



## SHAKER HEIGHTS

**Board of Zoning Appeals and City Planning Commission  
Tuesday, February 5, 2019  
7 P.M.  
City Hall Council Chambers**

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

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

The meeting was called to order by Mayor Weiss at 7:00 P.M.

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### **BOARD OF ZONING APPEALS**

#### **#2013. Tendulkar Residence – 18951 South Woodland Road:**

A Public Hearing was held on the request of Richard Cissell, Cissell Architecture and Design, on behalf of Rajani and Rahul Tendulkar, 18951 South Woodland Road, to the Board of Zoning Appeals for a rear yard setback variance. The applicant proposes an infill addition to the rear corner of the house. The addition is located 33 feet 5 inches from the rear property line. Code requires a 40 foot rear yard setback in the SF-1 Single Family Residential zoning district. The addition creates a first floor handicap accessible bathroom.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the rear yard setback regulations in order to build a house addition. The applicant proposes two corner infill additions in the rear yard. One of the additions extends 9 feet past the rear corner of the house to be 33 feet 5 inches from the rear property line. Code requires a 40 foot setback. The one story bathroom addition is screened from view by an existing evergreen hedge. The Architectural Board of Review approved the design at their February 4, 2019 meeting. Staff supports this request.

Richard Cissell, architect, said there are interior renovations underway. They propose two infill additions at both rear corners of the house. They will re-use interior space to create a



12 years of age. A total of 33 children and several staff will be located at this property. The business is proposed to operate 5 days a week from 6:00 a.m. to 12:00 midnight. The applicant proposes to utilize the rear parking area as a temporary playground during non-peak hours by erecting moveable barricades to create a playground each day. A Conditional Use Permit is required for the day care center. The existing day care parking lot has 7 parking spaces. Only the three parking spaces at the front of the building would be available while the playground is in use. The applicant proposes a shared parking agreement for 3 additional spaces at Nu Image Salon and Fatu, the businesses in the adjacent building at 3657 and 3659 Lee Road. Code requires 10 on-site parking spaces for the day care center. The Board of Zoning Appeals must review a variance to the number of required on-site parking spaces on both properties since there are not enough combined parking spaces (15) to meet the code requirements (16). A trash dumpster will be located at the rear of the lot inside a 6 foot tall wood fence enclosure. Code requires a 6 foot tall brick wall enclosing a dumpster adjacent to a residential lot. Council confirmation is required for the Conditional Use Permit.

Mr. Feinstein showed slides of the site. He stated this is a continuation of a request from the last two meetings for a Conditional Use Permit and parking variance for a day care. Changes from the last proposal include: 1) temporary on-site outdoor play area in the rear parking area with movable barricades; 2) Parking agreements with both adjacent businesses to share the three front parking spaces; 3) removal of the dumpster, which adds a parking space and play area; 4) Business hours Monday through Friday so there is less conflict with the barber shop and salon next door. The applicant has submitted a letter from their state child care supervisor approving of the temporary outdoor play area, which eliminates the need for additional indoor play space. A child day care center requires a Conditional Use Permit. A parking variance is required as 8 spaces are provided during peak morning and evening drop-off and pick-up times, but code requires 10 spaces. Council confirmation of the Conditional Use Permit is required. Staff supports this revised proposal with the conditions as outlined in the staff report.

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Mr. Zimmerman arrived at the meeting.

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Bonnie Smith, architect, 16105 Lorain Avenue, said they have revised their plans. Between 3657-59 and 3663 Lee Road and the shared parking agreements which were submitted, there are 16 total parking spaces. This total meets code requirements for both properties. These parking spaces will be available at peak times for day care pick-up and drop-off. They have eliminated the dumpster and picked up a parking space. There is now a temporary playground proposed in the rear parking area. The spaces in the rear parking lot will not be available during the middle of the day. The adjacent building requires 6 parking spaces. The applicants' building requires 10 parking spaces for a total of 16. They meet the total parking requirements.

Dr. Ganning asked about the playground being right on top of asphalt which has just had cars parked on it. She understands the state representative has approved the plan. She is worried about young children being on the asphalt right after cars are parked. Is there an alternative surface for them to play on, other than the asphalt?

Ms. Smith said the state representative does understand the plan. They could use an alternative surface, something like astroturf, that could be rolled up on a daily basis.

Coletta James said the applicant is amenable to an alternate material being rolled out.

Mr. Dreyfuss-Wells asked about pick-up and drop-off times. Where will staff park?

Ms. Smith said no staff will park at this location. Only a few staff drive their own vehicles. Most of them are dropped off or use a service to get to the facility. Staff that does drive will leave their cars at 3887 Lee Road, their other facility, and be brought here in their van. There will be no employee vehicles on this site.

Mr. Dreyfuss-Wells asked how that works if the employee is late to work and needs to get there quickly. What are the possible solutions? Will they be parking on neighborhood streets nearby?

Ms. Smith said they will work that out. There is a van available from the other facility to drop them off whenever they arrive. That location is only ½ mile away.

Mr. Boyle said the staff recommendation is that the playground be up between 9:30 a.m. and 3:30 p.m. They have indicated the playground would have different hours. He said the proposed hours between 10:30 and 1:00 p.m. seem appropriate.

Mr. Feinstein said that is the timeframe proposed by the applicant. This is acceptable to staff.

Dr. Ganning asked where the barricades will be stored during the day.

Ms. Petersen said there is a storage room in the building, close to the rear door.

Dr. Ganning said there is not a storage room noted on the building floor plan.

Ms. Smith said they will rearrange the interior of the property to include a small storage room to accommodate the barricades.

Mayor Weiss said the parking wheel stops and striping should be laid out prior to the business opening.

Ms. Smith said yes, they will have the striping and wheel stops on the construction documents.

Mr. Feinstein said as part of the final occupancy permit issuance he will be looking for completion of the striping and wheel stops.

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

Mr. Zimmerman said the Shaker Heights Development Corporation was concerned with the parking at the last meeting. He asked if there had been any changes to their position.





