

**CITY OF CLEVELAND HEIGHTS  
REGULAR PLANNING COMMISSION  
December 14, 2022  
MINUTES OF THE REGULAR MEETING**

PRESENT MEMBERS: Jessica Cohen Chair  
Michael Gaynier Vice Chair  
Leonard Horowitz  
Ken Surratt

ABSENT MEMBERS: Judith Miles  
Adam Howe  
Jessica Wobig

STAFF PRESENT: Eric Zamft Planning Director  
Lee Crumrine Assistant Director of Law  
Karen Knittel Assistant Planning Director  
Christy Lee Recording Secretary  
Breanna Kirk City Planner

## CALL TO ORDER

Ms. Cohen called the meeting to order at 7:00 p.m. She welcomed the audience to December 14, 2022, regular meeting of the Cleveland Heights Planning Commission.

## APPROVAL OF MINUTES

Ms. Cohen stated that the minutes from October 26, 2022, were approved as distributed.

Ms. Cohen stated that Project Number 22-25 would be

**Proj. No. 22-25 R. Buccheri, 2101 Stillman Rd.**, “B” Two-Fam., requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161. This case will be continued as part of the January 2023 Planning Commission Meeting.

Lee Crumrine swore in all staff and persons who would testify on the first case.

## Breanna Kirk PowerPoint Presentation:

**Proj. No. 22-26 J. Gall, 3444 Fairmount Blvd., "A" Single-Family, Requests Reduction of Required Enclosed Private Parking Spaces per Code Section 1111, 1115, 1121, & 1161**

## CONTEXT

This property is in the SE section of Cleveland Heights, near the border with the City of Shaker Heights. The parcels in this area, east and west of this property along Fairmount Boulevard, are single-family homes zoned 'A' Single-Family. There is a small C2 Commercial District to the north on the opposite side of Fairmount

Boulevard. The Future Land Use Map from the Master Plan shows the existing single-family housing as single-family housing and the C2 Commercial area as Mixed-Use: Commercial and Retail.

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 replace the current attached one-car garage with a new attached one-car garage.

### **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 single-car garage with a single-car garage.

### **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 enclose 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)(i) The parcel is a legal non-conforming parcel in terms of parcel area. This parcel is 7,350 square feet. Code Section 1121.06 states that in an "A" Single-Family District a parcel should have a minimum lot area of 7,500 square feet.
- 1161.051(a)(ii) The previous private parking garage on the lot was an attached, single-car garage. The applicant proposes replacing this with an attached, single-car garage in the same location.

This garage design was reviewed and approved by the Architectural Board of Review at their December 6, 2022 meeting.

Due to the impacts of the COVID-19 pandemic, a 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. Receipt of required building permits;
2. Final landscape plan to be approved by the Planning Director; and
3. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Mr. Horowitz motioned for approval

Mr. Gaynier second.

Approved 4-0.

Karen Knittel PowerPoint as follows:

**Proj. No. 22-24 Cleveland Heights-University Heights Public Library, 2800 Noble Rd. & 2780 Kirkwood Rd., "A" Single-Family & "MF-2" Multiple-Family review of proposed Noble Rd. Library per Zoning Code Chapters 1111, 1115, 1121, 1123, 1151, 1153, 1161 1165 &1166 requests:**

- a. approval for a reduction in the required parking &
- b. approval of conditional use permit for the expanded library.

**CONTEXT:** Noble Road Library, 2800 Noble Road (PPN 683-05-009) is zoned “A” Single-Family, and 2780 Kirkwood (PPN 683-05-008) the site of the former Noble Road Presbyterian Church is zoned “MF-2” Multiple-Family. The parcels to the east are zoned “A” Single-Family. Parcels across Noble Road are apartment buildings zoned “MF-2” for Multiple Family. To the north along Noble Road are apartment buildings zoned “MF-2” Multiple Family. South of the library, across Montevista Road, is Noble Elementary School, zoned “A” Single Family.

The Master Plan Future Land Use Map shows this area as being institutional and attached or multi-family.

### **PROJECT DESCRIPTION**

A library is a conditionally approved use in both the “A” Single-Family and “MF-2” Multiple-Family zoning districts. This project must comply with the Standards for Conditional Uses and Sustainability Guidelines.

The Noble Library branch was developed to capacity with no meaningful expansion possible. The site included the original 1937 Walker and Weeks designed building and a 1960s renovation. Even with a 2010 renovation, the existing site was not adequate to satisfy the current and anticipated service goals of the library and community requests. The library purchased the adjacent property to the north and demolished the church to allow for the expansion of the library. The expansion of the Noble Branch library includes the demolition of the 1960’s addition, a renovation of the existing branch with a new addition to the building, and expanding the parking lot to the north. The northeast corner of the site is proposed as a community outdoor space for the Noble neighborhood.

The addition will provide a new accessible entrance from the parking lot and will include space for children, and teens and meeting room. The original 1937 library will include quieter reading, study and computer access areas for adults.

The library campus will include community green space at the northeast corner, an accessible porch, outdoor programming space, reading nooks, bicycle parking, and a vegetable garden

### **ZONING HISTORY**

Proj. No. 96-25, June 1996: Planning Commission approved the joining of 3889 and 3895 Montevista Road (PPN 683-05-054 and 683-05-055) with 2800 Noble Rd. for the library parking lot.

Proj. No. 97-9, April 1997: Planning Commission approval of parking lot on unused land behind existing Noble Library.

Cal. No. 2660, April 1997: Board of Zoning Appeals approved a 5 ft. side yard (north property line) setback and 7 ft. rear yard (west property line) setback (10ft, was required) for a parking lot and to permit 9 ft. by 17 ft. parking spaces (9 ft. by 20 ft. was required).

Proj. No. 21-07, August 2021: Planning Commission approved the joining of 2800 Noble Road and 2780 Kirkwood Road (PPN 683-05-008 & 683-05-009). The parcels are being joined for the library expansion.

### **MATERIALS RECEIVED AND REVIEWED**

Conditional Use Permit Application

General Standards for Conditional Use for the Noble Road Branch Library

Memorandum dated November 29, 2022, Project Summary & Parking Reduction Request  
Heights Library Noble Road Branch Renovation and Addition Planning Commission Submittal plans

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## **REQUEST FOR REDUCTION IN PARKING**

Zoning Code Section 1161.05 provides that the Planning Commission has the authority to modify the number of required parking spaces whenever the parking requirements based on functions and uses, and application of the standards specified in Schedule 1161.03 are shown by an applicant to result in an excessive number of parking spaces and that a lesser number of parking spaces is appropriate and consistent with these regulations.

Zoning Code Schedule 1161.03 (h)(2) requires a community facility such as a library to provide one (1) parking space for every four (4) seats or for each 300 square feet of floor space, whichever is greater. With 20,600 square feet of floor space, the library would be required to provide 69 motor vehicle parking spaces.

The site plan shows 42 motor vehicle parking spaces including three (3) handicapped spaces. The total square footage of floor space includes areas that will not be occupied by the public, including areas for storage, utility and mechanical rooms and restrooms. The library usage is variable with patrons visiting in larger or smaller groups depending on programming and time of day. Many comments received by the library during their October 4<sup>th</sup> public meeting questioned whether the site plan shown has too large of a parking lot.

There is on-street parking and the Noble Road Elementary School parking lot provides additional parking during non-school hours. It is more sustainable to encourage the use of existing parking than to create additional paved areas. Additionally, many of the patrons walk and/or bike to the library.

Schedule 1161.035 requires the library to provide one bicycle parking space for each 2,500 square feet of floor area. This results in the project needing to have a minim of 9 bicycle spaces for the 20,600 square-foot facility.

The library is providing 26 bicycle parking spaces. These will be located in two areas: the area near the entry from Kirkwood will have 16 spaces and the area near the building addition entry will have 10 spaces.

The library is requesting a reduction in parking so that their off-street parking for motor vehicles would be 42 parking spaces rather than the 69 parking spaces specified in Schedule 1161.03.

### **REQUEST FOR REVISION OF CONDITIONAL USE PERMIT**

A library is a conditionally permitted use in both the 'A' Single-Family District regulated in Section 1121.04(d) and the 'MF-2' Multiple-Family District regulated in Section 1123.04(f).

### **STANDARD 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.

This is a continuation of the library use that has been there since the library first opened on the Noble School property in 1917 and the Noble Library building opened in 1937.

- 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 expanded Noble library will not be a detriment and in fact will have a positive impact on the public health, safety and general welfare of the community.

- 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

The library held multiple public engagement meetings to understand community desires and to attempt to design the library addition to be constructed, operated and maintained to be appropriate to the character of the area. This resulted in the historic 1937 Walter and Weeks building being preserved and an addition being designed to address provide additional space for community library services.

- 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

The investment in the library should have a positive impact on surrounding properties and the increased services the library will be able to offer will provide amenities such as maker spaces, meeting rooms that will strengthen 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

The investment in the library will enhance the orderly development of the area. As part of this project, the library will be relocating electrical wires that currently run down the center of the property, which will result in an orderly appearance and the elimination of low slung wires that are a safety concern.

- f) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided

Adequate utilities are in place, the project will provide 24-hour WIFI and exterior WIFI. A storm water management plan has been created by their Civil Engineer that will be reviewed by the City's Public Works Department and engineer.

- 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

The parking lot has been designed so that the entrance is from Kirkwood Road. The northern parking lot provides a circular drive lane that would allow a vehicle to also exit onto Kirkwood Road. Vehicles could also proceed south to a pick-up window or additional parking and would exit onto Montevista Road. Bicycle and scooter parking is available and pedestrian walks are designed through the campus. Additional parking is available in the elementary school parking lot across Montevista Road and along 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

Expanding the existing library site enables the library services to continue to be offered adjacent to the Noble Elementary School. Maintaining and expanding services at this location will enhance the local economic welfare.

- 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

This is an expansion of the existing library use. The library is a conditionally permitted use in both the "A" Single-Family District and the "MF-2" Multiple-Family District.

- 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.

The project is requesting a reduction in parking from the Planning Commission and has submitted a variance application to the Board of Zoning Appeals for the variances discussed below in the commentary on additional zoning code regulations. A sign plan was not submitted and separate approvals will be necessary for any signage associated with this project.

## **SUPPLEMENTAL STANDARDS FOR CONDITIONAL USES**

Schedule 1153.03(4) requires a library to have a minimum lot size of 1 acre and a minimum lot width of 150 feet. A library is required to have front, side, and rear yards that are a minimum of 50 feet. Parking for a library is required to be set back 50 feet from front and side yards and 10 feet from rear yards. The proposed site plan will require setback variances to the 50-foot front yard regulation proposed new building sets the building is designed to match the same setback as the original 1937 Walker and Weeks setback. Additionally, the parking lots will require variances as the supplemental standards require the parking lot to be setback 50 feet from the public right of way.

### **SUSTAINABILITY GUIDELINES (Sect. 1165.06)**

*The following design characteristics and amenities are provided as a non-exclusive guide of items to be considered for all development plans. Additional design characteristics and public benefits and amenities not listed may also be considered.*

*1) Historic preservation and adaptive reuse of existing structures.*

The library is maintaining the original 1937 Walker and Weeks building and expanding its footprint to incorporate the space required for library services and community needs.

*2) The use of sustainable design and architecture, such as the use and/or incorporation of green roofs or white roofs, solar panels, wind turbines and other alternative energy efficient systems, and LEED (Leadership in Energy and Environmental Design) or LEED-equivalent structures.*

The library will include energy efficiency design including raised access floor systems that supplies air low and returns above the ceiling instead of recirculating it all from the ceiling. The HVAC systems, exterior glass, and wall installation have been selected for their high performance characteristics. The roof layout and electrical system are designed so as to provide the infrastructure necessary for the library to add photovoltaic solar panels in the future.

*3) Incorporation of passive solar building and site design, where the design of the structure and the layout of the lots within the development collect solar energy in the form of heat in the winter and minimize heat in the summer. The roof layout and electrical system are designed so as to provide the infrastructure*

*necessary for the library to add photovoltaic solar panels in the future.*

The roof layout and electrical system are designed so as to provide the infrastructure necessary for the library to add photovoltaic solar panels in the future.

*4) Where the development requires the demolition of existing structures, recycling and reuse of building materials from demolished structures.*

The former church was demolished and is not part of this application.

*3) Site design that incorporates public safety initiatives, such as strategies advocated by Transportation Demand Management, Crime Prevention Through Environmental Design (CPTEP) and Safe Routes to School.*

The library design includes windows that enable views of the street and public areas. The area is walkable and bicycling is encouraged with conveniently located parking by library entrances. The City will work with the library and elementary school to look at ways to improve routes to schools and the library.

- 4) *Preservation of natural features where the design of the site provides more usable and suitably located open space and natural amenities. The use of conservation easements is encouraged.*  
The plans incorporate outdoor areas including using the northeast corner as a public greenspace that includes an amphitheater and including a vegetable garden,
- 5) *Innovative stormwater management techniques that exceed the performance standards required by the Ordinance and the City Code, and reduce the amount of impervious surface on the site.*  
Although impervious surface will increase, a stormwater management plan has been created that includes an underground device such as the Advance Drainage Systems Inc. mC3500 Storm Tech Chamber that is a cost-effective management system of both stormwater quality and volume/flow rate. This will be reviewed by City's public works & engineer during the permitting.
- 6) *Additional public infrastructure improvements in addition to the minimum required by the planned development overlay, such as new or repaved streets, provision of bicycle paths, installation of gutters and sewers, new public transit stations, and traffic control devices to improve traffic flow. Community amenities such as public art, places to congregate such as plazas, malls, gardens, outdoor seating, and pedestrian and transit facilities.*  
The plans will enable the future installation of EV charging stations in the north parking lot (shown on the Civil Engineering Drawings Site Parking Plan). Shared scooter parking and shared bicycle parking will be offered onsite. The City will work with the Noble Elementary School and the library on additional improvements to bicycle and walking routes. Also, the City will work with RTA to provide public transit that is accessible and appealing. The library plan is creating gardens and outdoor spaces.
- 7) *Additional open space and recreational amenities such as recreational open space and playgrounds, including athletic fields, dog parks, and natural water features and conservation areas above that required by the Ordinance.*  
The northeast corner of the site has been designed as a community green space with amphitheater seating, the site also includes a vegetable garden.
- 8) *Provision of car or bicycle sharing facilities on-site.*  
The site plan includes the provision of space for the parking of shared scooters and/or shared bicycles.

#### **COMMENTARY ON ADDITIONAL ZONING CODE REGULATIONS**

In addition to the setback variances to the 50-foot yard requirement of the Supplemental Standards for Conditional Uses specific to libraries, the site plan will need a setback variance to permit the proposed location of the dumpster enclosure. Also, a portion of the expanded southwest parking lot along Montevista Road will need a rear yard setback variance. These variances are to regulations in the District Regulations Chapter 1121 and 1123.

The lighting plan submitted with the Planning Commission materials shows that the exterior lighting will be code-conforming. (Section 1165.07) The lighting plan will be reviewed and approved by the Zoning Administrator.

The Tree Preservation Plan (Section 1166.11) and Landscape Plan (chapter 1166) submitted indicate that the applicant intends to be code-conforming in these areas. The Tree Preservation Plan identifies 34 trees that are 6-inch caliber at breast height or greater that will be removed and the Planting Plan for Trees has 41 new trees being planted. The Landscape Plan shows fencing which requires a fence permit. A final Landscape and Tree Preservation Plan should be submitted to and approved by the Planning Director. Additional materials are necessary for approval.

Signage (Chapter 1163) was not submitted and was not reviewed as part of this application. The Noble Library signage plan will need to be submitted for review and approval by the Architectural Board of Review. Should the signage plan submitted not be code-conforming, the appropriate variance process would need to be followed.

The applicant will work with the city on any directional signage that would assist with safety.

## **PARKING AND TRAFFIC**

Access to the library parking lot will change with the new addition. Currently, patrons access the library parking lot from Montevista Road. The new site plan will have patrons entering the parking lot from Kirkwood Road. The northern section of the parking lot will allow patrons to circle it and potentially exit onto Kirkwood Road. There is a drive access that connects the northern section to the southern parking lot section. This drive access lane will be one-way allowing drives to move south. This access road will enable patrons to either use the pick-up window or access the parking spaces, including 3 handicapped spaces in the southern parking lot. All vehicles exit this southern parking area to Montevista Road. The drive access lane to Montevista will be narrowed to a code-conforming 12 feet in width. This narrower width will assist in the public understanding that there is a change and that this lane is one-way out of the parking lot.

The library and the former church held events and activities in this location for many years. It is not anticipated that the library use including special events or community meetings will have any greater impact on the neighborhood than what historically had occurred. The city will work with the library on signage and strategies to address public wayfinding and safety.

## **SUMMARY OF MEETINGS**

- Preliminary presentation at the Planning Commission – November 9, 2022
- Preliminary presentation at the Architectural Board of Review – December 6, 2022
- Review by the Planning Commission – December 14, 2022
- Review by the Board of Zoning Appeals – scheduled December 21, 2022
- Review by the Architectural Board of Review to be scheduled

## **STAFF RECOMMENDATIONS**

a. Staff recommends approval by the Planning Commission of the reduction in parking to allow the library to provide 42 on-site parking spaces as shown in their Planning Commission application materials.

b. Staff recommends approval by the Planning Commission of the Noble Road Library Conditional Use Permit, with the following conditions:

1. All required variances are approved by the Board of Zoning Appeals;
2. Approval by the Architectural Board of Review;
3. Approval of the final Landscape Plan, including the tree preservation plan by the Zoning Administrator;
4. Approval of the Lighting Plan by the Zoning Administrator;
5. Receipt of applicable building permits;
6. Receipt of fence permit;
7. Signage Plan must be submitted for review and approval by the Architectural Board of Review;
8. The applicant will continue to work with the City to resolve any complaints from neighbors; and
9. All required construction and installation of the use shall be completed within 36 months of Planning Commission approval.

Ms. Cohen ask if there were any questions for staff, or if the applicant wanted to add anything at this time. Ms. Cohen asked if there was a motion on

A: approval for a reduction in the required parking;

Mr. Gaynier motioned approval for Part A approval for the reduction in the required parking;

Motioned was seconded by Mr. Surratt.

Motion approved 4-0.

B: approval of conditional use permit for expanded library

Mr. Gaynier motioned approval for Part B approval of conditional use permit for the expanded library with the conditions listed in the staff report.

Motioned was seconded by Mr. Surratt.

Motion approved 4-0.

### **Old Business**

SUBJECT: **Proj. No. 22-21 Mac's Auto Service, 1828 S. Taylor Rd.,** "C-2" Local Retail, review for possible revocation of conditional use permit per Code Chapters 1111, 1115, 1131,1151,1153, 1161 & 1166.

Ms. Knittel gave a brief overview of the progress that is being made to bring **Proj. No. 22-21** up to code. The applicant has made progress to keep the parking lot clear and uncluttered, new landscaping is to start in 2023, new gas pumps that will be working for use will be installed in 2023, parking plan is in place and being upheld. She added that at this time if progress is continued to be made then the six conditions below should be granted and added to his Conditional Use Permit.

Should this testimony indicate that the business can successfully follow the conditional use permit requirements, staff recommends that the Conditional Use Permit 99-7 to Mac's Auto Service to continue to operate a gasoline and automotive repairs station could be permitted to remain in operation and that the following additional conditions could be considered:

1. The owner shall follow the existing parking plan while working with the City on an appropriate update, if applicable;
2. Any proposed change to the parking plan must be approved by the Zoning Administrator before it is implemented;
3. Parking space lines shall be painted on the parking lot;
4. Applicant will inform customers to only park in the designated parking spaces, whether through the use of cones, signage, or other strategies;
5. A new landscape plan should be submitted for the Zoning Administrator's approval to be implemented no later than June 30, 2023; and
6. Future violation of the conditional use permit, including not following the approved parking plan that results in a violation notice shall require the applicant to return to the Planning Commission for review of the conditional use permit for possible revocation.

Mr. Raffel 1828 South Taylor Road, affirmed the oath. Mr. Raffel went on to state that he has been working hard to bring the property up to code, by removing cars to add additional space, and completing an overall cleanup. He added that he has submitted a parking plan showing that they will be able to house only a certain number of cars at a time, to reduce overflow. Mr. Raffel went on to say that regarding the landscaping they're currently waiting on spring to begin. Mr. Raffel made the Planning Commission aware that there has been an order placed to have the new working gas pump installed, to generate more useful business this should be completed no later than February 2023.

Ms. Cohen asked Mr. Raffel if he clearly understood that if there was no other parking plan approved, the current parking would remain.

Mr. Raffel stated that he understood completely.

Ms. Cohen stated that she along with the Planning Commission is happy to see improvements. She then asked if there was anyone who wanted to speak from the public at this time.

Ashley Cummings 3410 Blanche Ave. spoke on behalf of support of the improvements to "Mac's". he went on to state that cars that are being stored on the property are there longer than usual due to the process of waiting on parts to come in from the manufactory. So, they are being worked on, just some have a delay for service parts to begin and complete service. Mr. Cummings asked that due to this would it be possible to not have a violation used due to cars being on the property for longer than usual.

Ms. Cohen stated that the parking plan is in place for a reason, that the parking plan that has come before the Planning Commission is in the hands of administrivia approval so if the staff doesn't approve it then it's not approved if they do approve it is therefore approved. Regarding the spots that have been discussed with the applicate at the last Planning Commission meeting and therefore he understands the requirements in order to keep the conditional use permit. Ms. Cohen also mentioned that there should be proper signage showing where all cars that are being serviced can and cannot park. And these guidelines should be followed at all times once they have been put into place.

Ken Black 1828 South Taylor stated that he was the previse owner of the property at 1828 South Taylor, he went on to state his support of the business as well as the owner Mr. Raffel.

Mr. Gaynier motioned for the approval of the recommended 6 conditions regarding **Proj. No. 22-21 Mac's Auto Service, 1828 S. Taylor Rd., "C-2" Local Retail**, review for possible revocation of conditional use permit per Code Chapters 1111, 1115, 1131,1151,1153, 1161 & 1166.

Motioned second and approved 4-0.

Ms. Knittel reminded the Planning Commission that under their powers and conditions that they should investigate and prepare recommendations for the location and design of public parks, pathways and playgrounds, and recreation facilities along with other park areas. Ms. Knittel reminded the Planning Commission that Sewer District is working with the City of Shaker Heights and the City of Cleveland Heights with a consultant on the improvements for the reimaging of the parklands by the Doan Brook in the area of Horseshoe Lake. This will result in a significantly larger park area, she added that there has been public engagement regarding this project.

Ms. Cohen thanked Ms. Knittel for the update and also asked that the Planning Commission is made aware of any update regarding this project. Along with an update about how Shaker will be going to handle this going forward.

Mr. Zamft stated that training for the Planning Commission as a whole for early 2023, also will going forward have an Agenda meeting before each meeting. There will be a notice going out regarding time, place, and what will be on the agenda.

Mr. Zamft reviewed the suggested amendments of the Zoning Code, updating the Planning Department on the updates with signage, places of worship, Air B&B, fences, front yard zoning classifications, sidewalks, solar panels, and different development projects that are currently under construction as well as refreshing the language regarding personal identification. Posting publications, changes in fees, garage zoning applications, non-conforming use of buildings, and their expanding, per the zoning code. Fence permits will no longer be approved by the Planning Department but by the Building Department.

Mr. Zamft went on with the Zoning Code Review highlighting additional items, including public notices.

Ms. Cohen asked if this would fall under a form of an ordinance similar to Council and asked for clarification on the different types of notices that are sent out to the public.

Mr. Zamft replied that Council has an established process per their code. Mr. Zamft stated that with the Planning Commission and Board of Zoning Appeals, public notice is mailed out 10 days before any meeting. Ms. Knittel added that a newspaper ad for the meeting is also published at least 10 days before the meeting. She added that all agenda and meeting dates are posted on the Cleveland Heights Web Page. Mr. Zamft stated that the change would be to continue only the online posting and direct mailing to appropriate properties.

Mr. Zamft stated that this policy should be considered across the board regarding public notice distribution. He mentions he would take note making all aware of what possible changes should be made. Mr. Zamft went on to make the Commission aware that the fee change will happen as of January 2023, along with the changes in the Planning Commission and ABR partnership regarding approval of particular projects.

There was discussion among the Planning Commission regarding the Zoning Code Amendment process that begins with City Council who could then send them back to Planning Commission to formally review.

Mr. Zamft proceeded to discuss places of worship, and how they will be zoned or rezoned with the code. Mr. Zamft gave an additional power point presentation on this matter.

Ms. Cohen asked for clarification on the different definitions of places of worship and how they can be classified per the zoning code, asking how you classify these establishments if this a home now turned into a place of worship.

(Conversation is not audible)

Mr. Zamft stated that these are all great points that can be looked into further and discussed at the next meeting.

Ms. Cohen added that this should be brought before the public so that they understand what can or cannot be allowed.

(Additional conversation is not audible.)

Staff Recommendation is to draft a resolution, with a time frame resolution in order to have these items processed at the being of 2023 by City Council.

A motion was made by Mr. Surratt to adopt the resolution of the Zoning Code.

Ms. Cohen asked if there was any discussion.

Mr. Gaynier stated that he has concerns about the neighborhood places of worship language and would like to know if there is a need for these changes and that he believes additional work should be done to understand the intended and unintended consequences of this new language. He stated at present he could not support including this section to be sent to City Council. Further discussion by members resulted in an agreement that this language should be further considered and should be removed from the recommendation that is being considered.

Ms. Cohen called for the vote and the motion was voted down 3-1.

Mr. Gaynier motioned to send a Resolution to Council recommending the General Proposed Zoning Text Amendment.

The motion was seconded by Mr. Surratt and approved 4-0.

New Business

Old Business

Adjournment 8:52 pm

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**Jessica Cohen, Chair**

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**Eric Zamft, Secretary**