

CITY OF ROCKY RIVER

MAY 21, 2018

PUBLIC HEARING - ORDINANCE NO. 22-18

AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF PARTS OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NOS. 302-01-007, 302-01-010 AND 302-01-011 (PARCEL 1), FROM THEIR PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-4 MULTI-FAMILY (36'), AND PARTS OF PERMANENT PARCEL NOS. 302-01-007, 302-01-010, AND 302-01-011 (PARCEL 2) AND PERMANENT PARCEL NOS. 302-01-015 AND 302-01-016 (PARCEL 3) FROM THEIR PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-3 SINGLE FAMILY ATTACHED

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Administration: Mayor Bobst, Mrs. Costello, Mr. Thomas

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

The Public Hearing for Ordinance No. 22-18 was opened at 6:00 p.m. by Mr. Moran, President of Council. President Moran welcomed everyone to the Public Hearing regarding Ordinance No. 22-18 as written above.

The purpose of this meeting is for public comment on Ordinance No. 22-18. A sign-in sheet was also passed around for attendees to sign and indicate if they are for or against regarding this ordinance. City Council appreciates hearing all the new comments but President Moran asked the audience to keep their comments under five minutes this evening.

AUDIENCE PARTICIPATION:

John Carney, 20664 Beachcliff Blvd. said that this is the eighth Public Hearing, the fourth before Council regarding this project. Mr. Carney said that he served 18 years on the Civil Service Commission, is a taxpayer, voter and resident. The only change on this ordinance is the elimination of the Breezevale Trust Estate. Preservation Partners has listened to Council's comments and dramatically changed the look of the buildings to make them more elegant and classical in design. It is not the Fairview Project. The modified project will fit wonderfully in this site. If Preservation Partners is successful, they will need to go back to the Planning Commission. Questions of foundation, soil stability, fire access is for later in the process. There are seven criteria that need to be met. The Planning Commission is satisfied that we have done that. Mr. Carney continued;

- (a) This is consistent with the Master Plan of the City;
- (b) Consistent with the intent of the Development Code;
- (c) Made necessary because changed conditions in the area affected; aging of the population along with their desire to remain in Rocky River with single floor living and maintenance free housing; a further benefit are the homes being left that are available for younger families to move in;
- (d) Compatible with the uses permitted on other property in the immediate vicinity; 97% of this area is multi-family;
- (e) Environmental in terms of acceptable air, noise, light, or water quality standards; this building is barely taller than what stood there before and only slightly farther north;
- (f) Utilities, sewer, and water facilities, are all in. This is an infill development and the water system will be upgraded along with an upgrade to the sewer system and the storm drainage;
- (g) There isn't any vacant land in the area and the site is unique on the Lakefront.

Mr. Carney said that he hears that people are afraid that they won't be adhering to what was presented to Planning Commission. The Planning Commission made it absolutely certain that they must and Preservation Partners has made that same commitment to Council. Property values are up for homes nearby. There is no traffic impact. Experts have looked at that twice. Mr. Carney believes the larger public supports this project. This process gives the city the control over what they will be doing.

Tom Savoca, 22135 Lake Road, first acknowledged Mayor Bobst for the fine services in Rocky River. He acknowledges that every department the city has is the best. He has lived at his present location for 63 years. There are three big homes across the street from him. One of those residents told him that he paid \$63,000 a year for real estate tax. Anything else other than fine homes shouldn't be built there. Mr. Savoca asked Council to retain the culture of the neighborhood of individual homes.

Ruth Stafford, 20860 Avalon Drive, said that she is here to voice her opposition to the rezoning of the property on Lake Road. Mrs. Stafford feels that the rezoning is shortsighted and not in the long-term interest of the city. There is not a shortage of senior and empty nester living in the city. The list includes the Westlake Hotel, Astor Place, 11 River, Beachcliff Row, Cliff Towers, the Presidential, West Hampton, South Hampton, the Normandy all the townhouses and condominiums along Center Ridge Road west of Spencer, the Beach House, Brandon Place, Pond Drive and Maison du Luc just to name a few. This project is about lakefront living. If this property is rezoned, the developers will not stop there. Rocky River has one of the shortest Lake Erie Shorelines in Northeast Ohio Lakeside Communities. Let's not lose control of it to developers. This project is very bad use of lakefront property. It sets a precedent of further lakefront development. This would result in reverse spot zoning by isolating the two single-family homes on the lake at the north end of Breezevale Cove. The city or residents are not going to make any money on this project but as a community we could be the poorer for it. Please say no to rezoning and retain R-1.

James Peters, 23185 Maybelle Drive, Westlake, has lived in Rocky River for many years. He worked for the Cleveland Fire Department for over 30 years. Towards the end of his career he

worked in fire prevention and preplanning. In preplanning you can plan a site before it is built. The problem with this lot is it is not accessible from the north, the west is blocked by a bluff, and the eastside is Breezevale Cove that doesn't have fire prevention whatsoever. The roadway is too small. There will need to be three or four hydrants also with proper access. The underground garage is a concern. Car fires are hard to extinguish and the fumes are poisonous.

President Moran reminded residents to keep the focus on rezoning.

Gloria Hardington, 20184 Beachliff, said that this project has been around for two years. Council has worked on it diligently and has done their job. Preservation Partners has come back never changing the amount of units for that area. The renderings have changed but mean nothing. It is when the builders go to build that it counts. There is one good builder and one not so good. Andrew Brickman does not have a good reputation. The three examples around town are not wonderful. This is not real estate that people will buy who are looking to downsize. Mrs. Hardington feels that this project will be absolute mayhem. Mrs. Hardington asked Council to think of the neighborhood and the people and not let Preservation Partners do their project.

Tom Evans, 22500 Lake Road, President of the Beach House Condominium Association, which is an 8 story building with 46 single story unit condominium building and all units face the lake. The Board is in favor of this project. This is the sort of project that a mature community like Rocky River needs. Almost any other community would love this sort of a project. There are some negative land uses around the Beach House and this project would be a much-needed positive influence in this neighborhood. The Board would like to go on record as in support of this project.

Mary Wood, 22740 Lake Road, which is directly west of the project. Council knows how Mrs. Wood feels about this project but she wanted to add additional comments. This western neighborhood has stayed stable in character. It has been this way for a very long time because it is a very special space. This developer feels that he has a better idea to remake this area with multiple single floor units in a midrise building. Should this developer and those that have reserved units in this building be given an outsized voice in this discussion? There is no provision in the zoning code that lists a personal preference for single floor living on the lake as a reason to rezone. Nowhere in the Master Plan does it mention this neighborhood as a location for multi-family housing, contrary to what the developer is trying to push. This area is predominately R-3 single family with only 45 multi-family units. The Normandy should not be counted as it is a golden age development and residents do not own their units. Mrs. Wood made clear the negative impact on the neighborhood and the entire western lakefront area of Rocky River. Mrs. Wood urges Council to give well deserve weight to the objections of the people who live there and deny the rezoning request.

Malcolm Wood, 22740 Lake Road, immediately west of this development and feels that this will be a repulsive commercial style building like those in Crocker Park. This building violates several Rocky River Codified Ordinances 1123.02 (7) architectural incompatibility, 1157.17 (d) principal building shall reflect the character desired by the city's Master Plan, 1121.05 (b) which requires conformity with the Master Plan and 1121.15(a) and (d) the design of the proposed condo mid-rise building has to meet the minimum requirements for the promotion of public health, safety and general welfare. The safety aspect is of particular importance, especially the provisions of the Ohio

Fire Code. This building will not be compatible or a harmonious fit. Mr. Wood trusts that Council will make the right decision and refuse to rezone this area.

B.J. Alexander, 22658 Breezevale Cove, stated that she has been in opposition of this project for 2½ years. She summarized her main points: 1) this is not an appropriate use of the land; 2) there could be development here without changing the zoning; 3) the whole area will be negatively affected in many ways; 4) the houses left on Breezevale Cove will be isolated and surrounded by condos of various heights. Instead of seeing the sunset they could be seeing tall dense buildings. There should be no rezoning.

Nancy Spellman, Frazier Drive, said that people come to Rocky River to live because it is a charming place to be. The city has taken Old Detroit Road and made it a very picturesque place to be and is a big selling point. There is a limited amount of lakefront property and what the city doesn't want is a city that looks like Edgewater Drive in Lakewood. As you drive down Lake Road now the lake is visible. There is a high rise apartment building that was suppose to be the Gateway to Rocky River on Lake Road and Linda. This does not make the city attractive. It replaced the only greenhouse left in Rocky River. Ms. Spellman would like Council to preserve Breezevale Cove that is quaint and picturesque and doesn't look like an office building. She urges Council to think about this and ask the question how Council would feel if this was coming to your neighborhood. She urges Council to reject this plan.

Donna Clifford, 22480 Lake Road, #8, Harbor Village, has been a resident there since 2000 and prior to that lived on Kensington Road for 28 years. Mrs. Clifford has served as a levy chair for Rocky River Schools and was also a Rocky River City Councilwoman-at-Large and is very aware of rezoning issues. She asks Council to respect the area that she lives in. She has concern that changing the zoning will change the character of the northwest corner of Rocky River. Zoning for R-4 would open up the potential for similar construction all the way to the Bay Village line. There will no longer be a line that says this is where the city stops. This past year has seen an increase of traffic in the area with construction of new units at the Normandy and traffic will continue to increase as staff and visitors arrive at that facility. Lake Road is a constricted highway from Clague Road to Elmwood as traffic can only move east/west. The area is a pass through during rush hour traffic. There is already a possible need of a traffic light and if the city is serious about improving Bradstreet's Landing this will also impact traffic. Mrs. Clifford asked Council to look ahead 20 years down the road when repairs and services are required at this development. Where will all these service trucks park? Does the footprint of the land with a building allow for traffic around it? This idea is no more palatable then it was when first presented with more questions having arisen. Mrs. Clifford asks Council to continue to keep this area as the area the residents love.

Bob Frost, 37 Kensington Oval, has lived in Rocky River the last 50 years. He served on Council with Donna Clifford and they always got along very well with sometimes divergent opinions. Mr. Frost has the city's best interest at heart. This plan fits into the Master Plan; there is no question about it. The 2018 draft of the Master Plan vision statement says that diversity is desirable. Housing diversity is having a range of housing types. There are divergent types of housing already on Lake Road. Mr. Frost said that not everyone can afford a two million dollar home and these units will provide a lot of people with a view of the lake without spending two million dollars. Mr. Frost assures Council that Mr. Carney will see that this project is done right. He also points out

the three houses on Frazier Drive that are new. Anywhere along Avalon and Frazier, if someone wants a big house they can find it. He feels that if this area were a good spot to build two new houses, someone would have done just that. Mr. Frost spoke with the Fire Chief and he said he would step in once the project is approved to be sure there is adequate space for fire trucks to enter and turn around. He also spoke with the fire inspector of Bay Village and he said that they have no problem at Cashelmarra, as they only need 20 feet. Mr. Frost said that Lake Road in Lakewood by the Gold Coast is approximately 63 feet wide, which is the same as Lake Road in Rocky River.

John Rowland, 22701 Lake Road, stated that he is in support of the rezoning that has been recommended by the Planning Commission. Mr. Carney has shared every step of the way over the last 2½ years. He feels Council has an opportunity to make optimum use of this valuable piece of property. Mr. Rowland feels that Council's predecessors as the administration of this community over the years, have taken the opportunities when presented to make optimum use of every square foot of this four square mile piece of property that Council oversees. When he built his first house in 1950 greenhouses and truck farms surrounded him. Over the years he has seen how the south side of Rocky River was developed with the same kind of challenges in front of Council. When I 90 went through Rocky River, it was a huge challenge. He saw where the sandpit was and Whole Foods is built there now. Kramer Drive is another example of salvation of homes that would have been destroyed by the presence of I 90 but the houses on Kramer were moved out of the path of I 90. Each time Rocky River has been challenged with the very same concerns that he has heard tonight, they have looked to the best interest of the total community and optimum use of very valuable property. Rocky River is very diversified, follows the Master Plan and he urges Council to approve the Planning Commission's recommendation.

Issa Salti, 22656 Breezevale Cove, strongly supports the rezoning of the property and strongly supports the project.

Andrew Thompson, 22652 Breezevale Cove, has lived in Rocky River for 37 years. He and his wife strongly support this project. Mr. Thompson said that this project will give the city, library and schools a big bucket of tax revenue with many beneficiaries. If this project is denied, the beneficiaries are a handful of people.

Kim Clutterbuck Crane, 19722 Frazier Drive, grew up in Rocky River. She is in support of this project and feels it is a win win for the city. It meets the Master Plan. There is a high demand for this product and there is extremely low inventory in the community. Developers have made adjustments per the city requests. Change is hard but necessary for the city and for the future. This should be a slam-dunk when it comes to the additional tax revenue for the city and schools.

Tom Coughlin, 512 Linda Street, he supports the project. As he has listened to the meeting he feels that the people that have spoken are elitists. Rocky River is open to anybody and is a great community that should be welcoming.

Barrie Spang, 21261 Erie Road, is a lifelong resident and a business owner in Rocky River. She is in support of this project.

Richard Hahn, 19443 Frazier Blvd., feels that the immediate neighbor's preference for this

project should trump any of the other concerns. It causes him great concern to see immediate neighbors become collateral damage to developers.

Rick Gecsi, 20743 Morewood Parkway, has lived in Rocky River eight years. In that time, he has owned three residential properties in Rocky River. His company works with communication equipment and he provides first responder equipment to the Rocky River Police. He feels it is important to acknowledge what the future is for Rocky River. A property like this project would be of interest to him. Where does our community want to be in 10 or 20 years from now? He has property and an office on Catawba Island, OH. Catawba is always turning down development of property and what they are seeing now is poverty increasing and the school system has over 70% of the school children on assistance and it will continue to erode that way. For the future of Rocky River, you want to see young folks who are looking for options. He thinks this project is a good opportunity.

Carol Hanlon, 22500 Lake Road, Beach House, mentioned that the Beach House Board is for this development project but she added that many other residents still have serious concerns. Breezevale Cove has always been known as a unique, distinctive and seaside looking street. The practical side of the topography issue involves three considerable different land heights with a variance of 25 feet from the eastern to the western end. She is asking Council to engage in an uninvolved, unbiased engineering firm to evaluate potential issues such as soil stability and erosion. This has been suggested and requested at previous meetings. She knows that all cities need tax revenue, but she closed by using a favorite saying of Dr. Phil; "If you marry for money, you will earn every penny of it." She opposes this rezoning request.

Gavin Blaha, 22660 Breezevale Cove, said he could be the collateral damage of this giant proposed project. The houses to the west of him were on the market for 1,000 days. The country experienced the largest financial crisis since the 20's. Not only were people not buying homes, their homes were being foreclosed upon which is why these houses were vacant for so many years. Breezevale Cove is a wonderful little street and this project would destroy this peaceful little community with an ugly proposed building. Lastly, Eleven River and the development in Fairview Park residents are unhappy and Mr. Blaha said the city can't afford one more try, one more accident. This will affect the entire city for the next 70+ years.

Michael Richards, grew up in Rocky River and is here in support of the project. As a resident of the Fairview Park Project and the President of the Homeowners Association of River South in Fairview Park, he wants to acknowledge everybody's very unbiased, unfavorable comments of what he considers to be a lovely, lovely development. He invited everyone to visit his home and talk to him about his experience with the developer that seems to be critiqued negatively here. His experience as a buyer, negotiator, President of the Homeowners Association has found the Development Company to be nothing but a bright, respectful, honor their word and a follow through company. Addressing the time frame of the economic meltdown, 1,000 days takes you back to 2004, six years post meltdown. He sold his house during that time in Lakewood. He rented in Rocky River during that time. That was the record time to start selling houses. Those houses were on the market until 2017 because they were junk and that is why they didn't sell. He thanked Mr. Coughlin for pointing out the tone of the opposition that seems fairly exclusive to him. Mr. Richards also shared that he is an ideal buyer for this property in 10 years. If this was here, he

would be living in Rocky River and probably be the President of this Homeowners Association. In terms of the fire development and prevention, he imagines that the Fire Marshall looks at all this and is being reviewed by qualified personnel. Mr. Richards supports this project.

President Moran said that Council and the administration appreciates everyone's comments. Thank for attending this evening's Public Hearing.

As there was no further comment, President Moran moved to close the Public Hearing, seconded by Mr. O'Donnell.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
	Sindelar – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	PASSED

The meeting was adjourned at 7:10 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council