thoughtful and intentional in how the building lays on the existing site and they intend to salvage and repurpose anything that they can. Regarding parking, Mr. Krueger said that they weren't 1 to 1 on the covered parking spots at the last meeting so they spent their time and energy figuring out how they will provide every unit owner with a covered parking spot. The program they are presenting today addresses that and they have met the 99 to 99 requirement for covered parking. The garages around the perimeter creates a buffer to the surrounding neighbors. They are still at 99 units but they have junior one bedroom, one bedroom and 2 bedroom units. In their market study, they discovered that if you take the 99 units and divide it by the 82,000 net rentable square footage, then their average unit size is 838 sq. ft. which exceeds the minimum square footage requirement for a one bedroom. By looking at it a different way with all units having a one bedroom, they thought maybe they would be meeting the criteria that is required. He said that their average

junior one bedroom size is 586 sq. ft. to 625 sq. ft. when Brighton Chase's studio apartments is 466 sq. ft. He said that they discussed the amenities and left them out of this presentation tonight so they could discuss the parking and the units and they are happy to refine the parking even more. This is the type of program and building they have done in the past, so they know all of the nuances and things that work. When they think of amenity space, they think of co-working space, space to work out and having a common area as a place to congregate. He said that Rocky River and the excellent schools is the selling point. Pools do not drive people to sign up. He thinks that they need to be amenity rich, well located and provide the parking that meets the residents' needs. He said that they are in the process of developing some new elevations with warmer tones that are complimentary to the surrounding area.

Mr. Bishop thanked Mr. Krueger and said he is just trying to help them through the big variance they will need and that there is not a precedent for a variance of this magnitude. Ms. Straub read the definition of carport aloud which is contained in our Code and it was decided that the carports the applicant is presenting do not comply with the definition.

There being no further comments, the applicants thanked the Planning Commission for their input on the project.

**3. RR HILLIARD PARTNERS LLC – 18615 Hilliard Blvd. – PPN 301-33-003 thru 006 – Pre-Preliminary Review – Multi-family Apartment Development.** Mr. Andy Gray of MPG Architects, is present along with Mr. Jim Richardson representing the ownership/development team.

Mr. Gray thanked the Planning Commission and said that they definitely took into consideration what was said at the last meeting. They redeveloped the site plan arrangement to more closely mimic features of the last development on this site. They have removed the parking from the front of the building, included a drop off road access only and there is 1 drive on the east side of the property that leads to the rear of the building where all surface parking will be located. There will be a dual level parking garage, with one level at grade and one subgrade level. As you come around the east side of the building there is the at-grade entrance and the road and the parking lot would continue to go downhill towards the subgrade entrance on the west side of the building. They meet the enclosed parking requirement. They had previously had the building at an angled form aligning with the western rear portion of the property and they have now aligned the building with the other apartment building to the west side of them which was in alignment with the previous development as well. They took off half of the upper floor in order to step down the building, which reduced the square footage of the building by 15,000 sq. ft. Some of the unit sizes are now a little lower than they had on their first submittal, but the market studies they have collected have validated the unit square footage. Mr. Gray said that they met with the Design Board yesterday and they had some good comments. They also had thoughts on the exterior of the building, which he agrees with because they are at the pre-preliminary stages of the design. Some of the details of the building are not fine-tuned yet, but there is a lot of potential and the applicants feel that great things that can happen with this building. When they take the exterior design to the next level and refine some of the details, it will be pretty special.

Mr. Bishop thanked Mr. Gray for doing what they have done so far. He said they worked very hard on the last project to get to this. He wants the applicants to meet with the Planning Commission jointly with the Design Board at the same meeting because it is important that they understand the site. The idea of turning this into an “L” shape building is not the thing they are striving for because relocating the parking to the east side of the site puts all of the parking next to the Hilroc site. What they are attempting to do here complies with the Master Plan. He agrees that the drive to the east is narrow and should be widened to 20’. The drive being only 2’ from the building is not enough for the drive, so there needs to be at least 8 to 10 feet at a minimum. He said that it may cause them to lose a little at the end, but there is a chance they can make that up somewhere else in the square footage of the building. He said that they are still a little bit off on the parking number, but he thinks they may be able to live with 2 spaces for a 2-bedroom and 1.5 spaces for a 1-bedroom and the guest parking requirement. We are in the middle of redoing our Code and our Code is probably a little too strict when it comes to a project like this. He said that the ends on the interior parking spaces look like they are really tight and it will be tough to make the radius, so they may end up needing to eliminate a couple of spaces on the interior. Regarding stepping the building down, he visually imagined something a little more than what they see in the rendering, with the deviation between the two levels being more prominent. He is not sure that the western half is really accomplishing what they were trying to do, which was not overwhelm the building to the west and to really step down more than it is visually. They were trying to allow the zoning in a more creative way that blends the R-6 and R-5 to the R-4 that is existing to the west.

Mr. Richardson said that he thinks that it is a good idea for the two boards to get together so that everyone can understand the site restrictions and financial restrictions that they have with the cost of developing a very nice product rising like they currently are.

Mr. DeMarco said he prefers the single point of access to the parking behind but agrees that it feels very constricted. He likes the drop-off that they are showing but the drop-off zone seems short right now and he would prefer it to be maybe about 3 times longer than it is shown. This will provide more space for loading and unloading cars but it will also potentially get them another access onto Hilliard. He said that the median that splits Hilliard extends to where they are showing it right now, so they should really think about what that access is. If you make the drop off zone longer to the west, then it will only be a right-in/right-out access point. A longer drop off zone will help to provide a greater entry statement and gateway piece for the project. From a design perspective, Mr. DeMarco said that he would like the applicant to really concentrate on getting the site plan and the building massing right rather than articulating the façade at this point. It feels really massive right now and he liked the last submission where they angled it somewhat facing east better than the big slab that is being shown now. He knows they can accomplish a lot of that by breaking it up with materiality but it still feels really heavy on the street. The diagrams that are most informative are the last 3 sheets where they are showing the massing of the Hilroc and the apartment building to the west looks like. The massing information is very informative when they are talking about stepping down from a really high-intensity multi-family use to a lower intensity multi-family use and how it interacts. At this



point it feels like it is overpowering for the area and overpowering the R-4 to the west. He would like to see more study diagrams like what they are showing because they are helpful in seeing what that relationship looks like. One of the things that he does not like is the perspective at which they are taken – they will never see what is shown on SK19 because you will never get to that height or distance to see it that way. He thinks that studying it from the road elevation will be important.

Mr. Long said that Mr. DeMarco covered most of his concerns, such as how the entrance and exit out of the building will play out onto Hilliard Blvd., as well as the mass of the building, which Mr. DeMarco explained very well.

Mr. Allen said that he thinks this is a step in the right direction and agrees with emphasizing the step down piece more. The massing comments that he is focused on is from Design Board and he feels they had some good commentary. He agrees with Mr. DeMarco that the drop off seems insignificant, so the extension there is a good remedy.

Mr. Capka said he would like to echo what Mr. DeMarco said on SK17. He said that it really looks out of scale to the property to the west and it feels like the height of the building is 83' almost all the way across the building. By looking at SK17, you really get a sense of the size and scale of this building, which is something they really need to look closely at.

Mr. Bishop said that they maybe could look at adding a few spaces in the front because it may make sense from a practical standpoint for when a pizza delivery person comes, even if they are parallel spaces. He said that the Building Department could provide an example of the elevation studies that were done for the 700 Lake project that were done from a street perspective with the elevations labeled. It was very helpful to incorporate the buildings to the east and west in order to get a feel for how the buildings sat on the site. It was a very simple elevation labeling from the curb elevation.

Mr. Gray said that he is glad that they understand the problems they would have with providing an "L" shaped building because they weren't sure how they could fit a functional building with that arrangement on the site. On the elevation study and the perspectives, he said that he wants to point out that the Hilroc building is set back from the road a little bit further than this building. The 2D elevation view helps understand it a little bit better but the perspectives made it feel like this building is larger in comparison proportionally between the two. He said that there is the opportunity to lower the west side a little bit further. With the rooftop pool, that portion is elevated higher along with the parapet wall, so it really raised up the western portion of the building. He thinks that if they redevelop where the pool is located and how you step up to that, they can definitely lower the east side of the building to a pretty good degree. Mr. Gray said that the 2' dimension on the east side of the property is tight but it is the exact dimension that the prior development had. However, they will study that further because he agrees that the driveway is awfully close to the building. He likes the points made about the drop off being longer and they will respond to that also. He said that there is still a lot of opportunity to

enhance the architecture of the exterior, but right now it is the very pre-preliminary design stage while they try to figure out the site, the massing and overall idea of the building.

Mr. Bishop asked if the grade can be lowered to help them accomplish lowering the height and Mr. Gray responded that it is very possible and they will study that. Mr. Richardson said that they are trying to create the “gotcha” that is so important, with a view of the Metroparks and Lake Erie.

The applicants thanked the Planning Commission for the discussion.

The meeting adjourned at 7:25 p.m.

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William Bishop, Chairman

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Michael DeMarco, Member

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