

**CITY OF CLEVELAND HEIGHTS
REGULAR PLANNING COMMISSION
June 14, 2023
MINUTES OF THE REGULAR MEETING**

PRESENT MEMBERS:	Jessica Cohen	Chair
	Michael Gaynier	Vice Chair
	Leonard Horowitz	
	Ken Surratt	
	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
	Brooke Sigger	Planner I

CALL TO ORDER

Ms. Cohen called the meeting to order at 7:00 p.m. She welcomed the audience to June 14, 2023, the regular meeting of the Cleveland Heights Planning Commission.

APPROVAL OF MINUTES

Ms. Cohen stated that the minutes from May 10, 2023, were approved as distributed.

Lee Crumrine swore in the applicants and all staff

Karen Knittel PowerPoint Presentation

Proj. No. 23-14 M. Ribiat, 3702 Shannon Rd., "A" Single-Fam, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

CONTEXT

The subject property is located midway on Shannon Road, six (6) houses east of the intersection of Shannon Road and Staunton Road. The property is a single-family house, zoned "A" Single-Family. It is surrounded by single-family houses, zoned 'A' single-family.

The Master Plan future land use map shows this area as continuing to be used for single-family housing.

In November 2021, City Council adopted zoning text amendments permitting applicants to request a reduction in required enclosed private parking spaces from the Planning Commission.

STANDARDS

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 on 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.

PROJECT DESCRIPTION

The Applicant is proposing to build a substantial addition to the house. The addition includes an attached one-car garage. The existing rear yard detached two-car garage would be demolished and this area would become green yard space for the family. The applicant submitted the following: a site plan, a landscape plan, a statement detailing the request, and images of the subject property.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The Applicant is requesting a reduction in the required enclosed private parking spaces under exceptions 1161.051(a)(i), (iv), and (v).

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(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;
- 1161.051(a)(iv) The rear yard area where the existing detached two-car garage is located will be a green lawn; and
- 1161.051(a)(v) The Applicant is planning a substantial addition to the house as shown on the plans submitted with their application.

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. Architectural Board of Review approval of the addition;
2. Receipt of required building permits;
3. A final landscape plan is to be approved by the Zoning Administrator; and
4. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Mr. Howe Motioned for approval of **Proj. No. 23-14 M. Ribiat, 3702 Shannon Rd., "A" Single-Fam**, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

The motion was seconded by Mrs. Miles and approved 6-0.

Ms. Knittel Power Point Presentation:

Proj. No. 23-15 R. Buccieri, 2101 Stillman Rd., "B" Two-Fam, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

CONTEXT

The subject property is located on the north end of Stillman Road, two (2) houses south of the intersection of Stillman Road and East Derbyshire Road. The property is a two-family house, zoned "B" Two-Family. It is surrounded by two-family houses, zoned 'B' two-family.

The Master Plan future land use map shows this area as continuing to be used for two-family housing.

In November 2021, City Council adopted zoning text amendments permitting applicants to request a reduction in required enclosed private parking spaces from the Planning Commission.

The Applicant previously applied for and received approval of a reduction in required private enclosed parking spaces to permit a one-car garage from the Planning Commission on January 11, 2023.

STANDARDS

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.

PROJECT DESCRIPTION

The Applicant is requesting that they not be required to construct a garage on the property; as there currently is no garage present. The existing rear yard consists of four in-use parking spaces for the current tenants. The Applicant explains that the construction of a garage would cause parking congestion. The applicant submitted the following: lot dimensions of the subject property and a statement detailing the request.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The Applicant is requesting a reduction in the required enclosed private parking spaces under exception 1161.051(a)(i).

STAFF REVIEW

Staff found that this request met the following exception criteria:

- 1161.051(a)(i) The parcel is a legal, non-conforming lot with a lot width of 40 ft and an area of 4,200 sq ft. This does not meet the requisite minimum lot area of 10,000 sq ft or lot width of 60 ft to accommodate a Code-conforming private parking garage.

The applicant is requesting to pave the area where the former garage was located and the area is now covered by gravel. There is no zoning record showing approval of this much rear yard coverage for this parcel. Schedule 1121.12(d) Maximum Area and Rear Yard Coverage regulates the amount of the rear yard permitted to be covered. In the B Two-family District, an accessory building (typically a garage) can cover 30% with nonconforming lots permitted to have 40% coverage. Pavement related to parking including the driveway can have 30% coverage with nonconforming parcels permitted to have up to 40% coverage with a landscape plan that addresses screening and stormwater management. The total rear yard coverage is 60% with nonconforming lots permitted to have a total rear yard coverage of 70%.

The applicant has stated that the proposed coverage will be 90%.

Therefore, the applicant will need to apply to the Board of Zoning Appeals for a variance to permit the pavement related to parking including the driveway, and the total rear yard coverage to be greater than 70%.

Also, as the code intends for there to be a landscape plan addressing both screening and stormwater management, the condition of approval for the landscape plan should include that the landscape plan be developed after the resolution of the variance request.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the reduction in required enclosed private parking to permit no garage to be built, as shown on the submitted site plan, with the following conditions:

1. Receipt of required rear yard coverage variance(s);
2. Receipt of required building permits;
3. A final landscape plan drawn after the resolution of the BZA variance request is to be approved by the Zoning Administrator; and
4. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Mr. Robert Buccieri 2101 Stillman Road, affirmed the oath. Mr. Buccieri went on further explain how he wanted to provide more parking spaces with better movement to accommodate his residents. He went on to say that his resident needs a more functional parking place that would allow for all vehicles to move about freely.

Ms. Cohen asked if there was a motion.

Mr. Horowitz motioned for approval of **Proj. No. 23-15 R. Buccieri, 2101 Stillman Rd., "B" Two-Fam**, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161. With Staff Recommendations.

Mr. Howe seconded the motion which carried 6-0.

Ms. Siggers Power Point Presentation:

Proj. No. 23-16 D. Perelman, 3360 Desota Ave. "B" Two-Fam, requests a reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

CONTEXT

The subject property is located midway on Desota Avenue, three (3) houses west from the intersection of Desota Avenue and Compton Road. The property is a two-family house, zoned "B" Two-Family. It is surrounded by two-family houses, zoned 'B' two-family.

The Master Plan future land use map shows this area as continuing to be used for two-family housing.

In November 2021, City Council adopted zoning text amendments permitting applicants to request a reduction in required enclosed private parking spaces from the Planning Commission.

If the previously existing private parking garage on the lot was a single-car garage for single-family dwelling.

STANDARDS

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.

PROJECT DESCRIPTION

The Applicant is requesting that they not be required to construct a garage on the property; as there currently is no garage present. The existing rear yard consists of four in-use, parallel parking spaces for the current tenants, and green space for recreation. The Applicant explains that the construction of a garage would limit green space in which children play, and cause parking congestion, requiring tenants to move their cars to let another tenant out when the parking spots are all occupied. The applicant submitted the following: lot dimensions of the subject property and a statement detailing the request.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The Applicant is requesting a reduction in the required enclosed private parking spaces under exceptions 1161.051(a)(i) and (iv).

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(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.
- 1161.051(a)(iv) The rear yard area where a required garage would have to be located will instead remain green lawn.

Staff recommends that the Planning Commission approve the reduction in required enclosed private parking to not require a garage to be built, as shown on the submitted site plan, with the following conditions:

A final landscape plan is to be approved by the Zoning Administrator.

Ms. Cohen asked if there were any comments for staff, she then asked for a motion.

Ms. Miles motioned approval for **Proj. No. 23-16 D. Perelman, 3360 Desota Ave. "B" Two-Fam**, requests a reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161. With staff recommendations.

Mr. Surratt seconded and the motion was passed 6-0.

Ms. Siggers Power Point Presentation:

Proj. No. 23-17 D. Rappaport, 3682 Shannon Rd., "A" Single-Fam, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

CONTEXT

The subject property is located midway on Shannon Road and is the first house east of the intersection of Shannon Road and Staunton Road. The property is a single-family house, zoned "A" Single-Family. It is surrounded by single-family houses, zoned 'A' single-family.

The Master Plan future land use map shows this area as continuing to be used for single-family housing.

In November 2021, City Council adopted zoning text amendments permitting applicants to request a reduction in required enclosed private parking spaces from the Planning Commission.

STANDARDS

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.

PROJECT DESCRIPTION

The Applicant is proposing to build a substantial addition to the house. The existing attached one-car garage would be demolished and replaced by a parking pad attached to the driveway in order to retain off-street parking associated with the residence. The Applicant explains that this will increase indoor livable space while continuing to provide outdoor green space. The applicant submitted the following: a site plan, a landscape plan, and a statement detailing the request.

REQUEST FOR REDUCTION OF REQUIRED ENCLOSED PRIVATE PARKING SPACE

The Applicant is requesting a reduction in the required enclosed private parking spaces under exceptions 1161.051(a)(iv) and (v).

STAFF RECOMMENDATION

Staff found that this request met the following exception criteria:

- 1161.051(a)(iv): The rear yard area where a required garage would have to be located will instead remain green lawn; and
- 1161.051(a)(v): The Applicant is planning a substantial addition to the house as shown on the plans submitted with their application.

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:

5. Architectural Board of Review approval of the addition;
6. Receipt of required building permits;
7. A final landscape plan is to be approved by the Zoning Administrator; and
8. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

The applicant, Mr. Jason Rappaport 3682 Shannon Rd, reviewed his submitted application (the audio was not picked up).

Ms. Cohen asked if anyone from the public would like to come forth at this time.

Ms. Nita Adler 3674 Shannon Road, affirmed the oath. Ms. Adler came forth and wanted to make the commission aware that the current home is not being used as a home but as a place of worship. She stated that they have cars parked through the residential neighborhood during all hours of the day. She was concerned that by granting the conditional use permit there would be additional traffic on the street causing a disturbance to the neighborhood.

Ms. Cohen asked Assistant Law Director Mr. Crumrine to confer on a procedural question. Ms. Cohen stated that they would have to table **Proj. No. 23-17 D. Rappaport, 3682 Shannon Rd., "A" Single-Fam**, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161. For further view, she then asked for a vote.

Mr. Howe motioned to table **Proj. No. 23-17 D. Rappaport, 3682 Shannon Rd., "A" Single-Fam**, requests reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161. Once further overview was completed.

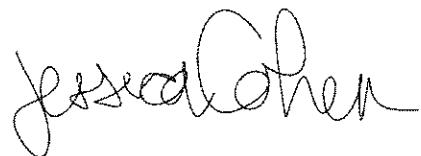
Ms. Miles seconded that motion and it was approved 6-0.

Mr. Zamft gave a brief review of the Planning Activity with updates on the Noble Road Affordable Housing project and Zoning Code review.

There was no Old Business.

Under New Business it was stated that there would be a Planning Commission meeting next month.

Adjournment 7:46 PM



Jessica Cohen, Chair



Eric Zamft, Secretary