

MINUTES OF MEETING
PLANNING COMMISSION
AUGUST 25, 2021

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

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

Council Member Present: Christina Morris, At-Large Councilmember

Chairman Bishop called to order the August 25, 2021 meeting of the Planning Commission at 6:30 P.M. in Council Chambers of Rocky River City Hall.

1. ROCKY RIVER HISTORICAL SOCIETY MUSEUM – Northeast Corner of City Hall Campus – Pre-Preliminary Review – New Museum Building. Mr. Jeffrey Grusenmeyer, Architect and Mr. Victor Erml, #2 River Parke Dr., Historical Society Representative, came forward to discuss the project.

Mr. Grusenmeyer began by explaining that there is a vacant parcel at the northeast corner of City Hall campus where they would like to construct a single-story slab on grade building, which is intended to house the collections of the Rocky River Historical Society. It has been designed in such a manner as to provide buffering to the adjacent residents and to provide an architectural transition from the neighborhood. The details in the design of the building will incorporate some of the historical character of the City of Rocky River. It is the applicants' intention to leave all of the evergreens that are behind the building in place and if necessary, add to them for additional buffering to the north. Parking requirements for the museum are extremely modest as it is basically a building meant to house the collection. They will have events from time to time for smaller groups of people, but there will not be a large parking load at any given time and certainly not when it would compete at a time when there is much of anything going on at City Hall. They will also house a historical fire engine in the building, which will be the feature behind glass both on Wagar Rd. and to the south. There are no openings adjacent to the residential neighbors and it is designed to be modest to fit into the neighborhood very well in that location.

Mr. Bishop said that we need to verify that this was rezoned from R-1 to Public Facility, which opens up the issue of the 75' setback requirement from a residential zoning district and they are showing a 15' setback to the south, which is quite a large variance. Mr. Grusenmeyer responded that this property was offered to the Historical Society by the City. This was reviewed by the administration and they are aware of the need for the variance request. Mr. Bishop asked if they discussed this proposal with the neighbor to the north and Mr. Erml said that they intend to discuss the proposal with that neighbor, as well as the neighbors across the street on Wagar Rd. Mr. Bishop said that this is a substantial variance and he is not sure how many people on the Commission would support a variance of that magnitude. He asked if they studied a different

configuration that may require a lesser variance. Mr. Grusenmeyer responded that the use of this building is extremely different than the other buildings on the campus and the nature of its use is much closer to a residential nature. Mr. Bishop asked if this entails a relocation of the access drive for the community garden that runs east to west. Mr. Grusenmeyer said that the current garden access drive is off of the parking lot in the northwest corner. Mr. Bishop asked about the access with the chain that he was familiar with and Building Commissioner Reich said that the chained access has been abandoned and the access off of the parking lot is used for everything they do. Regarding budget, Mr. Erml said that the budget is 1MM to 1.5MM. Once the building is complete, the Historical Society will be responsible for maintenance. Law Director Bemer confirmed that a museum is a similar use to a cultural institution and is a permitted use in a Public Facility zoning district.

Mr. DeMarco said he echoes some of Mr. Bishop's comments and he agrees that he would not support such a large variance like is being proposed. He thinks that the setback being shown along Wagar Rd., which is in line with the housing to the north is appropriate. He suggests looking at reconfiguring the site to lessen the variance that would be required. He asked if the garden access drive that is currently there will be maintained as is, and Mr. Grusenmeyer confirmed that it will be maintained as is. Mr. Bishop said that there was substantial discussion and community presence for a previous application so he agrees that discussion with the neighbor to the north is advisable ahead of any public hearing. Mr. DeMarco asked about the interior floor plan and Mr. Grusenmeyer said that it will primarily be one open space with a couple of restrooms. Regarding events, they would be on a very limited basis. Mr. Demarco said he thinks the elevations are somewhat uninspired, especially on the north and west and he believes that the Design Board will want some elements on those facades like windows, or even faux windows because they prefer 360 degree architecture. He suggested that perhaps they could coincide the interior space in order to further articulate the exterior. Mr. Erml explained that to control things like humidity, temperature and sunlight, which can all have an influence on the integrity of a collection, museums don't have windows. They have consulted Oberlin College and the museum there and learned these things. The front entrance façade is showing faux windows for that reason. He said that they don't want windows and Mr. DeMarco said that the Design Board could ask for something very similar to what they are showing on the front façade.

Mr. Long echoed the fact that he is not in favor of the 15' setback where 75' is required on the north side. He clarified some questions he had about the front façade and the parking requirement, which complies with Code.

Mr. Allen asked about whether the parking spaces are required for the Senior Center's use and whether the Senior Center needs to be recalculated if they are eliminating 16 or 24 spaces and potentially leaving the Senior Center under-parked. Regarding hours of operation, Mr. Erml said he thinks they will be open 3 days per week, such as Tuesday, Thursday and Saturday. During the school week they have junior high and elementary schools come in and view the collection, which has grown extensively since the time they were in a closet in a library. They currently have 2 classrooms to store everything in Beach School that are filled with documentation from the 1800s. He said that they now have speakers come that attract up to 60 people and they hold those in the Senior Center. Mr. Bishop said that they are concerned about an event that attracts 60 people at the same time the senior center has an event. Mr. Erml said that the Historical

Society's events are held at 7:00 p.m., which won't interfere with the Senior Center. Mr. Allen said that they would like to follow up with parking allocation. Mr. Allen asked about the statement Mr. Grusenmeyer made about the lot being offered to them by the City and what that means. Mr. Erml said that they have spoken with the Mayor several times and she has helped them refer back to certain buildings, such as the old City Hall, which really doesn't fit what they are looking for, as well as a couple of other sites. Within the last year or so, the Mayor said that they do have some property in the northwest corner that could possibly work for them. Mr. Allen said that he also has a concern about the required setback versus what they are proposing. He is concerned about the location because of increased traffic and what it does to the future redevelopment of the fire station at some point in time. He is concerned about locking up that parcel and that space when there is much larger development that will be taking place in this area and adding additional congestion to an already congested area that we know will have additional development. Those are a few of his challenges to being supportive of this particular location.

Mr. Capka said he would also reiterate a lot of the points that have been made but he feels like the building can move a little bit to provide some more buffering for screening to the residents to the north. He said it does not show any trash receptacles around the building and wonders about any additional need for space for something like an outdoor patios. Mr. Erml responded that the building will be all self-contained.

Mr. Bishop suggested they turn the building to be parallel to the parking. He said that the Wagar Rd. setback is labeled at 40' and he would like them to verify that with the requirements of the setback map. He said that if they turned the building, it would alleviate the variance where the north west corner of the building would be touching the 15' but it gets the north east corner much further away than 15'. He sees the possibility of potentially relocating the path to the garden and creating more space there. He urged them to study the site in an effort to really reduce the variance request because reconfiguring the path would open up a lot more space for the building because the variance they are requesting is very challenging and they should be looking for ways to lessen that request. He thinks that rotating and elongating the building will get the one corner substantially further from the property line than 15' and it will help give the building more of a relationship with that parking lot to make the whole site a lot more interesting. It will also greatly reduce the variance they will need. He suggested they change the footprint in such a way that it increases the setback while still providing a 5,100 s.f. building and discussing the possibility of relocating the walkway to the Community Garden with the City.

The applicants thanked the Planning Commission for their input.

2. THE KRUEGER GROUP – PPN 303-26-005 vacant lot ONLY adjacent to 22591 Center Ridge Rd. – PRE-PRELIMINARY REVIEW – New Multi-family Apartment Development.
Present to discuss the project are Bobby Krueger, The Krueger Group and Paul Glowacky, of Dimit Architects.

Mr. Bishop said he would like to begin by thanking the applicant for this very-much improved proposal that really reflects their willingness to listen to the comments of the Planning Commission. It looks like they are cutting the site in half and only developing the parcel they already own. He said that in a couple of places they are calling it grade level parking deck but he

is going to assume that they really mean covered parking. Mr. Glowacky said that Mr. Bishop is correct. Mr. Bishop said that they are showing 54 units, consisting of 6 juniors, 30 one-bedrooms and 18 two bedrooms. There is a little discrepancy on the actual 2nd to 4th floor typical plan where it says they have 9 units at 750 sq. ft. and 1 unit at 736 sq. ft. He said that somewhere on one of the legends they are working a little bit under that. Mr. Glowacky responded that the section Mr. Bishop is referring to is on the zoning page, which listed a one-bedroom when he thinks it is really only a junior one-bedroom unit. Mr. Bishop said that in one place they are calling 6 juniors at 625 and 30 one-bedrooms from 715 to 750 but the typical floor plan says shows nine 750 s.f. units and just one under the 750 requirement. It's important to understand this information so they know how much of a variance they are looking for. Mr. Krueger said that they will make sure that the square footage that they are showing in the typical matches up on the legend. Mr. Glowacky said that they can expand the one-bedroom to get it to 750 sq. ft., so that only the juniors will be part of the variance request. Their goal will be to get 10 per floor at 750 sq. ft. and 2 juniors per floor, for a total of 6 juniors. Mr. Bishop said that they are slightly under-parked but that the City is in the process of revising the Development Code and they are working with some consultants. He thinks they will be fine based on what they are learning, which is that a 1-bedroom unit typically averages the need for 1.5 parking spaces where our Code requires 2 spaces. So they are really only a few parking spaces short of our code requirement which is very strict.

Regarding handicap parking, Mr. Bishop said that they are showing 2 spaces and he asked Building Commissioner Reich what the requirement for that is. Mr. Reich said that he will look that information up. Mr. Bishop said that the purpose of this meeting is to discuss the site plan and Code compliance and things like architectural will be discussed by the Design Board at a pre-preliminary review. It looks like they have the possibility to flip this site plan right into the lot next door if they ever make a deal with that property owner. Mr. Bishop said that our Code requires 90 sq. ft. of storage per unit and he does not see that provided on this plan. There has been internal discussion of maybe breaking that number into one requirement for a 1-bedroom and another requirement for a 2-bedroom unit in the new Code because a person in a 1-bedroom probably needs less storage than a person in a 2-bedroom unit.

Mr. DeMarco said that if they do pursue the adjacent property, he would like them to somehow make a connection between this one and the new one so they look like a harmonious development. He said he supports Mr. Bishop's comment about the potential parking relief and asked about at the very bottom of the page with the zoning table on the typical upper floor plan, the total parking required by zoning does not add up correctly. They are showing total parking spaces provided at 112 and right below that it says that the total parking required by zoning also says 112 but the numbers don't add up to 112. Regarding the garage portion, Mr. DeMarco said that if you are coming in on the entry drive off of Center Ridge Rd., the entrance to the at-grade covered parking seems to be behind a blind corner of the building and that seems to be a potential conflict. He asked them to take a look at it and see what they can do to relieve that conflict. His next concern is the entry or ramp to the below-grade parking. He said that they are showing some pretty big garage doors back there and that will be right up against the residential property, so he would like that screened a little bit better through landscaping or some other kind of buffering. Maybe there is the potential to relocate it to the eastern side of that garage rather than the rear. Mr. DeMarco said that the site is densely packed with trees and growth and asked

if they will try to save any of that. Mr. Krueger said that it will probably be all new landscaping but it is something that they haven't really studied yet. Mr. DeMarco said that they had some nice contextual diagrams of Center Ridge elevations to the east and the west and he would like to see those again to explain the height of this building and the adjacent ones.

Mr. Long said that he likes this design very much but he asked if they have done a traffic study and Mr. Krueger said that they have not done that yet. He said it is something they can certainly take a look at. There are 54 total units and 18 of those are two bedroom. Mr. Bishop said that it is good that the plans show a 2-lane exit.

Mr. Allen said that he thinks this allows for a mirror image building on the adjacent lot in the future. He said he has a desire to reconcile the site and first floor plans to the aerial view of exterior space to the southeast. He said that he would like them to review signage requirements for the monument sign in front. He would also like to see an island in the parking area, even if it means to eliminate a couple of spaces.

Mr. Capka said that he would like to see elevations to the west and the outdoor space to determine whether additional buffering and screening are necessary because that relationship will be important. He said that it currently seems like it is a little congested. Mr. Krueger said that the building will be 25' off of the property line, so it is probably bigger than it looks. Mr. Capka said he would appreciate additional context there. Mr. Capka complimented the parking and would be in support of sacrificing a couple of spots to break up the traffic flow of the parking throughout.

Mr. Bishop said that he agrees with Mr. Allen with eliminating a couple of spaces and adding some islands to break up the outside parking. He said that he wants to point out that if the opportunity ever presents itself to develop the adjacent property, then they would consider it a Phase II of this development and that is where main wall to main wall, etc., would come into play.

Mr. DeMarco asked what the anticipated demographic for the leasing of the development. Mr. Krueger said that they have done market feasibility studies based on their offering of studios, 1-bedrooms and 2-bedrooms, which casts a pretty big net. They will draw anyone from out of college to young families that want to send their children to Rocky River schools, and potentially even empty nesters.

Mr. Bishop said that the next step will be a pre-preliminary review with the Design Board to get a feeling for how they view this project. He thanked the applicant for their efforts this time around.

3. DAVE FREDECKER – 1305, 1325 and 1329 Smith Court – PRE-PRELIMINARY REVIEW – 3-Unit Townhouse Development as a Conditional Use in a Local Business Zoning District. Mr. Dave Maddux, Architect, is present with Dave Fredecker, Applicant, to present the proposed project concept.

Mr. Maddux began by explaining that this location is behind 5/3 Bank on Smith Court owned by Gregg Mylett. There were single-family homes on each of the 3 lots and a converted single-family home to office is located next to the project area on Smith Court, so there is a history of residential on these properties. Mr. Fredecker has been searching the City for buildable properties for townhouse units and they feel that these properties provide a unique solution. If this property met the conditional use requirements of 2 acres and 200' lot width, then this use would be permitted here. He explained that if they built to the one unit per 4,500 sq. ft. of lot, they could fit 5.5 units. However, they are only proposing 3 townhouse units that fit well on the property with conforming setbacks, parking requirements and all other aspects of it. The architecture of the project will provide a complement to what is going on around it relating to scale and style. They feel it will create something that might continue on the street. This is a good walkable location to restaurants, bars and shopping, so this is an appropriate use for this location.

Mr. Bishop asked if the houses that were torn down were being used as houses or whether they were being used as businesses. Mr. Maddux responded that they were all used as houses. Mr. Bishop asked if there was any conversations with the owner to the north of this project and Mr. Maddux responded that there has been some discussion but it has not been substantive yet. Mr. Bishop said that he understands what Mr. Fredecker wants to do and why he wants to do it. However, this Planning Commission is bound by the Development Code and if you really read the intent of a conditional use in 1183.01, it is clear why there are conditional uses that are appropriate under certain conditions in alternate zoning districts. For example, to obtain a conditional use, you are required to have 2 acres and the Code says that you have to interpret that in its strict interpretation and the Planning Commission is not to deviate from that 2 acres when looking at a conditional use. It also requires 200 feet of frontage. The applicant has about 25% of what they need to obtain that conditional use and the Planning Commission's job is to follow this strictly, where other parts of the Code allow them to deviate based on the nature of what is being presented, etc. In addition, if you look at the idea of planning, when a property is zoned Local Business and is surrounded by Local Business Zoning and then you have an "island" of a different zoning. In a sense, this is a way to circumvent a spot zoning, which is really what this is. Alternately, if a project comes along and it is at least 2 acres, then it is no longer spot zoning because it is something of scale. He said that they are considering changing the Code to reduce the requirement of the 2 acres for the conditional use in certain circumstances. For instance, if this was contiguous to an R-3 zoning district like the property the applicant considered on Lake Rd., then the issue of a minimum lot area of 2 acres is irrelevant because everything surrounding it would be zoned R-3.

Mr. DeMarco read a prepared statement aloud, as follows: It is my opinion that the application as submitted is not suitable for these properties. The overall design of the units, and private elements such as the pool and amenity space to the rear, give it a distinctly single-family detached flair, something more akin to what would be seen in an R-1 or R-2 district. On a strictly code basis, while it may meet the requirements for development in an R-3 district in which it is outright permitted, it does not meet the additional conditional use requirements, specifically the 2 acre lot minimum (and potentially the 200' lot frontage), listed in the table in Chapter 1183. Per Section 1131.11 in the Development Code, the Planning Commission is required to evaluate conditional uses against (4) criteria. At best this proposal meets one, criteria (b), by not

potentially endangering the public's general health, safety, and welfare. Per criteria (a), it is not harmonious with the existing business, commercial, and industrial uses around it; Per criteria (c), a single family-attached project may inhibit future mixed-use, multi-story development potential that may a better and higher use for the property; and per criteria (d), development potential along Ingersoll, Detroit, or Linda could generate a higher density district creating an undesirable environment for a more intimate, private proposal such as this. The current (and previous) Master Plan implies that this is at the boundary of a core development area, Linda Street, and part of an overall "Greater Downtown River" overlay. How does this proposed project relate to the office, business, and industrial uses that are adjacent to it? Additionally, and more importantly, how does this contribute to an overall development objective for this section of Detroit and by adjacency, Ingersoll? While the structures may seem contextually compatible by design, the use does not. A better solution may be to use this opportunity as a test site for future development in a core focus area as directed by the Master Plan. A multi-story, mixed use building with retail, office, or business use on the ground floor and dwelling units above may be a fruitful exercise to determine if there is market openness and demand for more residential products in a district such as this, and may prove to be a catalyst for meaningful and profitable development nearby.

Mr. Allen said he agrees with Mr. DeMarco and Mr. Bishop and sees this as being an isolated development. Mr. Long said he also agrees with Mr. DeMarco's comments. Mr. Capka said that they are charged with strictly following the Code when it relates to conditional uses. Mr. Maddux said that his office is on Smith Court and Smith Court does not feel like a strong "retail on the first floor" locale with residences above. He understands that you can make an argument for that type of use a little better within the Code, but it really doesn't feel like that's what is happening in that location. Mr. Bishop said that there are other permitted uses on the first floor in Local Business districts that do not have to be retail. Mr. DeMarco agreed with Mr. Bishop and said that there are potential avenues to avoid the conditional use while still getting a residential use on the property.

Mr. Bishop said he realizes that the applicant has been looking around for a property to develop with townhomes and it's either wait for the right property to come along in the right spot or think outside of the box a little bit. Mr. Maddux thanked the Planning Commission for their input.

The meeting adjourned at 7:45 p.m.

William Bishop, Chairman

Michael DeMarco, Member

Date: _____