

**CITY OF CLEVELAND HEIGHTS
REGULAR PLANNING COMMISSION
NOVEMBER 10, 2021
MINUTES OF THE REGULAR MEETING**

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

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 November 10, 2021 Regular Webex meeting of the Cleveland Heights Planning Commission.

APPROVAL OF MINUTES

Ms. Cohen asked had the Commission read the minutes from the October 13, 2021 Regular Planning Commission meeting and asked if there were any corrections needed. There were no additional corrections needed and the minutes stand approved.

Alix Noureddine asked staff to swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth.

Karen Knittel and Eric Zamft both affirmed the oath.

Eric Zamft briefly reviewed the zoning code amendments regarding private parking garages that Planning Commission recommended and which City Council adopted. Mr. Zamft stated that this code revision has resulted in the agenda items requesting a reduction of required enclosed parking space.

Karen Knittel gave her PowerPoint Presentation as followed:

Proj. No. 21-12: E. Bensoussan, 3713 Bendemeer Rd., 'A' Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161

CONTEXT

The houses surrounding the applicant are all single-family homes zoned 'A' Single-Family. The Future Land Use Map from the Master Plan shows this area as being used for the same use, single-family housing.

On November 1, 2021, City Council adopted zoning text amendments that would permit applicants to request a reduction in required enclosed private parking spaces from the Planning Commission based upon one (1) of five (5) exceptions (see below).

PROJECT DESCRIPTION

The applicant is proposing an addition to the rear of their house. The existing two-car garage and pavement would be removed and a new one-car garage with driveway pavement access would be built, providing green space for the family.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The applicant is requesting a reduction in the required enclosed private parking spaces under 1161.051(a)(iv).

STANDARDS

1161.05 MODIFICATION OF NUMBER OF REQUIRED PARKING SPACES.

Whenever the parking requirements based on functions and uses, and application of the standards specified in Schedule 1161.03 can be shown by the applicant to result in an excessive number of parking spaces and that a lesser number of spaces is appropriate and consistent with these regulations, the Planning Commission may approve a reduction in required spaces

1161.051 EXCEPTIONS TO REQUIRED ENCLOSED PRIVATE PARKING SPACES

Any application that will not be providing the requisite enclosed parking spaces as indicated in Schedule 1161.03 shall require review and approval by the Planning Commission based upon the regulations and criteria of this section.

- (a) **Exceptions.** The required off-street parking spaces for single-family dwellings, two-family dwellings, and townhouses shall be enclosed in a detached or attached private parking garage, as indicated in Schedule 1161.03, unless one (1) or more of the following exceptions can be substantiated:
 - (i) The parcel is a legal, non-conforming lot that does not have the requisite minimum lot area or lot width to accommodate a Code-conforming private parking garage.
 - (ii) Special conditions exist specific to the lot that are not applicable generally to other lots in the same Zoning District that render a Code-conforming private parking garage impractical.
 - (iii) If the previously existing private parking garage on the lot was a single-car garage for single-family dwelling.
 - (iv) If an existing private parking garage structure and associated remnant parking pavement are proposed to be removed and replaced with grass or landscaping, thereby increasing green or open space.
 - (v) If a substantial expansion or addition to the principal structure is proposed.
- (b) **Landscape Plan Required.** Any application that will not be providing the requisite enclosed private parking spaces shall include a Landscape Plan that addresses stormwater management and minimizes adverse impact on neighboring properties, subject to Chapter 1166 of the Zoning Code.
- (c) All other provisions of City ordinances relating to zoning, demolition construction, use and maintenance of residential buildings shall apply, including, but not limited to,

impervious surface coverage, yard setbacks, parking pad dimensions, driveway dimensions, parking requirements, and utilization of driveways for parking.

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(iv) in that removing the two-car garage and associated pavement and building a single-car garage will provide green space for the family.
- 1161.051(a)(v) in that a substantial addition to the principal structure is proposed.

Due to the impacts of the COVID-19 pandemic, greater period of time is needed on a temporary basis to complete construction projects. Staff recommends that Planning Commission approvals reflect a longer period of completion.

Staff recommends that the Planning Commission approve the reduction in required enclosed private parking to permit a one-car garage to be built as shown on the submitted site plan with the following conditions:

1. ABR approval of the addition and garage;
2. Removal of the current detached garage and all pavement not needed for accessing the new garage;
3. Receipt of required building permits;
4. Final landscape plan to be approved by the Planning Director; and
5. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Jessica Cohen asked staff would it be typical if it wasn't coming to the Planning Commission for this exception would the conditional use would they have to take this type of project before the committee to be approved.

Mr. Zamft said the Architectural Board of Review would usually approve or disapprove all structures or buildings which would include fences, additions so regardless of the Planning Commissions role they will still need Architectural Board of Review Approval.

Jessica Cohen so would the preference from a process perspective that they go to the Architectural Board of Review before they come to Planning Commission how will this be handled.

Mr. Zamft stated that in this particular case, the approval of the zoning code amendments was delayed and so they went to the Architectural Board of Review before coming to the Planning Commission. He said that normally cases should probably come for the reduction first and then go to the Architectural Board of Review.

Jessica Cohen thanked Mr. Zamft and asked that the applicant be sworn in.

Alix Noureddine asked the applicant to swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth

Eli Bensoussan "I affirm" Mr. Bensoussan thanked Ms. Knittel for her presentation and details regarding the project. Mr. Bensoussan went on to add that once the addition is added it will reduce space in the back, so being able to reduce the garage will allow for that additional space to allow for more quality function in the space.

MS. Cohen Thanked Mr. Bensoussan, she then asked if there were any additional questions from the commission and was there a motion on the floor.

Leonard Horowitz moved for approval for **Proj. No. 21-12: E. Bensoussan, 3713 Bendemeer Rd.**, 'A' Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161 along with the staff recommendations.

Adam Howe seconded the motion.

Motion carried 6-0.

Karen Knittel PowerPoint Presentation was as followed:

Proj. No. 21-13: A. & F. Klein, 3489 Shannon Rd., 'A' Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161

CONTEXT

The houses surrounding the applicant are all single-family homes zoned 'A' Single-Family. The Future Land Use Map from the Master Plan shows this area as being used for the same use, single-family housing.

On November 1, 2021, City Council adopted zoning text amendments that would permit applicants to request a reduction in required enclosed private parking spaces from the Planning Commission based upon one (1) of five (5) exceptions (see below).

PROJECT DESCRIPTION

The applicant is proposing a two-story addition to the rear of their home, a new covered front porch, and a one-car attached garage to the side of their home. The existing two-car detached garage and driveway in the rear yard would be removed and a lawn planted.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The applicant is requesting a reduction in the required enclosed private parking spaces under 1161.051(a)(v).

STANDARDS

1161.05 MODIFICATION OF NUMBER OF REQUIRED PARKING SPACES.

Whenever the parking requirements based on functions and uses, and application of the standards specified in Schedule 1161.03 can be shown by the applicant to result in an excessive number of parking spaces and that a lesser number of spaces is appropriate and consistent with these regulations, the Planning Commission may approve a reduction in required spaces

1161.051 EXCEPTIONS TO REQUIRED ENCLOSED PRIVATE PARKING SPACES

Any application that will not be providing the requisite enclosed parking spaces as indicated in Schedule 1161.03 shall require review and approval by the Planning Commission based upon the regulations and criteria of this section.

- (a) Exceptions. The required off-street parking spaces for single-family dwellings, two-family dwellings, and townhouses shall be enclosed in a detached or attached private

parking garage, as indicated in Schedule 1161.03, unless one (1) or more of the following exceptions can be substantiated:

- (i) The parcel is a legal, non-conforming lot that does not have the requisite minimum lot area or lot width to accommodate a Code-conforming private parking garage.
- (ii) Special conditions exist specific to the lot that are not applicable generally to other lots in the same Zoning District that render a Code-conforming private parking garage impractical.
- (iii) If the previously existing private parking garage on the lot was a single-car garage for single-family dwelling.
- (iv) If an existing private parking garage structure and associated remnant parking pavement are proposed to be removed and replaced with grass or landscaping, thereby increasing green or open space.
- (v) If a substantial expansion or addition to the principal structure is proposed.

(b) **Landscape Plan Required.** Any application that will not be providing the requisite enclosed private parking spaces shall include a Landscape Plan that addresses stormwater management and minimizes adverse impact on neighboring properties, subject to Chapter 1166 of the Zoning Code.

(c) All other provisions of City ordinances relating to zoning, demolition construction, use and maintenance of residential buildings shall apply, including, but not limited to, impervious surface coverage, yard setbacks, parking pad dimensions, driveway dimensions, parking requirements, and utilization of driveways for parking.

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(v) in that a substantial addition to the principal structure is proposed.
- 1161.051(a)(iv) in that the location of the existing garage and pavement are proposed to be grass to provide green space for the family to enjoy.

Due to the impacts of the COVID-19 pandemic, greater period of time is needed on a temporary basis to complete construction projects. Staff recommends that Planning Commission approvals reflect a longer period of completion.

Staff recommends that the Planning Commission approve the reduction in required enclosed private parking to permit a one-car garage as shown on the submitted site plan with the following conditions:

6. ABR approval of the addition, front porch, and garage;
7. Removal of the existing detached two-car garage and all driveway/parking pavement in the rear yard;
8. Receipt of required building permits;
9. Final landscape plan approved by the Planning Director;
10. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Ms. Cohen asked if there were any for staff.

Ms. Wobig asked if there are any other pre-existing, front-facing attached garages with the vicinity of the current project.

Karen Knittel "No" there are not, but that this is not necessarily a consideration that we have to have in terms of permitting the reduction of parking. The Architecture Board of

Review will as part of their review consider the architecture of the surrounding neighborhood as they make this approval.

Mr. Zamft interjected with that there are some front face garages not on Shannon, but on Severance, so it is not directly on their neighbors but is within the vicinity.

Ms. Cohen welcomed Mr. Klein to the panel and asked if he could be sworn in.

Alix Noureddine asked the applicant to swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth

Mr. Klein "I do" Mr. Klein went on to further explain why he was seeking approval for the additional space to have better use of the property.

Ms. Cohen asked if there were any additional questions for Mr. Klein, there were none. Ms. Cohen asked if there was a motion on the floor.

Michael Gaynier moved for approval for **Proj. No. 21-13: A. & F. Klein, 3489 Shannon Rd., 'A' Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161**. With the staff recommendations.

Leonard Horowitz seconded the motion.

Motion approved 5-1 with Jessica Wobig opposing.

Karen Knittel gave her PowerPoint Presentation as follows:

Proj. No. 21-15: V. & S. Robinson, 3334 Berkeley Rd., 'A' Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161

CONTEXT

The houses surrounding the applicant are all single-family homes zoned 'A' Single-Family. The Future Land Use Map from the Master Plan shows this area as being used for the same use, single-family housing.

On November 1, 2021, City Council adopted zoning text amendments that would permit applicants to request a reduction in required enclosed private parking spaces from the Planning Commission based upon one (1) of five (5) exceptions (see below).

PROJECT DESCRIPTION

The applicant is proposing to reconstruct their one-car garage in the same location.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The applicant is requesting a reduction in the required enclosed private parking spaces under 1161.051(a)(iii), replacing a one-car garage with a one-car garage. This is an unusual parcel as the lot has an 'L' shape. The driveway and garage to this property are off of Minor Park Lane. There is a garage for 3330 Berkeley Rd. to the north of the applicant's driveway and garage and a garage for 3325 Hyde Park Ave. to the south.

STANDARDS

1161.05 MODIFICATION OF NUMBER OF REQUIRED PARKING SPACES.

Whenever the parking requirements based on functions and uses, and application of the standards specified in Schedule 1161.03 can be shown by the applicant to result in an excessive number of parking spaces and that a lesser number of spaces is appropriate and consistent with these regulations, the Planning Commission may approve a reduction in required spaces

1161.051 EXCEPTIONS TO REQUIRED ENCLOSED PRIVATE PARKING SPACES

Any application that will not be providing the requisite enclosed parking spaces as indicated in Schedule 1161.03 shall require review and approval by the Planning Commission based upon the regulations and criteria of this section.

- (a) **Exceptions.** The required off-street parking spaces for single-family dwellings, two-family dwellings, and townhouses shall be enclosed in a detached or attached private parking garage, as indicated in Schedule 1161.03, unless one (1) or more of the following exceptions can be substantiated:
 - (i) The parcel is a legal, non-conforming lot that does not have the requisite minimum lot area or lot width to accommodate a Code-conforming private parking garage.
 - (ii) Special conditions exist specific to the lot that are not applicable generally to other lots in the same Zoning District that render a Code-conforming private parking garage impractical.
 - (iii) If the previously existing private parking garage on the lot was a single-car garage for single-family dwelling.
 - (iv) If an existing private parking garage structure and associated remnant parking pavement are proposed to be removed and replaced with grass or landscaping, thereby increasing green or open space.
 - (v) If a substantial expansion or addition to the principal structure is proposed.
- (b) **Landscape Plan Required.** Any application that will not be providing the requisite enclosed private parking spaces shall include a Landscape Plan that addresses stormwater management and minimizes adverse impact on neighboring properties, subject to Chapter 1166 of the Zoning Code.
- (c) All other provisions of City ordinances relating to zoning, demolition construction, use and maintenance of residential buildings shall apply, including, but not limited to, impervious surface coverage, yard setbacks, parking pad dimensions, driveway dimensions, parking requirements, and utilization of driveways for parking.

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(ii) in that special conditions exist that are not generally applicable to other lots in the same zoning district as the parcel is an unusual shape being 'L' shaped with access to the current garage from the side street.
- 1161.051(a)(iii) in that the existing garage is a one-car garage.

Due to the impacts of the COVID-19 pandemic, greater period of time is needed on a temporary basis to complete construction projects. Staff recommends that Planning Commission approvals reflect a longer period of completion.

Staff recommends that the Planning Commission approve the reduction in required enclosed private parking to permit a one-car garage to be rebuilt in the same location as the original garage with the following additional conditions:

11. ABR approval of the garage;
12. Receipt of required building permits;
13. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Ms. Cohen asked both Ms. Knittel and Mr. Zamft how this situation would have been handled under the previous code. =

Karen Knittel replied that under the previous code, it was an administrative approval. We would have seen that they had a one-car garage and that they wanted to replace the one car with a one-car garage. Now, under the new code, this request is made to the Planning Commission. The code change makes the process the same for all requests.

Alix Noureddine asked the applicant to swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth.

Valerie Robinson and Zachary Robinson replied, "We Do".

Ms. Robinson expressed that she's looking forward to being able to complete their project.

Ms. Cohen asked if there were any questions for staff, there were none and Ms. Cohen asked if there was a motion on the floor.

Adam Howe motioned for approval of Proj. **No. 21-15: V. & S. Robinson, 3334 Berkeley Rd.**, 'A'Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161 with the Staff Recommendations.

Anthony Mattox Jr. Second the motion.

Approved 6-0.

Ms. Cohen went to congratulate the Planning Staff ongoing through this first presentation to the change in the zoning code which allows for more neighbors to gain more access to their properties.

Karen Knittel Powerpoint presentation was as follows:

Proj. 21-14: R. Hicks, dba Buds and Blossoms Childcare Center, LLC prospective tenant at Imani Temple, **2463 N. Taylor**, "A" single-family, request conditional use permit for 106-child daycare, school-age before- and after-school care, and full-day programs on holidays and summer per Code ch. 1111, 1115, 1121, 1131, 1151, 1153, & 1161.

REQUEST FOR CONDITIONAL USE PERMIT

Since at least the mid-1990s, a preschool/child-care center has operated at this address. The center will occupy rooms on the first and second floors of the former school building and will serve children ages 6 weeks to 12 years. Hours of operation are 6:30 a.m. through 6:00 p.m., Monday through Friday. The applicant has experience running a child-care center at Park Synagogue.

CONTEXT

The building is located on the east side of North Taylor Road and north of Mayfield Road on the 5-acre former St. Louis campus, now owned by Imani Temple Ministries. The site is zoned 'A' single-family and is surrounded by 'A' single-family residential to the west, north,

and east. Council Garden retirement community zoned 'MF-1' multiple-family, is located to the south.

The Future Land Use Map shows this area along North Taylor Road as being used for attached or multiple-family. Churches, schools, and associated programs and services are conditionally permitted uses in multiple-family districts.

HISTORY

The former school building has long housed educational and child care programming and has received the following approvals over the years. However, with the exception of Imani Temple Ministries, none of these businesses currently occupy the site:

- 1994: Proj. No. 94-16, conditional use permit granted to add approximately 45 preschoolers to the Catholic elementary school
- 2007: Proj. 07-17, conditional use for Woodside Center to operate 100-child childcare center/kindergarten/after-school program at former St. Louis School 6:30 am to 6:30 p.m. Monday through Friday in 5 classrooms, office, and social hall
- 2008: Proj. 08-04, Woodside Center's conditional use permit was revised to add 50 children to enrollment for a total of 150 children
- 2011: Proj. 10-26: Imani Temple Ministries granted conditional use permit to operate a church in former St. Louis Church
- 2011: Proj. 11-25: D. Longino, dba Imani Youth Academy, granted conditional use permit to operate 24-child after-school tutoring program grades K-10 operating 4-8 p.m. Monday through Friday
- 2011: Proj. 11-33: ITM Building Blocks Child Care Center, granted conditional use permit to transfer operation of Woodside Child Care to ITM Bldg. Blocks--80-child daycare center open 6:30 a.m. – 6:30 p.m. Mon.-Fri.
- 2014: Proj.14-33: Bridge Builders Academy for Girls granted conditional use permit for 125-student middle school (6, 7 & 8th grade) in school bldg.
- 2015: Proj. 15-5: Aurora Health Alternatives, Ltd., dba Higgins Healthcare Institute, granted conditional use permit for a special training school for nursing/health care.
- 2016: Proj. 16-23: K. & R. Hicks dba Heights Room to Grow Preschool, LLC granted conditional use permit for 170-child daycare, before-after school care, and full-day programs on holidays and summer. (NOTE: never opened at Imani)

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;*

Previous approvals for operation on this site were for up to 170 children, which is more than the 106-child operation proposed by the applicant. This proposal is in keeping with the objectives of the district, which allows for child care in religious and school buildings. Mature trees on the site buffer the campus from the surrounding residential neighborhoods. The site has ample parking, open space and play areas isolated from North Taylor Road traffic.

(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;*
The operation of a child- and after-care program should not impact the neighborhood and will provide a service for working parents. No complaints about previous child-care and after-school programs have been received concerning Ms. Hicks' other Cleveland Heights child-care center.

(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;*
No exterior changes will be undertaken.

(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;*
Childcare operation in the former school building will not negatively impact the neighborhood. The site can easily accommodate the use without negative impacts on the neighborhood.

The following standards will likely not be at issue with this application:

(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; and*
(j) *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.*

SUPPLEMENTAL STANDARDS FOR THIS CONDITIONAL USE

Section 1153.05(e): *In a residential district, a day care center, nursery school or kindergarten may be permitted provided the facility is located in a school or place of worship.*

This proposal meets this requirement.

Section 1153.05(b): *In any district, the Planning Commission may require a school, park or playground to fence in the outdoor play area to minimize traffic hazards.*

The existing play area has been long unfenced and is substantially removed from the street or parking area. If the applicant chooses to fence the playground, the Planning Director should approve the fencing plan prior to permitting.

STAFF RECOMMENDATION

Staff recommends approval for Robin Hicks, d.b.a. Buds and Blossoms Childcare Center, LLC, to operate a 106-child daycare, school-age before- and after-school care, and full-day programs on holidays and summer in the former school at Imani Temple Ministries, 2463 N. Taylor Road, as described in their application materials and shown on the plans submitted, with the following conditions:

1. Two parking spaces shall be designated for child-care pick-up and drop-off only;
2. If proposed, receipt of Planning Director approval of landscaping and/or fencing plan;
3. Applicant shall return to the Planning Commission for approval of any significant alteration or expansion of their operations;
4. Hours of child care operation shall be limited to Monday - Friday 6:30 a.m. - 6:00 p.m.;
5. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties;
6. Applicant shall work with staff to resolve any neighbor complaints;
7. Applicant shall adhere to all Building Code and State child care requirements; and
8. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.

Ms. Cohen asked if there were any questions for staff, there were none she asked if the applicant wished to speak.

Alix Noureddine asked the applicant to swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth.

Ms. Robin Hicks "Yes" Ms. Hicks went on to say that she's worked with preschools since 2000, she went on to describe the care and education that she and the preschools have provided over the years. She went on to detail the drop-off and pick a schedule for the center, and how this will not affect the surrounding neighborhood or business.

Ms. Cohen asked if there were any questions from the commission or for the applicant, there were none. Ms. Cohen asked if there was a motion.

Anthony Mattox Jr move to approve **Proj. 21-14: R. Hicks, dba Buds and Blossoms Childcare Center, LLC** prospective tenant at Imani Temple, **2463 N. Taylor**, "A" single-family, request conditional use permit for 106-child daycare, school-age before- and after-school care, and full-day programs on holidays and summer per Code ch. 1111, 1115, 1121, 1131, 1151, 1153, & 1161. With the eight Staff Recommendations.

Adam Howe Second the motion.

Approved 6-0.

Ms. Cohen introduced Mr. Zamft to begin the Planning Department staff training.

Mr. Zamft reminded the Planning Commission that staff was going to provide training when time permits. Topics that have been identified include Form-Based Codes, Sustainability Planning & Green Infrastructure, Historic Preservation, and Landmark Commission, The BZA and the Zoning Appeals Process, and the Sidewalks, Trails, and Open Space Planning. Mr. Zamft asked "What are the powers and duties of the Planning Commission?" He stated that powers of the commission include: 1. "Proactive" Power, 2. Power to Review and

Approve, and 3. Power to Review and Recommend. He gave a brief definition of each category.

Mr. Zamft stated that there are vacancies on the City's Boards and Commission and encouraged residents to volunteer for these very important civic bodies. He gave the web address of <https://www.clevelandheights.com/1169/Boards-and-Commissions-Application> for more information.

Ms. Cohen thanked Mr. Zamft for his presentation and information to the public regarding the vacancies within the City's Boards and Commissions. She asked if new appointees to the Planning Commission will receive some sort of orientation from staff. Ms. Cohen asked for clarification regarding the Planning Commission being "Proactive" and the maps and their relationship to one another.

Mr. Zamft said that the language in the code is not very specific it more relating to the physical development of the city. If it is more of a ward map or an election map, it probably doesn't fit into this, but any other map that's related to development or land user zoning is something that could possibly be discussed.

Ms. Cohen asked a question regarding Council referrals, she wanted to know how this also works with new zoning code change and the input for Council.

Mr. Zamft stated that he agreed there should and will be communication between all parties so that the best decision can be made for the City of Cleveland Heights and its residents.

Ms. Cohen asked if there were any additional questions at this time.

Ms. Wobig asked if the Planning Commission be able to present to Council things that the commission may want them to request of us.

Mr. Zamft responded "Yes" and stated that the idea is having all Commissions and Boards be on the same page when making decisions for the City of Cleveland Heights and its residents.

Anthony Mattox Jr., wanted to share that the communication process is to be approved because a little birdie told him that there would be a councilperson at the planning commission meeting as well.

Alix Noureddine stated that he had two comments in response to the zoning map question. He said he believes the proper interpretation of the Zoning Code is that it pertains to the zoning classification with the city. So, it is not speaking to wards or precincts and certainly not to election-related matters. He said his second comment is that some of the items that could be considered were at the request of Council. He said that he wanted them to be aware that should Council not make that request the authority does lie with Council and so a topic may not make it to the Planning Commission.

Ms. Cohen thanked Mr. Noureddine and said that she should have gone to him with the question about the maps. She asked if the presentation could be sent out to the Commission for reference purposes. She then asked if there were any other questions, there were none. Ms. Cohen then asked Ms. Knittel, Mr. Noureddine, and Mr. Zamft if there

will be a possible preliminary look at the Cedar-Lee-Meadowbrook development project at the next meeting or prior to the installation of the two new Commission members.

Mr. Zamft stated the intention is for a preliminary review.

Mr. Noureddine added that the intent of the preliminary review is for the applicant to receive comments and feedback from the Commission and the outcome by being affected by the absence of two commission members.

Ms. Cohen stated that if the project comes forward before the new members have been selected, she would ask that planning staff review with the new members all the information that they missed from the prior meeting.

Ms. Cohen thanked everyone for their commitment with tonight's meeting and adjourned the meeting.

Adjourned at 8:00 pm.



Jessica Cohen, Chair



Eric Zamft, Secretary

