

THE PLANNING AND ZONING COMMISSION MEETING WAS HELD AT BEACHWOOD CITY HALL
ON THURSDAY, APRIL 26, 2012.

ROLL CALL	PRESENT:	C. Cohen, Mayor Gorden, J. Greenberg, R. Hecht B. Mann, M. Wachter
	ABSENT:	B. Zabell
	ALSO PRESENT:	M.A. Cannon, W. Griswold, T. Kreczko, G. Smerigan

A motion was made by C. Cohen and seconded by J. Greenberg to approve the minutes of the February 23, 2012, regular meeting.

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

Chairperson Hecht introduced James Doult, the newly appointed Economic Development Director, to the Planning and Zoning Commission.

COUNCIL REPORT

Mr. Wachter stated there was no Council Report as the previous Planning and Zoning Commission Meeting was canceled.

P&Z 2012-11	MARK FREMONT ARCHITECTS REPRESENTING EQUITY PLANNING, IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR MODIFICATIONS TO THE EXISTING PARKING LOT AT CORPORATE PARK LOCATED AT 3365 RICHMOND ROAD.
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A motion was made by B. Mann and seconded by M. Wachter to place on pending the request of Mark Fremont Architects, representing Equity Planning, for modifications to the existing parking lot at Corporate Park located at 3365 Richmond Road.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, J. Greenberg, R. Hecht, B. Mann, M. Wachter
	NAYS:	None
	P&Z 2012-11	PLACED ON PENDING

P&Z 2012-12	MELECA ARCHITECTURE, REPRESENTING CEDAR CREEK GRILLE, LOCATED AT 2101 RICHMOND ROAD, IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR SITE IMPROVEMENTS AND EXTERIOR BUILDING MODIFICATIONS.
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Mr. Stephen Zellman, Meleca Architecture, representing Cedar Creek Grille, located at 2101 Richmond Road, along with Mr. Rick Doody, President of Bravo/Brio, was present to request preliminary and final site plan approval for site improvements and exterior building modifications.

Mr. Griswold stated the applicant had discussions with the Fire Department regarding the prohibition of the Ohio Fire Code with respect to open flames in reference to the exterior wood burning fireplace on the new proposed patio which will be reviewed and approved before issuing a permit. The fabric used for the exterior canopy must meet the guidelines of Ohio Fire Code and the patio gates are required to swing in the direction of egress per the Ohio Board of Liquor Control. The Building Department and Police Department recommend approval.

Mr. Kreczko stated that the applicant has provided the Engineering Department with requested detail plans and he recommends final approval.

Mr. Smerigan stated that this request is for preliminary and final site plan approval. There is a change in seating capacity of the restaurant. The expansion of seating capacity on the outdoor patio increases the parking requirement. However, even with the increase in seating capacity, the restaurant has a parking surplus of five (5) spaces so no variance is required despite the increased seating capacity. He is recommending preliminary and final site plan approval.

Chairperson Hecht introduced Mr. Rick Doody, President, who stated his family owns Bravo and Brio Restaurants. He stated Cedar Creek Grille will be a classic American grille with a fairly simple menu. The restaurant will be open seven (7) days a week with brunch on Saturday and Sunday. The biggest obstacle was moving the restrooms to the other side of restaurant.

Mayor Gorden stated he spoke with Mr. Doody to review his restaurant plans and he believes this will be a real asset to the City of Beachwood.

Mr. Doody stated the restaurant plans to open in early September of 2012.

A motion was made by B. Mann and seconded by M. Wachter to approve the request of Meleca Architecture, representing Cedar Creek Grille, located at 2101 Richmond Road, for preliminary and final site plan approval for site improvements and exterior building modifications.

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

P&Z 2012-13	BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP, REPRESENTING MR. & MRS. MICHAEL HALPERN, OWNERS OF THE PROPERTY LOCATED AT 2456 BRENTWOOD ROAD, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR A LOT SPLIT AND CONSOLIDATION OF 15 FEET OF PROPERTY FROM THE HEBREW ACADEMY OF CLEVELAND FOR THE PURPOSE OF AN ADDITION TO THE HOUSE.
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Mr. Harry Brown, Benesch, Friedlander, Coplan & Aronoff LLP, representing Mr. and Mrs. Michael Halpern, located at 2456 Brentwood Road, along with Mr. Halpern, property owner, was present to request preliminary and final approval for a lot split and consolidation of 15 feet of property from The Hebrew Academy of Cleveland for the purpose of an addition to the Halpern house.

Mr. Brown stated they will submit to Architectural Board of Review but, first, the applicant needs the approval of the Planning and Zoning Commission and City Council as well.

Mr. Griswold stated that the Police, Fire and Building Department have no concerns and recommend approval.

Mr. Kreczko stated that the Engineering Department noted several items on the legal description of the plat and recommends approval of the lot split contingent on said correction of noted items prior to submission to City Council.

Mr. Smerigan stated that the proposed lot split would not impact the compliance of the Hebrew Academy property with the minimum area requirements of the Zoning Code and the addition to the rear of the existing dwelling is in conformance with the required zoning setbacks. The purchase of the small parcel of land from the adjacent property to the rear to add to the existing lot would make this addition to the existing house possible. There are no concerns with this proposal and he suggests the Commission recommend approval of the lot split and consolidation plat subject to the comments of the City Engineer.

A motion was made by B. Mann and seconded by C. Cohen to recommend to Council the request of Benesch, Friedlander, Coplan & Aronoff LLP, on behalf of Mr. and Mrs. Michael Halpern, for preliminary and final approval for a lot split and consolidation of 15 feet of property from The Hebrew Academy of Cleveland for the purpose of an addition to the Halpern house located at 2456 Brentwood Road contingent upon the comments of the City Engineer.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, J. Greenberg, R. Hecht, B. Mann, M. Wachter
	NAYS:	None
	MOTION APPROVED—RECOMMEND TO COUNCIL (Meeting of May 7, 2012)	

P&Z 2012-14	MR. & MRS. DAVID BRUENING, OWNERS OF THE PROPERTY LOCATED AT 3248 BELVOIR BOULEVARD, ARE REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A FREE-STANDING GARAGE, REQUIRING A SIDE YARD VARIANCE AND A HEIGHT VARIANCE.
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A motion was made by C. Cohen and seconded by M. Wachter to place on pending the request of Mr. and Mrs. David Bruening, owners of property located at 3248 Belvoir Blvd., for preliminary and final site plan approval for the construction of a free-standing garage, requiring a side yard variance and a height variance.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, J. Greenberg, R. Hecht, B. Mann, M. Wachter
	NAYS:	None
	P&Z 2012-14	PLACED ON PENDING

P&Z 2012-4(A)	BERNS, OCKNER & GREENBERGER, LLC, REPRESENTING SABLE REAL ESTATE, LLC, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR A CONDITIONAL USE PERMIT FOR PET CARE FACILITY TO BE LOCATED AT 23370 MERCANTILE ROAD.
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Mr. Sheldon Berns, Berns, Ockner & Greenberger LLC, representing Sable Real Estate LLC, was present to request preliminary and final approval for a conditional use permit for a pet care facility to be located at 23370 Mercantile Road.

Mr. Griswold stated that the Fire, Building and Police Departments have no concerns regarding this request.

Mr. Kreczko stated that the Engineering Department has no issues with this request.

Mr. Smerigan stated City Council adopted Section 1111.02(I)(19)(J) and the applicant is proposing to conduct business in compliance with the thirteen (13) criteria set forth in said section. He is suggesting Planning Commission grant approval of the conditional use permit subject to the following three (3) stipulations: 1) Approval is for Pet Lodge USA only and is not transferable without the approval of the Planning Commission; 2) Approval is only for the rear building known as 23370 Mercantile Road and does not permit the keeping of pets at the front building known as 23350 Mercantile Road which is located on the same parcel; 3) Approval is subject to compliance with all the criteria set forth in Section 1111.02(I)(19)(J).

Mr. Wachter asked the applicant if they are in compliance with Section 1129.08 in reference to dealing with solid waste removal. Mr. Berns replied that the solid waste will be placed in plastic bags within the dumpster containers and removed twice a week. Chairperson Hecht stated this matter can be administratively reviewed. Mr. Smerigan stated, historically, businesses have been approved to have screened and enclosed dumpsters on the exterior. There are a number of businesses in that district which store solid waste outside in enclosed dum

sters and have been in general compliance with our regulations. Mr. Wachter agreed to treat it the same way as other businesses provided the stipulation of a screened and enclosed solid waste container is met. Mr. Griswold commented that if any complaints were made to City, the Building Department would address it directly with the owner and, if necessary, suggest more pickup times and airtight dumpsters. The applicant would agree with same.

A motion was made by C. Cohen and seconded by J. Greenberg to approve the request of Berns, Ockner & Greenberger LLC, representing Sable Real Estate LLC, for preliminary and final approval for a conditional use permit for a pet care facility to be located at 23370 Mercantile Road contingent on the following conditions recommended by City Planner: 1) Approval is for Pet Lodge USA only and is not transferable without the approval of the Planning Commission; 2) Approval is only for the rear building known as 23370 Mercantile Road and does not permit the keeping of pets at the front building known as 23350 Mercantile Road which is located on the same parcel; 3) Approval is subject to compliance with all the criteria set forth in Section 1111.02(I)(19)(J).

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

P&Z 2012-15	OHIO COMMERCE BANK LOCATED AT 24400 CHAGRIN BOULE - VARD IS REQUESTING PRELIMINARY AND FINAL SITE PLAN AP- PROVAL FOR A WAYFINDING SIGN AND A VARIANCE FOR TOTAL SIGNAGE
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Mr. Dell Duncan, President & CEO, Ohio Commerce Bank, was present to request preliminary and final site plan approval for a wayfinding sign at 24400 Chagrin Blvd.

Mr. Griswold stated that another sign package was submitted to the Building Department so there is no variance on the signage of the building as the sign was reduced and has met the code relative to that. The submission is only for approval for consideration of the wayfinding sign.

Mr. Duncan stated it is important to have visitors and customers of Cuyahoga County find the building efficiently, but there are a number of large buildings in close proximity, light poles and heavy traffic that cause too many people to pass the driveway sign; therefore, they are requesting the wayfinding sign to help with those issues.

Mr. Griswold stated that should the Planning and Zoning Commission determine to grant approval of the wayfinding sign, in addition to Mr. Smerigan's report, he and Mr. Smerigan would like to work with the applicant relative to the aesthetic appeal of the sign, which would still grant the ability to place the wayfinding sign, but also discuss with Architectural Board of Review ideas of a more appropriate design for that site.

Mr. Kreczko stated that the Engineering Department has no issues.

Mr. Smerigan stated that the applicant adjusted the wall sign request and is compliant with the maximum square footage on site. Section 1141.16(d) provides that wayfinding signs approved by the Planning Commission do not count against the total square footage. The subject site is located on the south side of Chagrin Boulevard opposite Pavilion Shopping Center. The driveway entrance for the bank is opposite but slightly offset from the main entrance drive to the shopping center. Given that relationship, the wayfinding sign would be beneficial for those finding their way to the building. Section 1141.16(d) also states the maximum area of a wayfinding sign shall not exceed thirty (30) square feet and that such signs shall not exceed eight (8) feet in height. The applicant is requesting a sign half that size, 17.25 square feet in area and six (6) feet in height. The sign is proposed to contain an arrow indicating access to the bank and includes the address of the site. Mr. Smerigan stated that should the Planning and Zoning Commission determine to grant approval of the wayfinding sign as requested, the following stipulations are recommended: 1) Placement of wayfinding sign shall be

subject to review and approval by the Building Commissioner and Police Department with regard to sight lines and traffic safety; 2) The wayfinding sign shall not exceed 17.25 square feet in area and 6 feet in height.

Mr. Smerigan stated the wayfinding sign could be mistaken as a temporary real estate sign and he concurs with Mr. Griswold's comments of discussing the aesthetic appeal of the sign, such as having an appropriate base for the sign, landscape treatment and the suggestions of the Architectural Board of Review. With that consideration, in addition to the stipulations, the Planning Commission may determine whether or not to permit the sign because it is a discretionary sign.

Mr. Griswold stated the proposed wall sign on the building, as shown on the submitted plans, has since been reduced in size, as permitted by Code, and is no longer part of the approval. The Planning Commission is only granting approval for the wayfinding sign.

Ms. Cannon stated the applicant is still proposing a sign on the building, but a variance is no longer needed. Mr. Griswold concurred.

Mr. Cohen questioned the size of lettering on the side of the building as only being on one side. Mr. Duncan replied the sign lettering will be much smaller than shown on the plans. Mr. Griswold replied to Mr. Cohen that the sign on the building is the approval of the Architectural Board of Review only, as they are under the square footage and not seeking a variance. The only reason the applicant is before the Planning Commission is for approval of the secondary wayfinding sign that is adjacent to the driveway.

Mayor Gorden stated he agrees with the applicant's statements that the driveway is a challenge and the wayfinding sign is needed to improve the safety situation of visitors and/or customers. Mr. Gorden thanked Mr. Duncan for his commitment to the City of Beachwood and his success in a short amount of time during this economy.

A motion was made by B. Mann and seconded by C. Cohen to approve the request of Ohio Commerce Bank for preliminary and final site plan approval for a wayfinding sign located at 24400 Chagrin Blvd. contingent on the following stipulations recommended by City Planner: 1) Placement of wayfinding sign shall be subject to review and approval by the Building Commissioner and Police Department with regard to sight lines and traffic safety; 2) The wayfinding sign shall not exceed 17.25 square feet in area and 6 feet in height; 3) Architect will revise plans upon consideration of the Architectural Board of Review comments regarding aesthetics of wayfinding sign.

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

P&Z 2012-16	WIGGINS PLACE, PART OF MENORAH PARK CENTER FOR SENIOR LIVING, LOCATED AT 27070 CEDAR, IS REQUESTING PRELIMINARY APPROVAL FOR A 36-UNIT ADDITION, ASSISTED LIVING RESIDENCE.
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Mr. Steven Raichilson, CEO of Menorah Park, Mr. Martin Siefering, Perkins Eastman Architects, and Joseph Schaller, Michael Benza Associates, was present to request preliminary approval for a 36-unit addition, Assisted Living Residence at Wiggins Place, part of Menorah Park Center for Senior Living, located at 27070 Cedar Road.

Mr. Raichilson gave a brief history & explanation of the services currently provided at Menorah Park Center for Senior Living. Currently, they have 114 units in the original Wiggins Place building and five (5) of the existing 114 units are being removed in order to accommodate the 36-unit addition. The net increase is 31 units for a new total of 145 residential units. They hope to break ground in February of 2013, have a twelve (12) month construction period, and a grand opening in February of 2014.

Mr. Siefering, Architect, stated finding the proper setbacks along the Wetlands of I-271 has been a lengthy process as it changed the footprint of the building.

Mr. Griswold stated Fire, Building and Police Department had meetings with architects and owners and all life safety concerns have been addressed. The Fire Department will continue to work closely, as will the Building Department, regarding this project. The Police Department questioned the number of parking spaces but, as Mr. Smerigan's box score indicates, the required parking spaces are 97 and proposed are 120 spaces. Mr. Raichilson could address the Planning Commission if they have any questions regarding the amount of parking for residents.

Mr. Kreczko stated there are several storm water management issues, as well as City Engineer's comments, that will need to be addressed in the final plan submittal. The Engineering Department recommends preliminary site plan approval.

Mr. Smerigan stated that the applicant's request is for preliminary site plan approval for an addition to the existing catered living facility. The proposed addition is three (3) stories and contains 16,627 square feet. The addition will contain 36 residential units along with a lobby, dining area, activity rooms, and staff offices. The addition will also contain a lower level garage which will provide additional covered parking on the site. The net increase is 31 units, which brings the new total to 145 residential units. The proposed addition will extend 20 feet into the required 75 feet setback from I-271; however, a variance was previously granted for the existing building to permit it to be located 39 feet from the I-271 right-of-way line. The new addition will not impact that existing variance. The proposed development plan does comply with the requirements for building ground coverage, minimum landscape area and building height. Therefore, preliminary site plan approval is recommended subject to the comments of the City Engineer.

A motion was made by J. Greenberg and seconded by B. Mann to approve the request of Wiggins Place, part of Menorah Park Center for Senior Living, for preliminary site approval for a 36-unit addition, Assisted Living Residence, located at 27070 Cedar Road contingent upon the comments of City Engineer.

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

P&Z 2012-17	VOCON, REPRESENTING COLLECTION AUTO GROUP – GMC BUICK, LOCATED AT 25975 CENTRAL PARKWAY, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR PROPOSED RENOVATIONS, INTERIOR AND EXTERIOR.
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Mr. Michael DeMarco, Vocon Partners LLC, representing Collection Auto Group, was present to request preliminary and final approval for proposed interior and exterior renovations at the GMC Buick facility located at 25975 Central Parkway. Mr. DeMarco stated the interior renovations will take place primarily in the showroom. The exterior improvements involve changes to the building façade with new metal, two-tone banding.

Mr. Griswold stated that the Building and Fire Departments have no concerns. As indicated by the Fire Prevention Bureau, all current life safety systems shall remain in place during and post construction and he recommends approval.

Mr. Kreczko stated the Engineering Department has no issues with the applicants request and recommends approval.

Mr. Smerigan stated the request is for preliminary and final site plan approval for proposed changes to the dealership. There are changes to the entry façade and entry foyer which changes the square footage slightly and extend the building slightly forward towards the front setback; however, the existing front and side building

setbacks are substantially in excess of the code required minimums. Therefore, no variances are required but since there are changes to the footprint, Planning Commission approval is required. The improvements to the facade represent substantial upgrades to the existing building. The applicant will submit a separate application for signage; therefore, the Planning Commission is only looking at the square footage changes of the façade. Since no variances are required, the Commission has authority to grant both preliminary and final site plan approval. Approval is recommended.

Chairperson Hecht asked the applicant what was going to be done with the test track currently on site. Mr. DeMarco responded the test track will not be utilized at this time. Mayor Gorden stated the decision about the test track will be made in the future.

A motion was made by C. Cohen and seconded by J. Greenberg to approve the request of Vocon Partners LLC, representing Collection Auto Group, for preliminary and final approval for proposed interior and exterior renovations at the GMC Buick facility located at 25975 Central Parkway.

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

P&Z 2012-18	MANN ARCHITECTS, REPRESENTING ALOFT HOTEL, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR A 4-STORY ALOFT HOTEL TO BE LOCATED ON EATON BLVD.
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Mr. David Mann, Mann Architects, representing Aloft Hotel, along with Scott Berkowitz, representative of project; Doug Layer, representative of construction team; and Carl Fry, Jacobs Group, was present to request preliminary site plan approval for a 4-story Aloft Hotel to be located on Eaton Blvd.

Mr. Mann stated the 4-story structure will have approximately 148 parking spaces with future land banked property if needed in the future. There is a storm water retention pond located in the lower end, east corner of the property.

Chairperson Hecht requested to see a site plan of the hotel in relationship to the adjacent buildings of the area.

Ms. Cannon asked the applicant if the driveway for Aloft Hotel would line up directly across from the driveway for Life Time Fitness. Mr. Kreczko added that the driveway will be shared with the adjoining lot. Mr. Mann agreed and stated the driveway will provide an access way during the project and will be divided in the future.

Mr. Griswold stated that the Fire Department had some concerns on the preliminary submission regarding one (1) fire hydrant and the design of the proposed waterline. The applicant indicated this is the start of the process. The Fire and Building Departments will sit down with the applicant to address any issues or concerns prior to the applicant returning for final Planning and Zoning approval. Mr. Griswold reminded the applicant that Planning and Zoning Commission has the authority to approve all signage in U-10 Districts so the applicant should consider for final approval bringing detailed signage drawings for review.

Mr. Kreczko stated Mr. Ciuni, City Engineer, had comments that a lot of work needs to be done before plans are submitted. Mr. Kreczko recommends that the final plans show the relationship of the Life Time Fitness drive apron and show the island medians of Eaton Boulevard and how that affects the property. Mr. Kreczko asked the applicant if the intent, in the future, is to extend the private drive all the way to Richmond Road opposite Ahuja drive. Mr. Fry stated it is anticipated it will remain a private driveway, not a dedicated drive, at this time but the drive access for future development will be determined in the future. Mr. Kreczko stated a lot split and cross easements for the common driveway will be needed in the future. He suggested that the applicant address the issue of a turn around with the Fire Department and propose the turn around to extend to the second driveway proposed for the Aloft Hotel drive entrance. Based on these comments, the Engineering D

partment recommends preliminary approval.

Mr. Smerigan stated the following two (2) issues were raised in the staff report: 1) The shared access drive which was discussed; and 2) The height of the hotel roof. The building plan indicates an extensive ornamental roof structure (aka swoosh) that is part of the hotel's image and extends to a height of 61 feet. Building setbacks are tied to building height. The building has been set back well beyond the required minimums regardless of whether the ornamental roof structure is included in the height measurement. The parking spaces comply with the minimum requirements of the U-10 District. Preliminary site plan approval is recommended subject to the comments of the City Engineer and resolution of the issue regarding the shared driveway or street.

Mr. Fry shared with the Planning Commission that the hotel will also have signage on the building stating "W XYZ Lounge" and "A Vision of W Hotels". He stated the general contractor of the project is Pride One Construction which constructed the Hilton Garden Inn and Conference Center located in Mayfield Hts.

Chairperson Hecht asked the applicant about the projected opening of Aloft Hotel. Mr. Fry replied they are hoping to break ground the third quarter of this year around July 1, 2012 with a 12-13 month construction period. The grand opening should be expected during the late third-fourth quarter of 2014.

A motion was made by B. Mann and seconded by C. Cohen to approve the request of Mann Architects, representing Aloft Hotel, for preliminary site plan approval for a 4-story Aloft Hotel to be located on the corner of Eaton Blvd. and Richmond Road contingent on the comments of City Engineer and Fire Department.

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

Chairperson Hecht stated a pending agenda item needs removed from agenda.

A motion was made by M. Wachter and seconded by B. Mann to remove P&Z 2012-10, Dina Halpern, owner of the property located at 2456 Brentwood Road, requesting preliminary and final approval for a lot split and consolidation for a proposed addition from the Planning and Zoning pending agenda.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, J. Greenberg, R. Hecht, B. Mann, M. Wachter
	NAYS:	None
	MOTION APPROVED – P&Z 2012-10 REMOVED	

The meeting was adjourned at 9:00 P.M.

Rochelle Hecht, Chairperson

Veronica Gentner, Secretary

Karen Navolanic, Clerk of Council

