THE PLANNING AND ZONING COMMISSION MEETING WAS HELD AT BEACHWOOD CITY HALL ON THURSDAY, JULY 30, 2015.

ROLL CALL:	PRESENT:	C. Cohen, Mayor Gorden, R. Hecht, O. Jacobs, M. Wachter, B. Zabell
	ABSENT:	B. Mann
	ALSO PRESENT:	J. Ciuni, Wm. Griswold, H. Jones, G. Smerigan

A motion was made by C. Cohen and seconded by B. Zabell to approve the Planning and Zoning Commission minutes dated June 25, 2015, regular meeting.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	ABSTAIN:	None
	MOTION APPROVED – MINUTES APPROVED	

COUNCIL REPORT

Mr. Mark Wachter, Council Representative, stated there were a number of matters presented to City Council and approved. Hahn, Loeser & Parks LLP request for a lot consolidation at 26006 Fairmount Blvd. was approved. There were two items that were approved for lot split and consolidation for a sunroom for the Budish property located at 6 Kenwood Court in The Village. The request of a walk-in cooler at the Beachwood High School was approved.

P&Z 2015-19 — COVINGTON REALTY PARTNERS, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR A RE-ZONING OF THE PROPERTY LOCATED AT 3600 PARK EAST DRIVE, FROM A U-4A INTEGRATED BUSINESS TO A U-3C MULTI-FAMILY DEVELOPMENT (Referred from Council June 15, 2015).

Mr. Michael Sikora, Attorney with Skikora Law, Mr. John Porta, Partner, and Mr. Paul Langdon, Vice President of Development, Covington Realty Partners, was present to request preliminary and final approval for a rezoning of the property located 3600 Park East Drive from a U-4A Integrated Business to a U-3C Multi-Family Development. Mr. Sikora presented an overview of the project. He stated Covington Realty Partners proposes to build a 36 million luxury apartment in Beachwood on Park East Drive just south of Chagrin Blvd. and west of I-271. It will take the place of Bally's Fitness Center which has been vacant for several years. It will have the benefit of the new Ahuja Medical Center, Eaton World Headquarters and numerous other commercial developments in the immediate vicinity of the property. It would contain amenities such as a heated pool, fire pits, dog park, pet spa, state of the art fitness center, library, coffee shop with an espresso bar and barbeque cabanas. A heated parking garage would be below the apartments. Covington Realty Partners would continue to manage the property after it is constructed as it has with its 100 developments over the United States. The proposed development needs variances such as acreage, total number of units, and number of one bedroom units.

Mr. Sikora gave a brief company overview of both Mr. Porta and Mr. Langdon with Covington Realty Partners.

Chair Hecht and Mr. Smerigan agreed to proceed to discuss the next agenda item as it will be impossible to accurately discuss the rezoning without discussing the development plan as well.

P&Z 2015-20 COVINGTON REALTY PARTNERS, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR A NEW MULTI-FAMILY DEVELOPMENT, 210 UNITS TO BE LOCATED AT 3600 PARK EAST DRIVE.

Chair Hecht stated the agenda item states 210 units but she believes it should state 206 units.

Mr. Sikora confirmed the unit count became 206 units as the plans and designs were finalized.

Mr. Sikora introduced Mr. Langdon to discuss the project specifically in regards to design and specifications.

Mr. Langdon stated they are very happy to come to Beachwood and present the project as Beachwood is a great community. They are very careful in selecting where they can build a new project with lots of sites all over the country. Beachwood is a good place for them to look at as the city has a great reputation and there is growth in the area as the city has a stable population. The demographics in the city are excellent, education and income and length of tenure are all great things. In this particular case they have a site that has a lot going for it. Mr. Langdon stated there are a lot of reasons why they want to try and build a project in Beachwood such as an interstate is nearby, significant amount of employment nearby which is growing, the city's facilities and all of its amenities it offers is nearby and its excellent schools. All of these things are in easy reach of a site that has struggled with commercial development which has been vacant under the prior zoning. It is their request to rezone to the planned Multi-Family District so they can bring a project to the site which can make excellent use of all those qualities as discussed.

Mr. Langdon described a few of the building amenities, features, materials and layout. One being the fully enclosed, underground parking garage which you do not have to look at it and it is climate controlled. This gives the project a better appearance and is more attractive. The parking garage has 336 spaces and meets the design and zoning code requirements. They accommodated the request of the Fire Department by having the sides require fire lanes that extend to the rear of the building; however one of the things they allowed was that it not be paved with asphalt or concrete the entire way. There is an enclosed dog park located in the rear of the building. There are outdoor court yards which are a significant part of the project. Within a multi-family development, the market demands a degree of privacy for those spaces which are desirable and give an appeal to the project that lasts long term. The building is fully sprinkled and fire separated which meets the highest standard of the building code for a multi-family development. They are requesting approval of three (3) variances for the project which include site area, density and unit mix.

Regarding P&Z 2015-19, Mr. Griswold stated that the Police, Fire and Building Department have no concerns or comments regarding the rezoning.

Mr. Ciuni stated no Engineering comments on rezoning.

Mr. Smerigan stated this request is for rezoning of 3.11 acres of land located at 3600 Park East Drive from UR4A Integrated Business District to UR3C Planned Multi-Family Residential District (application 2015R19) and for Master Development Plan approval (application 2015R20). The subject site is the location of the former Bally's fitness facility. The site is surrounded on the north, south, and east by property zoned UR9 Motor Service District. To the west it abuts the cemetery, which is zoned UR5 Public and Institutional District. Since the UR3C Planned Multi-Family Residential District is a planned development district, the Master Development Plan is an essential part of the rezoning application.

The applicant is proposing to construct a luxury apartment complex consisting of 206 apartment units in a four-story building with interior courtyards containing a variety of amenities, including a swimming pool. The Master Development Plan indicates enclosed parking for residents along with such additional amenities as a car wash, bike wash, private bicycle storage units, and similar features. The layout, proposed amenities, and preliminary building elevations are consistent with the provision of upscale luxury apartments targeted at young professionals. The project features and location are also consistent with the purpose and intent statements for the UR3C Planned Multi-Family Residential District. As the Commission is aware, the UR3C Planned Multi-Family Residential District is the most regulated of the City's multi-family districts with extensive criteria to ensure the quality of the development.

Earlier long-range planning studies performed by the City indicated the desirability of having luxury, upscale apartment developments with high quality design features aimed at attracting young professionals at each end of the Chagrin Boulevard corridor to provide support for the established commercial area and for the City's primary employment centers. The first such project was The Vue, which is located at the western end of the City.

This project has the potential to be the east end equivalent, which would provide the proposed planning balance for the corridor.

The subject site is the only property on Park East Drive that is currently zoned UR4A Integrated Business District. Given its size and location, it is highly unlikely that it will attract a quality retail outlet. The property was originally zoned to accommodate a specific user. The subject site is too small to be a destination commercial or retail facility. Its isolation from other retail properties places it at a distinct competitive disadvantage.

Smaller retail facilities generally need to be clustered to achieve the critical mass necessary to attract customers. In summary, the current zoning classification may not be the most advantageous for the City, and the proposed development could be consistent with the City's land use planning.

The proposed Master Development Plan proposes a building of 259,505 square feet with lower level parking and four floors of dwelling units. The building plan provides for two interior courtyards. The plan proposes two access drives from Park East Drive. The southernmost drive provides direct access to a front door drop-off and the interior parking garage. Dumpsters are to be located internally and brought out for pick-up. Walking paths, benches, and a dog park surround the building. Access for firefighting equipment has been provided. The development consists of a combination one, two, and three bedroom dwelling units. The one-bedroom units range in size from 709 square feet to 833 square feet. The two-bedroom units range from 1,025 square feet to 1,251 square feet. The three- bedroom units range from 1,455 to 1,504 square feet.

The Master Development Plan conforms to the requirements of the UR3C Planned Multi- Family Residential District, as noted in the attached box score, with the following exceptions:

1. The minimum required lot area for a UR3C Planned Multi-Family Residential District is 7 acres. The subject site contains only 3.11 acres. In this instance, there is no additional land available to expand the site. As noted, the size of the subject site creates severe limitations under the current

zoning classification. Approval of the rezoning would require a minimum site area variance of 3.89 acres.

2. The applicant is proposing a total of 206 dwelling units. The Zoning Code provision provides for a maximum density of 60 dwelling units per acre or 186 units based upon the area of the site. Luxury apartment projects require a certain minimum scale in order to be efficient and to support the level of amenities. The applicant is suggesting that the additional 20 dwelling units are necessary to provide the quality anticipated by the City's regulation and that the density differential is at least partially due to the limited site area.
3. Finally, the applicant is proposing that the unit mix be permitted to exceed the 50% limitation on one-bedroom units. They assert that in order to properly serve the young professional market, they require more single bedroom units and less units with three bedrooms. They are requesting a variance to permit them to go to 57.3% one-bedroom units, or an additional 15 such dwelling units.

Since this is both a rezoning and Master Development Plan approval, the Planning and Zoning Commission will need to act in the form of a recommendation to City Council. It is recommended that, in order to accomplish the City's planning goals and to achieve the most effective and appropriate land use pattern, the Commission recommend approval of the rezoning application and of the Master Development Plan to rezone the subject site to UR3C Planned Multi-Family Residential District with the following stipulations: 1) Granting of a variance of 3.89 acres to Section 1118.02(d) to permit the minimum area for the District to be 3.11 acres in lieu of the required 7.0 acres; 2) Granting of a variance of 6.2 dwelling units per acre or 20 dwelling units to Section 1118.04(a) to permit the maximum density of development to be 206 dwelling units in lieu of the 186 dwelling units permitted; and 3) Granting of a variance of 7.3% or 15 dwelling units to Section 1118.04(e) to permit the total number of studio and one bedroom units to be 118 in lieu of the 103 dwelling units permitted by the Code.

Mr. Griswold stated Fire Prevention reviewed the drawings and have the following comments:

1. The Fire Department met with the planning team of this proposed project and has already provided them with apparatus specification for Fire Department access which is denoted. The drawing submitted fails to denote pavement along the entire north side of structure which was discussed.

2. The waterline provided for the building fire suppression and fire hydrant will need to be designed as a looped system.

3. The suppression system design will be reviewed with the builder per the planning team's recommendation.

4. The Fire Alarm system for this building will need to be designed as voice system and the courtyards shall be equipped with devices for occupant notification.

5. Each court yard will need 2hr rated access from the exterior for Fire Department emergency operations as discussed in the planning meeting. The plans fail to denote this.

Mr. Ciuni stated the project is recommended for preliminary site plan approval. For final approval, we require the applicant to submit all documentation for grading, drainage, paving, geometric and storm water management. Since this is a redevelopment site, the storm water management requirements of the

Codified Ordinance Chapter 1177 will follow the requirements of the redevelopment projects contained in the Code.

Mr. Wachter stated the adjoining uses around the site are U-9, he asked if there are compatible uses between U-9 and U-3C Zoning Districts.

Mr. Smerigan confirmed that those uses are very compatible in his opinion as the structures and nature of occupancy are similar. The proposed use fits very well in that neighborhood. He has no concern for the mix of units and it makes sense for that location. To provide the level of amenities they are proposing, a certain base size is needed and in order to achieve that size they need a very small density variance.

Mr. Jacobs asked what their experience has been with having isolated apartment projects.

Mr. Langdon stated it works because it allows it to fit in between all the other uses. It works better when it is one within an area rather than one of many. Most of Covington projects are not unnecessarily alone but similar to this property as they are not amongst other apartments.

Mr. Zabell stated to the Commission having spent his professional career in retail development and leasing, he is highly confident this is absolutely not a retail site and will not be any time soon. He asked if the units are all multi-family for rent or will there be any condominium for sale type product.

Mr. Porta stated all they do is Multi-Family Class A apartments for rent. They have never done condominium sales.

Mr. Zabell stated in looking at the viability of the project, there is a similar, new project built approximately a mile to the west and asked if they believe the market is deep enough and there is an overall demand the city can support both of these projects and the amount of new units coming online.

Mr. Porta stated they did a market study by an independent firm. He stated the Vue is leasing very well and will be stabilized before they open. Beachwood is a star community and if people had a choice they would come to Beachwood compared to the older buildings of downtown Cleveland.

Mr. Zabell asked about the timing of the proposed project and whether the amenities are available to the public or restricted to residents.

Mr. Porta stated they would start once the building permit is obtained and it would be a twenty-four month construction from the time they break ground. He confirmed the amenities are restricted to the residents with a fob key security system.

Mr. Cohen complimented the applicant on the nice design and questioned the financial model of the project.

Mr. Porta stated the rent would be approximately $2 per square foot and believes there is a good margin. Chair Hecht asked if there is any outside security present and asked how many one-bedroom units they are proposing.

Mr. Langdon stated there is an onsite community manager who lives there so there is a presence but not a security guard.

Mr. Smerigan stated there will be several different versions of the one-bedroom units which are referenced on the drawings and box score.

Mr. Langdon stated they offer six month to one year leases, not month to month leases.

Mayor Gorden stated their assessment of Beachwood is right on and accurate. He thanked them for considering the site.

P&Z 2015-19 COVINGTON REALTY PARTNERS, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR A RE-ZONING OF THE PROPERTY LOCATED AT 3600 PARK EAST DRIVE, FROM A U-4A INTEGRATED BUSINESS TO A U-3C MULTI-FAMILY DEVELOPMENT (Referred from Council June 15, 2015).

A motion was made by B. Zabell and seconded by O. Jacobs to approve Covington Realty Partners request for preliminary and final approval for re-zoning of the property located at 3600 Park East Drive, from a U-4A Integrated Business to a U-3C Multi-Family Development which was referred from Council June 15, 2015.

ROLL CALL: AYES: C. Cohen, Mayor Gorden, R. Hecht
O. Jacobs, M. Wachter, B. Zabell
NAYS: None
MOTION APPROVED - RECOMMENDATION TO COUNCIL – Monday, August 10, 2015 at 7:00 p.m.

P&Z 2015-20 COVINGTON REALTY PARTNERS, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR A NEW MULTI-FAMILY DEVELOPMENT, 210 UNITS TO BE LOCATED AT 3600 PARK EAST DRIVE.

A motion was made by C. Cohen and seconded by O. Jacobs to approve Covington Realty Partners request for preliminary site plan approval for a new multi-family development of 206 units to be located at 3600 Park East Drive with the following stipulations: 1) Granting of a variance of 3.89 acres to Section 1118.02(d) to permit the minimum area for the District to be 3.11 acres in lieu of the required 7.0 acres; 2) Granting of a variance of 6.2 dwelling units per acre or 20 dwelling units to Section 1118.04(a) to permit the maximum density of development to be 206 dwelling units in lieu of the 186 dwelling units permitted; and 3) Granting of a variance of 7.3% or 15 dwelling units to Section 1118.04(e) to permit the total number of studio and one bedroom units to be 118 in lieu of the 103 dwelling units permitted by the Code.

ROLL CALL: AYES: C. Cohen, Mayor Gorden, R. Hecht
O. Jacobs, M. Wachter, B. Zabell
NAYS: None
MOTION APPROVED - RECOMMENDATION TO COUNCIL – Monday, August 10, 2015 at 7:00 p.m.

Mr. Wachter stated since this is a recommendation to Council, the re-zoning will go before Council for a second reading and public hearing for third reading.

Mr. Smerigan stated the site plan will need delayed till the public hearing on the third reading as the site plan cannot be approved without the zoning change. The zoning change can go before Council, and then Council can set to public hearing for third reading at which the development plan can then be added to that agenda.

P&Z 2015-22 ALEN MICHAEL, REPRESENTING A&M BUILDERS, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR A CHANGE IN THE SUBDIVISION PLAT FOR FAIRWOOD GLEN (S/L 16).

Mr. Jeffrey Nash, property owner representing Alen Michael with A&M Builders, was present to request, in Alen Michael's absence, preliminary and final approval for a change in the subdivision plat for Fairwood Glen S/L 16. Mr. Nash stated Fairwood Glen is a cluster of single-family homes. He and his wife grew up in this neighborhood, are building a new home as they are empty nesters and downsizing into this cluster community at the lot on the end of the cul-de-sac. Mr. Nash stated when he went to obtain his permit, on the recommendation of Mr. Griswold and Mr. Ciuni, working with Alen Michael who represents the developer; they made a determination at the corner of cul-de-sac where three homes share a driveway, it would be best to move the siting of my home ten feet further back within the property of Fairwood Glen. It complies with the setbacks and complies with everything Mr. Griswold and Mr. Cuini reviewed. This is a request for paperwork and to make sure the plat is correct of Sublot 16 so the house is further back from the shared driveway.

Mr. Griswold stated, as Mr. Nash indicated, both he and Mr. Ciuni went out to the property and the issue was the tightness of the southwest corner. He had requested the house be moved back and Mr. Ciuni looked at it and because of the way the property line on the south side moves, Mr. Nash's home still has the required 40 foot setback. This request is for a revised subdivision plat which is required. Mr. Michael, A&M Builders, worked with Mr. Nash to accomplish this. Police, Fire and Building Departments have no issues with this application moving forward.

Mr. Ciuni stated this cluster development is similar to The Village where there are zero clearance lot lines so you basically own your house and do not own the property around it, it is common land. When the original plat was platted, Sublot 16 was moved farther to the north and since we moved it back ten feet that is the reason for the subdivision plat because the lot lines moved and that is what you physically own and everything is common ground. We checked the plat revisions for correctness and recommend approval.

Mr. Smerigan stated in essence Mr. Michael and Mr. Nash are co-applicants because Mr. Nash owns the lot and Mr. Michael is responsible for the common areas. It is very similar to when we have a lot split in The Village as they are essentially footprint lots. The applicant is proposing to shift Sublot 16 ten (10) feet to the south to provide better access to the adjacent Sublot 17. The area of both the sublot and the common area will remain unchanged. This is a relatively minor adjustment to the approved subdivision plat. Since this is a resubdivision, the Planning and Zoning Commission will need to act in the form of a recommendation to City Council. It is recommended that the Commission recommend approval of the resubdivision plat for Fairwood Glen.

A motion was made by O. Jacobs and seconded by B. Zabell to approve Alen Michael, representing A&M Builders, request for preliminary and final approval for a change in the subdivision plat for Fairwood Glen S/L 16.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	MOTION APPROVED - RECOMMENDATION TO COUNCIL – Monday, August 10, 2015 at 7:00 p.m.	

P&Z 2015-23 LOU BELKNAP, REPRESENTING AGILE SIGN AND LIGHTING, IS REQUESTING PRELIMINARY AND FINAL APPROVAL FOR UNIVERSITY HOSPITALS DERMATOLOGY TENANT SIGNAGE TO BE LOCATED AT 3000 AUBURN DRIVE, TWO CHAGRIN HIGHLANDS.

Lou Belknap with Agile Sign and Lighting, representing University Hospitals, was present to request preliminary and final approval for University Hospitals Dermatology tenant signage. The request is for four (4) signs indicated on the site plan as 1A, 1B, B and A. The building sign is non- illuminated, can type with flat vinyl that would be over the entry way to the Dermatology entrance. This is the only sign they will have in this facility on the exterior.

The second sign is the monument sign located at the entrance way to the facility which is the main driveway off of the curb (B). That sign is necessary to bring them into the whole facility and let them know they have a UH presence back in there. There is approximately 500 feet from that sign (B) and the building. There is no visibility between that driveway and the building in relationship to a sign. Currently there is a banner on the building, the same size of the sign that will be there, and you do not know it till you are around that island and cannot possibly see it from the street. That is one reason why we need to identify that entrance. The materials will be the stone work as approved by Jacobs Group as has been in the full development of the other properties. The sign will be black, gray and white with a red emblem which is the UH standard.

Next are the two (2) identical way-finding signs. There are currently two (2) temporary signs in the driveway which are identical to the proposed permanent signs. One is located at the Risman side driveway to tell them to continue down Auburn drive around the facility. Currently, the sign is now placed at the entrance before the parking lot driveway. They have the property that goes all the down almost to the joint of the circle. They would be more than glad to move the second sign down closer to the turnabout so it would make sense to the people knowing that when they left the area they would have to come down to the turnabout instead of being up midway to the driveway. They believe they need to do that because the clientele are mostly elderly people who need to know where they are going once they go around there and you do not see any part of the main building till you are passed the curve and in the driveway. You may identify something once you get past the trees but one can only see the west side of the building with no clue of what is in the building of that area. We would need both directional signs in that area to help with lack of confusion and to keep traffic moving to that corner. Both signs are on UH property, identical in shape, size and color as to the signs on Ahuja property. There will be no difference in the deviation to our standards.

Mr. Griswold stated some of the issues were discussed during the internal meeting and Building, Fire and Police Departments have no concerns relative to the applicant’s suggestions.

Mr. Ciuni stated there are no comments on this item.

Mr. Smerigan stated this request is for approval for a sign package for University Hospitals Dermatology Department located in the Two Chagrin Highlands building. This request is in the U-10 Planned Mixed-Use Development District. The proposed sign package consists of the following:

1. A non-illuminated wall sign of 36 square feet in area to be mounted above the entrance door to the facility. The sign is standard University Hospitals colors.
2. A non-illuminated freestanding monument sign to be located at the entrance driveway from Auburn Drive. The proposed sign is 15.83 feet in area and is 7 feet in height including the 2 feet high stone base. The stone base will need to match the stone base standard previously approved for Chagrin Highlands.
3. Two (2) non-illuminated wayfinding signs to be located along Auburn Drive to direct traffic to the Dermatology Department. These two signs are each approximately 18 square feet in area and 6 feet in height. One sign would be located near the entrance drive for the main University Hospitals facility on Auburn Drive and the other would be located where Auburn Drive narrows.

Mr. Smerigan stated he sees the value in the first wayfinding sign because if you are coming to UH, to make the distinction that the Dermatology Department is not part of the main facility is important. Having a directional sign that points people to the right direction is being a position situation. He is less convinced of the value of the second wayfinding sign because once you have gone that far you are into the cul-de-sac and the monument sign at the entrance drive and you do not have a lot of choices and you automatically get back to that. He sees one way-finding sign as being value in terms of directing traffic, he is not convinced with the second sign but the Commission can approve, under the U-10 provision, as many or as few wayfinding signs as you deem to be appropriate. Mr. Smerigan stated in his opinion the wall sign and monument sign at the entrance drive are clearly appropriate and consistent with the standards. The only issue is with the way finding signs that are off site for the actual Chagrin Two Building and whether it is a necessity to have two of them.

Chair Hecht stated this was discussed at the internal meeting whether it was absolutely necessary to have those two (2) way-finding signs.

Mr. Zabell asked Mr. Smerigan if we went for one (1) way-finding sign as opposed to two, where is it suggested to be located.

Mr. Smerigan replied the further west way-finding sign where the main entrance to the hospital is the first one as you are coming down the street because that is where the confusion would be. If you are passed that point and continuing down the cul-de-sac the only way to get out of there is to go around the cul-de-sac and you will see the other sign.

Mr. Zabell replied so essentially to eliminate the one sign in the middle. Mr. Smerigan confirmed.
Mr. Jacobs stated he assumes the Jacobs Group has approved the signs.

Mr. Griswold confirmed yes and stated there is a representative from University Hospitals here as requested by the Planning Commission if there are any other questions that Mr. Belknap cannot answer.

Mr. Jacobs asked if there are any other tenants in the building besides Department of Dermatology.

Mr. Belknap replied there are other tenants in the building but the only UH is the Dermatology section.

Mr. Jacobs asked if he anticipates any other tenants of the building asking for signage directing people to that building.

Mr. Belknap replied he does not but he encourages the fact that the sign says Two Chagrin Highlands which will direct other people to the building.

Mr. Smerigan stated that is an important factor for the monument sign at the driveway as the sign says Two Chagrin Highlands as well as the UH logo, so it identifies the building even though it does not identify the other tenants as there are other tenants in the building who are not UH. As he recalls, the One Chagrin Highlands sign identified both One Chagrin Highlands and Cleveland Clinic Kohl Eye Institute. The monument sign is identifying both Two Chagrin Highlands as a facility and also the UH Dermatology Department. We have not had any requests from other tenants in the building wanting to be on that sign.

Mayor Gorden stated there is a representative from UH here in the audience and requested they explain the reason why they need the second sign.

Ms. Debra Cavit, University Hospitals Construction Services, stated that when they decided on the 3000 Auburn Drive site, the Chairman of Dermatology wanted to move his whole department to this location. He had a great concern whether his patients are able to find the building as most patients are from Akron/Youngstown area and are elderly. He is a very caring physician; he drove through and was very upset his patients would not find the facility. We went to great lengths to provide him signage to make sure his patients would be able to locate the medical suite. As Lou Belknap indicated, even with the building sign on the building, the large arborvitae in the front and trees it is masking the sign on the building. Other tenants in the building are Penske, they are all non-medical. We are trying to get the patients from the front of Richmond Road into the facility. We thought by relocating the signs, we would be able to do this so they know from this point I go here then around the bend and into the driveway. Parking is still an issue in the building. Ms. Cavit stated she would appreciate any consideration in getting the second sign. If she has to go back and tell the Chairman he is only getting one (1) way-finding sign, he is not going to be happy.

Chair Hecht asked why they not trim down the large arborvitae and trees so the sign is more visible.

Ms. Cavit replied those are the Jacobs brother’s trees.

Mr. Smerigan stated they will be relying on the monument sign. The sign on the door is to indicate to them what entry they are to take into the building. He believes the three (3) signs work well in combination to guide people where they need to be. He only questions the second way-finding sign which seems to be superfluous because once you are down that far even if you thought you were missing it, you cannot turn around until the cul-de-sac and at that point you see the ground sign. The three (3) signs do the job. He does not question the need for the monument sign at driveway and sign over doorway as those are essential signs for their operation. Even the first way-finding sign makes a great deal of sense as a means of directing traffic.

Chair Hecht asked if it would make sense to move the first way-finding sign.

Mr. Smerigan replied it is critical it is at the entrance to the hospital because if they are going to make a mistake they are going to turn into the UH facility. Having it at that location is critical because that is where the first mistake will occur. If they get into the main parking lot and try to find a Dermatology Department on the main campus, they are in trouble. Where that first sign is, is where it needs to be in his opinion.

A discussion ensued.

Mr. Jacobs asked if patients were arriving late to their appointments.

Ms. Cavit replied she does not know as she has not communicated with them as she runs multiple projects. She said she has issues with parking.

Mayor Gorden stated he would be much less supportive of this if we had to supply a variance for this but we do not have to and it is at the discretion of this group. He questioned why management is concerned with the second way-finding sign.

Ms. Cavit replied they just want to make sure the patients can get to the site. She stated they have only been open since May 2015.

Mr. Zabell stated none of these signs exist today.

Mr. Griswold replied there are temporary signs which under the code they are permitted to have until they were able to come to this meeting. None of these permanent signs are constructed.

Mr. Belknap stated the temporary signs are in three (3) locations, the monument sign (labeled B) is not there. The two (2) way-finding signs are there currently.

A discussion ensued.

Chair Hecht stated she is only concerned about setting a precedent for other proponents.

Mr. Belknap stated considering the sign is on UH property and it is our sign, if you wanted to do something more for tenant wise, maybe Jacobs would want to do a community sign down closer to the cul-de-sac on their property saying Two Chagrin Highlands along with list of tenants. We are doing this because it is our sign, our facility and our property.

Mr. Smerigan stated the sign is advertising something that is not on the property that the sign is on. Under the City standards that makes it an off-site sign. This creates a complication for the City Zoning Code.

Mayor Gorden asked is there any other way to help the applicant as he is in favor of helping them try to achieve what they want.

Mr. Smerigan stated we are helping the applicant. He thinks the one (1) way-finding sign, monument sign and wall sign provides what they need to get people back to the site. There may be another way to do this but we would need to explore what that may be but would not be able to solve that this evening.

Chair Hecht asked if we should table this item.

Mr. Smerigan stated at the very least they can do is approve the three (3) signs and table the forth sign for further consideration so they can move forward. Planning Commission has final authority so it does not need to go to Council. Therefore, tonight's action would be a final action on the signs.

Mr. Jacobs stated if the applicant finds a need for the forth sign because people are not finding the location, to come back for approval but supply hard data that there is a problem.

Chair Hecht concurred.

A motion was made by C. Cohen and seconded by B. Zabell to approve Lou Belknap, representing Agile Sign and Lighting, request for preliminary and final approval for University Hospitals Dermatology tenant signage to be located at 3000 Auburn Drive, Two Chagrin Highlands, with the stipulation of approval of three (3) signs (1-monument sign, 1-building sign and 1-wayfinding sign) based on the locations A, B, and 1A.

Mayor Gorden stated he would be willing to walk the site with the applicant to further understand their concern as he supports University Hospital.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht
		O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	MOTION APPROVED	

Chair Hecht requested a motion to amend the agenda to move P&Z 2015-15 Amendment to Section 1155.05(i) Keeping of Fowl to discuss last on the agenda item.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht
		O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	MOTION APPROVED	

P&Z 2015-24 BRIAN FABO, REPRESENTING FABO ARCHITECTURE, INC., IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR A PROPOSED 720 SQUARE FOOT MAINTENANCE/STORAGE BUILDING TO BE LOCATED AT 26001 SOUTH WOODLAND ROAD, MANDEL JEWISH COMMUNITY CENTER.

Brian Fabo, representing Fabo Architecture Inc., was present to request preliminary and final site plan approval for a proposed 720 square foot maintenance/storage building. The purpose of the maintenance building is to house lawn care equipment and maintenance. We are proposing to do a metal to match both the perimeter walls as well as the roof. The building will not have plumbing or heat but will have electric from the main building to power the garage door opener and lights.

Mr. Griswold stated that the Police, Fire and Building Departments have reviewed and recommend approval.

Mr. Ciuni stated we have reviewed the site plan for this project and hereby recommend preliminary and final site plan approval subject to approval of the rear yard setback variance.

Mr. Smerigan stated this request is for both preliminary and final site plan approval to construct a maintenance shed behind the Community Center building. The proposed shed is 720 square feet in area and would be located 39.33 feet from the rear property line. The subject site is zoned U-5 Public and Institutional District. Section 1124.04(b)(2) requires a rear yard setback of 50 feet for all buildings in the U-5 District. The placement of the shed is consistent with the campus nature of this U-5 District. Since a variance is required, the Commission will need to act in the form of a recommendation to City Council.

Should the Planning and Zoning Commission determine 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 on the subject site from the literal enforcement of Zoning Code Section 1124.04(b)(2) with regard to building setbacks.
2. Granting a variance of 10.7 feet to Section 1124.04(b)(2) to permit a rear yard building setback of 39.3 feet in lieu of the Code required 50 feet.

A motion was made by O. Jacobs and seconded by B. Zabell to approve Brian Fabo, representing Fabo Architecture Inc., request for preliminary and final site plan approval for a proposed 720 square foot maintenance/storage building to be located at 26001 South Woodland Road, Mandel Jewish Community Center subject to the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty exists or will result on the subject site from the literal enforcement of Zoning Code Section 1124.04(b)(2) with regard to building setbacks; and 2) Granting a variance of 10.7 feet to Section 1124.04(b)(2) to permit a rear yard building setback of 39.3 feet in lieu of the Code required 50 feet.

ROLL CALL: AYES: C. Cohen, Mayor Gorden, R. Hecht
O. Jacobs, M. Wachter, B. Zabell
NAYS: None
MOTION APPROVED - RECOMMENDATION TO COUNCIL – Monday, August 10, 2015 at 7:00 p.m.

P&Z 2015-25 JAMES GERARD, REPRESENTING GERARD ASSOCIATES ARCHITECTS, LLC., IS REQUESTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO ELIMINATE NINE (9) PARKING SPACES TO PROVIDE PATIENT DROP-OFF UNDER PROPOSED ROOF EXTENSION TO BE LOCATED AT 23600 COMMERCE PARK ROAD, DAVITA DIALYSIS.

James Gerard, representing Gerard Associates Architects, LLC, was present to request preliminary and final site plan approval to eliminate nine (9) parking spaces to provide patient drop-off under proposed roof extension to be located at 23600 Commerce Park Road, DaVita Dialysis. The site was originally approved to handle two (2) buildings. The first was constructed approximately three (3) years ago, the second has not been constructed. The building, 12,000 square feet, is presently occupied by a professional medical office towards the rear and DaVita would propose to occupy the front part, about 7,200 square feet of the total. We are proposing to extend the roof line out to the existing curb line as most of the dialysis patients arrive at the clinic either by means of family member drop off or ambulance. They believe the elimination of the nine (9) parking spaces would be inconsequential.

Mr. Griswold stated that Police and Fire Departments have no issues. As he indicated to the owner, on the east side of where the dialysis center is going, in anticipation of the construction of the rear building which has not occurred yet, the owner left an area that is compacted gravel and soil. As part of the approval and before DaVita moves in, we would like to see the parking lot finished to the end of the existing building.

Mr. Ciuni stated we have reviewed the site plan and hereby recommend approval.

Mr. Smerigan stated this request is for both preliminary and final site plan approval to construct a covered entry canopy and patient drop-off area for the DaVita Dialysis facility located at the north end of the front building. The applicant proposes to eliminate 9 parking spaces in order to construct the drop-off area. The subject site is in the U-8 Industrial and Office Mixed-Use District. The amendments to Chapter 1129 U-8 Industrial and Office Mixed-Use District, which were adopted in 2012, modified the parking standards for office uses in this district. Based upon the new standards, the subject site would require a total of 114 parking spaces based upon a combination of medical and non-medical office uses. With the elimination of 9 parking spaces, the subject site will have a total of 99 parking spaces. Therefore a parking variance will be required.

Should the Planning and Zoning Commission determine 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 on the subject site from the literal enforcement of Zoning Code Section 1129.05(b)(2) with regard to required on-site parking spaces.
2. Granting a variance of 15 parking spaces to Section 1129.05(b)(2) to permit a total of 99 parking spaces in lieu of the Code required 114 parking spaces.

Mr. Smerigan suggests they might want to consider a third stipulation that the variances are for the dialysis operation, should that operation cease and another operation replace it and might have a higher demand, that the Building Commissioner can order more parking spaces recreated. With the three (3) stipulations he recommends granting approval. Since a variance is required, the Commission will need to act in the form of a recommendation to City Council.

Mr. Jacobs stated do they also need a stipulation relating to the paving of the parking.

Both Mr. Ciuni and Mr. Griswold stated yes.

Mr. Wachter noted there is a small penalty on the real estate taxes that the owner has not paid. We would like that taken care of before it gets back to City Council or an explanation of why it is there.

A motion was made by B. Zabell and seconded by O. Jacobs to approve James Gerard, representing Gerard Associates Architects, LLC, request for preliminary and final site plan approval to eliminate nine (9) parking spaces to provide patient drop-off under proposed roof extension to be located at 23600

Commerce Park Road, DaVita Dialysis, subject to the following stipulations: 1) Pursuant to Section 1159.04 it is determined that a practical difficulty exists or will result on the subject site from the literal enforcement of Zoning Code Section 1129.05(b)(2) with regard to required on-site parking spaces; 2) Granting a variance of 15 parking spaces to Section 1129.05(b)(2) to permit a total of 99 parking spaces in lieu of the Code required 114 parking spaces; 3) This variance would be specific to DaVita Dialysis or an operation of a dialysis clinic; and 4) Completion of the parking lot.

ROLL CALL: AYES: C. Cohen, Mayor Gorden, R. Hecht
O. Jacobs, M. Wachter, B. Zabell
NAYS: None
MOTION APPROVED - RECOMMENDATION TO COUNCIL – Monday, August 10, 2015 at 7:00 p.m.

P&Z 2015-15 AMENDMENT TO SECTION 1155.05(i) KEEPING OF FOWL (Referred from Council July 13, 2015).

George Smerigan stated several years ago, believe it was 2012, City Council adopted some regulations to permit keeping of animals within the city under certain circumstances that had to do with goats, chickens, etc. It was based on sizes of properties and distance from neighbors. One of the things that came out of the amendment that was adopted was the section on keeping of chickens contained a provision that you could not have a facility that was within 200 feet of any existing residence of an adjacent property. The problem of that provision was that there are virtually no properties within the City of Beachwood that would meet all the requirements and be 200 feet away from an adjacent property. In essence, as a result of how it was initially written, we have a prohibition because you cannot do it and meet the requirements. If we are not going to permit it at all, then we need to take it out of the code all together. If the intent is to permit it then we need to adjust the regulations so that it can occur. We feel that if you take out the 200 feet requirement, you leave all the other requirements in place, you have adequate protection for adjoining properties but you do allow a number of properties within the city to keep chickens. This amendment would allow some residents within the city to keep chickens on their property. The distance requirement is the only change we are requesting.

Mr. Zabell asked is there a number as far as a limitation to how many chickens a property can house.

Mr. Smerigan replied they have to be in a structure that cannot be no more than 4’ x 4’ so there is a maximum size of the facility that can hold them. He does not believe there is number of how many chickens in a coupe other than the size of the coupe.

Mr. Jacobs stated the code states it has to be maintained in a sanitary condition.

The terminology and definition of fowls vs. chickens in the code was discussed.

Mr. Smerigan stated as long as they are doing an amendment, they might want to look at the bigger picture and address the code in a more holistic manner. He can provide the Planning Commission more information and recommends the Planning Commission table the item till the next Planning and Zoning meeting and address it in more detail at that time.

Planning Commission agreed to table the item till next meeting.

Mayor Gorden stated his concern is whether we are creating a law or an ordinance to control this and there is a demand for it, let's create a reasonable ordinance so people can do this. If they are not complying, they should be stopped.

A motion was made by O. Jacobs and seconded by C. Cohen to table the amendment to Section 1155.05(i) Keeping of Fowl.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	MOTION APPROVED – ITEM TABLED	

A motion was made by C. Cohen and seconded by B. Zabell to adjourn the meeting.

ROLL CALL:	AYES:	C. Cohen, Mayor Gorden, R. Hecht O. Jacobs, M. Wachter, B. Zabell
	NAYS:	None
	MEETING ADJOURNED	

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Rochelle Hecht, Chairperson

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Veronica Gentner, Secretary

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Karen Navolanic, Clerk of Council