

MINUTES OF MEETING  
PLANNING COMMISSION  
JANUARY 18, 2024

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

Presence Noted: Ray Reich, Building Commissioner  
Kathryn Kerber, Director of Planning and Community Development  
Kate Straub, Planning and Zoning Coordinator

Council Members Present: Jeanne Gallagher, Ward 3  
Christina Morris, At-Large Council Member  
Dave Furry, At-Large and Council President  
Tom Hunt, Ward 1  
Michael O'Boyle, Ward 2

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Chairman Bishop called to order the January 18, 2024 meeting of the Rocky River Planning Commission at 6:00 P.M. in City Council Chambers of Rocky River City Hall.

Mr. Bishop asked if there are any corrections to the Planning Commission meeting minutes of December 19, 2023. Mr. DeMarco moved to accept the minutes as written. Mr. Allen seconded.

5 Ayes – 0 Nays  
Passed

**1. CITY OF ROCKY RIVER SENIOR CENTER – 21014 Hilliard Blvd. – PUBLIC HEARING - PRELIMINARY REVIEW – Senior Center Additions.** Mr. Timothy Wagner and Mr. Don Rerko of Makovich & Pusti Architects, Inc., came forward to present the project. Also present is Rocky River Facilities Director, Michael Balla.

Project overview: Additions to the front of the existing building for a lecture hall to seat approximately 96 people and to the back for a fitness center/dance studio and new restrooms. A lot consolidation of two city-owned properties is required for this project. The exterior of the additions will tie in with the existing building.

Mr. Bishop thanked the applicants for a thorough pre-preliminary review last month and it looks like they addressed everything the Commission requested on the site plan. He asked how their pre-preliminary review went with the Design Board. Mr. Wagner said that the Design Board had some comments about some of the materials they are planning to use and how they are applying them to the front elevation and asked them to also look at the entrance.

Mr. DeMarco asked what the context was regarding the comments Design Board made about the entrance. Mr. Wagner said they would like to see the tall piece be revised to relate to the entrance more, which is in line with Mr. DeMarco's comments at the last meeting. Mr. DeMarco said that if they are going to focus on signage at a later date, they should come back to this Planning Commission with that sign package. He suggested that they provide some sort of

definition or score marks on the EIFS material on the back of the building because it looks like one big piece of stone as it is being presented now.

Mr. Allen said that the square footage calculations all make sense to him now and thanked them for updating the site plan.

Mr. Capka said his questions surrounded parking and he appreciates the update that the City is satisfied with the parking as it is being provided.

Mr. Wilson has no further comments.

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

5 Ayes – 0 Nays  
Passed

Ms. Kathryn Boyd, 1948 Wagar Rd., came forward to express the following concerns: She is the neighbor adjacent to the property. She loves the design but she is concerned with the amount of water that fills the back of the property into the community garden. There is a wetland existing back there and she is hoping there is proper drainage for the storm water, She questioned whether they need certain permits because this is now considered a wetland. There is a lack of landscaping on the back, which she feels is important. She added that there are plants and trees that can grow in the shade. She quoted the Master Plan and the fact that we have plans to make trails for people to walk along on this property. She asked that they address lighting back there along with the landscaping to encourage seniors to walk the paths. She said the Code requires screening for the parking and it hasn't been addressed at this point, so she hopes that will be addressed per Section 1185.11. Mr. Bishop asked Ms. Boyd if she can see the Senior Center building from her house. Ms. Boyd responded that her view of the Senior Center building is currently blocked by the big greenhouse and she feels she probably will see it once it is expanded back. She also sees the Senior Center bus that is always parked in that lot and it would be great if they would plant some screening materials for that.

There being no other members of the public wishing to comment, Mr. Bishop moved to close the public hearing. Mr. Capka seconded.

5 Ayes – 0 Nays  
Passed

The applicants addressed the neighbor's concerns by saying they are not building into the wetland so they have no EPA requirements for that. The drainage of the property will be enhanced by the roof system and the storm water will be handled that way. They can look at the screening of the property, but a main concern is that it is a Senior Center and it is suggested not to put bushes in that would allow people to hide behind. They can look at some smaller plantings. The trees within 5' to 10' of the building footprint will be removed. He said that

there is a path back there now and there will be a sidewalk going around the building, so they could connect to the path. Mr. Bishop pointed out that the site plan shows the existing wetlands and confirmed that they are quite a distance from the addition. Regarding lighting behind the building, there will be lighting above the exits, which is required by Code, and it would not be pitch black back there. They operate after dark maybe once or twice a year. They are not touching the parking lot so the screening does not relate to this project. It was mentioned that there is no other place to park the Senior Center bus. Mr. Balla said that they can take a look at that and see what can be done. They have engineered the storm water management and/or catch basins on the site, but the construction documents are not complete yet. That should address the concerns about standing water.

Mr. Allen agreed with adding some landscaping in the back of the building and asked them to return with it for the final approval.

Mr. DeMarco moved to grant preliminary approval to The City of Rocky River Senior Center, 21014 Hilliard Blvd., to construct two additions, subject to the commentary in the meeting minutes regarding items they should address based on concerns the neighbor expressed. Mr. Allen seconded.

5 Ayes – 0 Nays  
Passed

**3. ORDINANCE 80-23 – PUBLIC HEARING** – An Ordinance amending various sections of Rocky River Codified Ordinances Chapter 1163 Entitled “Office Building District Regulations,” as further described in Exhibit “A”.

Mr. Bishop said he would like to incorporate the City Council meeting minutes of October 23, 2023, November 6, 2023, December 4, 2023 and December 11, 2023. He would also like to incorporate the Planning Commission meeting minutes of August 15, 2023 and November 14, 2023. He said he would like to clarify that this discussion will only be about Ordinance 80-23, which covers the entire City as it relates to requirements within Office Building zoning districts. There will be no discussion regarding any zoning changes or any projects anywhere in the City. There is a rezoning that was put before Council which has been put on hold. That zoning request will go through the entire process on its own. They are really talking tonight about Office zoning in the entire City on properties that are currently zoned Office. This is not about changing any zoning classifications of any properties.

Mr. Bishop said he would also like to address social media. He has heard about or seen quite a bit on social media and he thinks that 70% of the information at a bare minimum is inaccurate. He will be trying to clarify some of those inaccuracies tonight so that everybody has an understanding of where we started and where we are today. He would like to go on record to say that he was misquoted by an individual at a City Council meeting on December 11, 2023. The minutes of the Planning Commission November 14, 2023 meeting reflect his exact words and he wants to go on record about that. He would also like to clarify Council Member Gallagher’s

letter that was sent out to residents. He said they are actually following the 2010 zoning map, which was the last zoning map to be adopted by the City. It is subject to zoning changes that took place thereafter, but the 2016 coloring map is not accurate and was never adopted by City Council. Additionally, the most recent Planning Commission recommendation back to City Council was for an 80' height in the OB-2 district, with the caveat that 25% of the building footprint could reach 100' with Planning Commissions and Design Board's review. He wants to point out that there are many other factors that regulate what can ultimately occur relating to height, such as required parking and setbacks, etc. He said that their proposal was rejected by City Council and sent back to this Commission to contemplate this evening.

Mr. Bishop said he would like to lay out how we got to where we are with the Ordinance and proceeded to read a prepared statement. The Planning Commission consists of 5 members and 2 alternate members who are all residents of Rocky River and they are all involved in some aspect of development as a career and that they may cumulatively have as many as 150 years of experience. He prepared a slide show that is projected onto two large monitors in Council Chambers and which is incorporated herein by reference as "Exhibit A." Mr. Bishop quoted the Vision Statement No. 4 in the Master Plan (Pg. 38), which is for the, "...upkeep and reinvestment of commercial districts to foster vibrant areas and economic activity." He highlighted Goal 8 in the Master Plan (pg. 60), which is to, "Update codes to allow walkable commercial and multi-family projects." He highlighted the phrase, the City should update its Zoning Code to a codified walkability, which should include updates to both business districts and multi-family regulations. Regarding Actions toward Goal No. 8, the City should, "Expand the range of Central Business District Overlay, reduce the required minimum for City's Mixed-Use Overlay District, or update the development standards of existing Business Districts to codify more walkable development standards in commercial areas outside of Downtown River." The City should, "Consider incentivizing mixed-use development through regulatory flexibility."

Mr. Bishop said that 3 of the 9 core projects listed in the Master Plan relate to tonight's discussion because they involve Office districts. Core Project No. 6 is *Reimagining the Marion Ramp and Allen Court: Development Options*. All of Allen Court is zoned OB-2, which has the current 150' maximum permitted height. Core Project No. 8 is *Linda Street District Development* and regarding *Redevelopment Potential*, it states that, "With improved infrastructure and public spaces, new development should be encouraged along Linda St. Older industrial buildings, especially close to the intersection of Ingersoll and Linda, have the potential for redevelopment that could extend the walkable business district and add to its vibrancy." Mr. Bishop said that all of Linda St. is essentially zoned OB-2 (150' maximum permitted height). Core Project No. 9 is *Center Ridge Road East Walkable Development*, which outlines redevelopment at the corner of Center Ridge Rd. and Linden Rd. where there are currently 3 office buildings, one of which is 95' tall and located in a General Business district.

Mr. Bishop said that the Planning Commission is bound by the Development Code, which is the law and not just a guide. The Code states that, "This Master Plan shall be reviewed periodically and revised as necessary giving due consideration to those areas requiring redevelopment or



urban renewal.” It continues, “The comprehensive plan shall serve as a guide to all future actions of the City concerning land use, development regulations, and official maps.”

Mr. Bishop highlighted and read Section 1135.19, Amendments to Text, which states that the Planning Commission and City Council should consider the following items when formulating its decisions when amending the text of the Development Code, which is what ORD. 80-23 is proposing and what guides this Commission in formulating their recommendation tonight:

- (a) Whether such change is consistent with the intent and purposes of this Development Code and other adopted ordinances and policies;*
- (b) Which areas are most likely to be directly affected by such change and in what way they will be affected; and,*
- (c) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas of zoning districts affected or in the city generally, and, if so, the nature of such changed or changing conditions.*

Mr. Bishop read aloud the intent of Office Building Districts contained in 1163.01:

***1163.01 INTENT.***

*The Office Building Districts (OB-1, OB-2) and their regulations are established in order to achieve, among others, the following purposes:*

- (a) To provide sufficient areas, in appropriate and convenient locations, for professional, administrative, and medical offices as well as mixed use development and the exchange of services;*
- (b) To protect adjacent residential neighborhoods by restricting the types of land and non-residential uses, particularly at the common boundaries, which would create congestion, hazards, noise, odors or other objectionable influences; and,*
- (c) To promote the most desirable land use and traffic patterns in accordance with the objectives of the Plan of the City.*

Mr. Bishop then reviewed the history of Office Zoning in the City of Rocky River by reading a memo he prepared and is attached as part of Exhibit “A”.

Mr. Bishop said that the primary purpose of revising this section of the Development Code to expand permitted uses in Office Districts is to create mixed use opportunities as stated in the Master Plan. The existing Office District code was outdated and illogically restrictive. The height consideration was secondary, as the maximum height was already being substantially lowered from 150’.

Mr. Bishop said that it is important to think of mixed use and not office buildings when considering these revisions to Chapter 1163. The City Council recommendation of 70’ height in OB-2 districts does not align with existing OB-1 height of 55’, as it is only an increase of 15’ and it doesn’t differentiate OB-2 from the OB-1 enough. He proposes to amend the ordinance for OB-2 height requirement to 75’ maximum, because the 20’ differential from OB-1 will essentially allow an increase of 2 stories from the OB-1 district. Upon review of City Council’s minutes, there was a lot of back and forth between the members discussing 70’ or 80’, and eventually they settled on 70. Mr. Bishop said that allowing 75’ as the maximum height would

actually be a 50% reduction from what is currently permitted (150'). There are several properties in the City that straddle the 70' height, with some just under 70' and some that are just over 70' in height, which is another reason he is proposing 75' in height.

Mr. Bishop said he further proposes that there be a third district added as OB-3, with a height limitation of 95'. The OB-3 district would not change anything at this time but it would first allow those three 95' properties to be zoned properly at a later date, which would eliminate the creation of 3 non-conforming properties. Under this proposal, all of the current rezoned 150' OB-2 properties would be restricted to a maximum height of 75'. The OB-1 properties would remain restricted to a maximum height of 55'. The OB-3 zoning district would eliminate non-conforming parcels because of the existing 95' tall properties but more importantly, it is a tool that can be used when appropriate, subject to all of the requirements of Planning Commission and City Council. Mr. Bishop said that he would like to hear comments from the other Commission members.

Mr. DeMarco thanked Mr. Bishop for the overview of the history of this zoning and said he wants to point out that it is very important for everyone to understand where we were 20 years ago and where we are now, as well as what is currently under consideration.

Mr. DeMarco read a prepared statement into the record, as follows:

"The subject of Ordinance 80-23, Chapter 1163, is a product of extensive review and discussions had between this Planning Commission, RR City Council and city staff, County Planning, and other community members, about a comprehensive update to the Development Code.

The Master Plan summarizes the feedback from city residents into several vision statements that include:

- Maintaining high-quality, diverse, and universal housing stock
- Commercial vibrancy and engaging public spaces
- Flexible parking solutions and infrastructure improvements
- Community connectivity & engagement

We can achieve all of these visions, but not in a single zoning district. Residential zoning districts are limited by existing construction and vacant parcels; business districts become more flexible but are outdated with regard to parking requirements; service & manufacturing districts offer unique uses but they are becoming obsolete in communities like Rocky River. Mixed Use overlays can start to get us there by allowing alternative uses, but current regulations and ordinances are limiting and never used. In fact, discussions within Planning Commission and County Planning propose to eliminate this district altogether and consolidate the uses & regulations with business or office districts. Updating the OB district regulations made the most sense and offered the most flexibility in terms of uses and development requirements to achieve the visions outlined in the Master Plan. We should look at and consider the new Ordinance as a whole:

- It provides a broader and more current range of uses
- Provides increased flexibility for development while still allowing the city to maintain some control

- Provides the framework for high-quality and cohesive development that the city commands

Specifically, regarding the issue around building height, I still maintain that there is too little difference between the current OB-1 allowable height of 55' and the council-sponsored 70'. That delta equates to a difference of only a single story in height, which may or may not provide developers the room to achieve financial goals on projects they wish to construct. Allowing a slightly taller height – 80' - with the option for Planning Commission to increase that if a well-composed detailed development plan is submitted, will provide a better slate for growth in the city without alienating potential prospects. We have a unique opportunity to affect the future of Rocky River by recommending changes that will continue to attract residents and businesses and maintain the distinction that the city is known for.”

Mr. DeMarco said that his statement was prepared before the Chairman offered his compromise of the OB-2 at 75' and adding an OB-3 district at 95'. He thinks that is a good starting point for discussion after they have heard from all of the Commission members.

Mr. David Allen read his prepared comments into the record, as follows:

“When we see the end of a project, we're seeing how the development code informs decisions (developer, owner, architect, landscape, etc). Developers have multiple economic breakpoints, such as at 4, 7, and 10 stories (informed by material costs, location, etc). Architectural breakpoints occur around 6 floors (called "5 over 1"). Building standards & regulation also inform decisions (i.e., 60 feet is one recognized next level for additional fire suppression, etc.) Office Zoning 1 (OB 1) at 55', while it has some constructability challenges in today's environment (i.e., building materials) generally allows for 4 story Mixed Use AND Office. All that said, 55 ft has served us well to reduce the amount of sacrifices that need to be made in order to get quality projects completed in the city at those heights. 7-story Mixed Use and a 7 story office (the next breakpoint), needs to be at 95 feet (using today's market expectations)...our current 95' office buildings are 8 stories but would not be built in the same way today (example: first floors typically have higher ceilings than floors above). As we review OB2 requirements, the number 70 is stuck in the middle...we've discussed it not being "differentiated from 55 ft"...it's in no-man's land (not enough for an updated 6 story mixed use construction or a 5 story office construction). The only way to get there is to start making dimension sacrifices that lead to long term unsustainability & deteriorating desirability of a project: ceilings for the 1st floor space aren't high enough for a 1st class development, or ceilings in the residential units aren't as high as other premier spaces. So, these decisions that take place now, need to in some way acknowledge the potential outcomes. As it relates to Ordinance 80-23 and amendments to text: First, I believe the context in which we are contemplating these code text updates are based on changing conditions in the city as a whole. This is not the only Zoning District for which we have reviewed text changes (others have been made and others are still on the docket to make) - related to 1135.19 (c).

Second, the intent of these text changes are consistent with the other recommendations contemplated by this commission (both adopted by Council & pending review). That intent is to

create an updated roadmap on which additional planning can take place in the city (examples being Zoning Map updates & code reviews by Cuyahoga County Plan Commission, work that began in 2010 as documented in Chairman Bishop's memo dated November 10<sup>th</sup> and updated for today's meeting). Furthermore, these changes reflect outside recommendations where commissioners have adjusted them for application INTO Rocky River specific conditions (To be clear, I am not aware of any cases where we haven't implemented recommendations AT or with MORE restrictive code than outside recommendations) related to 1135.19 (a).

Lastly, by adopting a change in code from 150' to 70' for OB-2, 2 of the 3 areas currently zoned OB-2 & impacted by this change will have immediately non-conforming buildings (in other words, 2 of the 3 areas that currently have one or more buildings at 95' and our code would indicate a max height of 70'). This would be arresting potential future re-development at this height in areas that CURRENTLY have this height - I would also highlight that these areas are listed in the Master Plan as target areas for re-development. Not to mention, we've received significant public support for modifying the code from 150' to 100'. I've identified this impacted area based on review of 1135.19 (b).

Mr. Allen's Recommendation:

At the end of the day, he is looking to establish the right guideposts for responsible development; where we can keep variances to a minimum, massing/bulking to a minimum; and encourage design techniques to mask height (i.e., stepping) - outcomes all achieved through our partnership with the Architecture Review Board - and reduce the sacrifices that produce less than optimal outcomes. I thought the recommendation produced in our last meeting (80 feet with a % to 100') achieved these goals. What I've heard is a desire to have more than a binary decision; so I'd suggest 3 zoning districts 55', 75' (at the very minimum), and 95'. Short of a PUD (Planned Development) process, this would allow for 1st class execution of the Master Plan, proper development at those heights in applicable zones, have a relationship to an updated set of practical planning & development breakpoints, incrementally control the height (with proper spacing in between floors for first-class development), provide Zoning/Development Code flexibility (like we have in residential), with the intent of limiting sacrifices so that we can see best possible projects for long term sustainability/attractiveness - the benefit to the community being quality of tenants, quality of structures, which lead to increasing quality of services in the city."

Mr. Capka said that they have been working on amending the Code since 2010 in various degrees, which is the idea of change and evolving with where the market is and where the City is. He thinks they have talked a lot about changes and where the best uses. Some of the suggestions made tonight support the idea that we should change as markets change and consistent with the plans that were implemented previously. If a change does happen, it does not mean that it can't be changed again in the future but the point is that this is an ongoing process and must be looked at as such.

Mr. Williams said that he is relatively new to this Commission but in the time that he has been here, he has been very impressed by the breath of knowledge that this Commission brings to all

of the issues that have been on the table during the time he has served. He also would like to echo the comments that were already made about creating flexibility and updating the development code to reflect that, to not only fit modern development needs but also consider comments from the community and from City Council, which are all well documented over many, many meetings. He looks forward to learning what their neighbors have to say and the needs of the development community.

Mr. Bishop made a motion to open the public hearing. Mr. Capka seconded.

5 Ayes – 0 Nays  
Passed

Mr. Bishop clarified that discussion will be limited to this particular Ordinance 80-23, which revises Office District Regulations throughout the entire City and they will not be talking about specific properties to be rezoned or specific projects that may be coming to the City at a later date. He entered into the record the approximately 47 letters received supporting the amendments to 80' height with 100' at the 25% footprint because that is where it was left off prior to this evening. There were about 6 letters opposing the Ordinance as recommended by the Planning Commission.

Mr. Andrew Bemmer, 21191 Erie Rd., came forward to commend this Planning Commission for its willingness to provide some degree of compromise and work with City Council. Council is certainly the electorates representative and they need to have a say in this. He would like to commend Mr. Bishop for his solid overview of the history as he was right next to Mr. Bishop and the Planning Commission throughout whatever the City had been doing in the last 20 years. In his retirement he has followed this because of its potential for additional development in the City to be very positive, because as we know, if we are not moving forward, then we are staying still and more than likely, we are dying. Moving forward is critical to the vibrancy of a community. Mr. Bemmer said he knows all of these Planning Commission members and they are the experts. They work with this in their careers and they dedicate their time to the City. Their expertise is invaluable. While he commends their willingness to work with City Council, Mr. Bemmer said that there comes to be a point that in following this process, it has seemed to be almost getting off the rails with the back and forth of proposals being sent between Planning Commission and City Council, and back because it is not how the Code works. When there is a recommendation, which can come from a developer, City Council or from the Planning Commission, and when it is written as an Ordinance, the matter moves to a public hearing. Once the input from the public is given, then Planning Commission makes its recommendation to City Council and City Council should be very acute to the experts who have the experience of providing that recommendation. That is why the Code provides a super majority to overrule the Planning Commission. What Planning Commission says and does based on their expertise, is something that City Council really needs to take to heart. Unless they have good expert opinion to override it, they should follow Planning Commission's recommendation. That has been his posture throughout the 30 years he did land use law for the City of Rocky River and other cities. At this juncture, he commends the Commission for providing a strong overview of the history

and precedent because it means something. Development going forward means something. He wishes that they continue to make their expert opinions known and clarified if there are any misunderstandings between how the workings of Planning Commission and City Council operate.

Ms. Lisa Havemann, 180 Buckingham Rd., came forward to say she is a Civil Engineer and feels she shares some of this Commission's expertise. She prepared some statements before they came up with the new plan with the OB-3. She suggested creating a mixed-use zoning classification seemed like the most appropriate solution for revising the development code and rezoning parcels. OB-2 did not seem like the appropriate classification for some parcels that will be redeveloped for commercial and residential mixed land use. While office buildings may be desirable land use development in some areas, as evidenced by the two office buildings constructed on Lake Rd., which are not zoned OB-2, she would argue that developers are interested in smaller office buildings rather than tall office buildings that would require the OB-2 zoning height allowance. If an area is proposed for commercial/residential mixed land use, it does not seem like the residential only or office building classification would be the most appropriate zoning for the Ingersoll parcels since an office building is not part of the proposal. This is why a mixed land use classification is more appropriate. She does not think that the current height of 150' or any of the other proposals of 120' or 110' seem appropriate for most of Rocky River. She feels that many of the residents share that feeling, even though they only received 6 letters. She believes that many would believe those heights are too tall for many areas such as Ingersoll or Linda St. She thinks that the 80' height allowance with 25% being allowed to go to 100' in height would provide more design flexibility. However, while the higher height restriction might be appropriate for Center Ridge Rd., it seems a little bit higher for areas like Ingersoll that are in a more residential area. She feels that a new mixed use zoning classification should be created with a lower height restriction for projects that would be commercial/residential mixed land use and those properties should be zoned for that rather than the 110' allowance. When looking at height restrictions, the zoning code should consider whether a property is within a certain radius of residential land use, rather than simply adjacent. Railroad tracks are considered land parcels and therefore, in the area of Ingersoll Dr., the parcels to be rezoned would not be located adjacent to residential parcels since they are separated by Railroad tracks and not restricted in height. She feels a radius is a more appropriate to determine if a property is near residential properties instead of using adjacent parcel criteria. Ms. Havemann continued by saying that she hopes that when development plans come before Planning Commission, they will consider sustainability and traffic issues. She is concerned about what newly paved asphalt and concrete area will have on the sewer infrastructure since there will be less surface area for the rain to infiltrate into the ground. She hopes they consider some green measures, such as rain gardens around the parking lots to allow for some surface water runoff and perhaps they can be encouraged to put solar panels on the rooftops. She is interested in the effects of increased traffic due to the development. She said she wants to clarify that Linda St. is mostly zoned Service Manufacturing and the adjacent parts are Local Business and across the railroad tracks is R-3. That area is not mostly OB-2 as was said earlier in the meeting.

Mr. Bishop said he would like to clarify that Linda St. to the Railroad tracks is OB-2 and that 110' proposed height was the original proposal, which is completely off the table now. Regarding the comment about using a radius, if the parcels were properly zoned with consideration of residential locations, then each parcel would be zoned appropriately to what it relates to, based on what surrounds it. Even when looking at intent, what is adjacent when something is rezoned, is taking into great consideration. This is also how we get away from spot zoning. Mr. Bishop said that they are actually trying to create a mixed-use district within Office Districts because those are the logical places to create mixed use. They would not be in favor of creating mixed use development in a multi-family district because it is strictly residential. They are looking at repurposing commercial property that just happens to be called Office Building district right now, but they could easily call it a mixed-use district. He said the real intent here was to create additional permitted uses in Office Building zoning districts because they were very limited. They are trying to create a mixed-use district.

Mr. Bishop said that there was a comment about what residents would not like to see. However, they have had 150' maximum permitted height in the City way before the 1950's and he wants it to be clear because some places like on Facebook have comments saying the Planning Commission is trying to raise height. He prefers that people keep their finger on the truth.

Ms. Jody Wolf, 22827 Lake Rd., came forward and said she moved here from the east side in June and she did a lot of research. She was very excited to move to Rocky River and she chose it for its charm and the feel of the community. She is concerned when she hears about the location of some of the taller buildings. She said that if Rocky River ends up like the pink hotel area with a bunch of Westlake hotels, she does not think people will want to move here and she would not have moved here if that was the case either. She hopes they will preserve the vibe of Rocky River. She is all for development but wants to keep it what it is now.

Ms. Ann Krueger, 20728 Beachcliff Blvd., came forward to say that she hopes that part of the mixed-use development would be to allow a pickleball court. She referenced the The Blue Zone, which is a Netflix documentary with Dan Buettner. He has gone to these different countries and has studied the people who live to 100 years old. They talked about the fact that cars are so expensive in Singapore and people cannot afford them. This forces them to walk everywhere, which they say is one of the reasons why people are living longer. She said they play pickleball and it keeps them young. Mr. Bishop responded that they may be able to fit the pickleball use into recreation and health club uses and the Planning Commission would have to consider whether it is a similar use to those things. He thinks it could probably happen.

Mr. Tim McDonough, 19957 Frazier Dr., came forward and thanked the Commission for making accessible what he feels is a very technical set of circumstances. The quality of Rocky River is about the quality of the Community and the quality of the Community is defined by the residents. He appreciates the mixed-use ideas and that as planners, the Commission is driven toward more economic orientation. Where he was raised, you lived in the suburbs, you worked downtown and you went home. That is what he does now, and he would like to strongly encourage them to try to think about how we can maintain that within the personality of what

Rocky River is, with the intent that there is plenty of sky views, green grass and trees, just like what drew him here so many years ago.

Mr. Greg Atwell, 536 Beachcliff Row Dr., came forward and said he thinks it is important for the Planning Commission to take what Council says to represent what the people say because the people elect Council to represent them. He thinks that the Planning Commission should listen to those views. If Planning Commission's views don't coincide with what City Council thinks is right, then they need to present their views to the community so that the people can then inform their City Council that they think the Planning Commission is right and this is what we would like to do. However, as it stands now and after attending a couple of meetings for office buildings that are going up, it doesn't seem like the Planning Commission cares as much about the residents as they do about the builders.

A member of the audience asked if she can stand up and ask a question. She stated her understanding of what they are doing and asked about OB-3. Mr. Bishop responded that if any applicant came and proposed to rezone a parcel to OB-3, it would have to go through Planning and City Council just the way any rezoning request happens. He said he is proposing an OB-3 district to protect those 3 existing buildings so they are not non-conforming, which can lead to other problems like financing issues. He is proposing that OB-3 align with those 3 properties and be available to go through the process of rezoning if someone requests it. He said that all OB districts would have the same permitted uses. Mr. Bishop continued by saying that their goal is to reduce the amount of variance requests and suggested that sometimes there are trade-offs for variance requests, such as good design, increased landscaping, etc. Mr. Bishop invited the audience member to come to the podium. Her name is Aileen Fitzgerald and is a resident of Rocky River. Mr. Bishop confirmed that anybody who came and requested to have a property zoned OB-3, would have to go through the same process of rezoning that is outlined in the Code. Ms. Fitzgerald said that she now understands that OB-3 is not in existence yet but as Mr. Bishop is explaining it, other people can apply for that zoning.

Mr. Randy Clifford, 651 South Kensington Dr., came forward to ask the Planning Commission to put themselves in the audience's position and how they would feel if they looked out the back window and where they normally see trees in the sky, they now see a big building. He does not want to see that. He does not want to face huge amounts of traffic that weren't there before, no matter where it is in the City. He does not want to see the character of the City become big buildings and where there was once 30' buildings, there are now 80' tall buildings. He is not in favor of that big change. Mr. Bishop acknowledged Mr. Clifford's comments and urged Mr. Clifford to come back and comment if the time comes that there is a tall building being proposed to be located behind him.

Mr. Jim Moran, 2676 Country Club Blvd., came forward and said that his interpretation of the message is that there normally may not be this many people at a Planning meeting or at a City Council meeting. Speaking as a past City Council member, there is a lot of respect for what this Commission does. He said that the people are here tonight because they have concern for a specific situation that could envelope part of what this Commission is talking about. There are



many things that they now have to consider that they didn't have to back in 2010 when they were thinking about the Master Plan. He said that there is some communication they need to have with some specifics and the message is that we must make sure that we get it right. There is no way that a resident understands all of the Codes. He said that they want to be sure that this group works very closely with City Council to make sure they get it right.

Mr. Bishop said that City Council has recommended 70' and he is proposing 75'. The easy job for this Planning Commission would be to just go with 70' and let developers apply for a 5' variance. However, they do want to get it right and they do want to reduce variances, which is the point of pushing it a little extra so it kind of falls into place with construction of floor to floor levels and to have more design flexibility within the top layer. He said that 5' is minimal, especially if the setback is pushed back a little more. He said that the intent goes right to protecting residential properties. Mr. Moran said that 20% is nothing when they are talking about a generator and how close it is to a property, which equates to 2'. But 20% on top of 70' or 80' to get to 100' is a very large difference. He said that the message is that 5' or 10' when finding some specifics with OB-1, 2 and 3, has some great merit because things are different today. Things that are grandfathered like those couple of buildings in Rocky River are not going to happen today. To have those things more specific would make this Planning Commission, City Council and the residents of Rocky River extremely happy.

Law Director O'Shea said that he wants to assure anybody who took the time to come here tonight to know there will be a time in the future where they can talk about a project. Further, he said they are in the process of updating our Code so that in addition to the traditional way they notify the public about these types of meetings and these issues, they can hear it other ways, such as using Ready Notify system so folks can get regular updates. He offered the audience a copy of Chapter 1135 of the Code, which outlines the rezoning procedure.

For clarification, Mr. Bishop explained that all OB-2 properties would remain OB-2. All OB-1 properties would remain OB-1. There would be no OB-3 properties on the colored map at all, but because of the existing non-conforming buildings, it is appropriate to rezone them to make them conform. These would be the three 95' tall buildings that he talked about. All rezonings require a public hearing here at Planning Commission and at City Council. All projects require a public hearing at Planning Commission.

Mr. and Mrs. Ken and Mitzi Long, 618 South Falmouth Dr., came forward with a concern about the affects of zoning on the infrastructure, specifically the sewers. He explained that when heavy rain happened last year, a manhole cover blew off on Smith Court and part of the sidewalk under the railroad tracks was pushed up and had to be replaced and multiple properties on South Falmouth Dr. had basement flooding, along with the street in front of Lake Road Market. Mr. Bishop said that he does not mean to be disrespectful, but they are talking only about the zoning text for Office Building zoning districts. Sewers are not considered by Planning Commission because the City Engineer is charged with reviewing and approving the private developer's engineering. Planning Commission does not receive reports from the City Engineer because this Commission is the first step before permits are issued. Approval of plans by the City Engineer

and the Building Department all happen following approvals from Planning Commission. Mr. Bishop said that it is the applicant's requirement to demonstrate to the City Engineer that they are not creating any addition strain on the infrastructure. Ms. Long said that nobody ever addresses what is underground, but they have to live with it. The Longs agree that OB-2 would be better if it were at a lower height because of these issues. Law Director O'Shea encouraged Mr. and Mrs. Long to contact the appropriate Council people because there is a method of communication for these types of issues.

Ms. Joanne Riordan, 538 Beachcliff Row, came forward and asked how often the maps get updated. Mr. Bishop said that the real official map is 2010 with the addition of any zoning changes made thereafter. However, the map has not been formally adopted since 2010. Mrs. Riordan asked if the zonings have anything to do with parcel size. Mr. Bishop said that the Code has specific parking, setback, and lot coverage requirements that essentially control how much of the parcel can be developed. The bigger the project, the more parking that will be required. It is a challenge to a developer financially, and it has to work for the City because it has to fit into the requirements of the Development Code. Mr. Bishop said that when there is a small parcel, the setbacks and other requirements become more and more restrictive and have a direct influence on the size and height of a building. It would be required to be smaller and shorter because of the restrictions. He added that many times, an applicant doesn't even propose the maximum height they are permitted.

Mr. Rob Jurs, 20816 Beaconsfield Blvd., came forward and said that the 75' height they are proposing is roughly double the size of the Roundstone and Kennedy buildings. He said that 75' means residents of the top 3 or 4 floors will get to see the Lake. But 75' is tall for Rocky River and if all they will be doing is putting rental homes or expensive condominiums in the top 3 or 4 floors, they have not achieved anything. They will have ruined the character of Rocky River.

Mr. Bishop asked if any of the City Council members want to add anything. Mrs. Gallagher thanked people for coming and she loves the engagement, even if there is misinformation. She is not on Facebook, but she is sure there is a lot of misinformation. However, at least it is information and it got people here tonight. Council Member Christina Morris urged everyone to sign up for Ready Notify and to tell their friends to sign up also. She thanked everyone for coming.

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

5 Ayes – 0 Nays  
Passed

Mr. Bishop said that they have the option to accept City Council's recommendation of 70'. However, his personal opinion is that it is not necessarily the best thing to do for the City in the long run. A lot of buildings exist that are right at that 70' height or thereabouts, plus there are 3

buildings at 95' in height. It would not be right to create non-conforming structures for many reasons, including that it can be problematic for financing when a property is non-conforming.

Mr. DeMarco asked Law Director O'Shea if it would be some sort of illegality if they knowingly create a non-conforming use. Mr. O'Shea said that it would not be illegal because people who are already non-conforming are grandfathered, and we can't take away what they already have.

Law Director O'Shea said that Chapter 1135.19 has the 3 factors that Planning Commission and then City Council are required to consider when formulating their recommendation or decision. The minutes should reflect that they considered the factors in reaching their recommendation. Mr. Bishop said that they have already considered all of the factors regarding this Ordinance and they are really down to recommending 70' or 75' in height. Mr. Allen said that he feels he addressed all of the factors in his prepared comments. He said that he thinks that 55' has served the City well. He thinks that 95' is essential for the redevelopment of the spaces in the Master Plan and, from a development perspective, to get quality tenants, quality projects and quality services out of a building at a particular height. He said that 70' is not the number, but 75' is the number based on current requirements in the marketplace, considering first floors and additional floors on top. That number will produce quality projects, wherever it is located in the City. He added that 55', 75' and 95' heights provide the flexibility from a proper development standpoint to make sure those projects, wherever they are, are the absolute best thing for the City that we can get in those spaces. He is trying to avoid haphazard development and inconsistent spaces across the zoning districts.

Mr. DeMarco agrees with Mr. Allen's comments that 70' is not the correct number, which is why they proposed what they did originally. He said there is more logic behind the 55', 75' and 95' guidelines from a development standpoint. His one concern is how we prevent slab development at something like 95', but that is incumbent on this Commission to do but other district regulations have other methods, such as design standards, to accommodate some of those things. A detailed development plan review can ensure that does not happen and he asked if there is any concern around that. Mr. Bishop said he points to "intent" because they are charged with protecting residential regarding height. Traffic studies speak for themselves in telling whether something will work or not. Mr. Bishop and Mr. DeMarco agree that if they decide upon 55', 75' and 95', then they should stick to those numbers. Mr. Capka added that this is the time to address the shortcomings in the Code.

Mr. DeMarco moved to recommend Ordinance 80-23 back to City Council for amending sections of Chapter 1163, subject to the creation of 3 proposed Office Building Districts labeled OB-1, OB-2 and OB-3, with height requirements of 55', 75' and 95' respectively. Mr. Allen seconded.

5 Ayes – 0 Nays  
Passed

4. **ELECTION OF OFFICERS FOR 2024** – Mr. Allen nominated Bill Bishop to be Chairman of the Planning Commission for the year 2024. Mr. Capka seconded.

5 Ayes – 0 Nays  
Passed

Mr. Allen nominated Michael DeMarco to be Vice-Chairman of the Planning Commission for the year 2024. Mr. Capka seconded.

5 Ayes – 0 Nays  
Passed

The meeting adjourned at 8:15 pm.

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William Bishop, Chairman

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Michael DeMarco, Vice-Chairman

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



EXHIBIT "A"



# ROCKY RIVER

## MASTER PLAN

ADOPTED ON JULY 23, 2018

**City of Rocky River**  
Pamela E. Bobst, *Mayor*  
21012 Hilliard Boulevard  
Rocky River, Ohio 44116



## SECTION 1



# INTRODUCTION

Welcome to the Rocky River Master Plan. This document outlines the path for growth and change in Rocky River over the next decade. The Master Plan lays out current conditions, community input, policies to undertake, and potential partners for action. It was completed over the course of a year and included input from hundreds of residents and business owners.

### HOW DO I USE IT?

The Introduction section is an overview of the Master Plan process and the City. Use it to understand previous studies and plans and how they fit into the current Master Plan.

### WHAT'S IN THIS SECTION?

The Introduction section outlines the history of Rocky River, a summary of the planning process, the planning documents that were completed prior to this Master Plan, and context maps.



# WHAT IS A MASTER PLAN

## WHAT IS A MASTER PLAN

A Master Plan is a policy guide created by the City of Rocky River in collaboration with residents, business owners, stakeholders, and interested groups. It is a long-term plan for how the community wants to grow and develop in the future, and it is intended to look five to ten years out.

Generally, a Master Plan inventories what exists today, outlines a community's vision for the future, and describes concrete action steps to achieve that vision. Developing a plan provides the community an opportunity to give input on the general direction of the City. It prepares residents and business owners for changes, shapes future development, and gives a competitive advantage when applying for grants and funding.

Residents are encouraged to use the Master Plan to see what changes may occur in their neighborhoods and assist implementation by developing community groups or volunteer organizations to support it. Business owners are encouraged to use the Master Plan to find where the City is focusing business expansion efforts, and to see what land may be available. The City is encouraged to use the Master Plan when deciding what infrastructure investments to make, or what grants to apply for. These are substantive ways that members of the community can use the Master Plan to guide their decisions.

## MASTER PLAN AND ZONING

The Master Plan is particularly related to land development because it provides a guide for how the community would like to see new uses arranged and developed. While the Master Plan describes potential land use changes, it does not alter any zoning or regulations. Existing zoning remains the same until the City or a property owner seeks to change zoning through a rezoning or an update to existing City codes.

The graphic below showcases some of the key features that differentiate Master Plans from Zoning Ordinances.

### MASTER PLAN

- A GENERAL POLICY FOR FUTURE GROWTH
- DESCRIBES RECOMMENDATIONS FOR WHAT SHOULD HAPPEN IN THE FUTURE
- INCLUDES BROAD RECOMMENDATIONS THAT CAN BE UNDERTAKEN BY THE CITY, RESIDENTS, OR PARTNERS
- A FLEXIBLE DOCUMENT THAT IS INTENDED TO BE INTERPRETED AS CONDITIONS CHANGE

VS

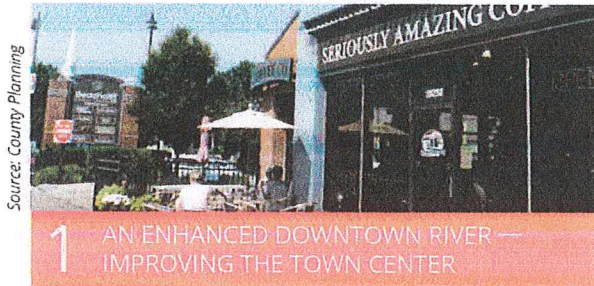
### ZONING ORDINANCE

- SPECIFIC RULES FOR DEVELOPMENT
- DESCRIBES WHAT IS AND WHAT IS NOT ALLOWED TODAY
- INCLUDES MANDATORY REGULATIONS ON DEVELOPMENT THAT ARE ENFORCED BY THE CITY UNLESS SPECIFICALLY WAIVED
- RELATIVELY RIGID SET OF REGULATIONS THAT CAN ONLY BE CHANGED BY A LEGAL PROCESS



# VISION STATEMENTS

As part of the 2017 Rocky River Master Plan, residents were asked for their feedback on vision statements from the previous Master Plan. With public input, these vision statements were revised to reflect current issues and changing features in the City. The updated statements below underscore issues of importance and the values that are essential to River residents.



Source: County Planning

## 1 AN ENHANCED DOWNTOWN RIVER — IMPROVING THE TOWN CENTER

Rocky River has a thriving town center in Downtown River. This vision is for an expansion of Downtown's vibrancy through new residential, office, and retail uses that enhance a strong, walkable town center.



Source: County Planning

## 2 QUALITY HOUSING — MAINTAINING HIGH RESIDENTIAL STANDARDS

Homes in Rocky River are attractive and well-maintained. This vision is for continuing those standards by encouraging home upkeep and maintenance to ensure neighborhoods remain strong long into the future.



Source: Montgomery County Planning Commission

## 3 HOUSING DIVERSITY — ACCOMMODATING A BROAD RANGE OF LIFESTYLES

Housing diversity means having a range of housing types such as traditional single-family homes, accessible housing options, townhouses, or condominiums. This vision is for maintaining a diversity of housing styles so all people— young professionals, seniors, large families—can find the type of housing they desire in River.



Source: County Planning

## 4 COMMERCIAL VIBRANCY — REINVESTING IN BUSINESS DISTRICTS

Outside of the City's Downtown, other business districts range from new shopping centers to older commercial stretches. This vision is for the upkeep and reinvestment of commercial shopping districts to foster vibrant areas and economic activity.



## Goal 8

# UPDATE CODES TO ALLOW WALKABLE COMMERCIAL AND MULTI-FAMILY PROJECTS

The City of Rocky River undertook a re-write of its development code following the previous Master Plan. The updates to the code provided a strong foundation for walkable development in Downtown Rocky River; however, outside of Downtown, the current regulations do not match the desired forms of development identified by residents during the current Master Plan process.

To better facilitate development and to streamline the process for walkable projects, the City should update its zoning code to codify walkability, improve the look and feel of the City, and enhance the pedestrian experience. This should include updates to both business district and multi-family regulations.

Generally, modern development standards for mixed-use and walkable development cover the following issues:

- Maximum front and side setbacks
- Lower parking requirements
- Parking in the rear or side of buildings
- Facade design and articulation
- Minimum area, size, and placement of windows
- Pedestrian entrances
- Design standards and materials
- Minimum building heights
- "Active" first-floor uses, such as retail

Modern zoning codes should be simple, streamlined, and graphically easy to understand.

### ACTIONS:

- A. Expand the range of the Central Business District Overlay, reduce the required minimums for the City's Mixed-Use Overlay District, or update the development standards of existing Business Districts to codify more walkable development standards in commercial areas outside of Downtown River
- B. Update the City's zoning, setback, and overlay maps to reflect updated development standards
- C. Evaluate and consider required parking minimums to make mixed-use development more feasible
- D. Consider incentivizing mixed-use development through regulatory flexibility
- E. Develop design standards for Center Ridge Road in conjunction with the City of Fairview Park to ensure consistent development and sign regulation along the corridor
- F. Update multi-family district regulations to require stricter design guidelines while easing setback and lot coverage standards
- G. Allow well-designed, denser development along major roads and at major intersections

## Goal 10

# SUPPORT THE GROWING SENIOR POPULATION WITH HOUSING, AMENITIES, AND SERVICES

Seniors already represent nearly a quarter of the population in Rocky River and in just the five years from 2009-2014, the number of senior residents increased by 21%. This trend, which is expected to continue, will require new housing for the rapidly expanding population.

The City is already preparing for the growth in senior residents with its nationally accredited senior center and numerous senior living facilities. These efforts are important to continue in order to service the existing and future population.

Other strategies should also be undertaken to address growing needs. Among them, many seniors prefer to stay in their own home as they grow older. Homes can be retrofitted or constructed to allow first-floor master suites, accessible entrances, or easy-entry handles. The City should research and discuss the development code provisions and best practices, both regionally and nationally, that specify the features that should be included in a universally designed home and determine if the adoption of such code provisions would be beneficial. In addition, new senior housing should be supported when appropriately placed throughout the City.

Beyond housing, seniors are increasingly seeking places with amenities and services for them. These amenities can include events, parks, and accessible parking. The City should continue to expand these amenities and services to support seniors.

### ACTIONS:

- A. *Research, develop, and consider adoption of a universal design guidebook that outlines features such as first-floor master suites, accessible entrances, accessible bathrooms, or easy-entry handles*
- B. *Work with local and state agencies that provide energy assistance programs such as weatherization, electric conservation, or water repair and conservation issues in order to assist low-income seniors in remaining in their homes longer*
- C. *Support the development and redevelopment of senior housing facilities, where appropriate*
- D. *Identify existing accessible housing, one-story homes, and homes with first-floor bathrooms and master bedrooms; and advertise the list to seniors seeking to age in place*
- E. *Consider subsidies or incentives for modifying existing homes to include universal design features (such as those shown on the following page)*
- F. *Consider zoning policies for accessible Accessory Dwelling Units (ADUs) that could include cottage housing, multigeneration homes, co-housing, or other residential types*
- G. *Add additional accessible parking in Downtown River*
- H. *Continue hosting events and providing the amenities needed to support the senior population*



## Core Project 6

# REIMAGINING MARION RAMP & ALLEN COURT: DEVELOPMENT OPTIONS

At its construction in the 1960s, the Marion Ramp was an important connector to Downtown Rocky River. Due to Interstate 90's construction, the Marion Ramp is now a secondary access point.

Traffic studies in recent years have shown that traffic flow along the Marion Ramp has significantly declined and the road is operating below its capacity. As the Marion Ramp ages, options have been identified for the future: repair the existing structure, or remove the ramps and distribute traffic on existing streets. Those options are described below. Any final decision on the repair or removal of the ramp should include updated traffic, infrastructure, and cost studies.

### OPTION 1: REPAIR THE RAMP

The Marion Ramp is nearing the end of its useful life and must be repaired and eventually replaced. According to the 2015 Marion Ramp Feasibility Study, major repairs will need to be completed by the year 2020 with a total superstructure and deck replacement by the year 2035. The cost to repair the ramp was estimated at \$400,000, and the total replacement was estimated to cost \$1,500,000.

### OPTION 2: REMOVE THE RAMP AND DISTRIBUTE TRAFFIC

Removal of the Marion Ramp would include removal of the main bridge section between Detroit Road and Lake Road as well as the northern slip road running parallel to Clifton. The cost to remove the ramp and add a new road from Lake to Wooster to access Downtown River would cost \$1,000,000.

While the removal of the ramp is likely to cost less than a complete reconstruction, residents noted concerns related to the ramp's removal. Residents were especially concerned that traffic on Linda Street and surrounding streets in the Downtown River area would increase if the Marion Ramp were to be removed. The 2015 study, however, found that the Marion Ramp is only used by a few cars each day—less than some residential streets in Rocky River. The study showed that even if every

car that presently uses the Marion Ramp took Linda Street instead, Linda Street would still be able to handle the additional traffic while flowing smoothly. Other concerns include potential traffic back-ups on Linda if trains block the crossing.

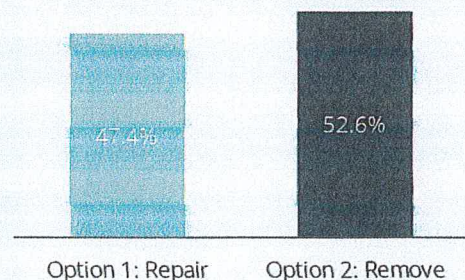
While traffic and train stacking concerns must be handled, the removal of the ramp also provides new opportunities. Land remaining after the ramp's removal could only be used for a public purpose, such as open space on Detroit Road for additional parking and park space for Downtown River. This new space could catalyze redevelopment along Allen Court.

The removal would also create the opportunity for parking areas, new bikeways to reach Downtown, a new gateway into Rocky River, a public plaza, and areas to capture stormwater to reduce flooding.

## ? WHICH OPTION DO RESIDENTS PREFER

At the third Public Meeting and in a follow-up online survey, residents were presented with information on the costs and benefits of the two Marion Ramp options. This information was based on traffic studies and costs analyses completed previously.

A slight majority of residents said they preferred Option 2, removing the ramp.





## Core Project 8

# LINDA STREET DISTRICT DEVELOPMENT

Linda Street has become an entertainment district thanks to its assortment of restaurants, small shops, and quaint outdoor areas. With this success, however, has come parking issues and a mismatched cluster of industrial and commercial uses.

### A PEDESTRIAN PROMENADE

The increase in vehicular and pedestrian traffic along Linda has made this narrow street dangerous and uncomfortable. At only 40 feet wide, pedestrians and vehicles share a limited amount of space, with no barrier between the sidewalk and cars.

Most of the corridor's buildings are set behind a driveway and parking. The streetscape on page 93 shows how existing drive and parking aisles could be shifted directly onto Linda Street, leaving space for a pedestrian promenade with trees, decorative lighting, outdoor seating, and spaces for pop-up markets. The proposed streetscape could be phased in over time, maintain the number of parking spaces, and dramatically improve the pedestrian experience.

As shown in the example below, the Old Detroit Road streetscape shows how parallel parking directly on the street can yield a pleasant sidewalk experience.



**Pedestrian Promenade**

Old River showcases how diagonal parking, lighting, and landscaping can yield an intimate environment and attract development.

Source: City of Rocky River

### A VIBRANT PUBLIC SPACE

The Antique Row parking lot is uniquely situated at the center of numerous businesses. Its location feels secluded and special because of the surrounding buildings and facing retail. It also provides the opportunity to use the space for a public purpose.

Many communities have reimagined parking areas to provide spaces for both parking when it warrants and public space when it is allowed. By adding lighting and trees, this area could be used for small craft festivals or farmers markets. If successful, parking could be accommodated in new lots along Allen Court, and new access points into the public space could be added via Allen Court, allowing pedestrians to park and enter the area.

### REDEVELOPMENT POTENTIAL

With improved infrastructure and public spaces, new development should be encouraged along Linda Street. Older industrial buildings—especially close to the intersection of Ingersoll and Linda—have the potential for redevelopment that could extend the walkable business district and add to its vibrancy.



**Parking as Public Space**

Parking at the center of Las Ramblas in Lancaster, CA shows how public activities can take place during certain hours while parking can be maintained at other times.

Source: John Sanphillippo, [www.granalashotgun.com](http://www.granalashotgun.com)



## Core Project 9

# CENTER RIDGE ROAD EAST WALKABLE DEVELOPMENT

Improvements to Center Ridge Road were the highest priority to residents from the Community Survey and at the Public Meeting. Mismatched buildings, too many curb cuts, and a street lacking in aesthetic appeal all contributed to the distaste for Center Ridge. The proposed improvements in this concept shows how Center Ridge could transition to a more walkable and attractive form of development consistent with the desires of residents.

### TLCI IMPROVEMENTS

The City of Rocky River and the City of Fairview Park completed a Center Ridge Road TLCI study that identified transportation improvements to make Center Ridge safer and more attractive for all modes of travel. The recommendations included street trees, reduced curb cuts, center medians, and gateway entrances among other improvements. By undertaking these changes, Center Ridge will be positioned as a more attractive corridor.

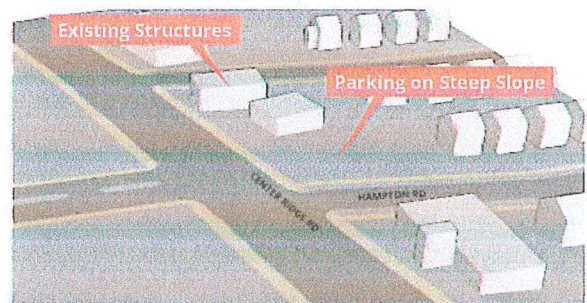
### WALKABILITY IMPROVEMENTS

At the eastern end of the corridor, shallow parcels and older developments provide the clearest area in which to see transformation. With connections to neighborhoods via north-south streets, potential connections to the Metroparks, and ongoing development, this area could become more walkable.

### LONG-TERM VISION

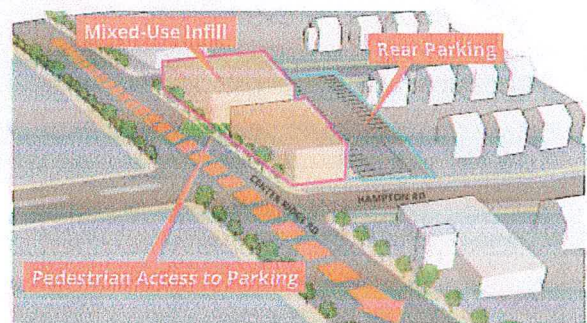
With transportation improvements and regulations for walkable development, the following series of images display a long-term vision for the eastern edge of the corridor. Building upon existing setbacks on the south side of the street, this vision shows how a one-way slip road could free up room for a more robust pedestrian walkway along the fronts of buildings. New infill development could strengthen this walkable spine.

After building an initial walkway, additional development could start to expand from there. Redevelopment of the former Target could yield



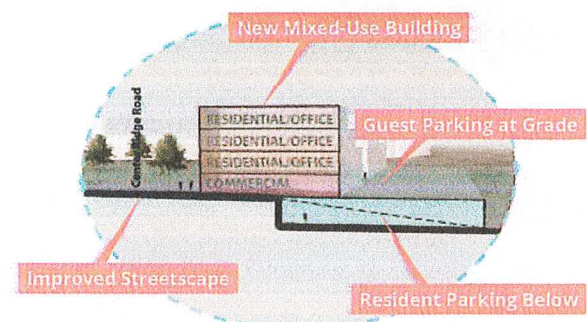
**Current North-Side Building Placement**

Because of the steep drop in elevation on parcels north of Center Ridge Road, current buildings must building parking to the side or force customers to walk up steep hills.



**Proposed North-Side Redevelopment**

The elevation change could make two-story parking possible, allowing mixed-use buildings with underground residential parking and street-level customer parking.

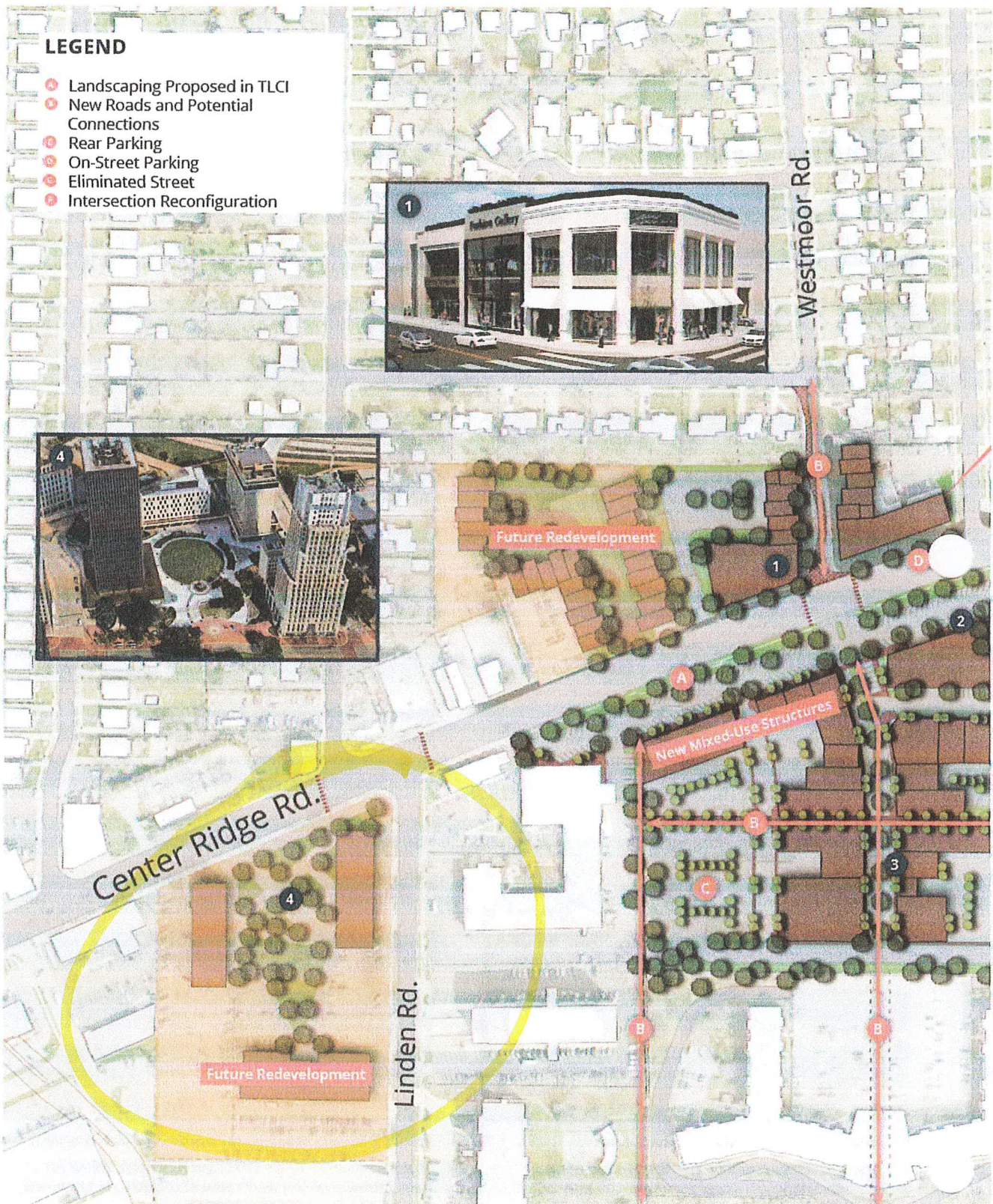


**Proposed North-Side Parking Section**

This section shows how the existing grading could be used to construct at-grade parking for businesses and below-grade parking for residents or commercial tenants.
















## CENTER RIDGE ROAD FULL STREETScape AND DEVELOPMENT





## CITYWIDE

Goals & Actions	Projected Timeline	Responsible Parties & Partners	Est. Cost	Status/ Date Complete
<b>Goal 8:</b> Update codes to allow walkable commercial and multi-family projects Priority Level: ★★★				
A. Expand the range of the Central Business District Overlay, reduce the required minimums for the City's Mixed-Use Overlay District, or update the development standards of existing Business Districts to codify more walkable development standards in commercial areas outside of Downtown River	1-2 Yrs	 - B L 	Medium	
B. Update the City's zoning, setback, and overlay maps to reflect updated development standards	1-2 Yrs	 - B L 	Low	
C. Reduce required parking minimums to make mixed-use development more feasible	1-2 Yrs	 - B L 	Low	
D. Consider incentivizing mixed-use development through regulatory flexibility	1-2 Yrs	 - B F L 	Low	
E. Develop design standards for Center Ridge Road in conjunction with the City of Fairview Park to ensure consistent development and sign regulation along the corridor	2-3 Yrs	 - B L S 	Low	
F. Update multi-family district regulations to require stricter design guidelines while easing setback and lot coverage standards	1-2 Yrs	 - B L 	Low	
G. Allow well-designed, denser development along major roads and at major intersections	Ongoing	 - B L	Low	



(b) Powers and Duties. The Planning Commission shall be responsible for the long range planning of the City so as to insure its orderly and harmonious development. The Commission shall act as the platting commissioners of the City, and as such shall provide regulations with respect to the platting of lands within the City so as to secure their harmonious development, provide for the coordination of streets and other public ways with the comprehensive plan and provide for open spaces for traffic, access for fire fighting apparatus, recreation, light and air, and for the avoidance of congestion of population. It shall make such regulations as it deems necessary as to the manner in which streets and other ways shall be graded and improved and the manner in which and the extent to which water, sewer and other utility mains, piping or other facilities shall be installed, and in addition may establish any other condition precedent to the approval of a proposed plat.

The Commission shall make plans and maps of the whole or any portion of the City and of any land outside the City which, in the opinion of the Commission, bears a relation to the planning of the City, and make changes in, additions to, and estimates of such plans or maps when it deems the same advisable. A comprehensive general plan to be known as the master plan shall be prepared. It shall provide for the overall development of the entire City. This master plan shall be reviewed periodically and revised as necessary giving due consideration to those areas requiring redevelopment or urban renewal. Consistent with the master plan it may prepare a mapped streets plan together with necessary maps or plats showing the surveyed lines of all proposed improvements. It shall have such powers as may be conferred upon it by ordinance of the Council concerning the plan, design, location, removal, relocation and alteration of any public building or structure or those located on public streets or property, the location, relocation, widening, extension and vacation of streets, parkways, playgrounds and other public places, the zoning and rezoning of the City for any lawful purpose, and such other powers as may now or hereafter be conferred upon it by ordinance of the Council or by the general laws of the State of Ohio to the extent not inconsistent with this Charter or such ordinances.

The Commission shall review the comprehensive plan periodically and shall refer to Council with its recommendations any revisions or amendments thereto. No comprehensive plan or portions thereof or amendments thereto, shall be adopted by Council until after a public hearing thereon. The comprehensive plan shall serve as a guide to all future actions of the City concerning land use, development regulations, and official maps. At least every five (5) years the Commission shall review the subdivision regulations and zoning ordinances, texts, maps and recommend such revisions and amendments as in its judgment are desirable.

The Commission shall recommend to the appropriate public authorities and private agencies such programs it deems desirable for the development and improvement of the City. It shall refer to Council with its recommendations any application for a building permit which involves infringement upon the mapped streets plan. Subject to the approval of Council and the availability of funds therefor, the Commission may recommend entering into agreements with the appropriate governmental or private agencies and the employment of consultants necessary or desirable for carrying forward any of its powers and duties. It may recommend appointment of advisory subcommittees composed of private citizens for a limited tenure to work with the Commission for the support and promotion of public projects or civic objectives.

All plans, recommendations and regulations made by the Commission pursuant to this division (b) shall be submitted to Council for adoption before the same shall become effective for any purpose. The Commission shall have such other duties and powers as may from time to time be conferred upon it by ordinance of Council or by the general laws of the State of Ohio to the extent not inconsistent with this Charter or such ordinances.



**1135.17 RESUBMITTAL OF PROPOSED AMENDMENT.**

An application for an amendment to the Zoning Map which has not been approved by Council shall not be resubmitted for a period of one (1) year from the date of disapproval. An application which affects all or part of the same property may, however, be resubmitted within the foregoing limitation if it is substantially different from the one disapproved.

**1135.19 AMENDMENTS TO TEXT.**

When a proposed amendment would result in a change in the text of this Development Code but would not result in a change of zoning classification of any property on the Zoning Map, the Planning Commission and the City Council shall consider the following items when formulating its decisions:

- (a) Whether such change is consistent with the intent and purposes of this Development Code and other adopted ordinances and policies;
- (b) Which areas are most likely to be directly affected by such change and in what way they will be affected; and,
- (c) Whether the proposed amendment is made necessary because of changed or changing conditions in the areas of zoning districts affected or in the city generally, and, if so, the nature of such changed or changing conditions.

**1135.21 AMENDMENTS TO CHANGE ZONING DISTRICTS OR ZONING CLASSIFICATIONS OF PROPERTIES.**

When a proposed amendment would result in a change of zoning classification for any property, the Planning Commission and the City Council should consider:

- (a) Whether the change in classification would be consistent with the Master Plan of the City or other adopted plans and policies;
- (b) Whether the change in classification would be consistent with the intent and purposes of this Development Code;
- (c) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions;
- (d) Whether the uses that would be permitted on the property, if it were reclassified, would be compatible with the uses permitted on other property in the immediate vicinity;
- (e) Whether the uses that would be permitted on the property, if it were reclassified, would have an adverse environmental or health impact on the immediate surrounding area in terms of acceptable air, noise, light, or water quality standards;
- (f) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property, if it were reclassified;
- (g) Whether the amount of vacant land with the same zoning classification as proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, if any, that make a substantial part of such vacant land unavailable for development; and,
- (h) Whether the proposed amendment would correct an error in the application of this Development Code as applied to the subject property.

## CHAPTER 1163

### Office Building District Regulations

1163.01	Intent.	1163.11	Off-street parking regulations.
1163.03	Use regulations.	1163.13	Accessory use regulations.
1163.05	Lot regulations.	1163.15	Landscaping and screening regulations.
1163.07	Setback requirements.	1163.17	Performance standards.
1163.09	Height requirements.	1163.19	Development plan review.

#### 1163.01 INTENT.

The Office Building Districts (OB-1, OB-2) and their regulations are established in order to achieve, among others, the following purposes:

- (a) To provide sufficient areas, in appropriate and convenient locations, for professional, administrative, and medical offices as well as mixed use development and the exchange of services;
- (b) To protect adjacent residential neighborhoods by restricting the types of land and non-residential uses, particularly at the common boundaries, which would create congestion, hazards, noise, odors or other objectionable influences; and,
- (c) To promote the most desirable land use and traffic patterns in accordance with the objectives of the Plan of the City.

#### 1163.03 USE REGULATIONS.

(a) Uses Permitted By Right. A use listed in Schedule 1163.03 shall be permitted by right as a principal use in a district when denoted by the letter "P" provided that all requirements of other city ordinances and this Development Code have been met;

(b) Conditional Uses. A use listed in Schedule 1163.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Planning Commission first makes the determination that the requirements of Chapter 1183 have been met, according to the procedures set forth in Chapter 1131, Conditional Use Certificates;

(c) Accessory Uses. An accessory use that is clearly incidental and subordinate to a use listed in Schedule 1163.03 shall be permitted provided that the requirements of all other City ordinances and this Development Code have been met.



## **MEMORANDUM**

TO: RR Planning Commission Members

FROM: William T. Bishop, RR Planning Commission

DATE: January 18, 2024 (Updated from 11/10/23)

RE: Proposed Ordinance OFFICE DISTRICT

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### **HISTORY**

Historically, there have been essentially three (3) pockets of office zoning;

- The southwest corner of Center Ridge Rd. and Linden Rd. (2 Parcels)
- The Westlake Condominiums / Bridge Buildings (2 Parcels)
- Smith Ct./Linda St./Allen Ct. 300'-400' North of Detroit Road to the RR Tracks (more than 35 parcels)

### **Prior to 2010 Development Code / Zoning Map**

There were four (4) Office Zoning Districts:

- OB-1 (35')
- OB-2 (50')
- OB-3 (100')
- OB-4 (150')

The Center Ride Rd. parcels were zoned OB-2 (50').

The Westlake Condominiums / Bridge Buildings parcels were zoned OB-4 (150').

The West side of Smith Ct. parcels were zoned OB-2 (50').

The East side of Smith Ct./Linda St./Allen Ct. parcels were zoned OB-3 (100').

The Dependable Chemical Property at Linda St. was rezoned from OB-3 to SM.

The North end of Allen Ct. was rezoned form OB-3 to SM.

There is one parcel at Center Ridge Rd. and Spencer Rd. that was spot zoned to 35'.

There is one parcel at the end of Plymouth Ave. that was rezoned to 50'.

There is one parcel on Detroit Road just east of Parsons Ct. that was rezoned to 100'.

### **2010 Development Code/Zoning Map**

During the process of establishing the current Development Code (2010) the Development Code review consultant recommended eliminating two (2) office zoning districts, OB-1 (35') and OB-3 (100'), establishing OB-1 (55') and OB-2 (150').

During the same process the existing Zoning Map was changed to align with the change in the Development Code as follows;

- All parcels zoned OB-1 (35') were changed to the new OB-1 (55')
- All parcels zoned OB-2 (50') were changed to the new OB-1 (55')
- All parcels zoned OB-3 (100') were changed to the new OB-2 (150')
- All parcels zoned OB-4 (150') were changed to the new OB-2 (150')

The newly created Zoning Map was adopted in 2010. This is the Zoning Map currently being followed, subject to any zoning changed adopted thereafter.

**ALL OF THE PREVIOUSLY ZONED OB-3 PARCELS WERE GIVEN A “GIFT” OF 50' OF ADDITIONAL HEIGHT.**

**THE CONSULTANT SHOULD HAVE RECOMMENDED KEEPING THE 55' AND 100' HEIGHT DISTRICTS.**

### **Rezoning of 2 Ingersoll Drive Parcels**

In May 2017 RR City Council initiated a rezoning of SM to OB-2 for the Southeast Corner of Ingersoll Drive/Smith Ct. and the far east parcel on the South side of Ingersoll Drive. The two (2) area's were part of one (1) parcel encompassing the entire south side of Ingersoll Drive. The purpose of the rezoning was to allow a lot split under the Development Code Requirements, creating two (2) new parcels that could be sold separately from the larger South side parcel. The two (2) area's were directly adjacent to OB-2 zoned parcels, 1 directly south on Smith Ct., the other directly east of the east Ingersoll Dr. parcel, at Ingersoll Dr. and Linda St.

The RR Planning Commission recommended amending the Ordinance referred by RR City Council to rezone the two (2) area's to OB-1, rather than OB-2. The reason to amend the Ordinance to OB-1 was to have some control over the area as the properties were being split away from a much larger parcel with no plans for development at the time. The idea was that the zoning would be re-evaluated if one (1) party gained total control of all of Ingersoll Dr.

### **Existing Conditions**

The Westlake Condominium is approximately 95' high at its highest point.

The Office Building located at 20525 Center Ridge Rd. (SW corner of Center Ridge and Linden Rd.) is 95' high. This building is setback 35' from Center Ridge and 27.5' from Linden Rd. This building is the best example of height and setback in real time.

There are several office buildings of varying height located in LB and GB zoning districts. The tallest of which is located on Linden Rd. at 95'.

### **2020 Development Code Review**

The Cuyahoga County Planning Commission was retained to perform a full review of the existing Development Code (2010). The Development Code was reviewed by a 5 person team with Degree's in Planning. The Cuyahoga County Planning Commission recommended combining the OB-1 and OB-2 zoning districts into one OB zoning district. The Cuyahoga County Planning Commission further recommended the new OB district have a height limitation of 120', subject to a 55' height limitation when adjacent to a residential district. There is only 1 parcel in the City zoned OB-2 adjacent to a Residential District.

There are three (3) parcels in the entire City adjacent to a residential district:

- The Spencer Rd./Center Ridge Rd. office building which is currently in OB-1 (55').
- The small office building at the end of Plymouth Ave. which is currently in OB-1 (55').
- The last parcel at the west side of Smith Ct. adjacent to R5 (50') which is currently zoned OB-1 (55').

**THE PARCELS ALREADY HAVE A HEIGHT LIMINATION OF 55'.**

**FOLLOWING THE CUYAHOGA COUNTY PLANNING COMMISSION RECOMMENDATION WOULD GIVE ALL OF THE CURRENT OB-1 ZONING PARCELS A "GIFT" 65' OF ADDITIONAL HEIGHT, except where adjacent to a residential district (the 1 parcel mentioned above).**

The Cuyahoga County Planning document is in the process of being reviewed, first by the RR Planning Commission Chair and the Planning and Zoning Coordinator, and then the entire RR Planning Commission. Chapter 1163 "Office Building District Regulations" has been fully reviewed by the RR Planning Commission. The RR Planning Commission consists of 5 members and 2 alternates. All seven (7) members have, to varying degrees, a wide range of planning and development experience and expertise. The RR Planning Commission initially recommended that the two (2) current separate OB zoning districts remain and the maximum height in an OB-2 district be reduced to 110' from the recommended 120'.

The 110' height recommended was arrived at;

1. Our original understanding was the three (3) 95' high buildings were 110' high, using this as our benchmark.
2. We did not see a reason to proceed with the Cuyahoga County Planning Commission recommendation of 120', as no building in the City was this high.
3. 110' was double the 55' requirement in the OB-1 district.

After requesting formal height measurements of the three (3) existing 95' high buildings, we amended our recommendation to 100' maximum height.

This is where everything stood prior to the 2010 Development Code change in which the 100' zoning was raised to 150'.

Upon City Council's review, the ordinance was amended to 70' height in an OB-2 District, and sent back to Planning Commission for review.

At the Planning Commission Meeting of November 14, 2023 the entire Commission felt that 100' was an appropriate height given the historical nature of the Office Zoning Districts and the entire review process for the proposed ordinance.

Out of respect to City Council's amendment, more discussion was had and it was agreed to propose (amend) the ordinance to 80' maximum height with a caveat that 25% of the building footprint could be 100' in height, subject to Planning Commissions review of a detailed Development Plan.