

**CITY OF CLEVELAND HEIGHTS  
REGULAR PLANNING COMMISSION  
September 13, 2023  
MINUTES OF THE REGULAR MEETING**

PRESENT MEMBERS:	Jessica Cohen Michael Gaynier Leonard Horowitz Ken Surratt Judith Miles Adam Howe Jessica Wobig	Chair Vice Chair
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STAFF PRESENT:	Eric Zamft Lee Crumrine Karen Knittel Christy Lee Brooke Siggers	Planning Director Assistant Director of Law Assistant Planning Director Recording Secretary Planner I
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**CALL TO ORDER**

Ms. Cohen called the meeting to order at 7:00 p.m. She welcomed the audience to September 13, 2023, the regular meeting of the Cleveland Heights Planning Commission.

**APPROVAL OF MINUTES**

Minutes for the August 9, 2023 meeting were held for approval until the September 11, 2023 meeting.

**Proj. No. 23-23 F. Reilly, 3085 Fairmount**, 'A' and 'AA' Single Family, requests lot resubdivision for PPNs 686-28-010 & 686-28-031 per Code Chapters 1111 & 1121.

This case will be continued until further notice.

Mr. Zamft gave a PowerPoint presentation on

**Proj. No. 23-20 Proposed Zoning Text Amendments** regarding shared spaces for review and recommendation per Code chapters 1111, 1115, & 1119.

Mr. Zamft gave a brief overview of the Proposed Zoning Amendments regarding shared spaces per the recommended Code chapters 1111, 1115, & 1119. Allowing for shared space to become permanent within the City of Cleveland Heights.

Mr. Horowitz motioned approval of **Proj. No. 23-20 Proposed Zoning Text Amendments** regarding shared spaces for review and recommendation per Code chapters 1111, 1115, & 1119.

The motion was 2nd by Ms. Miles and carried 7-0-0

Lee Crumrine swore in all applicants and staff.

Ms. Siggers Power Point Presentation:

**Proj. No. 23-21 TOWNEHOME DEVELOPMENT, LLC, 28 Meade Lane, "MR-3"**  
Multiple-Family, requests lot resubdivision for PPNs 685-03-053 & 685-03-052 per Code Chapters 1111 & 1121.

**CONTEXT:**

The parcels are located within the 'MF3' Multiple-Family residential district with other multi- and single-family homes surrounding them.

**PROJECT DESCRIPTION:**

The subject properties have a total area of 2,032 square feet and are located three (3) buildings southeast of the Overlook Road and Meade Road intersection. The applicant requests to combine Parcel I (PPN: 685-03-053), approximately 32 feet wide with an area of 1,024 square feet, with Parcel J (PPN: 685-03-052), approximately 32 feet wide with an area of 1,008 square feet. Both parcels are zoned 'MF3' Multiple-Family.

**REQUEST FOR LOT RESUBDIVISION:**

The applicant requests a resubdivision of their parcel under 1111.06(b)(7) and 1121.04(r).

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve the lot resubdivision to combine Parcels I and J as shown on the site plan, with the condition that the plan be signed by the Director of Law and Director of Planning & Development before submittal to the County Recorder.

Dave Swindle with WXZ Development, went on to give additional information regarding the reason behind wanting the resubdivision of the property.

Ms. Miles motioned for approval of **Proj. No. 23-21 TOWNEHOME DEVELOPMENT, LLC, 28 Meade Lane, "MR-3"** Multiple-Family, requests

lot resubdivision for PPNs 685-03-053 & 685-03-052 per Code Chapters 1111 & 1121.

Mr. Surratt seconded the motion carried 7-0.

Ms. Siggers PowerPoint Presentation:

**Project No. 23-22 J. Klein, 3507 Shannon Road, "A" Single Family**, requests a reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

## **CONTEXT**

The subject property is located midway on Shannon Road, eight (7) houses west of the intersection of Shannon Road and Janette Avenue. The property is a legal non-conforming single-family house, zoned "A" Single-Family. It is surrounded by other 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, the 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 do not apply 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 a 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 a reduction in the number of required enclosed private parking spaces and proposing to build a substantial addition to the house. The addition includes an attached one-car garage, additional bedrooms, and an expanded living area. The existing rear yard detached two-car garage would be demolished and this area would become green 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.

Jonathan Klien 3507 Shannon Rd., affirmed the oath. Mr. Klien went to explain further the reason for needing the additional space on the property wanting to add more livable space as the family matures.

Mr. Gaynier motioned for approval of **Project No. 23-22 J. Klein, 3507 Shannon Road, "A" Single Family**, requests a reduction of required private enclosed parking spaces per Code Chapters 1111, 1115, 1121, & 1161.

Ms. Miles 2<sup>nd</sup> the motion, motion carried 7-0.

Alex Frazier Reprehensive for TWG Development 1301 Washington, Minna, MN He affirmed the Oath, Proceed with his PowerPoint Presentation:

1. **Proj. No. 23-18 TWG Development, LLC 2228 Noble Road Development PPNs 681-38-080, 681-06-004, & 681-06-121, "S-2" Mixed-Use, and PPNs 681-38-012, 681-38-010, 681-38-009 & 681-38-008, "A" Single-Family requests:**
  - (a) Review of Development Plan for a 52-unit apartment complex per Code Chapters 1111, 1115, 1121, 1145, 1161, 1165, & 1166
  - (b) Conditional Use Permit for accessory parking (PPNs 681-38-010, 681-38-009 & 681-38-008 per Code Chapters 1111, 1115, 1121, 1151 & 1153
  - (c) Lot resubdivision per Code Chapters 1111, 1115, 1121 & 1145 to join PPNS 681-38-080, 681-06-004, & 681-06-121, 681-38-012, 681-38-010, 681-38-009 & 681-38-008

Ms. Cohen mentioned to the public that during this meeting, the Planning Commission will not approve this development plan at this point, she also made mention of another deadline that is connected to this site which has no affiliation with the Planning Commission.

Mr. Frazier went on to speak about the changes that they have made to the project. Adding a playground that would be located across from the development. He also mentioned that the architect for the project John Ruthven was also available to speak further regarding adding additional parking for electric vehicles with new bike storage on the property moving the dumpster on-site to a more ideal area for better maintenance. He presented the site plan through a PowerPoint Presentation showing the changes and improvements to the design. He went on to show the new

landscape that would add additional fencing that would separate the home near the site. Adding new screening for the transformer as well as screening the homes surrounding the playground. Replacing the current chain link fence with wood, for better curb appeal and safety.

Ms. Knittel gave a PowerPoint presentation reviewing the staff report for Project No. 23-18 TWG Development, 2228 Noble Road (PPN 681-38-080) and PPNs PPNs 681-06-004, & 681-06-121, 'S-2' Mixed-Use, and PPNs 681-38-012, 681-38-010, 681-38-009 & 681-38-008, 'A' Single Family.

### **SITE CONTEXT**

The 2228 Noble Road Project is located on Noble Road between Woodview and Selwyn Roads and consists of seven (7) parcels. 2228 Noble Road, Permanent Parcel Number (PPN) 681-38-080 is the former location of a McDonald's restaurant. The business was demolished over 20 years ago and the property was transferred to the City of Cleveland Heights in 2003. This property has been and remains vacant.

The adjacent parcel along Noble Road to the west (PPN 681-06-004) and the parcel immediately to the south (PPN 681-06-121) has a surface parking lot on it. These three (3) parcels are located in the 'S-2' Mixed-Use District.

In addition to the above-mentioned three (3) parcels, the Project Site also includes four (4) parcels zoned 'A' Single-Family. PPNs 681-38-012, 68-38-010, 681-38009 and 681-38-008. These parcels are all currently vacant.

On the east side of the Project Site is Noble Food Deal, a local convenience store. To the north of the Project Site is Super Wash Coin Laundry and a restaurant called Jewells Fine Dining. There are also bus routes with s that travel in both directions at the north end of the site with bus stops. To the west and south of the Project Site are single-family homes.

### **PROCESS**

TWG has completed the following steps in the planning process:

**July 6, 2023:** TWG held a community meeting

**July 12, 2023:** Preliminary plan reviewed with the Planning Commission.

**July 20, 2023:** Preliminary plan reviewed with the Architectural Board of Review ("ABR").

**September 5, 2023:** First reading of Development Agreement legislation by City Council

**September 7, 2023:** Second preliminary plan review with ABR.

**September 11, 2023:** Presentation to City Council

The following are upcoming processional stages TWG intends to complete shortly:

**September 13, 2023:** Second plan review with the Planning Commission.

**Date TBD:** Plan review with ABR.

## **PROJECT DESCRIPTION**

TWG Noble, LP (the "Applicant") proposes to construct a new 52-unit housing apartment complex on the 90,600 square foot currently vacant site at 2228 Noble Road and adjacent properties. The proposed project will consist of a four-story residential building with 52 multi-family housing units, 52 parking spaces, and site amenities (the "Project"). The housing units will consist of twelve (12)-one-bedroom, twenty-nine (29) two-bedroom, and eleven (11) three-bedroom units. The site amenities include a play structure, indoor bicycle storage, and two (2) picnic tables. The Applicant also lists the leasing office, entry lobby, and common restroom as amenities. TWG was awarded funding to erect this development by the Ohio Housing and Finance Agency ("OHFA") on May 19, 2023.

Note that although the Project is financed through OHFA as an affordable housing development, for zoning, the Planning Commission's review, and this memorandum, the sole focus is upon it as a multiple-family apartment development, which is a principally permitted use.

## **MATERIALS SUBMITTED**

The Applicant submitted the following application materials for consideration by the Planning Commission:

- **Attachment A:** Development Plan Review Application (Dated August 8, 2023)
- **Attachment B:** Conditional Use Permit Application (Dated August 8, 2023)
- **Attachment C:** Resubdivision Application Form (Dated August 8, 2023)
- **Attachment D:** Planning Set Updated September 9, 2023
  - Project Information Sheet G0.00 (dated 09/06/2023)
  - Site Photos Sheet G0.01 (dated 08/24/2023)
  - Existing Conditions & Demolition Plan Sheet C100 (dated 09/06/2023)
  - Site Plan Sheet C200 (dated 09/06/2023)
  - Utility Plan Sheet C300 (dated 09/06/2023)
  - Grading Plan Sheet C400 (dated 09/06/2023)
  - ALTA Survey Sheet C500 (dated 07/18/2023)
  - Landscape Plan Sheet L100 (dated 09/06/2023)
  - Landscape Specs/Details Sheet L200 (dated 09/06/2023)
  - Landscape Specifications Sheet L300 (dated 09/06/2023)
  - Landscape Plan (color) Sheet L100 (dated 08/24/2023)
  - 1<sup>st</sup> & 2<sup>nd</sup> Floor Plan Sheet AP2.01 (dated 08/24/2023)
  - 3<sup>rd</sup> & 4<sup>th</sup> Floor Plan Sheet AP2.02 (dated 08/24/2023)
  - Roof Plans Sheet AP2.03 (dated 08/24/2023)
  - Original Design – Elevations Sheet AP3.00 (dated 08/24/2023)
  - Building Sections Sheet AP3.01 (dated 08/24/2023)
  - Original Design – Perspective Views Sheet AP3.02 (dated 08/24/2023)
  - Alternate 1 – Perspective Views Sheet AP3.02A (dated 08/24/2023)
  - Alternate 1 – Perspective Views Sheet AP3.02B (dated 08/24/2023)
  - Building Materials Sheet AP3.03 (dated 08/24/2023)
  - Unit Plans Sheet AP4.00 (dated 08/24/2023)
  - Unit Plans Sheet AP4.01 (dated 08/24/2023)
  - Unit Plans Sheet AP4.02 (dated 08/24/2023)

Site Photometric Calculations Sheet E1 (dated 09/06/2023)  
Site Photometric Calculations Sheet E2 (dated 09/06/2023)

- **Attachment E:** Site Exhibit (Dated June 29, 2023)
- **Attachment F:** Responses to questions and concerns from the Planning Commission, Planning Staff, and the public (Dated August 8, 2023)
- **Attachment G:** Zoning Analysis (Dated August 8, 2023)
- **Attachment H:** Addressing Sustainability Guidelines (Dated August 8, 2023)
- **Attachment I:** Brief Summary of Request (Dated August 8, 2023)
- **Attachment J:** ALTA/NSPS Land Title Survey (Dated July 18, 2023)

**STAFF NOTES ON SUBMITTED MATERIALS**

- The Project Information page (Sheet G0.00) and Site Photos page (Sheet G0.01) in the Planning Set (Version 3; August 24, 2023) do not contain the full Project Site; the seventh parcel south of the illustrated boundary is also part of the Project Site. The project description on this page does not contain the correct PPNs. The PPNs that are included in the site plan are 681-38-080, 681-38-008, 681-38-010, 681-38-009, 681-38-012, 681-06-121, and 681-06-004.
- The Original Design – Elevations page (Sheet AP3.00) in the Planning Set reflects the first version of site plans and designs and has not been updated since alterations were made.

**PLANNING COMMISSION PROCESS**

The Applicant is requesting three (3) approvals from the Planning Commission: 1) Development Plan (i.e., site plan) approval for the Project overall; 2) a conditional use permit to permit accessory parking for the project on parcels zoned 'A' Single-Family; and 3) to join all of the parcels included in the Project. These approvals are discussed in more detail below.

**Development Plan Approval**

Section 1111.06 grants the Planning Commission power and duties to make recommendations on plans and developments in Cleveland Heights. Therefore, this new development is being reviewed by the Planning Commission.

**Conditional Use Permit**

A portion of the project site, PPNs 681-38-012, 681-38-010, 681-38-009, and 681-38-008 will be used for parking is located in the A Single-family district. Chapter 1121 regulates the 'A' Single-family districts. The Planning Commission may issue a Conditional-Use Permit to approve accessory parking for adjacent multi-family buildings.

**Lot Resubdivision**

Section 1111.06(7) gives the Planning Commission the authority to review and approve the lot consolidation.

***Staff Note on the S-2 Mixed-Use District***

As noted earlier in this memorandum, the Project Site is located in the 'S-2' Mixed-Use District. The 'S-2' District permits use in the 'MF-2' Multiple-Family District,

including multiple-family buildings, and/or uses in the 'C-2' Local Retail District. The Project is being developed as an 'MF-2 Multiple-family project and follows the 'MF-2' District regulations. Therefore, the development does not require or need a conditional use permit. Furthermore, the Project is being reviewed per those 'MF-2' regulations. That being said, since the Project Site is in a 'S-2' District, the objectives of the District should be considered in the Planning Commission's review:

**1145.01 PURPOSE.**

- (a) *The purpose of the S-2 Mixed Use District is to provide an opportunity for modern and imaginative architectural design, site arrangement, and city planning for certain special areas in Cleveland Heights which offer unique development opportunities.*
- (b) *These regulations are intended to encourage higher-density commercial and/or residential development provided that such development which exceeds the intensity permitted by right under the standard regulations is developed according to an approved Development Plan.*
- (c) *Specifically, an S-2 Planned Development is intended to achieve the following objectives:*
  - (1) *To offer incentives for creative high-density commercial, residential, and mixed-use development projects in areas that have special characteristics or special redevelopment opportunities as designated in the City's Strategic Development Plan.*
  - (2) *To ensure that such high-density development occurs in a unified manner in accordance with a Development Plan prepared by either the City or the property owner.*
  - (3) *To encourage sustainable development and practices.*

**ANALYSIS OF THE PROPOSED PROJECT**

**A) REVIEW DEVELOPMENT PLAN** for a 52-unit apartment complex per Code Chapters 1111, 1115, 1121, 1123, 1145, 1161, 1165, & 1166.

**B) CONDITIONAL USE PERMIT FOR ACCESSORY PARKING LOT** (PPNs 681-38-008, 681-38-009 & 681-010) per Code Chapters 1111, 1115, 1121, 1123 1151 & 1153

**EXISTING PROJECT SITE CONDITIONS**

The site currently has two (2) parcels with commercial surface parking lots on them and five (5) parcels that are currently vacant lots with grass, trees, and other vegetation. Along the west property line shared with Selwyn Road single-family properties is a 6-foot tall brick wall. This brick wall turns east and runs along the rear property line of 2228 Noble Road, PPN 681-38-080. The wall ends approximately at the location of the dumpster shown on the Site & Utility Plan Sheet C200 in the Planning Set. Residents have described this wall as a retaining wall; however, the

Applicant has confirmed that it is not a retaining wall but does provide screening for neighboring properties from the development site.

The side of the wall that faces the Project Site is partially blocked from view by ivy and plant material that has grown over time during the Project Site's vacancy.

There is also a brick wall along portions of the 2228 Noble Road parcel's east property line.

The single-family zoned parcel, (PPNs 681-38-012, 681-38-010, 681-38-009, and 681-38-008) are all presently vacant parcels.

## DEVELOPMENT PLAN REVIEW – PROPOSED PRINCIPAL BUILDING AND SITE PLAN

### **Apartment Building**

The proposed building conforms to the 'MF-2' District regulations, as outlined in Chapter 1123. Of note, the building setbacks from property lines and height conforming. In terms of density, the 'MF-2' District regulations permit 25 units per acre and the proposed building would have a density of 25 units per acre (52 units on 2.08 acres).

In part due to the site plan trying to conform to the 30-foot front yard setback from Noble Road, it results in the building not addressing Noble Road in form or function. Noble Road creates an angled frontage along this otherwise long narrow rectangular parcel. The building and site design do not attempt to address this. There is no door facing Noble Road. The main entrance is more akin to that of a side or back entryway.

The building design does not enable the apartment residents to have easy access to the open/green space on the site. The building design and siting do not include space that would allow the apartment residents to meet and form a community. The Applicant should revisit this building and site design.

The landscape plan (Sheet L100) in the Planning Set shows that the five (5) hawthorns planted on the vacant lot that parallels Noble Road will remain with additional landscaping surrounding the building.

### **Exterior Mail Kiosk**

The Site and Utility Plan (Sheet C200) shows that it is proposed that there is an outdoor mail kiosk adjacent to the sidewalk in front of the ADA parking spaces. Details of this have not been shown and should be provided by the Applicant.

The Applicant should be asked to provide details of this and how residents will be protected from the weather while retrieving their mail and to explain where packages would be delivered.

### **Solid Waste/Dumpster**

The Project will generate solid waste. The site plan (Sheet C200) indicates that the dumpster is located across the parking lot and Woodview Road drive lane with the building's nearest entryway on the west side of the Project Site. This will require that

residents on the west end of the building carry garbage through the length of the building. There are also ADA units on the west end of the building, which would make transporting garbage more difficult for people with varying capacities for mobility.

In addition, the Site Plan (Sheet C200) shows the dumpster and enclosure at an angle to the parking lot drive lane to allow for truck access to empty it.

The Applicant should be asked to describe how residents would access the dumpster, how the dumpster will be emptied when surrounding parking spaces are occupied, and to provide an illustration of the dumpster enclosure.

The updated Landscape Plan (Sheet C100) shows landscaping adjacent and west of the dumpster that would help to screen views of the dumpster from the single-family neighborhood and the sidewalk to the play structure.

It will be the responsibility of the Applicant to ensure that construction waste will be disposed of or recycled consistent with the City's and County's requirements and regulations.

### **Open Space**

The Project Plan includes open green space to the north along Noble Road, to the east along Woodview Road, and to the south across the parking lot. Unfortunately, the building and site design seem to treat this greenspace as an afterthought. There is no intentional connection from the building to these areas.

The Applicant stated that residents will be allowed to have dogs and yet there is no designated outdoor area for dogs.

The Applicant should revisit the site design.

In addition, the development site wraps around the single-family home at 864 Woodview Road. The Applicant has stated that they asked if the homeowner would be willing to sell and have reported that this is not the case.

### *Play Structure (i.e., playground)*

A play structure was added to the site plan after comments from the Planning Commission at their July 12, 2023 meeting. The updated Site Plan (Sheet C200) shows the play structure has been moved so that it is not in the front yard of the Woodview Road portion of the Project Site and the picnic table/bench is located behind the play structure. This location is adjacent to 900 Woodview Road, the first single-family house south of the project site. This location is parallel to the adjacent home; however, the updated Landscape Plan (L100) shows additional landscaping between the play structure and 900 Woodview Road to assist with screening the play area from the residence.

No illustration or description of the play structure has been provided. The Applicant should provide this.

Also, the Applicant has not specified whether this playground area will be open and available to the neighborhood or if it will only be available for resident use. The Applicant should address this and how the area will be monitored and maintained.

The updated Site Plan (C200) and updated Landscape Plan (C100) show a sidewalk that connects the public sidewalk along Woodview Road to the sidewalk crossing the parking lot at the dumpster location and connecting to the sidewalk to the apartment building. Prior to the September 6, 2023 site plan update, plans included a sidewalk to the play structure from the public sidewalk. This pathway/sidewalk has been removed with the updated drawings. The Applicant should consider restoring this connection to the play structure.

#### *Picnic Tables/Benches*

The site plan proposes two (2) picnic tables/benches. One is located by the playground area and the second is located behind the building along the sidewalk that leads to the parking lot and dumpster. The Applicant should explore the possibility of adding more intentional outdoor seating areas such as a patio or small courtyard for residents to gather and build community. The site plan does not show any trash receptacles near these areas and the Applicant should include additional receptacles.

#### *Site Connectivity*

The Project site has sidewalks connecting to the public sidewalks along both Noble Road and Woodview Road. A sidewalk runs the entire length of the building on the west side of the building adjacent to the drive lane. This sidewalk continues behind the building to the bike storage room and then continues running parallel to the parking lot to Woodview Road. The site plan indicates that there will be a designated walkway to the dumpster across the parking lot. This sidewalk continues to the play structure and picnic table.

While the sidewalks provide access to the public rights-of-way, the site plan does not provide easy or comfortable access to the amenities that have been added to the site. Priority siting for parking results in the playground and one (1) picnic table/bench is being located on the other side of the parking lot. The September 6, 2023, updated site plan added the sidewalk to the playground that connects to the parking lot crossing at the dumpster which is an improvement over the earlier site plan.

A review of the site plan shows that intentional outdoor areas for residents were not designed. The building design limits ways for the residents to engage with the development site, the apartment building doors are on the west side of the building, and open spaces on the Project Site are to the north, east, and south.

#### **Parking and Mobility**

The updated Site Plan (Sheet C200) no longer includes shared parking spaces. This update includes 52 parking spaces for residents, including six (6) ADA parking spaces and four (4) electric vehicle ("EV") charging spaces. One of the EV ADA parking spaces is designated for EV charging. Section 1161.03(a)(4) of the Zoning Code

requires one (1) parking space for each dwelling unit. Therefore, the Project complies with the Zoning Code with regards to parking.

The ADA parking is close to the main entry door where the lobby, leasing office, and elevator are located. The building plans show six (6) ADA apartments and the updated site plan (Sheet C200) shows six (6) ADA parking spaces.

While the updated Site Plan (Sheet C200) shows four (4)EV parking spaces, the submitted materials did not clarify whether these would be installed if the infrastructure would be put in place to enable the EV chargers to be installed later, or if these are the locations that would be considered at some time in the future for EV charging stations. The Applicant should provide clarification on the EV parking spaces.

The Applicant submitted as part of their response to preliminary comments that they have found that one (1) parking space for each unit is sufficient. They cited their Unity at West Glendale project and their Fruita, Colorado project where the parking study showed that providing .75 spaces per unit was sufficient. The Applicant also noted that the Institute of Transportation and Development Policy stated that in urban areas with households below 80% AMI, car ownership rates are as low as 40%, noting that the zip code of the proposed development has AMI levels below 80%.

There is a bus stop for RTA Route 41-41F on Noble Road across the street from 2228 Noble Road. The bus operates on a 30-minute frequency. Staff spoke with RTA about ridership on this route and was told that ridership on routes is constantly monitored and that the buses on this route can accommodate additional riders. The Commission should take the presence and availability of public transit adjacent to the Project Site into consideration when reviewing the Project parking needs.

The Applicant has commented that there will be signage for 10-minute parking along the drive lane curb outside of the building for use of ride-share drop-off and pick-up and deliveries (e.g., mail, parcel deliveries, meal deliveries). This is currently not shown on the site plan. The Cleveland Heights Fire Inspector stated that this drive lane needs to be reserved as a fire lane with no parking permitted and with signage stating that it is a fire lane with no parking permitted. The Applicant should consider revising the site plan to include spaces relatively close to the building's main entry door that could be designed as delivery/ride-share drop-off/pick-up spaces.

The Fire Inspector also questions whether or not a ladder truck could navigate the curve along the entry lane from Noble Road. The Applicant will need to work with the Fire Department to ensure that the design of the drive lane will accommodate the required emergency vehicles. This would be a condition of any approval that the Planning Commission would grant.

The plans show a bicycle storage room at the rear of the building. There is no access to this storage area from the interior of the building. The only door to the bicycle storage room is shown on the floor plan as facing west to the drive lane and parking lot. While the Applicant stated that both indoor parking and outdoor stalls for bicycles

have been designated, the site plan no longer indicates outside bike parking. Short-term parking for bicycles in the form of bicycle racks is needed. The use of bicycles as a means of transportation within our community and nationally is increasing and it is reasonable to believe that residents would have guests who would bike to the apartment building to visit. Also, residents and their guests who may use bicycles as their primary means of transportation would find it convenient to lock their bikes outside when they have multiple trips in one day. The site plan should be revised to include outside bicycle parking.

The site plan does not include onsite parking for shared-use scooters and/or bicycles. Staff recommends that a location on the development site be designated for this as we know that often scooters are used for the last mile of a transit trip or may want to use a scooter for transportation in town such as going to the Noble Road Library. It is not unreasonable to think that an apartment resident could get off a bus at Mayfield Road and use a scooter for the last portion of their commute. The Applicant should consider an on-site location for shared scooters/bicycles.

#### **Traffic**

This project will increase traffic but it is not expected to create roadway or access issues. The Applicant should provide traffic generation numbers based on similar projects.

#### **Utility Plan**

Redevelopment of the Project Site will alter drainage patterns. To that end, stormwater management is a particular component of the Project. The updated Utility Plan (Sheet C300) shows the stormwater detention being located under the Noble Road drive lane. An engineered stormwater management plan will need to be provided as part of the permitting process, including the details provided in Section 1166.11(b)(7) and consistent with Chapter 1335. The updated Grading Plan shows 'swales' along the east side of the building and extending to the rear of the building. The Applicant should describe how these are contributing to their stormwater management plan for the site.

A green or vegetative roof on portions of the buildings, small water features on or adjacent to the buildings, and other water features on the Site could help mitigate stormwater runoff. As part of any approval by the Planning Commission, staff would recommend that conditions regarding compliance with all other applicable provisions of the City's ordinances, including, but not limited to, Chapter 1334 (Erosion and Sediment Control) and Chapter 1335 (Stormwater Management) and that the Applicant shall obtain all other required local approvals and permits.

The utility plan also shows a property transformer located behind (south) of the building. The updated Landscape Plan (Sheet L100) shows the property transformer is screened on three sides by landscaping. Illustrations of this should be shown and the Applicant should describe its purpose.

Sanitary sewers, electricity, gas, and water lines will need to be installed for the apartment building. The Applicant needs to work with the appropriate utility providers

and the City's Building Department to ensure that appropriate infrastructure is designed and built per the applicable regulations.

### **Signage**

The Site Plan shows a monument sign however, no details or drawings have been submitted for review. Therefore, any signage requires a separate review and approval for zoning compliance by the Zoning Administrator and architectural review and approval by the Architectural Board of Review; (ABR Site & Utility Plan shows monument sign location along Noble Road, dated 8/24/2023)

## DEVELOPMENT PLAN REVIEW – PROPOSED LANDSCAPE PLAN

### **LANDSCAPE PLAN**

#### *Buffer & Visual Impact*

The Applicant intends to keep the existing 6-foot brick wall that runs along the west property line shared with Selwyn Road single-family homes. The wall turns the corner along the 2228 Noble Rd (PPN 681-38-080) current south property line, ending approximately where the current site plan shows the dumpster. The site plan also shows the brick wall remaining along the east property of the development site behind the commercial property's parking lot and behind 864 Woodview. This wall will assist in screening the property from view from Woodview Road and continue to provide privacy to 864 Woodview Road.

The updated Landscaping Plan (Sheet L100) includes landscape beds that would provide screening and visual interest to the Project Site.

#### *Landscaping*

The Landscape Plan enhances the project site providing screening to neighboring properties. The plant selection appears to be appropriate and includes many native species. On the final Landscape Plan, the Applicant needs to identify the native species to document zoning code compliance.

The Landscaping Plan does not make it clear what is occurring on the single-family parcel on the east end of the Project Site that provides a buffer between the apartment parking lot and the single-family neighborhood. As these have been vacant lots for a number of years, many plants, including some that may be considered to be invasive species, have begun to grow on the parcels. The Applicant should ensure that no invasive plant material remains growing on the property and that the trees, shrubs, and other plants that do remain are properly maintained.

The Applicant should also state how this section of the site plan would be used and to consider the possibility of grading this area in order for it to be usable green space with park benches for leisure recreation. The play structure could also potentially be relocated to the southeast corner of this area in order to provide more screening from neighboring homes, the dumpster, and the street.

### ***Tree Inventory, Removal, and Preservation***

The Existing Conditions and Demolition Plan (Sheet C100) shows twelve (12) existing trees to be removed. Details including the species of the tree and the size of the tree and an explanation as to why the tree is being removed need to be added and should be provided by the Applicant to meet the landscape regulation contained in Chapter 1166).

#### *Tree Inventory*

The updated Landscape Plan (Sheet L100) identifies the species, size, and condition of trees to remain on the site and identifies the trees and plant material to be added. As twelve (12) trees are being removed, the landscape plan needs to specify how these trees are being replaced as required by the zoning code.

One tree on the south property line, close to the dumpster area is identified as a 24" diameter Norway Maple in poor condition. This Norway Maple should be evaluated by an arborist to determine if it should be removed.

#### *Tree Preservation*

The updated Landscape Specs/Details (Sheet L200) includes the Tree Protection Plan to be followed during construction.

Details of how the trees that will remain will be protected during construction need to be shown. As twelve (12) trees are being removed, the landscape plan needs to specify how these trees are being replaced as required by the zoning code. The landscape plan needs to identify the native species being used on site to document that the zoning code is met. A final landscape plan including the tree preservation plan will need to be submitted to the Zoning Administrator for final approval.

#### *Fence/Wall*

The existing 6-foot tall brick wall along the west property line has been discussed previously. It has provided Selwyn residents privacy from the development site and the Applicant intends to maintain this 6-foot wall.

The 6-foot tall brick wall along the east property line located behind the commercial property's parking lot and 864 Woodview Road will remain. This wall provides screening to the Development Site and provides privacy to 864 Woodview.

The Applicant should be asked if the existing 6-foot tall brick walls have been inspected to ensure they are uniform in appearance (materials) and structurally sound.

Additional fencing will be added along 864 Woodview's side property lines. Details of this fencing have not been provided. The Applicant will need to submit a fence permit for all new fences and/or walls.

#### ***Lighting***

The light pole height of 20 feet does not conform to Section 1166.07(b)(2B) Exterior Lighting – Residential Uses. The maximum height permitted for multi-family dwellings

is 12' and (1166.07(b)(2C) under soffit lighting is limited to a maximum height of 15'. As a result, a variance or redesign is required. The Applicant has indicated that the height of the light poles would be changed so that they are code-conforming. This would result in a new lighting plan and site photometric calculations to demonstrate compliance with the zoning code. This revised plan should be submitted for the Zoning Administrator's review and approval with the final landscape plan. The lighting plan should be environmentally friendly, following Dark Sky principles.

#### **CONDITIONAL USE PERMIT – ACCESSORY PARKING**

The following section of the memorandum reviews specifically the proposed accessory parking within the 'A' Single-Family District as a conditional use. It does not review the Project as a whole per these standards since the multiple-family use is principally permitted.

#### **STANDARDS FOR CONDITIONAL USES AND STAFF COMMENT**

*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;*

A multiple-family apartment building is a permitted use in the 'S-2' District and the 'A' Single-Family Zoning Regulations permit accessory parking for multiple-family uses to be conditionally permitted on contiguous properties. This parking enables the Project to provide a code-conforming number of parking spaces.

- 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 parking lot should not be detrimental to public health, safety, morals, comfort, or general welfare.

- c) That the conditional use will be designed, constructed, operated, and maintained 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 Applicant intends to design a code-conforming parking lot with landscaping that will be harmonious with the character of the neighborhood.

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 parking lot should not be injurious to the use and enjoyment of other properties in the immediate area.

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 parking lot does not impede the orderly development of this area, the ability to conditionally permit parking enables code-conforming parking to be offered for the apartment building on the Project Site.

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

The parking lot will have appropriate drainage and the site plan includes a stormwater management plan that will be reviewed and requires approval per all other applicable provisions of the City's ordinances, including, but not limited to, Chapter 1334 (Erosion and Sediment Control) and Chapter 1335 (Stormwater Management).

g) *That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets;*

Adequate ingress and egress are provided with one entry to the parking lot from Woodview Road and there is a second entry to this parking area from Noble Road.

h) *That the establishment of 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;*

The establishment of the parking lot will not result in excessive additional requirements at public cost for public facilities.

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;*

There is minimal potential that future development in the area would result in a hardship for this conditionally permitted multiple-family apartment building parking lot.

j) *That the conditional use shall address the sustainability guidelines of Section 1165.06 (see below).*

The sustainability guidelines are reviewed 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 outlined in Chapter 1153.*

Chapter 1153 Supplemental Standards for Conditional Uses does not include any additional standards for accessory parking lots.

### **SUSTAINABILITY GUIDELINES (SEC. 1165.06) AND STAFF COMMENT**

*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. For this memorandum, this section applies to the entire Project Site and Project.*

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

This standard is not applicable as the development is reusing vacant properties that have no buildings on them. The Applicant is proposing to maintain a six-foot-tall brick wall along the development site border.

- 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 Applicant stated that the project will adhere to energy efficiency standards of the National Green Building Standards (NGBS) Silver. The Applicant states this includes energy-efficient heat pumps, Energy Star appliances, and high-efficiency lighting. Water efficiency will include Energy Star clothes washers and dishwashers and low-flow showerheads/aerators/toilets. The Applicant will need to show compliance with this standard during the permitting process.

- 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.*

Solar power is not incorporated into this project.

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

This standard is not applicable as the lots are vacant.

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

A key aspect of the redevelopment of the Site is to increase safety, as it currently does not have much activity and lighting. The redevelopment would

bring new buildings, new and upgraded lighting, and residents who would provide "eyes on the street"

*The parking lot will have eleven (11) lights on twelve-foot tall poles providing light on the site. The updated Site Photometric Calculations (Sheet E1) document that these lights are zoning compliant.*

6. *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 Applicant is preserving many trees on the site and is maintaining open green space.

7. *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.*

The Applicant intends to meet the Storm Water Management Code Requirements.

8. *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.*

The Applicant will be developing onsite infrastructure for all utilities including sewers, water, and gas lines that will need to connect to the utility. Often this connection will occur in the public right-of-way. The Update Utility Plan (Sheet C300) shows these connections on Noble Road.

9. *Community amenities such as public art, places to congregate such as plazas, malls, gardens, outdoor seating, and pedestrian and transit facilities.*

The Project includes long-term bike parking, two (2) picnic benches/tables, and an outdoor play structure. Sidewalks provide access to the public sidewalks along Noble Road and Woodview Road. There is a bus stop across Noble Road from the Project Site.

10. *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 Project includes a play structure. Dogs will be permitted in the building however a designated area for dog walking is not provided.

11. *Provision of car or bicycle sharing facilities on-site.*

The Applicant does not provide for car or bicycle-sharing facilities on-site.

**STAFF RECOMMENDATION**

**A) REVIEW DEVELOPMENT PLAN** for a 52-unit apartment complex per Code Chapters 1111, 1115, 1121, 1123, 1145, 1161, 1165, & 1166.

**B)CONDITIONAL USE PERMIT FOR ACCESSORY PARKING LOT** (PPNs 681-38-008, 681-38-009 & 681-010) per Code Chapters 1111, 1115, 1121, 1123 1151 & 1153

Staff is fully supportive of a 52-unit multiple-family apartment building at this location; however, we cannot recommend that the Planning Commission grant approval of the Project plan, including the conditional use for the accessory parking, as it is currently designed.

**C) Lot resubdivision per Code Chapters 1111, 1115, 1121, &1145 to join PPNS 681-38-080, 681-06-004, 681-06-121, 681-38-012, 681-38-010, 681-38-009 & 681-38-008**

The Applicant is requesting to join seven (7) parcels in the Project Site.

**STAFF RECOMMENDATION:**

Although any action should wait until the plan review/conditional use permit is completed by the Planning Commission, staff recommends that the Planning Commission approve the lot resubdivision to combine Parcels as shown on the site plan, with the following conditions:

1. The Development Agreement between the City and TWG be executed;
2. Planning Commission approval of the Development Plan and Conditional Use Permit for Accessory Parking; and
3. The plat be signed by the Director of Law and Director of Planning & Development before submittal to the County Recorder.

Ms. Cohen asked if the Planning Commission did not approve the project tonight, would the applicant have to come back to a future Planning Commission meeting with a new project proposal regardless of what the Council does with the development agreement?

Ms. Knittel responded that this was correct.

Ms. Cohen asked why the position of the building and the entrance to the building were not on Noble. She also asked if they were aware that the Planning Staff is looking for a more business-style district siting. Also, commented that there seemed to be no access to the open green space from the building, that the building doesn't include any form of community space, and that the building does not have a basement. She stated that if there was a basement possible that is where the community space could be. She commented that in July there was a

preliminary meeting held with the Commission where the Commission members as well as the community raised concerns about the layout, these concerns have not been addressed in a manner that would express the necessary desires of the Planning Commission as well as the City of Cleveland Heights.

Mr. Frazier first apologized for not having a formal presentation, however, he went on to say that is something that they look into and make the needed adjustments to accommodate all. Regarding the request for a more business district siting, we were concentrating more on the 30-foot setback with the project from a zoning viewpoint. Correct there is no basement at this location, as far as this location is a tax credit project we are required to certain amenities to hit certain ideal price points, however, we are open to exploring the possibility of adding additional amenities. As far as the concerns of the Planning Commission as well the City of Cleveland Heights and Noble area we have listened and made attempts to make the wanted desire of all to be met.

Ms. Wobig raised questions regarding outside recreation spaces, for residents and their locations.

Ms. Cohen again questioned the location of the mailboxes and asked where packages would be delivered, how they would be delivered, and how they would safely be transported to residents considering there's no mailroom located on the property.

The TWG Representative stated that there will be in-house property maintenance staff that will handle all package and mail delivery for residents. For security, we have cameras located throughout the building to ensure safe and proper delivery.

Ms. Cohen wanted to know what was the plan for the dumpster, what times will they come to empty, how will they access and how will maintain the dumpster. And considering that there are no trash chutes in the building, would residents have to walk to the dumpster to dispose of trash? And if so what safety measures have been put in place? She suggested that again, this is where having a basement may help. She asked if was there going to be provisions for recycling, and asked about pet areas.

Mr. Frazier stated the dumpster was originally placed close to the building however concerns about the smell were raised so it was moved further away, however, we are open to changing this to make it work for all.

Ms. Wobig asked about how residents who may have mobility issues would dispose of trash.

Mr. Frazier that is something that we can consider. Regarding recycling, we have space for two dumpsters. However, recycling can be placed as an option for the additional dumpster. For pets, this was an in-person discussion with staff that a playground would be better than a dog park, all pets would be walked near or

around the surrounding location. Again, however, if a dog park is encouraged we can make the necessary adjustments.

Ms. Cohen commented that we would strongly suggest that the second dumpster is for recycling. Because the City of Cleveland Heights is a very clean green city. She returned to the subject of the playground location being across the parking lot driveway and raised concerns about the safety of children crossing the parking lot and of children being at play so far from the building.

Mr. Frazier said the original location was based on tree preservation due to the high standards of keeping all viable trees on the property. This is why the placement of the playground is across the driveway, however after hearing the latest comments we are open to the relocation of the playground.

Ms. Cohen stated that there seems to be a lot of focus surrounding making this project code confirming, however, the needs, desires, and necessities of this site for this project have been ignored.

Mr. Gaynier asked if the tax credit that the developers will receive if this project is granted requires them to provide a single parking space for every unit. The reason behind the question is that Cleveland Heights has one space minimum for parking. In my opinion, I feel we focus too much on parking, and when looking at the footprint of this project we devote far more space to driveway and parking spaces than we do to the actual living spaces. He stated that their studies show that in the Denver project the parking ratio is .75 parking space for each unit, and commented that if you remove 25-30% of the parking which would be about 13-14 spaces you would be able to open up a tremendous amount of space at the west end of the property. This would enable you to move around the driveway and create a lot of amenity space to improve the project.

Mr. Frazier most developments require one space per unit, however, I am not sure of the zoning requirements for parking in Ohio.

Ms. Cohen interjected that they would like to see a layout of the actual playground structure and details of whether or not this will be a shared location with the community.

Ms. Wobig asked how many people would be housed by this project which has 52 units.

Mr. Frazier said the project has 12 one-bedroom units, 29 2-bedroom units and 11 three-bedroom units, and would house approximately 200 residents in total.

Ms. Cohen referred back to the question in the staff report regarding the doors and their positioning as far as accessibility and safety. Ms. Cohen stated that this should be reconsidered in the revamping of the original site plan. Providing accessibility to enter and exit the building should be a part of the amenities for residents. Ms. Cohen went on to refer to page 9 speaking about the ten-minute parking along the

drive lane curb, in which the fire department has indicated that that isn't OK, because there has to be a fire lane with no parking. She asked if that too was a part of the design process.

Mr. Frazier stated that the plan has been laid out with their civil engineer who has had discussions with the Fire Department so that they would be code compliant. He referred back to the comment that was made in the primary review and the concerns about not wanting parking in the front of the building.

Ms. Cohen said that sounds like the project is moving in the right direction. We are hoping that you take all of these suggestions and requests back to the drawing board.

Mr. Frazier said the site presents challenges with the shape of it alone, it's extremely narrow which is why the building is designed this particular way. He also pointed out that it is very common to have a door on the side of the building with this shape and that the door opened to the parking lot.

Ms. Cohen expressed to the development team that they are not the first developers to come before the Cleveland Heights Planning Commission to be told that they would have to go back rethink and come back with a better design to fit not only the needs of the City of Cleveland Heights but the residents and surrounding areas.

Mr. Frazier that is much understood, we just don't want to take one aspect which is Noble Road to sacrifice something else.

Ms. Cohen said the reason why we send this back to you as the developers, is that allows for an opportunity for a better creation. The issue with this project is that it doesn't look as though it's part of the Noble Road district, the question becomes what more can you do to the frontage, do you push the apartments back, do you place the leasing office in the front, Ms. Cohen said that this wasn't her expertise however, this is the type of creativity that we are looking for with these types of projects and is what we have seen with these types of projects.

Ms. Wobig mentioned a concern with egress, Noble isn't where the cars are dropping residents off and you don't want to create congestion. Putting an entrance at Noble could cause even more issues in a very highly trafficked area. So, potentially considering its more pedestrian aspect may result in a better option.

Ms. Cohen stated that it's the integration of the business district and accessibility and what people experience when they're on Noble Road, that we're concerned about at this time. Ms. Cohen referred back to the staff report regarding the stormwater management plan, stating that this is left in the staff's hands but it appears they may need more information.

Ms. Cohen said that it was expected that staff expectations would be fulfilled on this matter and that the six-foot-tall brick wall would allow for uniform design. She said

that it seemed that lighting issues have been resolved with staff but with that, we will need to see examples of how the lighting will be incorporated into the design along with the functionality of the lights.

Ms. Cohen opened the floor to Planning Commission members.

Mr. Horowitz added that electric charging stations will be a great addition to the parking area, he added that this would be a well-thought-out investment for the community as well.

Ms. Cohen now asked for those from the public, to come further and be sworn for comment. She made the public aware that there wasn't a specified time limit for their comments, however, they should be considerate to others who may want to speak.

Lee Crumrine swore in all members of the public.

C.J. Nash thanked everyone for all the work that has been done so far, she went on to express her concern feeling that those who currently reside in the area have not been given the same courtesy. She thanked staff for slowing down this project to ensure that the needs, wants, concerns and well-being of the Noble community are heard, seen, valued, and understood. Ms. Nash went on to speak on the security of the green space at night and how this area truly will be secured during nightfall. Considering that there are homes on one side and parking on the other which leaves in her opinion a wide-open space for crime. Ms. Nash also wanted the parking design to undergo a revamp to ensure safety and comfortable use for all. She further discussed mail-box security, drainage possibly adding permeable pavement, and the location of the playground, and went on to suggest limiting the number of apartments.

Paul Volpe came forth and presented a PowerPoint presentation to show his design concept for the current location of Noble Station. He said the design that he created would add value to the community, allowing for growth and stainability for all, giving residents the ability to move freely, have viable green space, and a possible playground near the property. He explained that with this design there can be added outdoor space including balconies, being the structure is away from the street. He said the design expanded the lobby to give an entrance court for residents. He went on to express his personal dislike for the Noble Station Project as a whole.

Ms. Cohen thanked Mr. Volpe for his comments and noted that they would be entered into the public record.

Tonya Horne 8040 Greyton Road affirmed the oath. Ms. Horne went stated her concern as well as her disapproval of the Noble Station Project as a whole. She went on to say that she has attended several meetings regarding this project and she felt the concerns of the public/community weren't and haven't been addressed. She expressed that although low-income housing is needed within the community,

there should have been more meetings, more information given, and better consideration for what is truly needed for the Noble area. Ms. Horne expresses her disappointment with the Mayor backing this project, and not listening to those who live within the surrounding community. She thanked Councilwoman Russel for listing and wanting the voices of the community to be heard. Ms. Horne went on to further express her disappointment in the City of Cleveland Heights for wanting this project to go forward.

Ms. Cohen said that every 20 years or so notice requirement for an overview of the current process of notification to residents. She expressed to the public they would review this process again.

Diane Hallum stated that the management company known as TWG had an "F" rating with BBB, she stated she attempted to call two of their current apartments but her call was never answered or returned. She on to voice her complaints about the company as a whole. She also asked for clarification on the zoning code which the city was using to allow for this project, adding the City of Cleveland Heights has been unjust with how they have implemented the master plan. Ms. Hallum raised concerns regarding the traffic pattern, and if there have been traffic studies conducted. Adding that no other apartment buildings on Noble have four stories so why would this one be allowed to, why is parking so open at this site, adding that the area currently doesn't have essential services, RTA bus service was not conducive to the needs of this area. She further went on to express her complete disapproval of this project.

A woman came forward and stated her name which was not picked up by the audio. She stated that she doesn't have an issue with low-income housing however she did have an issue with the City wanting to place low-income houses in a low opportunity area of improvement. She pointed out that there were no real grocery stores, banks, or restaurants in this area. Although there is a convenience store in the area which sells beer, wine, cigarettes, lottery tickets, and other alcoholic drinks. This area is also a segregated area within a community where the motto "all are welcomed" currently isn't being upheld. She stated that they had been misled as to who would reside in these apartments.

Rev. Jimmy Hicks Jr. 3315 Mayfield stated that he found himself agreeing with a lot of the comments, he went on to say that he was the CEO of Star Right Development. He stated that he too has attended the public meetings, and the false narrative needs to stop regarding low-income housing. There was a presentation showing that the rents are going to be higher than the surrounding apartments in the area. Rev. Hicks also mentioned that there was a great effort in trying to obtain other parcels including the food-co-op but due to the timing of meeting with the City of Cleveland Heights, it was delayed causing the contract to fall through. He mentioned that the project that first was submitted to the ABR was a horrible design and concept. In hindsight, the efforts that they have currently put forth in the design project are an improvement. He went on to say that the current design would be acceptable in the area of Cleveland Heights. He said that Star Right has completed a new home structure valued at \$250,000 in the Caledonia neighborhood

of Nelaveiw, with additional homes to be built if the City and Mayor allow it. Mr. Hick stated that this is not low-income housing, but rather a controlled rent environment where the persons residing in this complex will gross up to \$50,000 a year, which helps grow the economy of the city. This project would also bring in more income and growth to the business district and downtown Cleveland Heights as well as Noble. Mr. Hicks went on to say that no one wanted to come and develop in or on the Noble Road or the area. Now this is a chance for this development to happen. He stated that he respects both sides when it comes to this project, however, he would hope that all come to a middle ground to help uplift and grow the area.

Lisa Roth 2450 Derbyshire Road stated that she was very happy to see and hear the passion of the residents that here to voice their concerns for their community. She went on to add that she is hopeful that the same energy can be used to put forth a different project that will allow for the greater interest of the community to be heard. She went on to ask the developer of the Noble Station Project if they ever lived in one of their developments.

Ms. Cohen interjected that all questions should be addressed to the Planning Commission.

Ms. Roth went on to address her question to the Planning Commission, asking if there has been research into whether they have actually allowed themselves (the developer) to truly understand what it is to live in a low-income housing development and looking at the process of how we allow certain projects into our neighborhoods.

Ms. Cohen asked that the development bring back information on the quality of life their projects bring to the current communities where they have built.

Gloria Brown on behalf of 899 Woodview, went on to echo past comments of how this project would not be a great fit for the Noble Community. She said that with its poor design and lack of communication, this just would not uplift the community. She also asked for landscaping clarification for the project along Woodview. Ms. Brown asked if there would be a privacy fence installed or some form of shrubbery added to the landscape to shield the parking lot from view and the placement for trash pick-up, entryway for cars, and delivery services.

Ms. Cohen stated the PowerPoint shows existing landscaping, not new landscaping. Regarding the entry for car and trash pick-up "yes" however it was also a request in our staff report to have information about the screening of the project as a whole.

Lee Crumrine swore in the resident for public comment.

Maya Evens Greyton Road resident also echoed the concerns of the previous resident regarding the need for this project, she voiced her disapproval of the project as a whole and added some of the things that were needed in the area such as a viable grocery store, restaurants, drug store and better community

engagement. She focused on the concept that this project is not a community-based project but a development-based project.

Ms. Cohen felt that those particular questions/statements are best addressed to the Mayor and City Council. Ms. Cohen went on to close public comment to start an open discussion among the Planning Commission and asked staff if the Planning Commission had to take action that evening.

Ms. Knittel said that the Planning Commission doesn't have to necessarily do anything at this moment because the request is for the Planning Commission to review and consider approval, therefore you can choose to not take action at this time because you would like to see additional work be done before the project.

Ms. Cohen stated that she understood in the past that the Planning Commission would have to make a motion and then vote it down, since that isn't a requirement for this action we will at this time have a general discussion. She added that a deadline is relevant to the decision of the Planning Commission but more of a Council Decision, adding that a development agreement is currently not in place.

Ms. Cohen they would have to come back before the Planning Commission with more information. We possibly could approve all three of the motions attached to the Noble Project and they can go back to the Council or we can not act at this time and they will still go to the Council for consideration of the development agreement.

Mr. Horwitz's agreed to table the matter at this time. Additional comments were made however, the audio didn't receive them.

Ms. Cohen interjected, reminding the Commission of "Top of the Hill" and how there were views given for review from several angles of the project. Street views, the top of the building, side of the building help give a better design view of how the project would benefit the City. She went on to say that this current developer has not done that at this time.

Mr. Surratt stated that he agreed with placing this project on the table for further consideration, he further went on to express that he is for affordable housing in the community not just Cleveland Heights but Cuyahoga County as a whole. Mr. Surratt stated that with the particular project, it is clear that it needs more work, it doesn't feel that the community has had a voice in this matter. Although there has been some compromise there's still work that needs to be done. He touched on his disapproval of the Woodview lot use.

Mr. Gaynier voiced his dissatisfaction with the Noble Station Project, and he too supports tabling the project as a whole at this time.

Ms. Wobig voiced her concerns as well with the Noble Station Project, pointing out that the Commission doesn't design on the bench however they do review the plans that are presented to them as a Commission, she further expressed that with the

revision of the site plan, it will better suite the needs of the Community and up left the Noble area.

Mr. Howe agreed with the Planning Commission to table the motion for the Noble Station Project.

Ms. Cohen echoed the Planning Commission, stating that another large developer had come forth and had to go back to the drawing board and present again for consideration of approval. So, this discussion is not disheartening for the developer, it is to let you know that the City of Cleveland Heights has a standard that they want to uphold throughout the complete area of the City of Cleveland Heights. She also questioned the sense of urgency with this project which has not been seen with other large projects. She went on to say she would love to see more community engagement when it comes to these large projects. And with that being said she stated that this Planning Commission will not work under pressure and seeing the plans that are before the Commission moving forward is not in the best interest of the City of Cleveland Heights.

Ms. Cohen asked Mr. Crumrine if there was a motion needed at this time to table the project.

Mr. Crumrine a motion to table would be appropriate at this time.

Ms. Cohen asked for a motion to table **Proj. No. 23-18 TWG Development, 2228 Noble Road (PPN 681-38-080) and PPNs 681-06-004, & 681-06-121, 'S-2' Mixed-Use, and PPNs 681-38-012, 681-38-010, 681-38-009 & 681-38-008, 'A' Single Family requests:**

Mr. Gaynier and both Mr. Horowitz motion to table **Proj. No. 23-18**

Motion carried 7-0.

Mr. Zamft added that the Planning Commission should never feel pressured to decide a case if they feel further information or consideration is in the best interest of the City of Cleveland Heights.

Ms. Cohen thanked Mr. Zamft and she wanted the City to know that the Planning Commission does its best to ensure that the standards of the City are upheld.

#### OLD BUSINESS

There was no old business to discuss.

**NEW BUSINESS**

There was no new business to discuss.

**ADJOURNMENT**

The meeting adjourned at 11:00 PM.



**Jessica Cohen, Chair**



**Eric Zamft, Secretary**