



SHAKER HEIGHTS

**Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, January 3, 2023
7 P.M.
City Hall Council Chambers**

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
John J. Boyle III, Member
Joanna Ganning, Member
Jason Russell, Member

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

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

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Approval of the December 6, 2022 Meeting Minutes

It was moved by Mr. Russell and seconded by Dr. Ganning to approve the minutes with corrections.

Roll Call: Ayes: Weiss, Malone, Boyle, Ganning, Russell
Nays: None

Motion Carried

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CITY PLANNING COMMISSION

#2195. ARCADIA DEVELOPMENT – 3393 WARRENSVILLE CENTER ROAD:

A Public Hearing was held on the request of Kevin Dreyfuss-Wells, RDL Architects, on behalf of Metropolitan Holdings LLC, 3393 Warrensville Center Road for site plan review, variances, and a conditional use permit to construct a mixed-use building. The proposed 5-story building is located at the corner of Warrensville Center and Farnsleigh Roads with frontage on Helen Road. Site plan review is required for this mixed-use building including 141 apartment residential units, first floor retail and second floor office space. A total of 221 parking spaces are proposed with 181 spaces in an interior parking garage. A variance is required to the parking space width to provide 8 foot 6 inch wide spaces when code requires a minimum 9 foot width. A conditional use permit is required for dwelling units on the first floor facing Farnsleigh and Helen Roads. A variance is required to the

CITY OF SHAKER HEIGHTS

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percentage of residential use as the building is 93% residential and code limits a mixed-use building to 90% of one use. More than 50% of the first floor façades are residential. The Warrensville Center Road side is 45.6% retail and the Farnsleigh side is 22.5% retail. The first floor is 42% open windows facing Farnsleigh Road and 24% facing Helen Road, when code requires 60% open first floor windows facing the street. A variance is required to the required minimum size of a one-bedroom unit, which is 700 square feet to allow 675 square foot units. Code permits a maximum 50-foot building height, and the height of the building facing Warrensville Center Road is 69 feet. Code requires a total lot area of 111,600 square feet for the 141 units, while the site is only 104,108 square feet in size. The front yard setback on Farnsleigh Road is proposed to be 2 feet 4 inches adjacent to the residential unit porches, where code requires a minimum 5-foot setback. The front yard setback on Helen Road is between 33 feet 9 inches and 72 feet 9 inches when a maximum 10-foot setback is allowed. Code requires two loading berths and one is provided. A traffic study has been submitted. A conditional use permit requires Council confirmation.

Mr. Feinstein showed pictures of the site. He stated this is a request for site plan review, a conditional use permit, and variances for a mixed-use development at the corners of Warrensville Center, Farnsleigh and Helen Roads. The applicant proposes a 141 unit apartment building with two retail spaces on the first floor and office on the second floor. Site plan review is required for this new building with three front yards, an enclosed parking garage and a southern surface parking lot. The applicant proposes 221 total parking spaces, which meets code requirements. Other issues regarding site plan review include: 1) a traffic study needs further analysis of driveway access, turning movements and traffic counts, as well as Helen Road impact and operation; 2) the traffic plan needs to be evaluated by the city's consulting engineer; 3) a shared parking agreement with Christ Episcopal Church; 4) the landscape and pedestrian access plan needs to be integrated into the existing Warrensville Center Road streetscape and multi-purpose path; 5) the surface parking area needs to be screened from street view of both Warrensville Center and Helen Roads; 6) a subdivision consolidation plat needs to be submitted that combines the two parcels into one; 7) submission of a native plant species list; 8) submission of a photometric lighting plan and light fixture details and locations for the entire site and parking. A conditional use permit is required per Section 1234.03 – Dwelling units on the first floor require a conditional use permit and are limited to 40% of the first floor in the whole zoning district. Required variances include:

- **1234.07 A**—Front setback is required to be a minimum of 5 feet and a maximum of 10 feet. The proposed building setback is 2 feet 8 inches from Farnsleigh Road and the setback varies from a 33 foot 9 inch setback to 72 feet 9 inches on Helen Road.
- **1234.08 A**—The building height is taller than the 50 foot height permitted in this portion of the zoning district. The building is 69 feet tall.
- **1234.05 A** – The code requires a mix of uses so no one use exceeds 90% of the floor area. The development does have a mix of uses in the building, but is 93% residential apartment units.
- **1234.05 A** – The code requires that the first floor of the building have 50% retail or restaurant space on main streets. The first floor is 45.6% retail on Warrensville and 22.5% on Farnsleigh.
- **1234.06 C** - The code requires that the minimum area of a one bedroom unit is limited to 700 square feet. The smallest unit is proposed at 675 square feet.
- **1234.06 C** - The code requires a minimum lot area per of 111,600 square feet for the number and type of apartment units. The lot area is only 104,108 square feet.
- **1252.02**—Two loading spaces are required. One short berth loading space is proposed

adjacent to the southern surface parking.

- **1251.10**—The required size of a parking space is 9 feet x 18 feet. 67 parking spaces are proposed to be 8 feet 8 inches in width.

Staff recommends continuance in order for the applicant to address these issues.

Joe McCabe, Vice President, Metropolitan Holdings, introduced Jamie Oberschlake, Metropolitan Holdings and Kevin Dreyfuss-Wells, architect, Brian Young, landscape designer, and their traffic engineer, Mike Wakosky.

Mr. Dreyfuss-Wells said they are pleased to be back with a second draft of their proposal. He described the project and how it relates to the commercial district. They have met with the Architectural Board of Review and have had two community meetings.

Mr. Oberschlake said they met in September with neighbors, and separately with the church, RMS, and Shaker Rocks regarding traffic concerns. The additional Helen Road driveway was a concern of the neighbors, along with the height of the building. The second neighborhood meeting was held with the Thornton Park Association and 13 people attended. They described an overview of the changes made to the project. They have made an effort to listen and to be a good neighbor.

Mr. Dreyfuss-Wells said retail uses are planned at the north and south corners on Warrensville Center Road. There is an office entrance toward the corner. On the Helen Road façade, there are three story façades with front porches. He described the elevation views. The Warrensville Center Road façade has a mix of uses with apartments above. There are placeholders for the tenant storefronts at this time. The Farnsleigh Road façade is a transitional street between the commercial area at Warrensville Center Road to residential at Helen Road. The building has fronts facing three streets. The roofline drops down at the corner of Helen Road to allow space between multi-family housing and single-family residential. He explained the distances between their building and the Helen Road homes. There is good precedent for tall multi-family and single-family housing interacting in the community. He detailed the distances of various apartment buildings to neighboring single-family homes at other locations in the city.

Ryan Young, landscape designer, explained the Warrensville Center Road streetscape is more commercial with a larger sidewalk. There is a 10 foot minimum sidewalk to meet the existing shared path conditions. There is 8 feet to the tenant space and a multi drop-off zone on Warrensville Center Road. The streetscape transitions with trees and sidewalk along Farnsleigh Road moving east. Helen Road has a larger setback, similar to the single-family houses with a lawn and walkways up to the front porch spaces. They have tried to save the locust tree at the corner and create a pocket park. The tree preservation plan includes removal of other trees on the site that have reached the end of their life span. The plan replaces each per code and maintains the total number of trees. A parking lot island width is less than required, but is wide enough to support trees. He explained the interior courtyard space.

Mr. Dreyfuss-Wells explained a conditional use permit is required for residential as a first floor use. Their design approach transitions the setbacks on Farnsleigh Road to porches on Helen. The larger than 10-foot front setback on Helen Road avoids a culvert and matches the single family house yards. There are 13 one-bedroom units of 675 square feet, which is a common size for a 1 bedroom unit. The building height is 69 feet with a parapet at 64 feet and penthouse up to 69 feet tall. The percentage

of glazing complies with code where it is commercial space. It does not meet the percentage on the Farnsleigh and Helen Road elevations where there are residential units on the first floor. He explained loading along the south parking lot and the parking space width.

Mr. Wakosky, traffic engineer, said he prepared the Van Aken District traffic study as well as the Phase II Van Aken District apartment study. He described the method to evaluate traffic, which evaluates a no build scenario for this project but with other approved development and build out conditions of this site. He described site access on Warrensville Center Road as right turn in, right turn out, and access through to the church to the south. He described traffic generation as 76 vehicle trips in the a.m. and 101 vehicle trips in the p.m. peak hour, and 844 trips per day. He described the distribution of trips with Helen Road one way and a two way option. He showed the site driveway trips explanation and explained the surrounding intersection level of service. The additional volume is low when added to local traffic so the intersections all function. They will evaluate them for any improvements. Helen Road will not reach capacity, but will go up with access from the church driveway. Pedestrian access is good.

Mr. McCabe said the project has a complex mix of uses that retains a good employer in the city as RDL Architects. Twenty (20) percent of the units will be targeted for workforce housing, which is an important need for the community. This development faces three streets with transitions and no back yard, which make it complex. The proposed development is a better neighbor than the old car dealership or the formerly proposed grocery store.

Mayor Weiss said no action is intended at this meeting as staff suggests a continuance.

Mr. Malone said he is interested in further consideration of the traffic study.

Ms. Braverman asked about Helen Road access being a left in and left-out with two-way access from the driveway to Farnsleigh to the north. She was concerned the Warrensville Center driveway will be a right in and right-out only. She prefers full in and out access to Warrensville Center Road. The traffic engineers need to evaluate on-street striping. Access is the issue more than traffic volume. Staff is working with the Police Department regarding parking at Shaker Rocks, with new signs to identify parking options at Thornton Park.

Mr. Malone asked questions about a shared parking agreement with the church.

Mr. McCabe said a shared parking agreement is not needed to meet zoning parking requirements. They have plan B parking options of a shared parking agreement if it is congested, in order to help meet parking demand.

Mr. Boyle asked where visitors will park.

Mr. McCabe said there are 25 guest spaces on site. Farnsleigh Road has on-street parking spaces. There will be on-street parking on Warrensville Center Road. There is also pedestrian access, which reduces parking.

Mr. Boyle asked if tenants will have assigned parking spaces.

Mr. McCabe said yes, in the garage. The surface lot is open for all. Loading and delivery activity will use the loading area adjacent to the garage. The retail may be a café or deli. Daily delivery would use a Warrensville Center Road drop off zone for early morning delivery. Trash pickup access is in the south side parking area.

Mayor Weiss asked about assignments of parking spaces in the parking garage.

Mr. McCabe said tandem parking spots will be assigned for 2-car units. There will be some access from the parking garage to the retail areas.

Mr. Russell said access to Christ Episcopal Church might create more issues than it solves. He was concerned about trash and how a large vehicle maneuvers back out of the parking lot. The Helen Road building design is appropriate. There is a nice reflection of the front yard space, but he is concerned with the Helen Road pocket park. It may become lost or forgotten by the developers over time.

Mr. McCabe said they are a design oriented firm and will make sure their public spaces are well designed and maintained.

Dr. Ganning said she understands the mixed-use zoning reduction for parking. If not for that, the apartments need 282 spaces. She would like clarification of how the parking works. Helen Road access is concerning. She asked about the small building setback on Farnsleigh Road.

Mr. Dreyfuss-Wells said the 2 foot 8 inch building setback on Farnsleigh Road is to the sidewalk, where the property line is located. There will then be a sidewalk and tree lawn. He explained parking of tenants in the garage

Mr. Malone said he has questions about pedestrian access. Especially a mid-block crossing at Meade Road. There may be opportunities worth studying to improve pedestrian safety at the five way intersection and at the Farnsleigh Road Thornton Park entry driveway.

Ms. Braverman said the city will look into the Farnsleigh and Helen Road intersection safety. The Farnsleigh/Warrensville intersection has an active sidewalk so pedestrians will walk to the intersection to cross Warrensville Center Road.

Mayor Weiss said it is obvious that a great amount of work has been undertaken to be responsive to changes and community engagement. He is concerned with southbound access to Warrensville Center Road from the parking lot and the entire site. Using the Helen Road to Chagrin Boulevard route is challenging. They should study Helen Road in a 2-way north configuration to Farnsleigh Road. An exit to Farnsleigh Road is worth studying.

Mayor Weiss opened the Public Hearing.

Joseph McDonald, 20900 Halworth Road, said the neighborhood generally supports the Van Aken District and appreciates that the development team is willing to engage and accommodate. They did not realize there was vehicular access to the church, which allows access to Helen Road. They do not want that access. They support shared parking and pedestrian access. They do not support two way access on Helen Road and are concerned with changes to traffic volume. They are concerned with the

five story building height at the corner of Helen Road. They do not support the lot size variance. Changes including enhanced crosswalks and other access are appropriate throughout the neighborhood. Improvements to wayfinding to find the Thornton Park parking for Shaker Rocks visitors are appropriate.

Dale Winsburg, 3421 Helen Road, said it is a nice street. He knew development plans were in the works. Incremental traffic increase is a concern, especially with auto access from Helen Road to a new parking lot. They want to be heard and have it work and have the city protect their interests. The Farnsleigh/Helen intersection is dark and needs more light.

Jennifer Schoortz, 3411 Helen Road, said that overall this is a good project. She is concerned with different traffic volumes and types on Helen Road when Thornton Park is open for children and pedestrian safety. Helen Road is still a cut-through.

Annie Richman, 22025 Byron Road, owner of Shaker Rocks, said progress is great. She is concerned with the visual obstruction of her Warrensville Center Road façade. They set their building back on purpose. The height and mass of this project will shadow and hide the view of Shaker Rocks on Warrensville Center Road.

Mr. Feinstein related the letters received from the public prior to the meeting:
Elizabeth Goodwin, Farnsleigh Road, had questions regarding allowing variances for this project.

The Thornton Park Neighborhood Association submitted a 9 point list of issues to be addressed after their September 21 meeting with the developer.

Ms. Braverman said there are some missing items. A consolidation plat and multi-purpose path on Warrensville, and a list of traffic study questions per the staff comments.

The request was continued for the applicant to address the following:

1. A detailed landscape screening plan needs to be designed to screen the street view of the surface parking in the southern yard visible to both Warrensville Center and Helen Roads.
2. The traffic plan needs to be evaluated by the city's consulting engineer.
3. The traffic study needs further analysis of driveway access alternatives, turning movements and traffic counts including direct vehicular access to Farnsleigh and Helen Roads.
4. The feasibility of southbound Warrensville Center Road vehicular turning movement out of the driveway or alternate paths for southbound travel need to be evaluated, including Warrensville Center striping changes.
5. Study Helen Road alternatives including one-way and two-way roadway travel alternatives; partial two-way to development driveway; adding a bump out and local access signage to calm and direct traffic; evaluating parking restrictions on Helen.
6. Study pedestrian crosswalks through the Farnsleigh, Helen, Halworth intersection; consider additional crosswalk, bump out to shorten crosswalk and curb ramp.
7. Study and demonstrate access and turning for truck traffic including refuse collection for the development.
8. A consolidation plat needs to be submitted to combine the two parcels of land into one.
9. A detailed design in the Warrensville Center Road front yard that integrates with the existing multi-purpose path including access and width.
10. Shared parking or access agreement with Christ Episcopal Church.

11. Native plant species noted on the landscape plan.
12. Mechanical unit locations and screening plans.
13. Lighting and photometric plan for parking and pedestrian areas.
14. Complete list/details on building material choices and color palette.
15. Signage plan.

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#2196. STOVALL RESIDENCE – 3710 HILDANA ROAD:

A Public Hearing was held on the request of the City of Shaker Heights, representing Hellie Stovall, 3710 Hildana Road, to the City Planning Commission for subdivision of land in order to join a city-owned vacant lot with the property on which the Stovall home is located. The house parcel (735-20-036) is proposed to be combined with the vacant adjacent lot (735-20-035). Ms. Stovall proposes to integrate the vacant lot into her yard. This combined lot meets code requirements in the TF Two-Family Residential zoning district. Subdivision of land requires City Planning Commission approval.

Mr. Feinstein showed pictures of the site. He stated this is a request for subdivision of land in order to combine a vacant city-owned lot with the next door house lot. The house parcel (735-20-036) is proposed to be combined with parcel 735-20-035. The combined lot meets lot and block standards and is appropriate to its location and expected use. Staff recommends approval with the condition of a final plat submitted to the city and recorded with the county.

Mayor Weiss opened the Public Hearing. No comments were received in regard to this application.

It was moved by Mr. Russell and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the condition that a final plat is submitted to the city and filed with the county.

Roll Call: Ayes: Weiss, Malone, Boyle, Ganning, Russell
 Nays: None

Motion Carried

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#2197. CITY OF SHAKER HEIGHTS – TUTTLE ROAD:

A Public Hearing was held on the request of the City of Shaker Heights, Tuttle Road, to the City Planning Commission for subdivision of land in order to dedicate right-of-way. The City proposes to subdivide city-owned property (PPN 736-10-012) by dedicating right-of-way on part of Tuttle Road. The City proposes to dedicate additional right-of-way on the northwest corner of Tuttle Road at Van Aken busway. The additional right-of-way includes part of the sidewalk, and the corner and will enable the completion of the public realm project. A subdivision of land requires City Planning Commission review. Council action is required to dedicate right-of-way.

Mr. Feinstein showed pictures of the site. He stated this is a request for subdivision of land and dedication of right-of-way on Tuttle Road. The city requests a subdivision of parcel 736-10-012 in order to dedicate

