

THE PLANNING AND ZONING COMMISSION MEETING WAS HELD AT BEACHWOOD CITY HALL ON THURSDAY, OCTOBER 27, 2011.

ROLL CALL: PRESENT: C. Cohen, M. Gorden, J. Greenberg, R. Hecht
B. Mann, M. Wachter, B. Zabell
ABSENT: None
ALSO PRESENT: W. Griswold, T. Kreczko, R. Schaltenbrand

Chairperson Hecht welcomed the visitors in the audience and reminded everyone that the Planning and Zoning Commission's review of the proposed zoning change for the Goldberg Companies Property located at Richmond Road and Chagrin Boulevard is not a public hearing and therefore, consistent with past practice and, as stated on the agenda, the Commission will not hear comments from the public on the proposed zoning change. Chairperson Hecht stated that the public hearing on the proposed zoning change will be held by City Council on November 7, 2011 at 7:15 p.m. She thanked everyone for their respect of the process and the Commission's procedures.

A motion was made by B. Mann and seconded by C. Cohen to approve the minutes of the August 25, 2011, regular meeting.

ROLL CALL: AYES: C. Cohen, M. Gorden, J. Greenberg, R. Hecht
B. Mann, M. Wachter, B. Zabell
NAYS:
MOTION APPROVED – MINUTES APPROVED

A motion was made by M. Wachter and seconded by J. Greenberg to approve the minutes of the September 25, 2011, regular meeting.

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

COUNCIL REPORT

Mr. Mark Wachter, Council Representative, stated that the Planning and Zoning Commission approved and recommended to Council, P&Z 2011-19, Diane Linick, owner of the property located at 26703 Hurlingham, request for preliminary and final approval for a lot split for a future proposed single family dwelling at a future time; and P&Z 2011-26, The Richard E. Jacobs Group, LLC, request for preliminary and final approval of a lot split creating an approximately 6-acre parcel from PPN742-39-001 for a proposed new site. Council approved both these items.

P&Z 2011-22 COGDELL SPENCER ERDMAN ARCHITECT, REPRESENTING COGDELL CLEVELAND REHAB, LP, IS REQUESTING FINAL APPROVAL FOR THE PROPOSED REHABILITATION HOSPITAL FACILITY TO BE LOCATED ON HARVARD ROAD EAST OF GREEN ROAD.

Mr. David Miller, from Cogdell Spencer Erdman Architects, designer, builder, and owner of this facility proposed to be located at Harvard Road east of Green Road, presented the project. Mr. Miller indicated that Cogdell Cleveland Rehab, LP was requesting for final approval for the proposed rehabilitation hospital facility. Earlier this month the Planning and Zoning Commission and Council gave preliminary approval for the proposed rehabilitation hospital facility. Currently the applicant is working with the City Engineer in response to the comments on the final approval submittal. This facility is approximately 54,700 square feet and is a rehabilitation hospital used only for in-patient services. Due to the topography, there is an upper level and a lower level to the west end of the building giving the appearance of a

two-story building. The south side of the building is the main entrance for patients. The staff entrance and deliveries will be on the east side of the building.. There is a single access road coming off of Harvard Road, and this site is 2000 feet east of Green Road on the north side of Harvard. The future plan of the Richard E. Jacobs Group is that along the west property line of the site, there will be a proposed road. Once that road is constructed there will be a second access to Harvard Road. Currently there are no utilities fronting this property, and the applicant is in discussions with the City of Cleveland utilities, the County engineers and the City of Beachwood Engineering, in regards to extending water and sanitary sewers for service from Green Road towards the east to all the properties from Green Road to this proposed site. All such installations will be at the expense of Cogdell Spencer Erdman in coordination with the Jacobs Group. The utilities will extend across the full front of this property, but if there is development of the properties to the east, there will be a tie-in available along the eastern side of Cogdell Cleveland Rehab property.

Mr. Griswold stated that the Building Department and Fire Department have no comments at this time. The Fire Department stated that per conversations with the applicant, the location of the FDC will be relocated to the vault on Harvard Road, and also, the plans submitted did not denote fire hydrants on the 12" main on Harvard. These hydrants shall be designed and spaced to City specifications and in place prior to occupancy. These hydrants are necessary for Fire Department operations in the event of a fire emergency.

Mr. Kreczko stated that as Mr. Miller indicated, the Engineering Department has been working diligently with the applicant's designer to resolve storm water management issues, and believe this will be successfully resolved. Final approval is recommended by the Engineering Department.

Mr. Smerigan stated that this request is for final site plan approval to construct a 54,728 square feet physical rehabilitation facility on a 6.0 acre site in the Chagrin Highlands PUD. The subject site is located in the U-10 Planned Mixed-Use Development District. The applicant proposes to construct a two-story building with one story facing east an exposed lower level to the west. The facility is proposed to provide 50 beds for rehabilitation patients and includes therapy areas, nursing and administrative spaces, and a dining facility.

The preliminary site plan approval for this facility included both an outright parking variance and a land bank parking variance. Land banked parking is located along the eastern edge of the site and adjacent to the detention basin, on the west side of the parcel. The final site plan is substantially in conformance with the previously approved preliminary site plan. The proposed building and parking lots comply with the setback requirements in the U-19 District.

Mr. Smerigan continued that the final site plan includes an outdoor patio area to the rear (north) of the building. Because of the extensive grade change on the property, a retaining wall is proposed to create the patio area. The retaining wall consists of interlocking modular units and varies in height with the maximum being approximately 12 feet. The slope adjacent to the front entry has been terraced to accommodate the grade change. The plan indicates the placement of shrubs and ornamental grasses on the terraces. The landscaping plan includes a strong combination of deciduous trees, shrubs and ornamental grasses. Evergreen trees have been used along the western property line to provide screening of the detention basin from the future roadway. A site lighting plan has been submitted which proposes the use of 30 foot poles with cutoff lighting fixtures in the parking lots and at the entry drive. The plan also makes use of bollard lighting. Light spillage beyond the property boundaries does not appear to be an

issue. The plan indicates a masonry dumpster enclosure with metal gates near the northeast corner of the building. An emergency generator is located immediately adjacent to the northeast corner of the building and is screened by the building from view. Service to the building is located on the east side and is not readily visible from Harvard Road.

Mr. Smerigan stated that final site plan approval is recommended subject to resolution of the comments of the City Engineer and the Fire Department.

Mr. Cohen asked about the statement in the letter of application which said that if it is determined that trees need to be removed for parking in the future, that within the next five to seven years it will be possible to successfully relocate these trees, so that newly planted trees will not have to be cut down.

At the last Planning and Zoning meeting the applicant was asked to review the landscape design and the initial placement of the trees bordering the edge of the development. The desire was not to have to cut the trees if the parking area had to be expanded. Mr. Miller stated that if the parking needs to be expanded, the trees in five to seven years can be relocated and used, not eliminated. Particularly on the west end of the property, there is not a lot of room between the parking and the retention pond.

Chairperson Hecht stated that this is going to be a 50-bed in-patient facility, and asked how many outpatients there would be. The applicant stated it was a 50-bed facility and that there would be no outpatients at this facility. The typical patient at this facility will have a 13-day stay.

Mr. Mann stated that if this project should go forward, when would this development be able to start?

Mr. Miller stated that the applicant would like to possibly start before the end of the year. The potential delay is waiting to receive the wetlands mitigation permit. There are a couple of spots of wetlands on the site, one of which sits directly in the middle of the proposed building footprint. The applicant is going through the mitigation process. The applicant would like to occupy the building in December 2012.

A motion was made by C. Cohen and seconded by M. Wachter to grant Cogdell Spencer Erdman Architect, representing Cogdell Cleveland Rehab, LP, final approval for the proposed rehabilitation hospital facility to be located on Harvard Road east of Green Road contingent upon compliance with the comments of the City Engineer and the Fire Department.

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

P&Z 2011-27** ORDINANCE 2011-123 REQUESTING A ZONING CHANGE FOR THE GOLDBERG COMPANIES PROPERTY LOCATED AT RICHMOND ROAD AND CHAGRIN BOULEVARD FROM A U-7A ZONING CLASSIFICATION TO A U-9 ZONING CLASSIFICATION.

Chairperson Hecht again reminded everyone that the Planning and Zoning Commission's review of this item is not a public hearing and, therefore, the Commission will not hear comments from the public on the proposed zoning change. Chairperson Hecht again reminded everyone that the public hearing on the proposed zoning change will be held by City Council on November 7, 2011 at 7:15 p.m.

Chairperson Hecht then stated that the members of the Planning and Zoning Commission have received copies of emails from residents stating their concerns and that copies were on the desks of each member. She stated that it was her understanding that each member had time to review the emails and had taken the opportunity to view the property that is being discussed for rezoning.

Mr. Smerigan stated that this ordinance referred from City Council is for the rezoning of approximately 6 acres of land located on the northwest corner of the intersection of Chagrin Boulevard and Richmond Road. The purpose of the rezoning is to accommodate the development of a hotel and two free-standing restaurants on the subject site. This proposed rezoning is being considered by City Council as an alternative to the recently recommended text amendment to the U-7A General Office Building District. The property owner, Goldberg Companies, Inc., has indicated its agreement to the zoning change and to the incorporation of certain limitations and stipulations on the future development of the property.

Although the issue before the Planning and Zoning Commission is only the rezoning of the property and not site plan approval, the Goldberg Companies have submitted a conceptual site plan that indicates the placement of the hotel, which is 135 guest rooms and is four stories in height. The concept plan also includes two free-standing restaurants with a total combined seating capacity of 404 persons. The concept plan indicates the placement of the hotel and restaurants in conformance with the setback requirements and also indicates the provision of parking in conformance with the parking standards for the U-9 Motor Service District.

Mr. Smerigan continued that several of the uses listed as permitted uses in the U-9 Motor Service District would not be appropriate at the subject site. Those uses include the following: gasoline service stations, automobile agencies, motels, child day care centers and adult day care centers. Those uses that are permitted in U-9 are not permitted in U-7A. By rezoning the property, those uses in U-9 in addition to the hotel, restaurant and office uses, would be available to the property owner as a result of a straight rezoning. In order to address the issue of the undesirability of these uses, representatives of the Goldberg Companies have indicated their willingness to record a deed restriction prohibiting those uses on the subject site.

Mr. Smerigan continued that in addition, discussion between the property owners, city officials, and neighboring property owners have identified a number of accommodations intended to mitigate potential impacts from the proposed development on the adjacent residential properties. The property owners have indicated that they are willing to enter into a development agreement with the City to address those issues. The terms of the proposed development agreement include the following: 1) construction of a mound four (4) feet in height along the northern property line and the construction of a masonry wall six (6) feet in height on the mound to provide visual and auditory screening; 2) placement of a gate on the exit drive to Bryden Road and an agreement that the gate will be closed to prevent vehicles exiting the site via that driveway from 10 p.m. until 10 a.m. on Monday through Thursday, from 11 p.m. until 10 a.m. on Friday and Saturday, and all day on Sundays there will be no access; 3) restaurants will provide valet parking and the valets will use the spaces closest to Chagrin Boulevard and Richmond Road for the placement of vehicles; 4) the hotel and restaurants will restrict delivery hours to the greatest extent possible in order to minimize noise and other disturbances for the adjacent residential properties; 5) there will be no placement of devices on the roof of the hotel by outside vendors or other than those necessary for the operation of the facility; and 6) restaurants will be full service with a maximum of three (3) locations in the Greater Cleveland area.

In exchange for the development agreement and deed restrictions being proffered by the property owner, the City will need to vary two provisions of the U-9 Motor Service District by granting two variances. The first is the portion of Section 1131.04 (c), which requires hotels to have not less than 1300 square feet of land area per guest room. The 6-acre site would not permit the conformance with that requirement and the minimum acreage for the restaurants. To meet that requirement and to have the acre and a half for each one of the restaurants under the U-9 District regulations would require a 7-acre lot. Clearly, the development can fit on 6 acres under the U-7A. The second is the provision of Section 1131.06(f) which requires that drive aisles be 24 feet in width. This adjustment is necessary to match the drive aisles in the existing Signature Square development which was developed with a 60 feet parking module as permitted in the U-7A General Office Building District at the time the plans were approved. This waiver will also permit the placement of additional landscaping on the site.

Before the Planning and Zoning Commission is a request from City Council for your comments in regard to using rezoning the property with a development agreement and deed restrictions, as an alternative to the text amendment for the U-7A District. This approval of the proposed map amendment to rezone the subject site, 6 acres, from U-7A General Office District to U-9 Motor Service District is recommended based upon the following inducements and variances: 1) submission of an executed deed restriction, in a form acceptable to the Law Department and naming the City of Beachwood as a benefiting party prohibiting the use of the property for gasoline service stations, automobile agencies, motels, and child or adult day care centers; 2) submission of an executed development agreement between Goldberg Companies, Inc. and the City of Beachwood, in a form acceptable to the Law Department and binding all future title holders; 3) granting of a variance to Section 1131.04(c) to waive the requirement that there be 1300 square feet of land area per lodging unit; and 4) granting of a variance of four (4) feet to Section 1131.06(f) to permit the width of drive aisles to be twenty (20) feet in lieu of twenty-four (24) feet.

Mr. Griswold stated that there were no Building Department comments regarding this issue.

Mr. Kreczko stated that engineering had no comments regarding this issue.

Mr. Mann clarified that this rezoning is for the 6-acre parcel only and does not affect Signature Square I and Signature Square II.

Mr. Smerigan affirmed that was correct. It doesn't affect any of the existing buildings in Signature Square.

Mr. Wachter stated that tonight the Commission is looking at zoning. This is not a preliminary plan.

Mr. Smerigan stated that there is officially no preliminary development plan. This rezoning wasn't requested by the property owner. It was initiated by Council as an alternative to other legislation. Mr. Smerigan stated that this is a map amendment to amend the zoning map to show this 6-acre parcel as a U-9 Zoning District in place of the U-7 Zoning District as it is currently zoned. It was requested of the property owner to submit a concept plan, so that it could be understood how it would fit under the U-9 Zoning District. There is no action on the plan.

Mr. Wachter asked that with respect to the elimination of some uses in U-9 zoning district, other than hotels, motels, and restaurants, there are still some other uses that could be permitted. Was it intended that there would be other uses from U-9 Zoning that would be permitted? Are the deed restrictions in

favor of the City of Beachwood as beneficiary? Also, what are the requirements for fencing and sound walls normally in the U-9 Zoning District?

Mr. Smerigan stated that offices, as well as hotels, motels and restaurants would still be permitted uses in U-9. Mr. Smerigan stated that the City would have the ability to enforce the deed restrictions totally separate from the zoning. The deed restrictions address the fact that the hotel will be limited to four (4) stories in height, a maximum of 60 feet in height, as provided by the Code. There is a general screening requirement which is determined by the Commission depending on each individual submission.

Mr. Wachter asked if the Planning and Zoning Commission was to recommend this rezoning to City Council, would the Commission also be approving the variances required?

Mr. Smerigan stated that the Council wanted to make it clear from the beginning, that the only way the rezoning would work and that if the developer was going to proper a development agreement and proper deed restrictions, and if it is agreed upon what the general terms of those development agreement and deed restrictions are, the Commission needed to discuss what they thought to be appropriate. It is necessary to understand and make Council understand that this rezoning may require some variances on the property with this particular proposal.

Mr. Cohen asked what would be the disadvantage of creating a variance for the U-7A use on this particular property to permit a hotel.

Mr. Smerigan stated there was a proposal previously from Planning and Zoning Commission to Council to make recommend a modification to U-7A to allow hotels and free-standing restaurants, with conditional uses so that would mean an additional review process. This went to City Council and there was some reservation as to making these modifications to U-7A, and possibly just addressing the corner of Chagrin and Richmond Roads in the U-7A District.

Mr. Wachter stated that some insight from Council discussions regarding the U-7A District was that residents were concerned about the changes affecting all of the areas zoned U-7A. There was uncertainty about where hotels going in other areas of U-7A. The problem for conditional use variances is that the code makes it is very difficult to grant a use variance, particularly at the corner of Chagrin Boulevard and Richmond Road.

Chairperson Hecht asked Mr. Smerigan if rezoning this particular parcel of land would have any negative impact on the area? Environmentally speaking, would there be any impact? As far as the traffic situation, do you feel that the addition of a hotel and/or restaurant would be less of an impact on traffic than an office building?

Mr. Smerigan stated no. The development proposal that was previously approved for this sight was a larger building, a parking deck, more parking spaces, actually less landscaping that this proposed concept development scenario. It would be difficult to say that there would be environmentally greater impact as a result of the U-9 development of the property as opposed to the U-7A development. There is no question that an office building would generate more traffic than a hotel. In addition, the traffic for the office would occur at the same peak times that there are peak times now for Chagrin and Richmond Road. The peak times for the hotel and restaurants are off-peak time for rush hours.

Mr. Zabell asked for further clarification regarding the Commission recommending both the rezoning and the variances simultaneously, since there is no site plan proposed for the property except for the conceptual plan which was for illustrative purposes. As it relates to restaurants, have there been any discussions as to any restrictions other than those mentioned tonight, as to the controlling the number of restaurants and quality of restaurants that can go on the parcel. With the current U-9 zoning, what are the limitations on hours of operation, sales of alcohol relative to the restaurant, types of restaurants, etc.

Mr. Smerigan stated that the developer is being asked to deed restrict property and enter into a development agreement, and there needs to be an understanding that those deed restrictions and the development agreement will only work if the City is willing to offer those variances. Other than the general standards that are in our regulations now, there are no limitations. There are no specific hours of limitation in either U-7A or U-9.

Mr. Zabell suggested that there might be some consideration for additional limitation and/or regulations or standards established to prevent a bar-type of restaurant and make it a true sit-down type restaurant.

A motion was made by B. Mann and seconded by C. Cohen to recommend to City Council, Ordinance 2011-123 requesting a zoning change for the Goldberg Companies property located at Richmond Road and Chagrin Boulevard from a U-7A Zoning Classification to a U-9 Zoning Classification with the following stipulations: 1) submission of an executed deed restriction, in a form acceptable to the Law Department and naming the City of Beachwood as a benefiting party, prohibiting the use of the property for gasoline service stations, automobiles agencies, motels, and child or adult day care centers; 2) submission of an executed development agreement between Goldberg Companies, Inc. and the City of Beachwood, in a form acceptable to the Law Department and binding all future title holders; 3) granting of a variance to Section 1131.04(c) to waive the requirement that there be 1,300 square feet of land area per lodging unit; and 4) granting of a variance of four (4) feet to Section 1131.06(f) to permit the width of drive aisles to be twenty (20) feet in lieu of twenty-four (24) feet.

ROLL CALL:

AYES: C. Cohen, M. Gorden, J. Greenberg, R. Hecht
B. Mann, M. Wachter, B. Zabell

NAYS: None

MOTION APPROVED – RECOMMENDATION TO COUNCIL
Council Meeting – 11/7/11 – Public Hearing at 7:00 p.m.

P&Z 2011-28*

JIM HERMAN OF HERMAN GIBANS FODOR, INC., REPRESENTING MONTEFIORE NURSING HOME 27080 CEDAR ROAD, IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO ADD 14 PARKING SPACES.

Mr. Jack Schonbeck, Director of Facility Operations at Montefiore, located at 27080 Cedar Road, was present to request preliminary and final site plan approval to add fourteen (14) additional parking spaces.

Mr. Griswold stated that this was part of the agreement presented to the City from Montefiore and approval is recommended.

Mr. Kreczko recommends approval contingent upon the applicant submitting drawings on details on new drainage structures to be installed and the new frame and grate to be installed.

Mr. Smerigan stated that if everyone recalls, the Planning and Zoning Commission required that a parking analysis be performed for the entire Menorah Park/Montefiore campus. The results of that study

indicated that there were some opportunities to increase the availability of parking on both the Menorah Park and Montefiore sites. The parking study specifically identified that the space existed to add fourteen (14) parking spaces on the Montefiore portion of the campus. The Commission asked for commitments to install the additional parking recommended by the parking study consultant. Montefiore and Menorah Park both provided the City with a letter indicating that they would install the parking by the end of 2012. This proposed site plan would add the fourteen (14) spaces recommended in the study and fulfill Montefiore's commitment to the City. The proposed spaces are extensions of existing parking bays located along the southern side of the site. Construction of the additional spaces would not reduce any parking setbacks and do not reduce the amount of open space below the minimum amount required in the Zoning Code.

Mr. Smerigan stated that preliminary and final site plan approval is recommended for the installation of the fourteen (14) parking spaces subject to approval of the final construction drawings by the City Engineer.

Mr. Wachter stated that the Planning and Zoning Commission has been involved with the overall plan to assure that there is going to be better parking on the site and better traffic flow, and this is one of those steps.

A motion was made by B. Mann and seconded by C. Cohen to approve the request of Montefiore Nursing Home, located at 27080 Cedar Road, for preliminary and final site plan to add fourteen (14) parking spaces, contingent upon final approval of submission of drawings with details on the new drainage structures to be installed and the new frame and grate.

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

P&Z 2011-29* ORDINANCE NO. 2011-127 -- ENACTING A NEW CHAPTER 1146, RELATING TO FENCES, LANDSCAPING, AND DRIVEWAYS, OF THE CODIFIED ORDINANCES OF THE CITY OF BEACHWOOD, OHIO, AND REPEALING EXISTING CHAPTER 1319. (Referred to Planning and Zoning Commission from City Council 10/17/2011)

Mr. Smerigan stated that this is a housekeeping operation with regards to what is currently Chapter 1319, entitled Fences but it involves fences along with landscaping and driveways. There have been issues for both the Building Department and the Planning and Zoning Commission when applications have been submitted because there are provisions in Chapter 1319 that are unclear, somewhat confusing, and can be interpreted in multiple ways. On occasion when the applicant disagrees with the decision of the Building Commissioner, then the issue is referred to the Planning and Zoning Commission for the interpretation.

Mr. Smerigan stated that this new chapter will clean up some of those situations where the language is unclear and the provision is subject to multiple interpretations. In addition the only fence provisions in the Code within the City of Beachwood, apply in a U-1 Zoning District. There are no other fence standards in any other district. Any time there is a fence in any other districts; the applicant must make a request for a variance and appear before the Planning and Zoning Commissions for the determination. In this legislation it is proposed that there be a series of fence requirements that would apply to all of the districts within the City. The majority of these applications can be handled administratively in the Building Department.

Mr. Smerigan continued that there are also a few minor adjustments to the existing standards. Presently, there is a both a 6 foot and 7 foot maximum height limitations where single family residential property abuts non-residential property. It is being recommended that the Code permit those residential properties to have 8 foot fences where they abut non-residential uses. It provides additional screening. There is language in the code regarding fences that don't totally enclose, there are different provisions and interpretations. There was a section on calculations for driveways in the front yard, which were very confusing. There is a provision for limiting the amount of driveway space because the City made a policy decision some time ago that someone could not pave nor park cars on the entire front yard. There had to be a certain percentage of grass area. In addition to that, all of those requirements are being moved from the Building Code to the Zoning Code. There are two reasons for this: 1) fences, landscape, and driveway provisions should be in the zoning code, since this is not a building issue, and 2) revisions to the Ohio Building Code made by the General Assembly severely limits the modifications that a City can make to the Building Code. Given the fact that these provisions are currently attached to the Building Code instead of the Zoning Code, it is possible that these decisions could be challenged on the basis that there are improper modifications to the Ohio Basic Building Code. By moving the new Chapter 1146 to the Zoning Code regulations, the confusion will be eliminated. It is being moved from the thirteen hundreds which are the Building Code to the eleven hundreds, which are the Zoning Code.

Mr. Griswold stated that the Service Department had a problem with people constructing landscaping timbers next to the sidewalk which would get destroyed by the bombardier and endanger his workers during snow removal, so Mr. Smerigan added a setback on any landscape timbers by the sidewalks.

Mr. Kreczko had no comment.

Chairperson Hecht asked about issues with deer and property owners installing deer screening. Does this require any type of legislation?

Mr. Smerigan stated that there are some exemptions for snow fences but may not address deer fences. He said he would look into that.

Mr. Wachter stated that there is a meeting regarding animals in the City and asked Mr. Smerigan if there was anything in this section of the Code that would impact enclosed fences for animals?

Mr. Smerigan stated that there no completely enclosed fences allowed. There is nothing in this ordinance to address that issue.

A motion was made by M. Wachter and seconded by B. Zabell to recommend to City Council Ordinance 2011-127, enacting a new Chapter 1145, relating to Fences, Landscaping, and Driveways, of the Codified Ordinances of the City of Beachwood, Ohio and repealing existing Chapter 1319. (Referred to Planning and Zoning Commission from City Council 10/17/2011).

ROLL CALL:

AYES: C. Cohen, M. Gorden, J. Greenberg, R. Hecht
B. Mann, M. Wachter, B. Zabell

NAYS: None

MOTION APPROVED – RECOMMENDATION TO COUNCIL
Council Meeting 11/7/2011

Adjournment

Rochelle Hecht, Chairman

Sue Ley, Secretary

Karen Navalonic, Clerk of Council