



SHAKER HEIGHTS

**Board of Zoning Appeals and City Planning Commission
Tuesday, January 2, 2018
7:00 P.M.
Council Chambers**

Members Present: Earl Leiken, Mayor, Chair
Robert Zimmerman, Council Member
John J. Boyle, III, Member
Kevin Dreyfuss-Wells, Member
David Weiss, Member

Others Present: Joyce G. Braverman, Director of Planning
William M. Ondrey Gruber, Director of Law
Dan Feinstein, Senior Planner

The meeting was called to order by Earl Leiken at 7:00 p.m.

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Approval of the December 5, 2017 Meeting Minutes

It was moved by Mr. Boyle and seconded by Mr. Weiss to approve the Minutes.

Roll Call: Ayes: Leiken, Zimmerman, Boyle, Madison, Weiss
Nays: None

Motion Carried

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#1969. SHAKER ROCKS – 3377 WARRENSVILLE CENTER ROAD:

A Public Hearing was held on the request of John Swidrak, AODK, Inc., on behalf of Annie Richman, owner, Shaker Rocks, 3377 Warrensville Center Road, to the Board of Zoning Appeals and City Planning Commission for site plan review, variances and a conditional use permit in order to redevelop this former office building site at the northeast corner of Warrensville Center and Farnsleigh Roads into an indoor rock climbing gym. A recreational facility requires a conditional use permit. The rock climbing gym will have a total of 3 to 5 employees to operate the gym, Monday through Thursday from 9:00 a.m. to 10:00 p.m., Friday and Saturday until 11:00 p.m., and Sunday from 11:00 a.m. to 6:00 p.m. Variances are required to the following: parking spaces, parking

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lot landscaping and islands, rear and side property line landscaping, loading requirements, fencing, dumper enclosure, HVAC location and front and side yard building setbacks. Commercial Mixed Use zoning district design principle variances include, front façade percentage of windows, design elements every 20 feet, building materials, and a well-defined roof line. Council confirmation is required for the conditional use permit.

Mr. Feinstein showed slides of the site. He said the City Planning Commission Working Group met on December 13, 2017. This is a request for a Conditional Use Permit, site plan review and variances in order to develop Shaker Rocks, an indoor rock climbing gym. The City Planning Commission Working Group previously reviewed this project on June 19, October 17 and December 13, 2017 as this project site and building were refined.

The Working Group recommendation to the City Planning Commission includes: Recommendation to proceed to the Board of Zoning Appeals and City Planning Commission for a Conditional Use Permit, site plan review and variances with several comments. The plans have been revised by the applicant to incorporate these comments from the City Planning Commission Working Group:

1. The mechanical unit specifications and height, as well as relation to the screen wall have been submitted.
2. The cypress trees has been changed to fir trees along the north side of the building.
3. The up-lighting along the north property line has been replaced with shielded down-lighting on the building.
4. The existing street tree on Warrensville Center Road is proposed to be removed.
5. They have shifted the northern shade tree in the front yard to the east.
6. The fence and shrubbery have been shifted to align with the new property line.
7. The street-facing landscaping has been revised. They have replaced some shrubs with ornamental grass and arranged the boulders somewhat differently.

The recommended actions and staff positions are organized by technical memo.

Site Plan Review and Variances

1. 1262.05 – The 3 foot tall fence at the corner of Warrensville Center Road is not set back from the corner property line. A 5 foot setback is required.
2. 1253.08 A – Only 6% parking lot landscaping is proposed. Code requires 20%.
3. 1253.08 C – A minimum of 3 interior landscaped islands and 3 shade trees are required. None are proposed.
4. 1253.09 A – The dumpster is enclosed in the metal mechanical equipment screen wall. A brick screen wall is required by code.
5. 1253.09 TABLE Landscape and Buffer Screening – There is a lack of landscaping between the side and rear lot lines. Code requires a minimum 10 feet in the side and rear yard. No buffer area is proposed to the north side yard and only 2 feet and an existing wood fence is proposed to the east rear yard.
6. 1253.08 TABLE – Perimeter parking lot landscaping requires a minimum planting strip of 5 feet at the rear property line adjacent to Thornton Park, with 50% planted with 5 foot tall shrubs. An existing 6-foot tall wood fence is proposed to remain along the eastern property line. A 2 foot buffer with ground cover is

indicated on the plans. Code requires a 20 foot landscape strip adjacent to the apartment building with 100% 6 foot high shrubs. No landscaping is proposed.

Staff Position—Approval with the following conditions:

1. The existing Warrensville street tree which is proposed to be removed should be replaced with a new street tree located north of the fire hydrant.
2. There should be a “right turn only” sign at the parking lot exit to focus traffic toward Warrensville Center Road.
3. Submission of a revised photometric lighting plan.

Commercial Mixed Use Variances and Conditional Use Permit

1. 1234.07 A – Front yard building setback of between 5 feet and 10 feet is required; the building has a proposed setback of 29 feet 2 inches from Warrensville Center Road.
2. 1234.07 B – Code allows a maximum side yard setback of 12 feet, while the building has a proposed 18 foot setback to the north side property line.
3. 1262.08 – The HVAC and other mechanical equipment is located on the ground behind the building. Code allows mechanical equipment on the roof or inside the building.

Conditional Use Permit

4. 1234.02 R – A recreational facility requires a Conditional Use Permit in the CM Commercial Mixed Use zoning district. Council confirmation is required.

Staff Position—Approval based on:

1. The front yard setback on Warrensville Center Road is supported as it is similar to the setback of the adjacent buildings on Warrensville Center Road. The setback is also mitigated by the activity in the front yard seating area.
2. The side yard setback maximum from the north property line is supported due to the proximity of the adjacent apartment building and the need for some air and light for the side-facing residential windows.
3. The HVAC and mechanical equipment location is supported as it minimizes the noise disturbance to the adjacent apartment building.
4. A Conditional Use Permit for the proposed indoor rock gym as a recreational facility in this zoning district substantially meets the Conditional Use Permit standards in Section 1213.05.

CM Design Principle Variances/Design Exceptions

1. 1234.10 B 6—Code requires that building façades incorporate design elements every 20 feet. The south façade has two locations where the span between design elements ranges from 24 feet to 26 feet. The north and west façades both have segments of metal wall system longer than 20 feet.
2. 1234.10 B 7—The first floor on the south and west facades do not meet the 60% window requirement. There is approximately 49% clear windows on the west façade and approximately 26% on the south façade.

3. 1234.10 B 9 and 1234.10 B 10—Code requires well-defined roof lines with features such as gables. Proposed building has a relatively monotonous roof line.
4. 1234.10 C 1 – Code limits building materials to brick, masonry, wood, fiber cement siding, cultured stone, or other similar materials. Metal is not a specifically permitted material.

Staff Position—Approval with the condition that:

1. A ‘right turn only’ sign at the exit of the parking lot be added to minimize traffic into the residential neighborhood.

Parking Variances

1. 1251.02 and 1234.10 9 B—Number of parking spaces – 32 proposed, 42 required.
2. 1252.02—One short berth loading area is required and none is proposed.

Staff Position—Approval with the following conditions:

1. A parking agreement is completed with the City to allow shared parking in 49 of the 64 spaces in the upper Farnsleigh parking lot at Thornton Park.
2. A storm water drainage plan needs to be submitted.

Mr. Feinstein said the Architectural Board of Review (ABR) also reviewed the building design at their May 15, August 17 and December 4, 2017 meetings. The ABR approved of the direction of the design at the December 4, 2017 meeting with the following to be provided by the applicant: 1) investigate an offset on the north elevation materials; 2) refine the fence details at the Warrensville/ Farnsleigh corner; 3) investigate and provide an option for the southwest corner canopy detail in the original red color; 4) provide screen wall construction details; 5) investigate alternatives for the white roof material at the white sided building portion; and 6) provide roof coping detail of the upper roof.

Ms. Braverman gave background to the application. The city owns the property. There is a Development and Use Agreement, which was approved in December 2017 between the city and the applicant. The property will transfer to the applicant as soon as the demolition of the existing building is complete. The building has already been partially demolished, and should be completely demolished by the end of January.

Annie Richman, Shaker Rocks owner, gave a presentation that describes the facility and its users. She explained the variety of users and their target area from which to draw. They request a conditional use permit for a recreational facility. They have a hardship for parking because of the small area at the rear of the lot and due to the easement to provide access across the property to the adjacent apartment building’s parking garage. This limits their ability to have more parking. It limits their ability to have the correct number of landscape islands in the middle of the parking lot. They propose to use parking in other locations as is proposed in their application. The other locations include Thornton Park. They hope that by year 5 they will have 300 to 350 people in the facility on a weekend day. Their timeline is approximately 8 months with an opening of October 2018. They held 2 community meetings with neighbors invited, including apartment building residents. They have incorporated some responses to neighbor’s issues into their proposal.

John Swidrak, AODK Architects, explained the site plan, circulation, where the dumpsters are located, as well as the screen around the dumpsters. He explained how the entry and exit driveways are one way. He explained the parking situation and showed the future 10 foot wide multi-modal path that will be along the Warrensville and Farnsleigh sidewalks. Right now, they will leave that ground as seeded lawn once construction is complete, until the city completes the path. They have revised the landscaping in order to add more grasses. They changed the trees on the north side of the building to Douglas Fir's as was requested by the Working Group. He explained their need for variances for the percentage of glazing because of their specific use and the need for tall climbing walls. They tried to maximize the visibility into the building from the corner of Warrensville Center Road. They also have glazing where possible at the offices and entry on the Farnsleigh elevation. There are areas in order to get light into the mezzanine level, specifically the yoga room. The roof color on the lower roof has been changed to grey. This should reduce any reflected light into the apartment building next door. They made these changes in response to the comments from the most recent meeting with the Working Group.

Mayor Leiken indicated the Working Group has spent several meetings working out the details to this package.

Mr. Zimmerman commented that the detailed presentation and package as presented by the applicant is helpful. They seem to have all of the requested information by staff and the Working Group.

Mayor Leiken opened the Public Hearing. No one was present to speak regarding this application.

Mr. Weiss asked why the proposed prohibition on turning left out of the parking lot.

Ms. Braverman said from the public meetings which the owner held, there was concern from the neighbors that included traffic through the neighborhood. A right turn from the parking lot would keep traffic funneled toward Warrensville Center Road, not back up Farnsleigh into the residential neighborhood. The neighbors also expressed concern regarding traffic, the speed of traffic and new crosswalk painting. Those issues will be looked at in their entire context with the Van Aken District details. This specific project will not cause that much of a traffic issue. The district overall will be studied to assess traffic patterns.

Tania Menesse, Economic Development Director, said there was broad discussion with the neighbors at the public meetings about the distribution of traffic and parking. There was discussion regarding adding on-street parking on Farnsleigh Road if the traffic study determines it is able to be used there. Some of the neighbor's concerns may be addressed at a future time with other traffic alternative treatments.

Mr. Weiss said he does not think this project is necessarily going to cause the amount of traffic in relation to the entire Van Aken District. He thinks the exit signage could wait to see if it is needed until a future date.

Ms. Braverman said the applicant submitted a googlemap direction study showing that many of their clients will come from further afield and they will be directed to travel on Chagrin Boulevard or Warrensville Center Road. The online directions would not be directing them through the neighborhood.

Mayor Leiken said he did not think traffic problems in the neighborhood will be exaggerated by this property. The city should keep in mind that traffic generated due to the overall Van Aken District should be taken into account as traffic is studied.

Mr. Weiss said there could be street parking as well. He does not think the right turn only sign is necessarily needed.

Mr. Feinstein said there is an issue with a right turn only sign that does not fit with traffic circulation of the property. If a client for the business pulls into the on-site parking for Shaker Rocks, but does not find a space open, the no left turn sign would keep them from circling around and going up the hill to the Thornton Park parking lot, which is the secondary parking. The no left turn sign does not work for the circulation of customers trying to take advantage of the Thornton Park parking lot.

Mr. Boyle indicated the Working Group has worked through many changes the applicant has proposed. This building is unique in its metal structure, which is appropriate due to the unique recreational type of use. This use will draw a specific type of younger visitor that will expect to see a building that has this type of architecture. The variances to the parking and parking lot are complex due to the easement and entrance of the neighboring apartment building parking garage. This limits the number of islands and trees that can be implemented within the parking lot. The landscaping around the exterior of the parking lot has been increased to balance this lack of interior landscaping. The building setbacks are generally acceptable as they meet the setbacks of the building to the north and roughly the same setbacks as the building which used to be on the property. They have added more glass and openness to the corner, which is where the Working Group indicated it was most important. The use of texture and angles on the building, while a unique design for Shaker Heights, will not project a large blank wall with no detail. The Conditional Use Permit for recreational use that is required is definitely supported by the Working Group and recommended to the City Planning Commission.

Mr. Zimmerman noted that the pursuit of a Conditional Use Permit for a recreational use on this property seems fitting, as this property directly borders the city's largest park and recreation facility, Thornton Park. This makes sense as far as location.

Mr. Boyle said there has been agreement that this recreational facility adjacent Thornton Park, as far as parking goes, there has been an agreement with the city that the adjacent Thornton Park parking lot accessed off Farnsleigh Road will allow overflow parking from the rock gym. The Thornton Park Warrensville parking lot may be a place for apartment building residents to park overnight.

Ms. Braverman said the Thornton Park agreement for parking is underway. The Law Department will be investigating the Warrensville parking lot that currently exists.

Mr. Weiss indicated he agrees it is appropriate for the landscape islands in the parking lot to have been reallocated to the exterior of the site to provide landscaping. Thornton Park is currently over parked. There should be an agreement to allow overflow parking at Thornton Park.

Mr. Zimmerman said he expects that appropriate notice was given to the neighbors. Was there any public input?

Ms. Menesse said appropriate notice was given by the city, and two community meetings were held where neighbors were given notice and items were discussed with the applicant and the city before the zoning process started.

Mr. Dreyfuss-Wells said this is such a unique building typology. It is a unique material and unique building for Shaker Heights, but the design has been executed well. The applicant has addressed concerns raised by the Planning Commission Working Group, as well as the Architectural Board of Review.

Mr. Boyle said the right turn only sign really is not needed and should be removed from the conditions of approval. Beyond this one item, the staff recommendations seem to be appropriate in this case.

Mayor Leiken said this case will go on to City Council for the Conditional Use Permit portion of the approval. It would be a good opportunity for the applicant to show their presentation to Council.

It was moved by Mr. Boyle and seconded by Mr. Dreyfuss-Wells to approve the Conditional Use Permit based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. The existing Warrensville street tree proposed to be removed should be replaced with a new street tree located north of the fire hydrant.
2. Submission of a revised photometric lighting plan and light details.
3. A parking agreement is completed with the City to allow shared parking in 49 of the 64 spaces in the upper Farnsleigh parking lot at Thornton Park.
4. A storm water drainage plan needs to be submitted.

Roll Call: Ayes: Leiken, Zimmerman, Boyle, Dreyfuss-Wells, Weiss
 Nays: None

Motion Carried


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There being no further business, the meeting was adjourned at 8:00. The next meeting will be February 7, 2018.



Earl Leiken, Chair
City Planning Commission



Dan Feinstein, Secretary
City Planning Commission