

THE PLANNING AND ZONING COMMISSION MEETING WAS HELD AT BEACHWOOD CITY HALL ON THURSDAY, JULY 29, 2010.

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

A motion was made by J. Kahn and seconded by B. Mann to approve the minutes of the June 24, 2010, regular meeting.

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

COUNCIL REPORT

Mark Wachter, Council Representative, stated that Council had reviewed and approved the following: 1) P&Z 2010-18, Tremco located at 3537 South Green Road, requested preliminary and final approval for the location of a wind turbine and rain water collection cisterns; 2) P&Z 2010-20, Bialosky & Partners, representing The Jewish Community Center (Mandel), located at 26001 So. Woodland, requested preliminary and final site plan approval for a new vestibule addition and lounge addition; and 3) P&Z 2010-22, Mr. Harvey Siegel, owner of 17 Hyde Park in The Village, requested preliminary and final approval for a lot consolidation for the purpose of a screened-in porch; and 4) P&Z 2010-24, Tom Kreczko, representing the City of Beachwood requested preliminary and final approval for the dedication plat to create Eaton Boulevard.

P&Z 2010-25 LEE POZEK, ARCHITECT, REPRESENTING MR. & MRS. MEL KRAMER, OWNERS OF THE PROPERTY LOCATED AT 25545 HALBURTON ROAD, IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO REPLACE AN EXISTING SCREEN PORCH AND DECK WITH A 3-SEASON ROOM AND GREAT ROOM EXPANSION.

Mr. Lee Pozek, architect, representing Mr. & Mrs. Mel Kramer, was present to request approval to replace an existing screened porch and deck with a 3-season room and expand the great room. The existing porch will become the 3-season room. The 11 foot garage addition and the extension of the great room in a normal rectangular fashion therefore would create an encroachment.

Mr. Griswold stated that the Building, Fire, and Police Departments have no comments on this application.

Mr. Kreczko stated that there were no engineering issues with this application.

Mr. Smerigan stated that this request is for site plan approval to construct a three-season room, expand the existing great room, and add an additional bay to the garage. All three additions are to the rear of the dwelling. The applicant would be removing the existing rear porch and deck. The three-season room would be approximately 256 square feet in area, about 304 square feet would be added to the great room, and the garage addition would be 264 square feet. With the proposed additions, the house will comply with the house size regulations.

Mr. Smerigan continued that since the proposed additions are all on the rear of the dwelling, the front setback is unaffected. The site plan indicates compliance with the side yard setback requirements in this U-1 District. The rear yard setback requirement for the subject site is 40 feet. The existing dwelling complies with that setback requirement. The proposed additions would encroach into the required setback in two places. The northeast corner of the great room addition would extend five (5) feet into the rear yard setback. Likewise, the northeast corner of the garage addition would also extend five (5) feet into the required setback. Both proposed encroachments occur only on the corners of the additions as the rear lot line runs at an angle to the rear line of the house. The easterly side lot line is approximately 59 feet shorter than the westerly side lot line.

Mr. Smerigan stated that two issues contribute to the need for a variance. The first is the current setback of the house, which exceeds the minimum code requirement, but is an existing condition. The larger front setback matches the front setback of the other homes on Halburton Road, but the subject site's easterly side line is shorter than most of the surrounding lots. The second contributing factor is the angle of the rear lot line relative to the orientation of the house. Since the proposed garage addition is only eleven (11) feet in width, it would be difficult to add garage space on the rear of the house without benefit of a variance. 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 two (2) corners of the house, as shown on the drawing dated July 7, 2010, to be located thirty-five (35) feet from the rear property line in lieu of the required forty (40) feet.

Mr. Kahn asked the applicant if there was a reason why the 3-season room wasn't designed to fit within the setback and why the garage couldn't go in the front of the house.

The applicant stated that if the garage were built in the front, it would close off several of the windows in the front room. As far as moving the addition, it would make the roof lines of the house difficult to keep looking architecturally attractive. Mr. Pozek stated that the hardship of asking for these variances is due to the peculiar, topographical shape of Mr. & Mrs. Kramer's lot.

The applicant stated that they wished to consider the plan further.

A motion was made by J. Kahn and seconded by M. Wachter to place P&Z 2010-25, 25545 Halburton Road, property owners Mr. & Mrs. Mel Kramer, on pending.

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

P&Z 2010-26

TRINITY PRESBYTERIAN CHURCH LOCATED AT 22111 CHAGRIN BLVD., IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO CONSTRUCT AN EXPANDED PARKING AREA ATTACHED TO THE EXISTING PARKING LOT.

Mr. David DelRio, of Bradley Construction Company, Inc., Project Manager for the work at Trinity Presbyterian Church located at 22111 Chagrin Blvd., is requesting preliminary and final site plan approval to construct an expansion on to the existing parking lot. Mr. Victor Stewart, Construction Consultant, was also present to answer any questions. The existing parking lot will be ground down about 2 inches and re-surfaced. The current driveway will make a turn around and have a handicapped access to the church. There will be a new entry way to the church from Chagrin Boulevard. There will be a one-way traffic flow.

Mr. Griswold stated the Building, Fire and Police Departments have no comments on this application.

Mr. Kreczko stated that there was no storm water management report required since the area is less than one acre for this improvement. When the applicant supplies the final construction drawings, the apron should come up to meet the existing sidewalk. During construction work on Chagrin Boulevard, the hours need to be coordinated with the Police Department.

Mr. Smerigan stated that this request is for both preliminary and final 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. The request would expand the existing parking lot southward toward Chagrin Boulevard and create a one-way traffic flow through the parking lot. The plan includes the addition of a driveway entrance from Chagrin Boulevard. The church presently has a drive entrance at the corner where Halworth Road and Cranby Road intersect. A drop-off lane is proposed which would loop from the Halworth entrance drive past the entry to the building. The 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.

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 30 degree parking 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-way directional flow pattern with 30 degree angled parking. The new parking lot would have a total of 59 spaces, which exceeds the Zoning Code requirement.

Mr. Smerigan stated that the parking layout complies with the 75 feet front setback requirement in the U-5 District. The proposed parking is located at an angle to the side lot lines and would extend to within approximately 40 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. It is worth noting that the adjacent property is zoned U-7A General Office Building District and has a parking lot that extends almost to the subject site's western property line. The portion of the new parking lot that would encroach into the required side yard setback is immediately adjacent to this existing office parking lot. Therefore, while a side setback variance is required, granting the variance would not adversely impact the adjacent property and there appears to be no reasonable purpose served by requiring strict compliance with the parking side setback given the existing site conditions.

Mr. Smerigan stated that since a variance is 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 side yard setback provision for off-street parking; 2) granting of a variance to Section 1124.04(b)(2) to permit the parking lot to be located forty (40) feet from the western property line in lieu of the required fifty (50) feet; and 3) compliance with the comments of the City Engineer.

Mr. Mann asked about the proposed driveway on Chagrin Boulevard and if there would be additional signage needed.

Chairman Hecht stated that Fire Chief Kearns was concerned about the numerous fire alarm calls to the property with alarms going off. This situation needs to be resolved as part of this motion.

Rev. Adrian Liam, one of the pastors at Trinity Presbyterian Church, spoke regarding the fire alarm calls and that this problem has been corrected. These calls had been happening during some remodeling in the church.

Mr. Smerigan stated that there is a parking lot immediately adjacent to their property. The applicant needs to return to the Planning and Zoning Commission with the complete drawings of all the changes and improvements that Trinity Church would like to construct.

Chairman Hecht stated that if the church's desire is to expand the parking lot further than what is shown on the plans submitted to the Planning Commission, it would be to the applicant's benefit to have this application placed on pending until new drawings with all the necessary information is submitted to the Building Department.

A motion was made by J. Kahn and seconded by C. Cohen to place P&Z 2010-26, Trinity Presbyterian Church, located at 22111 Chagrin Blvd., on pending.

ROLL CALL:	AYES:	C. Cohen, M. Gorden, R. Hecht, J. Kahn B. Mann, M. Wachter
	NAYS:	None
	PLACED ON PENDING – RESUBMIT NEW DRAWINGS	

P&Z 2010-27	MONTEFIORE LOCATED AT 27080 CEDAR ROAD ((One David N. Myers Parkway) IS REQUESTING PRELIMINARY AND FINAL APPROVAL TO MAKE SITE IMPROVEMENTS.
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Mr. Jack Schoenbeck, Director of Facilities Operations at Montefiore located at 27080 Cedar Road, was present to request preliminary and final approval for some site plan improvements. These site improvements include the ramp, the parking lot, the retaining wall, and landscaping.

Mr. Griswold stated that the Building, Fire, and Police Departments have no comments on this application.

No additional parking variance is required to accommodate the additional patio seating. Since the patio is located in the existing courtyard on the west side of the building, there are no setback issues. The courtyard is protected from the adjacent parking area by a wall and railing. Approval of this patio is recommended.

Mr. Wachter asked the applicant if there was going to be any kind of sound system or music.

The applicant stated that there would be not music outside.

A motion was made by J. Kahn and seconded by B. Mann to approve the request of The King Group, owner of the property located at 25550 Chagrin Blvd., for revised preliminary and final site plans to add additional patio space to the restaurant with the stipulation from the Fire Department that the gates for the seating area must be equipped with panic hardware and have the ability to self close.

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

Meeting adjourned

Rochelle Hecht, Chairman

Sue Ley, Secretary

Karen Navolanic, Clerk of Council