

**CITY OF CLEVELAND HEIGHTS  
REGULAR PLANNING COMMISSION  
May 12, 2021  
MINUTES OF THE REGULAR MEETING**

MEMBERS PRESENT:	Jessica Cohen	Chair
	Michael Gaynier	Vice Chair
	Leonard Horowitz	
	Adam Howe	
	Anthony Mattox, Jr.	
	Jessica Wobig	
	Jeff Rink	

STAFF PRESENT:	Eric Zamft	Planning Director
	Karen Knittel	Assistant Planning Director
	Alix Noureddine	Assistant Director of Law
	Christy Lee	Recording Secretary

**CALL TO ORDER**

Ms. Cohen called the meeting to order at 7:00 p.m. She welcomed the audience to the May 12, 2021 Regular Webex meeting of the Cleveland Heights Planning Commission.

**APPROVAL OF MINUTES**

Ms. Cohen asked had the Commission read the minutes from the March 10, 2021 Regular Planning Commission meeting and for the April 14, 2021 regular Planning Commission Meeting and asked if there were any corrections needed. There were no additional corrections needed and the minutes stand approved.

**Project No. 21-05: Talk of the Town Cousins Loft, LLC, 2556 Noble Road 'C-2' Local Retail, conditional use permit request for party center business and reduction of parking requirements per Code Chapters 1111, 1115, 1131, 1151, 1153, 1161.**

Karen Knittel staff report and PowerPoint presentation was as follows:

**CONTEXT:** The property is located in a commercial building with multiple storefronts along Noble Road between Monticello Boulevard and Roanoke Road. Commercial uses are located to the north and south and across Noble Road to the east are commercial uses all are in the 'C-2' Local Retail District. Behind the property to the west is a parking lot and then there are single-family houses in an 'A' Single-Family District.

**HISTORY:** This site has long been used for commercial businesses, County records state that the building was constructed in 1925.

**PROJECT DESCRIPTION:**

The proposes opening an event/party center in this space, which is conditional permitted. The business would offer a small setting for private events such as meetings, conferences, baby showers, funerals, and other small memorable occasions. The business hours would be 8:00 a.m. through 11:00 p.m. which includes time for their guests to set up and clean up their events. There are three (3) rooms that would be rented as one facility for each event,

only one event would be scheduled per time slot. The applicants plan on scheduling events in three (3) hour increments with additional time being made available depending on the needs of the event. The building does not have a kitchen. Events will be permitted to bring pre-cooked food. Events would be permitted to have up to the maximum number of persons present as determined by the City's Fire Department.

#### REQUEST FOR CONDITIONAL USE PERMIT:

The applicant is requesting a conditional use permit for a party center. Also, the applicant is seeking a reduction in the parking requirements to allow the use to operate with no off-street parking.

#### STANDARDS FOR CONDITIONAL USES

*A conditional use, and uses accessory to such conditional use, shall be permitted in a residential, commercial or special district only when specified as a permitted conditional use in such district, or when such use is determined by the Planning Commission to be a similar use, and only if such use conforms to the following standards in addition to any specific conditions, standards and regulations for such category of use set forth in Chapter 1151 of the Zoning Code. Furthermore, the Planning Commission shall find:*

- a) *That the conditional use will be in general accord with the purpose, intent and basic planning objectives of this Zoning Code, and with the objectives for the district in which located;*
- b) *That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- c) *That the conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area;*
- d) *That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*
- e) *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*
- f) *That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;*
- g) *That adequate measures have been or will be taken to provide ingress and egress designed as to minimize traffic congestion in the public streets;*
- h) *That the establishment of the conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools;*
- i) *That there is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that are incompatible;*
- j) *That the conditional use shall address the sustainability guidelines of Section 1165.06 (see below).*

*k) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located as well as the specific supplemental conditions set forth in Chapter 1153.*

#### STAFF COMMENTARY ON STANDARDS FOR CONDITIONAL USES

Operating an event/party center in a commercial building is in keeping with the objectives of the C-2 district, which is for "the continued operation of small neighborhood commercial establishments..." A walkable, vibrant commercial district is an amenity to the adjacent residential district and the addition of event/party center space will contribute to this part of the Nobel C-2 district. The proposed party center should not endanger the public health, safety and welfare. No changes are proposed to the exterior and any proposed signage will require the approval of the Architectural Board of Review. This building has been vacant for a while and adding vital business in a commercial building helps neighborhood property values.

#### SUSTAINABILITY GUIDELINES (SEC. 1165.06)

Most of the sustainability guidelines are not pertinent to this application; however, the first sustainability guideline encourages historic preservation and adaptive reuse of existing structures. Encouraging reuse of vacant space is important to Cleveland Heights' sustainability.

#### REDUCTION IN PARKING

The applicant is seeking a reduction in the parking requirements. The Section 1161.03 parking regulations require 1 space per 300 square feet of floor area for retail or business use in a 'C' district. The applicant is leasing 870 square feet of storefront space and 650 square feet in the basement that has a restroom and storage space. The storefront square footage requires three (3) parking spaces. While this location does not have private parking spaces associated with it, there are metered city parking spaces in the surface parking lot to the rear of the building, to the east of the building adjacent to the CVS Drugstore parking lot, and along the front of the building on Noble Road.

Section 1161.13 Exception to Off-Street Parking Requirements in Major Commercial Districts recognizes that in certain major commercial districts, parking needs are predominantly met by the private parking areas multiple uses. In addition, the code states "This reduces the need for individual uses to provide their own dedicated off-street parking, as does the fact that many patrons of uses in these commercial districts arrive by foot or public transportation. Further, a large number of small parking lots would be disruptive in these areas, in which safe and pleasant conditions for pedestrians are important assets." The Code limits this consideration to the three largest commercial districts: Cedar-Fairmount, Coventry, and Cedar-Lee.

The proposed use is in a storefront space of a commercial building that was built in 1925. The C-2 Local Retail District standards encourage the continued operation of small neighborhood commercial establishments and encourage new retail use businesses in buildings that typically locate side by side in order to promote and encourage pedestrian activity. There appears to be sufficient parking in the area to accommodate this use. Staff is recommending a reduction in parking to enable this event/party center to operate without dedicated off-street parking.

#### STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the conditional use for the event/party center and approve the reduction in parking with the following additional conditions:

1. This use shall not be injurious to the use and enjoyment of other properties in the immediate vicinity or create a nuisance for adjacent properties;
2. The applicants shall work with staff to resolve any complaints from neighbors;
3. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.

Alix Noureddine Do you swear of affirm that the testimony that you are about to give is the true the whole truth and nothing but the true.

Ms. Latoya Lipscomb "Yes" Ms. Lipscomb stated that they're very excited to be apart of the City of Cleveland Heights. She went on to say that they are willing and open to work the City in way they can to bring a positive light to the community.

Ms. Cohen asked if there were any questions for staff or the applicant.

Mr. Horowitz asked for clarification on how will the distribution of liquor will be handled at the event center.

Ms. Lipscomb stated that in the event that liquor would be served at an event, there will be contract that will have to be signed as licensed security present on that day of the event. She added that there will likely not be many events where alcohol will be served however, if such event does take place there will be the necessities staffing on site so not to create a nuisance to the community.

Ms. Cohen asked Ms. Knittel will the city provide any information to the applicant if need be for the standards for alcohol use for business.

Ms. Knittel "Yes" we will definitely make sure that they are fully aware of the rules and regulations for the City of Cleveland Heights in regards to alcohol use.

Alix Noureddine stated that the alcohol use is largely governed by State Law, and to the extent that you would likely to have events with alcohol, I would encourage you to review those regulations yourself or with your attorney. But, there are some permitting processes that you may have to go through to ensure that you're following the proper procedures.

Ms. Lipscomb interjected that most their events wouldn't have alcohol consumption, but in the event that there will be alcohol use they will have the needed permits and follow all city enforced guidelines.

Ms. Cohen asked if there were any additional questions for the applicant or staff at this time. She then asked if there was a motion.

Mr. Mattox Jr motioned for approval of **Project No. 21-05: Talk of the Town Cousins Loft, LLC, 2556 Noble Road 'C-2'** Local Retail, conditional use permit request for party center business and reduction of parking requirements per Code Chapters 1111, 1115, 1131, 1151, 1153, 1161. With included staff recommendations.

Mr. Horowitz second the motion along with the staff recommendations.

Approved 7-0.

## New Business

Ms. Cohen explained to the Planning Commission that Ms. Knittel, Mr. Zamft and herself in regards to new and innovative ways around zoning and conditional use. She added that there has been some request from the community about the different zoning code changes but also, Mr. Zamft has brought with some new and innovative ideas for his former position and workshops/training that he's attended. We would like to possibly use some of these techniques here with the Planning Commission. Ms. Cohen added that there is a now coming forward about racial equity in zoning and this focus of our conversation. Ms. Cohen then asked for Mr. Zamft to share his ideas about how we should proceed in the coming year. With educating ourselves in this area but, also thinking creatively and innovatively about how we might improve the zoning code and the conditional uses for the City of Cleveland Heights.

Mr. Zamft noted that he knows that the Planning Commission is an engaged bunch and it's obvious from the few meetings that he's attended that there are some issues that they're aware of or have observed in the community in regards to the zoning code. Things that need to be improved on for the betterment of the community and zoning regulations here in Cleveland Heights. Either a particular issue or sometimes opening up the floor of things that we collectively can work together with because the Planning Commission does have the charge itself to come up with changes to the zoning code and make those recommendations to the council. Mr. Zamft went on to say that this really about planting that seed, he went on to give examples as to how this could help and improve the zoning codes. Mr. Zamft went on to say that hopefully in the upcoming future, there will be some bigger project development like Cedar-Lee and Meadow Brook as well as other sites including Severance. He briefly spoke in single family zoning, he added that he is curious to hear what other topics that the planning commission would like to address and if as a whole the commission should attend a workshop for more information on this particular project.

Mr. Gaynier stated that he has had this same conversation with current residents of the city, about the property line Hebrew Academy on Warrensville Road and the fence that has been installed, and if it's following the topography, the clean up and the installation if it going to make it easier for pedestrian walkway to go there. He added that he feels that the code should require that anybody who develops a property such as this one. He added that possibly the commission error in the project by allowing the development to go further with out a public walk way connecting the sidewalks around the property. Mr. Gaynier further went on to say this is just one example as Mr. Zamft referred to that needs improvement on per the zoning code.

Ms. Cohen interject with the concerns that she has heard in regards to the constructions of garages and how the this is affecting the architectural plans, and how they would like to maximize the property but because of the garage's limitations. These are obviously cases of people who want to add value right onto the property through extensions and expansion.

Mr. Horowitz stated that over the years he's seen were the focus for planning commission has been on the same small thing often, he felt that additional knowledge would be helpful to the commission when make decision for the community.

Mr. Zamft agreed with Mr. Horowitz that additional knowledge would help the planning commission make sound decisions that would benefit the development and growth of the city.

Ms. Cohen interjected she agreed to with Mr. Horowitz and that she wants to see the commission be more proactive.

Mr. Mattox Jr. asked that with packet that the commission receives every month does city council, zoning receive the same packet or do they receive something completely different.

Mr. Zamft Planning Commission receives planning commission packet and so forth, however we don't send an exclusive packet to council, however they can download the packet for reference.

Ms., Knittel with the exception of the two liaison they receive packets which are Mike Unger and Melody Joy Heart.

Mr. Zamft per the zoning in the charter the planning commission is supposed to have the Chair of the Planning and Development committee somewhat an official member, but how often has that person attended a meeting.

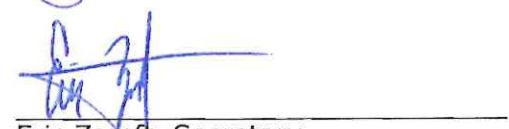
Ms. Cohen interject that before Covid-19 when we had in person meeting that sometimes there would be a council person among the audience in attendance.

## **New Business**

**Adjournment 7:32pm**



Jessica Cohen, Chair



Eric Zamft, Secretary