



**Board of Zoning Appeals & City Planning Commission Minutes
Wednesday, August 7, 2019
7 P.M.
City Hall, Council Chambers**

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

Others Present: Joyce G. Braverman, Director, Planning
Lisa Gold-Scott, Assistant Director, Law
Dan Feinstein, Senior Planner

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

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Approval of the July 2, 2019 Meeting Minutes

It was moved by Mr. Boyle and seconded by Dr. Ganning to approve the minutes.

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

Motion Carried

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Board of Zoning Appeals

#2028. Faltisco Residence – 18524 Lomond Boulevard:

A Public Hearing was held on the request of Sally Levine, architect, representing Daniel and Anne Marie Faltisco, homeowners, 18524 Lomond Boulevard, to the Board of Zoning Appeals for a variance to the garage regulations in order to construct a new detached one car garage located in the rear yard. The applicant proposes a one car detached garage located at the end of the driveway facing the street. Code allows only one garage structure on the property, located in the rear yard. The existing attached rear facing one car garage is proposed to remain, creating two garage spaces on the property.

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involvement by Hathaway Brown and the public in keeping with the tradition of Shaker's normally involved residents. The applicant has requested the city to allow a change to parking in the public right of way. He noted these requests do not occur often. The applicant has provided both formal and informal opportunities for input. This is before the City Planning Commission this evening in order to provide advice to public officials. The goal this evening is to present the request to the Board and have public comment. Over the last few days, following conversations with residents and the applicant, they have decided there will be no request for any recommendation from the City Planning Commission this evening. Furthermore, this request will not be going to City Council at their August meeting and not until a subsequent City Planning Commission meeting. Continuing this request allows: 1) further public engagement; 2) the applicant and the City to outline and evaluate options and alternatives. Both the applicant and the residents may not always agree, but this provides the framework for discussion of all alternatives. This meeting should provide a formal forum for that discussion.

Mr. Feinstein showed slides of the site. He stated this is an advisory discussion of on-street parking design and location. Hathaway Brown proposes to create 53 head-in on-street parking spaces in the southern leg of the North Park/Sherbrooke triangle. Hathaway Brown's preferred option has parking on both sides of the road. The parking would replace 16 existing on-street parallel parking spaces for a net gain of 37 spaces. The City Planning Commission is reviewing this proposal in an advisory role for City Council. This is not a review of the on-site parking lot variances that were approved at the May 7, 2019 meeting of the Board of Zoning Appeals. The Zoning Ordinance regulations that apply to parking lots and spaces on private property do not apply to on-street parking in the right-of-way. At the members seats are the full packet of the most recent public comments received to date. Several of these emails and letters were not received in time to make it into the meeting packet.

Dr. Fran Bissell, Hathaway Brown Head of School, thanked the Board and residents for this opportunity. Hathaway Brown has been a school for 144 years, 92 of those in Shaker Heights. This campus is on 16 acres. They are committed to this campus. While Hathaway Brown enrollment has increased since 1927, the space they have has not grown. Their enrollment is approximately 800. The question is how the school executes the highest level of educational service. They have approximately 100 high school age children who drive, and 200 employees. Nearly 100 of their students are in pre-school and require parent drop off. There must be available parking for parents to visit educators and classrooms. They encourage busing and carpooling. They have the largest number of students bused of private schools in Shaker. She car pools, which models that for other staff members and students. She is conscious that cars line the streets. How should they accommodate without more parking? Safety is also a concern. Additional on-site parking lots have drawbacks. They welcome good ideas. They have held two open-house type forums. They have studied traffic impacts and the plans presented this evening have evolved. She asks they be allowed time to explore additional alternatives to try to solve their issues, and reserve the right to come back to this Board with this proposal. They agree with the Mayor's continuation of this discussion and welcome the neighborhood input.

Mr. Zimmerman thanked Dr. Bissell. He explained the City Planning Commission representation and citizen members. This is a unique circumstance and request for this body. They are here to listen and get resident input. This evening will be used to educate City Planning Commission members.

Mr. Boyle asked the number of parking spaces on the Hathaway Brown site.

Dr. Bissell said there are 161 spaces and 8 handicap spaces, which equal 169 spaces, in parking lots on-site, with 313 total spaces including on-street parking around the school. This request will give them 374 spots.

Mayor Weiss opened the meeting for public comment.

Irwin Lowenstein, 19000 South Park Boulevard, said he would speak against the parking changes to North Park Boulevard/Sherbrook Road. He lives 4 houses away. This is an active school zone. This school seems to have values including athletics and car parking. He listened to the May 7 Board of Zoning Appeals meeting recording. Hathaway Brown presented no guest information, no real data to support their request. This proposal needs to be looked at in the context of current urban design. This solution of adding parking spaces will not decrease on-street parking. The safest parking is on street in front of vigilant neighbors on Sherbrooke Road. Shaker Heights was designed as a model garden city. The essential character of the neighborhood is most certainly affected. The City should value and protect common space and front yards. He thinks the Board of Zoning Appeals approved variances without applying Section 1213.04 variance standards. This is an anchor institution in the community. Everyone wants Hathaway Brown to succeed. This proposal should not be allowed. He welcomes a slow-down of decision making with alternatives and toward mutual approval.

Joe Keithly, 18400 South Park Boulevard, described other locations for potential parking in the area. He is surprised to think that green space at Shelburne and North Park could be considered. A soccer field could fit there instead and preserve green space. He agrees with Mr. Lowenstein.

Paul Janiki, 2781 Sherbrooke Road, said he has lived at the corner since 1985. He has approved and supported the school and helped support the natatorium. Neighbor input has not been sufficient, nor has there been enough discussion with community members. He asked to table this proposal. He quoted an article by Council Member Sean Malone about Shaker Heights. The Mayor and Dr. Bissel's comments are good for the process going forward.

Keith Kerman, 2760 Chesterton Road, said he opposes the current request of on street parking. He recommends the City, Hathaway Brown, and residents form a working group. This request is less safe and not appropriate for this location. A new soccer field on site has led to on-street public land use for parking. He does not support the proposal. Hathaway Brown and the City have worked hard and he thanks them.

Cathy Lincoln, 19715 North Park Boulevard, said she has lived in Shaker Heights 63 years. She has written and gone to meetings and opposed this proposal. She is against the proposal and urges the involvement of neighbors. She is glad the request is being tabled. She would like to be a part of a solution.

Peter Rome, 19551 North Park Boulevard, endorses what all of his neighbors said before. Currently the cars parked on the street are only there during school, right across the street from his house. They disappear after hours. A parking lot will change the character of the neighborhood permanently as the lot would be present all the time.

Christine Janiki, 2781 Sherbrook Road, said she has lived in Shaker Heights 35 years. There has been limited open discussion. Only two open houses. The format is better for a meet and greet than

formative discussion. She doesn't want Hathaway Brown to leave. She opposes the proposal. It is good to hear the request is to be continued.

Courtney DuPaul, 2721 Sherbrook Road, said North Park is already congested. Additional parking will further increase safety concerns. There are already 50 on-street spaces and about 100 cars total in the area. Students are inexperienced drivers and this is not safe on a curved road. The impact on known flooding has not been addressed. She wants to help find options, but does not think this is the right one. She appreciates the move to table this request.

Mort Levine, 18901 North Park Boulevard, is within ½ mile and supports earlier comments. The school eliminated on-site parking for soccer and now needs parking on street. He encourages more public transportation, especially with the rapid nearby. All options need to be looked at considering future car use trends which may reduce parking needs long-term.

Tom Cicerella, 18820 Shelburne Road, supports the comments of others. He values Shaker's history such as the beauty of the city. They should not allow parking on city land. Such a decision should only be considered with strict scrutiny. An environmental study should be completed.

Colleen Lance, 19601 North Park Boulevard, said there is an environmental impact on the area and safety concerns as her child was struck by a Hathaway Brown parent. Her whole family avoids Hathaway Brown during busy times.

John Pinney, Kohrman Jackson & Kranz law firm, expressed his thanks for tabling this issue. He represents neighbors and is willing to work with his clients, the school and the city.

Steven Miller, 2741 Chesterton Road, said many people care about this corner. All sides are acting with good intentions and in good faith, with good intentions. There is outrage and frustration now. They are all involved together. He thanks the two institutions for this cooperation, and looks forward to further discussions.

Mayor Weiss said the Warrensville and Shaker intersection traffic study was conducted more than 1 year ago to identify health and safety issues at intersections along Warrensville Center Road. The Shaker/Warrensville intersection, both east and west, received partial grant funding last year. The city will engage a consultant to work on a plan and have public meetings to talk with the community in the future.

Mr. Zimmerman said there is good work to be done with a collaborative effort. He encourages the effort be made to find a solution. The public notice followed the rules, but some areas of the city need wider notice than others. .

Mr. Dreyfuss-Wells said there is a lot of pavement around the triangle. Can green space be added? It is possible to end up with more green space than existing pavement.

Dr. Ganning said contrary to earlier comments, there was considerable public input and Board discussion before the approval at the May 7, 2019 meeting. She thanks the residents and applicant for describing the history of the site and the perspective she has gained at this meeting.

Mr. Boyle said parallel on-street parking is impactful for only a part of the year while a parking lot is all year. This seems like a solution looking for a problem. The school needs to make much more of a case to support the need for parking lot construction. He supports the continuation.

The discussion was continued to a future public meeting.

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There being no further business, the meeting was adjourned at 8:45 p.m. The next meeting will be September 3, 2019.



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



Dan Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission