



SHAKER HEIGHTS

Board of Zoning Appeals & City Planning Commission Minutes

Tuesday, March 1, 2022

7 P.M.

Via Video and Audio Conference

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
John J. Boyle III, Member
Kevin Dreyfuss-Wells, Member
Joanna Ganning, 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 February 1, 2022 Meeting Minutes

It was moved by Mr. Boyle and seconded by Mr. Dreyfuss-Wells to approve the minutes.

Roll Call: Ayes: Weiss, Malone, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

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CITY PLANNING COMMISSION

#2150. VAN AKEN MEWS – 3212-3246 VAN AKEN BOULEVARD:

Continuation of a Public Hearing was held on the request of Ken Lurie, Shaker Sutton, LLC, 3212-3246 Van Aken Boulevard, to the City Planning Commission for approval of a revised landscape plan as part of site plan review for this development at the corner of Van Aken Boulevard and Sutton Road. The amended Planned Unit Development, subdivision of land and variances were approved for the completion of this single-family attached development at the February 1, 2022 meeting. The site plan was approved with the condition of submission and approval of a revised landscape plan showing both sides of the public pathway with a cohesive tree design and addressing native and invasive species. A revised landscape plan has been submitted. Tree locations have been

CITY OF SHAKER HEIGHTS

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shifted along the public walkway. The applicant now proposes a landscape bed on both sides of the walkway where it meets the sidewalk. The landscape plan species have been adjusted to include more native and native cultivars with no invasive species.

Mr. Feinstein showed pictures of the site. He said this is a request for continuation of a request for site plan review for a revised landscape plan. The site plan review for this development was approved with the condition of a revised landscape plan. A revised plan has been submitted addressing the issues raised at the February 2, 2022 meeting. Tree locations are shown on both sides of the public walkway including an additional tree, an entry landscape bed, and the species have been modified and noted. Staff supports the request.

Mr. Lurie said there were questions about landscaping from the last meeting that he was not able to answer. His landscape architect, Matt McCue, designed the original landscape plan and they only made certain changes. Mr. McCue is present at this meeting to answer any questions.

Matt McCue, landscape architect, said it is a balanced and cohesive landscape plan. They have redesigned that oversized public space between the phases. They want it to feel like one development. A maple tree was located to make an alternating pattern along the walk. The front sweetgum tree mirrors the other corner. The front entry landscape bed includes both sides where it meets the sidewalk. Per the Ohio Administrative Code there are no invasive species on the site. They are removing the only invasive, which is a pear tree in the tree lawn.

Mayor Weiss opened the Public Hearing.

Nicholas Fletcher, 3111 Ludlow Road, applauded the removal of the pear tree.

Ms. Rotatori, 3169 Ludlow Road, asked if there are hydrangea on the list. She likes their blooms, but they do not benefit the local habitat or species.

Mr. McCue said yes, there are hydrangea which mirrors the existing development. A local, small scale development does not critically impact the local habitat. A habitat needs to be considered over larger sections of land.

Ms. Rotatori said she contacted the County Land Bank and they are going to look at fixing the fence along the walkway to Milverton Road.

Mr. Fletcher asked how they will deal with the boxwood moth.

Mr. McCue said he has not seen that as an issue with boxwoods in Northeast Ohio. They are very resistant to deer browse, fit aesthetically, and grow well in the shade. The boxwoods also relate to the existing development and are a common aesthetic of historic landscaping in the city.

Mr. Fletcher asked the percentage of leaf color differentiation in the cultivar trees which reduce their usefulness to native species.

Mr. McCue said they are working with the residential developer to create a certain aesthetic for the second phase of this residential development. He said a more productive example for habitat

neighbor's. They propose a 24-foot garage. Their back up plan is a smaller one-car, 12-foot wide addition.

Mr. Boyle said the feel of the current garage already seems to encroach toward the road in front of the neighbors. It seems difficult to design any garage extension without impacting the street view, including the one-car alternative.

Ms. Dunning said they have discussed 12 or 16-foot wide alternative additions. The 12 foot width addition is probably livable for her clients, but is not preferred.

Mr. Dreyfuss-Wells asked about the other garage extension variance on Parkland Drive.

Mr. Feinstein explained the other garage extension was a 12-foot variance to be setback 70 feet from the street. The front yard setback at that location is 90 feet.

Mr. Malone asked about the alternative.

Mr. Feinstein showed pictures and plans of the one-car, 16-foot wide alternative.

Mr. Boyle asked if the one-car alternative can maintain the 15 foot side yard setback.

Ms. Dunning said even the 12 foot long addition may still be 18 inches into the side yard.

Mr. Boyle said the aesthetic of even the one car alternative is obvious in the front yard. He might be able to envision a one or two foot variance to the front yard for a slight widening.

Ms. Dunning said other option is 3 car front loaded garage, which presents other problems. She explained the 3-car front loading garage design.

Mayor Weiss said a front-facing garage is not typical on this block.

Mayor Weiss opened the Public Hearing.

Mr. Feinstein summarized letters submitted from Mr. and Mrs. Kovach and Mr. Hemelgarn.

Mr. and Mrs. Kovach, 18513 Parkland Drive, said she is the eastern neighbor. They are delighted to have new neighbors. There are other ways to expand. Even 12 feet destroys view to the neighbors. Their garage is already 10 feet in front of their house. The proposal reduces their property value that zoning is meant to protect.

Mr. Hemelgarn, said there is only one variance on the street and that is too close at 70 feet and has less impact than a 16 foot variance on a 70 foot setback. They are flanked on both sides by garages. He understands there is no other place for a garage. Their garage is the same size as are other garages on the street.

Dr. Ganning said it is possible to learn from other variances. The other garage which received a variance on Parkland Drive is noticeable. That variance was to 70 feet and tied to the depth of that

lot. It is still quite prominent. She is sympathetic to the Malek family as it can be difficult to manage a family in Shaker Heights garages.

Mr. Dreyfuss-Wells said the 12-foot option is pushing it. The front loading option does not seem acceptable. Possibly add a couple of feet to the plan for extra interior space.

Mr. Malek said this is a learning process. They also want to be in harmony and peace with the neighbors. They have 5 children. Eventually they will have to park cars outside the garage. He thinks this proposal is a more aesthetic solution to openly parked cars in front of the garage. They think it is more aesthetic to have a garage.

Mayor Weiss said the Board and neighbors comments should be weighed by the applicant and the request continued to another meeting.

Ms. Dunning said the Malek's could landscape their property to help screen outdoor car parking. They will consider other options.

The submission has be continued in order for the applicant to investigate the following:

1. Study alternate garage sizes and layouts.
2. Study alternate interior renovation plans.
3. Consider landscape screening for outdoor parking.
4. Include drawings from the neighbor's perspectives.

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#2154. UNIVERSITY SCHOOL – 20701 BRANTLEY ROAD:

A Public Hearing was held on the request of Terrie Brightman, Merritt Chase, on behalf of University School, 20701 Brantley Road, to the Board of Zoning Appeals for variances to the recreational structure height and parking space location requirements. The applicant proposes to redesign and replace an existing playground and tennis courts with a new playground, all-purpose field, and relocated parking spaces on the Claythorne and Shelburne side of the site. The new play structures are 21, 24 and 30 feet tall to their peaks. Code allows a 15 foot height limit for a recreational structure. An existing line of mature trees shield the view from Shelburne and Claythorne Roads. Parking spaces are being relocated to replace displaced parking near the building. Five of the new parking spaces extend beyond the 100-foot front yard setback to Shelburne Road. These parking spaces extend to 80 feet from Shelburne Road. The existing mature trees along Shelburne Road will remain and be enhanced with evergreen shrub plantings to screen these parking spaces from the street view.

Mr. Feinstein showed pictures of the site. He stated this is a request for variances to the recreational structure height and parking space location. The applicant proposes to redesign and replace a playground and tennis court area near the Claythorne and Shelburne Roads side of the property. Three (3) play structures are 21, 24, and 30 feet tall to their respective peaks. Code allows a maximum height of 15 feet for a play structure. Parking spaces are being relocated from the rear of the building. Five (5) of the new parking spaces extend beyond the required 100 foot setback on Shelburne Road. The spaces are 80 feet from the street with existing trees and new landscaping to screen them. The Architectural Board of Review has not yet reviewed the structures. Staff supports this request.

Chris Merritt said he and Terrie Brightman have been working with University School for a year regarding renovation and replacement of these facilities in order to increase access and safety at the school. This plan flips the relationship to allow easy and safe access to the playground. There is already asphalt within the 100-foot setback where the new parking is proposed. The existing play structure is 19 feet tall. He showed views of the existing playground. They have engaged with the school and students in the planning process. He showed the plan of new driveway, parking alignment, field, and playground. They will preserve the driveway for Fire and emergency access. He showed the 5 parking spaces that encroach. They will maintain the trees and add additional landscape around the parking spaces. The play structures are 21, 24 and 30 feet tall, set within the playground and are shorter than the buildings on either side. There will be lower fences around the playground area and a synthetic safety surface on the playground.

Mr. Boyle asked why the 5 spaces could not be on the west side away from Shelburne Road.

Mr. Merritt said this location saves two mature trees on the west and they are trying to merge with existing asphalt.

Mr. Dreyfuss-Wells asked about a demonstration of need for the parking spaces.

Ms. Brightman said the project goal is to maintain the same number of parking spaces, not add or delete.

Mayor Weiss asked if the 15 foot height limit is for recreational structures in all locations. Why is the 30 foot tall one proposed and for what ages of kids.

Mr. Feinstein said the 15 foot code height limit is the same for a residential back yard as for an institutional playground.

Mr. Merritt said the towers are for the older age range.

Mayor Weiss said there is existing mature landscaping in all directions.

Dr. Ganning said the Shelburne Road trees are a substantial screen. She needs to understand the height of the structure.

Mr. Merritt explained the design as similar to a tree house. The inside is enclosed and does not allow climbing on the outside.

Mayor Weiss said 30 feet is the height at the roof peak.

Mr. Malone said the height of these structures have a comparison to play structures at other playgrounds in the city. Will it be accessible to the neighborhood? This is a good overall playground design.

Mr. Merritt said for safety there needs to be fencing around the playground. University School is working to understand the relationship with the community. He understands, the area will be available

for the reclosure station, which powers the Blue Line Rapid Transit line. The electrical power cabinets are proposed adjacent to the busway and the Blue Line Terminus Station tracks and the proposed comfort station building. A slatted metal screen fence is proposed to screen these large cabinets from direct view. The City Planning Commission reviews improvements to public land. Council action is required.

Mr. Feinstein showed pictures of the site. He stated this is a request for improvements to public land for a new comfort station building and amended location of the substation power equipment. A new RTA Blue Line comfort station building is proposed with restrooms and a pedestrian waiting station. The power equipment for the new substation located across the tracks is now proposed northwest of the comfort station building, screened with a slatted fence. The Architectural Board of Review has approved the building design and continued review of the screen fence. These revised plans address the Architectural Board of Review comments in relation to the screen fencing. This project is part of a continued collaborative process with GCRTA in this area. Staff supports the request.

Matt Marotta, project architect, showed views of the project overall and in detail. GCRTA is working with the City and WSP on the Public Realm plan. He presented the project phasing. When the substation was approved, the power was to be on 60 foot tall poles with the electrical equipment on them. It is now proposed on the ground. The new area adds amenities, pedestrian access and a waiting area for users. The design of the comfort station is open with canopies for a waiting station. The fence and rail provides safety and allows views through for safety. He showed view of the slatted fence which creates a visual distraction to the large electrical equipment. They have increased the depth of the fence slats and moved the slats closer together for more screening. He showed rendered views of the site and building.

Mr. Dreyfuss-Wells said this is a complex site and the program is thorough and well done.

Mr. Malone asked if the drinking fountain is inside. He asked about the public restroom maintenance

Mr. Marotta said yes the drinking fountain is inside.

Ms. Braverman said RMS will maintain the public restroom. An agreement is to be worked out with RMS.

Meribeth Feke, GCRTA, said they are working on the maintenance agreement with RMS, and looking forward to the start date.

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

Ms. Braverman said staff has already made comments throughout the project due to the collaborative planning process with RTA.

Mr. Malone said this project reflects the work of RTA and the City to create a continuous pedestrian environment in the area.

It was moved by Dreyfuss-Wells and seconded by Dr. Ganning to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

Roll Call: Ayes: Malone, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

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CITY OF SHAKER HEIGHTS – WARRENSVILLE CENTER ROAD BRIDGE:

A Public Hearing was held on the request of the City of Shaker Heights, Warrensville Center Road Bridge at Shaker Boulevard, to the City Planning Commission for resubdivision of land in order to dedicate right-of-way for the bridge replacement project. Cuyahoga County owns the Warrensville bridge and is replacing it. The city proposes to subdivide small portions of two parcels of land and to dedicate additional right-of-way on the east and west sides of the Warrensville Center Road bridge over the RTA Green Line Rapid Transit tracks. The additional right-of-way is proposed to accommodate the bridge re-construction. Parcels 734-16-013, 014 and 017 will be subdivided and right-of-way dedicated from those parcels. The new right-of-way varies in size from 7 to 8 feet wide and 8 to 28 feet in length. A resubdivision 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 of the City to subdivide land and dedicate right-of-way. The county bridge on Warrensville Center Road over the Green Line rapid line requires additional right-of-way to accommodate the new bridge structures. Parcels 734-16-013, 014, and 017 will be subdivided and right-of-way dedicated. The City Planning Commission reviews subdivision of land. Council action is needed for subdivision of City land and right-of-way dedication. Staff supports the request with the condition of a final plat being submitted.

Ms. Braverman explained the project in detail as being part of the County’s reconstruction of the bridge.

Mr. Malone asked for an explanation of the location on the east side by the pillars.

Ms. Braverman said the County will not build the bridge or its supports outside of the right-of-way.

Dr. Ganning asked about improved pedestrian access in the design.

Ms. Braverman said the access to help connect to South Park Boulevard from the path is included in this bridge work.

It was moved by Dr. Ganning and seconded by Boyle 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 and recorded with the County.

Roll Call: Ayes: Weiss, Malone, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

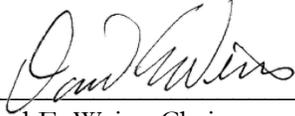
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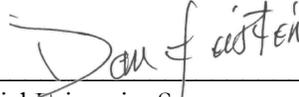
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There being no further business, the meeting was adjourned at 9:30 p.m. The next meeting will be April 5, 2022.



David E. Weiss, Chair
Board of Zoning Appeals
City Planning Commission



Daniel Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission