



SHAKER HEIGHTS

**Board of Zoning Appeals and City Planning Commission
Tuesday, March 6, 2018**

7 P.M.

Stephanie Tubbs Jones Community Building

Members Present: Earl Leiken, Mayor
Rob Zimmerman, Council Member
John J. Boyle, III, Member
Kevin Dreyfuss-Wells, Member
David Weiss, Member

Others Present: Joyce Braverman, Director of Planning
William M. Ondrey Gruber, Director of Law
Dan Feinstein, Senior Planner

The meeting was called to order by Mayor Leiken at 7:00 p.m.

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Approval of the February, 7 2018 Meeting Minutes

It was moved and seconded to approve the Minutes.

Roll Call: Ayes: Leiken, Zimmerman, Boyle, Dreyfuss-Wells, Weiss
Nays: None

Motion Carried

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City of Shaker Heights – Zoning Text Amendments:

A Public Hearing was held on the request of the City of Shaker Heights, 3400 Lee Road, to the City Planning Commission for amendments to the zoning ordinance text. Revisions are proposed to create a Small Lot Infill Development overlay district, revise sign design standards to the CM Commercial Mixed Use zoning district, and revise text regarding the Landmark Commission process. A Small Lot Infill Development overlay district is proposed to be created in Chapter 1244 and Section 1213.09. This overlay district will allow for creative infill housing on small vacant lots in the north and south Moreland neighborhoods. The new overlay district is designed to ensure infill housing is compatible with the existing neighborhood. Sign design standards are proposed to be added in Section 1234.10 of the CM Commercial Mixed Use zoning district design

CITY OF SHAKER HEIGHTS | PLANNING DEPARTMENT

standards and principles section. The revision to the Landmark Commission process in Section 1213.10 B will allow more flexibility in the application process. The City Planning Commission reviews and makes recommendations to City Council on all zoning ordinance amendments.

Mr. Feinstein said his is a request by the City to amend sections of the zoning ordinance text. Revisions are proposed to 3 sections of the code:

1. Creating a Small Lot Infill Development Overlay (SLID) in Chapter 1244 – will allow creative infill development on small lots. It will follow the existing PUD development;
2. Sign design standards are proposed for the CM Commercial Mixed Use zoning district;
3. Amending the Landmark Commission process would eliminate the submission deadline constraint;

Mr. Feinstein said the City Planning Commission reviewed these changes at a work session on February 21, 2018. The City Planning Commission makes a recommendation to Council. Zoning amendments require three (3) readings and a Public Hearing at Council.

Ms. Braverman said amendments to create the SLID zoning ordinance are due to residential development that came out of the Shaker Design Competition. Some sign design standards are needed in the CM Commercial Mixed Use section to align with other design guidelines in that district. Finally, a process change for the Landmark Commission is proposed in order to afford an easier, more flexible process.

Kris Hopkins, CT Consultants, said the Small Lot Infill Development Overlay was targeted at the two family zoning district. The underlying zoning remains in place. The overlay is an option in that district. She showed a map of the two family zoning district that will be affected by the overlay district. This overlay is proposed for both northern and southern Moreland neighborhoods. This will create a new chapter, 1244, in the zoning ordinance. This is aimed at developing vacant lots at the same density as currently allowed, but with other types of housing in alternative arrangements. She showed photos of vacant lots, both single, double, and triple lots in a row. Small Lot Infill Development overlay will only be allowed in areas that are less than one acre in size. It would allow things such as shared driveways and garages. It will be reviewed like a conditional use permit and use the same process as the existing Planned Unit Development process. That section of the code is being modified to include this new section. There are new development standards in this section. Each lot is allowed to have two units, and a maximum of two garage spaces per unit. They can have shared access, with access easements. A different property line configuration is permitted. Arrangement and location of homes and structures on the lot are also allowed. The next amendment section is the design guidelines for signs in the CM Commercial Mixed Use zoning district. These new design guidelines increase the level of signage design to the level of building design in the CM Commercial District. The new guidelines require there to be specific materials and design. It also addresses landscaping, lighting and sign colors as part of the design guidelines.

Ms. Braverman said the process for zoning amendments includes a public hearing and recommendation from the City Planning Commission to Council. It also requires three readings and a public hearing at the Council level. The public hearing before City Council is scheduled for April 9, 2018.

Mr. Zimmerman asked about the lot size in the neighborhoods where the overlay district will be found. How will this compare to the maximum one acre.

Ms. Braverman said these lots are small, 40 and 50 feet wide. Approximately 10 lots would be needed in order to build an acre for development. There are not any more than three lots in a row that are vacant currently. She does not see any infill requests being more than three lots at a time. One original platted lot is the smallest that would qualify under the new guidelines.

Mr. Gruber said this development is targeted at existing vacant lots.

Mayor Leiken opened the Public Hearing.

Joe MacDonald, 20900 Almar Road, asked how the boundary was decided for the overlay district. He said it seems consistent with the zoning that is currently applied to the neighborhood.

Ms. Braverman said the overlay district is contiguous with the TF Two Family residential zoning districts within this neighborhood, keeping the density consistent with the overall neighborhood.

Mr. Zimmerman asked if this is a pilot project. Could it be expanded in the future?

Ms. Braverman said yes, this could be expanded to more sections of the Moreland neighborhood or possibly the adjacent Lomond neighborhood.

It was moved by Mr. Zimmerman and seconded by Mr. Weiss to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

Roll Call: Ayes: Leiken, Zimmerman, Boyle, Dreyfuss-Wells, Weiss
 Nays: None

Motion Carried

Council action is required.

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City of Shaker Heights – 3516 Warrensville Center Road:

A Public Hearing was held on the request of the City of Shaker Heights, 3516 Warrensville Center Road, to the City Planning Commission for a resubdivision of land in order to vacate right-of-way. The City proposes to vacate right-of-way at the southwest corner of Warrensville Center Road and Chagrin Boulevard. The vacated right-of-way will conform to the reconstructed street and sidewalk corner layout and location. By state law, vacated right-of-way is joined to the adjacent property, which is 3615 Warrensville Center Road. A resubdivision of land requires City Planning Commission review. Council action is required to vacate right-of-way.

Mr. Feinstein said this is a request for resubdivision of land for vacation of right-of-way. The City proposes to vacate right-of-way at the southwest corner of Chagrin Boulevard and Warrensville Center Road. The new property line will conform to the reconstructed street and corner layout. By state law, vacated right-of-way is joined to the adjacent property, which is 3516 Warrensville Center Road. The City Planning Commission reviews a resubdivision of land. Council action is required to vacate right-of-way.

Ms. Braverman explained that this particular intersection was reconfigured, leaving the actual boundary and public sidewalk in a different location. The Wendy's restaurant property, contiguous with this property, would receive this land that the City is vacating. They have been using it as part of the parcel for which they are designing a new Wendy's. This parcel would be combined with the new Wendy's parcel, along with the new development.

Mr. Weiss said the City is not responsible for it once it is vacated. The owner has to accept it.

Ms. Braverman said the owner, through their attorney's, have intimated they will accept the vacation of right-of-way.

Mr. Boyle said the extra land will be added to Wendy's, then, and added to their planned redevelopment.

Ms. Braverman said yes, the Wendy's developer has been assuming that this land would go back to them.

Mayor Leiken opened the Public Hearing.

Joe MacDonald, 20900 Almar Road, asked about the border of the property. Where will it be located? Does that keep the appropriate right-of-way for pedestrian use?

Ms. Braverman said yes, that is provided in this redesign. There is still sidewalk and pedestrian access at the corner.

Mr. Boyle said they need to make sure one of the conditions is that the owner actually accepts the vacation and make sure they resubdivide and join the vacated land with their parcel.

It was moved by Mr. Dreyfuss-Wells and seconded by Mr. Boyle to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Property owner accepts the vacated right-of-way;
2. The entire property is consolidated into one parcel, including this vacated right-of-way.

Roll Call: Ayes: Leiken, Zimmerman, Boyle, Dreyfuss-Wells, Weiss
 Nays: None

Motion Carried

Council action is required.

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City of Shaker Heights – Warrensville Center Road Median:

A Public Hearing was held on the request of the City of Shaker Heights, Warrensville Center Road median, to the City Planning Commission for a resubdivision of land in order to dedicate right-of-way. The City proposes to resubdivide city-owned property by dedicating right-of-way on part of the Warrensville Center Road median between Chagrin and Scottsdale Boulevards. The City proposes to dedicate additional right-of-way on the east side of Warrensville Center Road. The additional right-of-way varies in width from 17.5 feet to 40.6 feet. The additional right-of-way is proposed to create a consistent right-of-way line to accommodate future Van Aken District development. The city-owned median consists of parcels 736-29-042 and 736-29-043. A resubdivision of land requires City Planning Commission review. Council action is required to dedicate right-of-way.

Mr. Feinstein said this is a request by the City to dedicate right-of-way in the Warrensville Center Road median. The City proposes to resubdivide the median strip to widen the east side of Warrensville Center Road between Chagrin and Scottsdale Boulevards. Parcels 736-29-042 and 736-29-043 will have between 17.5 and 40.6 feet of right-of-way dedicated to make the right-of-way consistent on the east side of the road. The City Planning Commission reviews resubdivision of land. Council action is needed to dedicate right-of-way.

Mr. Boyle asked if the University Hospital's sign is within the right-of-way, or outside of it.

Ms. Braverman said the sign will be outside of the right-of-way.

Mr. Weiss said the location of the right-of-way seems to make sense with the improvements along Warrensville Center Road on the east side of the road. It straightens out any issues between right-of-way and public property.

Mayor Leiken opened the Public Hearing. No one was present to speak in regard to this application.

It was moved by Mr. Weiss and seconded by Mr. Zimmerman to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

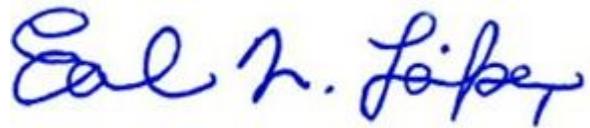
Roll Call: Ayes: Leiken, Zimmerman, Boyle, Dreyfuss-Wells, Weiss
 Nays: None

Motion Carried

Council action is required.

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There being no further business, the meeting was adjourned at 8:00 p.m. The next meeting will be April 10, 2018.



Earl Leiken, Chair
City Planning Commission



Daniel Feinstein, Secretary
City Planning Commission