

THE PLANNING AND ZONING COMMISSION MEETING WAS HELD AT BEACHWOOD CITY HALL ON THURSDAY, AUGUST 26, 2010.

ROLL CALL: PRESENT: C. Cohen, M. Gorden, R. Hecht, J. Kahn
B. Mann, M. Wachter
ABSENT: None
ALSO PRESENT: M.A. Cannon, T. Kreczko, G. Smerigan

A motion was made by J. Kahn and seconded by B. Mann to approve the minutes of the July 29, 2010, regular meeting.

ROLL CALL: AYES: C. Cohen, M. Gorden, R. Hecht, J. Kahn
B. Mann, M. Wachter
NAYS: None
MOTION APPROVED – MINUTES APPROVED

COUNCIL REPORT

Mr. Wachter reported that Council removed P&Z 2010-313B from the August agenda. Council referred Ordinance 2010-112, establishing a new Chapter 1154 Alternative Energy Facilities of the Beachwood Codified Ordinances.

Chairman Hecht requested that there be an amendment to the Planning and Zoning Commission agenda. It is being requested that P&Z 2010-25 application be placed on the agenda after item #6.

A motion was made by Kahn and seconded by C. Cohen to hear P&Z 2010-25 application for Mr. & Mrs. Mel Kramer, owners of the property located at 25445 Halburton Road after item #6.

ROLL CALL: AYES: C. Cohen, M. Gorden, R. Hecht, J. Kahn
B. Mann, M. Wachter
NAYS: Non3
MOTION APPROVED – Hear after item #6

P&Z 2010-29 JOHN FERREK, MANAGER BEACHWOOD FACILITY OPERATIONS FOR BASF LOCATED AT 23800 MERCANTILE ROAD IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO REPLACE A NITROGEN SUPPLY SYSTEM TANK.

Mr. John Ferek, Manager Beachwood Facility Operations for BASF was not present to request preliminary and final site plan approval to replace a nitrogen supply system tank at their location at 23800 Mercantile Road.

A motion was made by J. Kahn and seconded by C. Cohen to move this application to last on the agenda.

ROLL CALL: AYES: C. Cohen, M. Gorden, R. Hecht, J. Kahn
B. Mann, M. Wachter
NAYS: None

P&Z 2010-30 LASTING IMPRESSIONS REPRESENTING AHUJA MEDICAL CENTER/UNIVERSITY HOSPITAL LOCATED AT 3999 RICHMOND ROAD, IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR THE DEDICATION EVENTS TO BE HELD NOVEMBER 13-15, 2010.

It was requested by University Hospital to place this application on the September agenda of the Planning and Zoning Commission.

P&Z 2010-26A TRINITY PRESBYTERIAN CHURCH LOCATED AT 22111 CHAGRIN BLVD., IS REQUESTING REVISED PRELIMINARY AND FINAL SITE PLAN APPROVAL TO CONSTRUCT AN ADDITIONAL FORTY (40) PARKING SPACES TO THE EXISTING PARKING LOT. A VARIANCE FOR THE FRONT AND SIDE SETBACKS WOULD BE REQUIRED.

Mr. David DelRio of Bradley Construction Company was present to request preliminary and final site plan approval to construct an additional forty (40) parking spaces to the existing parking lot.

Mr. Kreczko stated that there were no engineering issues. The applicant needs to contact the Police Department to coordinate the maintenance of traffic on Chagrin Blvd.

Mr. Smerigan stated that the applicant has submitted a revised request for site plan approval to construct an expansion to the existing parking lot and a new drop-off drive to the main entrance of the building as discussed at the last Planning and Zoning Commission meeting. The revised request would expand the existing parking lot further southward toward Chagrin Boulevard. The revised plan still creates a one-way traffic flow through the parking lot, the addition of a driveway entrance from Chagrin Boulevard, and the drop-off lane at the main entry to the church. The revised site plan also includes walkway improvements intended to enhance handicapped accessibility. In general these proposed improvements will enhance the overall functionality of the subject site.

Mr. Smerigan continued that the proposed access driveway from Chagrin Boulevard is shown as 24 feet in width which complies with the provisions of the Zoning Code. No expansion of the existing building is being proposed, so there is no increase in the current parking requirement of 22 spaces. The proposed parking lot design uses angled parking (30 degrees) with a one-way traffic pattern. The proposed parking spaces meet the minimum Zoning Code dimensions of 9' x 20'. The applicant is proposing to use a 14 feet wide drive aisle which is reasonable and appropriate for a one directional flow pattern with 30 degree angled parking. The new parking lot would have a total of 80 spaces which far exceeds the Zoning Code requirement.

The proposed parking layout requires two (2) setback variances. First, the applicant is proposing to extend the parking lot south to a distance of 35 feet from the Chagrin Boulevard right-of-way in lieu of the 75 feet front setback requirement for U-5 Public and Institutional Districts as set forth in Section 1124.01(b)(1). The site plan submitted by the applicant indicates the installation of landscaped mounds which would screen the parking lot from Chagrin Boulevard. The mounds, which are depicted as approximately four (4) feet in height wrap around the entire south end of the proposed parking lot and extend back past the code

required front setback line.

Planning and Zoning Commission
Minutes/Page 3
August 26, 2010

Second, the proposed parking is located at an angle to the side lot lines and would extend to within approximately 35 feet of the western lot line at the nearest point. Section 1124.04(b)(2) requires that parking lots in U-5 Districts maintain a minimum side yard setback of 50 feet.

As discussed at the last meeting, the large setback requirement for U-5 Districts is based upon the fact that they are generally surrounded by U-1 Residential Districts. In this instance, the adjacent property is zoned U-7A General Office Building District. Within U-7A Districts the front and side parking setbacks are both ten (10) feet. The adjacent office building has an existing parking lot that extends to within ten (10) feet of the subject site's western property line and to within twenty (20) feet of the Chagrin Boulevard right-of-way. The portion of the new parking lot that would encroach into the required front and side yard setbacks is located immediately adjacent to this existing office parking lot that conforms to the requirements of the U-7A District. Given these circumstances, it would appear that the granting of the variances as requested would not have a detrimental impact on the adjacent property to the west or upon the surrounding neighborhood in general.

Mr. Smerigan continued that since variances are required, the Commission will need to make a recommendation to City Council. Should the Commission wish to recommend preliminary and final site plan approval, the following stipulations are suggested: 1) pursuant to Section 1159.04, it is determined that a practical difficulty exists or will result from the literal enforcement of the Zoning Code with regard to the front and side yard setback provisions for off-street parking; 2) granting of a variance of forty (40) feet to Section 1124.04(b)(1) to permit the parking lot to be located thirty-five (35) feet from the right-of-way line of Chagrin Boulevard in lieu of the required seventy-five (75) feet; 3) granting of a variance of fifteen (15) feet to Section 1124.04(b)(2) to permit the parking lot to be located thirty-five (35) feet from the western property line in lieu of the required fifty (50) feet; and 4) compliance with the comments of the City Engineer.

Mr. Kahn questioned Mr. Kreczko as to whether there were any storm water management issues.

Mr. Kreczko stated that less than one acre was being disturbed so storm water management does not have to be addressed. Soil and erosion control reports have been submitted to the engineer.

Mr. Kahn questioned the new curb cut on Chagrin Boulevard along with the existing curb cut exiting onto Halworth. Mr. Kahn cited a similar situation in another location in Beachwood where property was on Fairmount Boulevard and an exit on North Woodland. This became a cut through for traffic. On the residential side there were two steel posts and a chain pad locker during the week and opened on the weekend. Mr. Kahn wonders if it would be beneficial to convert the Halworth curb cut to a sidewalk.

Mr. DelRio stated that he thought by blocking off Halworth, it would impede the idea of the drop off for the people going into the church. The representative for the applicant stated that there would be no objection to installing a type of chain to control traffic.

Mrs. Hecht asked if the Commission could have the Police Department review this plan again regarding the gate at the driveway side at Halworth Road.

Mr. Lee Pozek stated that were a couple of variances that were requested last month for enlarging a garage and the replacement of a 3-season room with the expansion of a great room. During the discussion last month with the Planning and Zoning Commission the suggestion was made to put the garage in the front of the house. In the front of the house there is an entire corner of landscaping, along with a couple of windows that would have to be eliminated if the garage were to be built in the front of the house. Secondly, the garage could be detached and built as an accessory building. This would not be the most aesthetically appealing to the neighborhood.

Planning and Zoning Commission
Minutes/Page 5
August 26, 2010

The applicant is proposing to make the great room smaller, a twelve foot addition which would be within the forty (40) foot rear yard setback and not require a variance. If the new garage is made 10 x 19 instead of 11 x 24, there would still need to be a two and a half foot variance because of the extremely odd shape of the lot.

Mr. Kreczko stated that there were no engineering comments.

Mr. Smerigan stated that the applicant has revised the site plan to eliminate the great room encroachment. In addition, the garage plan has been revised to reduce the amount of variance requested from five (5) feet to two and one-half (2.5) feet. That encroachment only occurs on the northeast corner of the proposed garage addition and only involves an area of about seven (7) square feet.

Mr. Smerigan continued that as the Commission will recall, the easterly side lot line is approximately 59 feet shorter than the westerly side lot line as the rear lot line runs at a severe angle relative to the front lot line. In addition, the current setback of the house, which exceeds the minimum code requirement, is an existing condition. It seems reasonable to place the garage at the rear of the house out of view of the street and to maintain the present appearance of the house. The applicant does have the alternative of placing a free-standing garage building; however, that would create even greater impacts for the adjoining property owners.

Since the variance required is in a U-1 District, the Planning and Zoning Commission has final authority to either grant or deny the request. Should the Commission make a determination to grant site plan approval, the following stipulations are suggested: 1) pursuant to Section 1159.04, it is determined that a practical difficulty exists or will result from the literal enforcement of the Zoning Code with regard to the rear yard setback provision; and 2) a variance is granted to Section 1113.03 to permit the corner of the garage addition to be located thirty-seven and one-half (37.5) feet from the rear property line in lieu of the required forty (40) feet.

A motion was made by J. Kahn and seconded by B. Mann to approve the request of Lee Pozek, architect representing Mr. & Mrs. Mel Kramer, owners of the property located at 25545 Halburton Road, for preliminary and final site plans to replace an existing screen porch and deck and add a garage with the following stipulations: 1) pursuant to Section 1159.04, it is determined that a practical difficulty exists or will result from the literal enforcement of the Zoning Code with regard to the rear yard setback provision; and 2) a variance is granted to Section 1113.03 to permit the corner of the garage addition to be located thirty-seven

NAYS: None
MOTION APPROVED – REMOVED FROM PENDING

Meeting adjourned.

Rochelle Hecht, Chairperson

Sue Ley, Secretary

Karen Navolanic, Clerk of Council