

Mr. Wong, Ms. Hamley O'Donnell and others in the audience who plan to testify were sworn in.

Project 16-12: E. Keller, 2272 Westminster, 'A' single-family, requests Conditional Use permit for a chicken coop and run.

Ms. Hamley O'Donnell began with stating that since the applicant is the only person here she is going to make this brief. She said this project is for 2272 Westminster Road for a Conditional Use Permit for a chicken coop and run. She showed an aerial photo that showed the front of the house and the coop and run. She pointed out the white building with the run which will be the proposed place for the chicken coop. She stated that before all of you is list of the Standards for Conditional Uses. She felt that most everyone is familiar with most of these as well as the Standards for Chicken Coops which are listed in your Staff report dated May 23rd which is part of the public record. She stated these are reviewed on the standards and we find that this does meet the standards for Conditional Uses found in Chapter 1151.

Ms. Hamley O'Donnell said that staff recommends that the Planning Commission approve the applicant's request for a Conditional Use Permit for a chicken coop and run for no more than four hens with the following conditions:

1. *Applicants shall adhere to all applicable Building Code regulations;*
2. *This use shall not be injurious to the use and enjoyment of other properties in the immediate vicinity or create a nuisance for adjacent properties;*
3. *The coop and run enclosures shall be of uniform and sturdy design and shall be constructed and maintained in good condition to protect the safety of the chickens and the aesthetics of the neighborhood. Fencing material shall be securely fastened to posts of reasonable strength firmly set into the ground and, if used, chicken wire or other woven wire shall be stretched tightly between support posts;*
4. *At all times, chickens shall be contained within the coop and/or run which shall be at least 10' from all property lines;*
5. *The applicants shall work with staff to resolve any complaints from neighbors; and*
6. *All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.*

Ms. Cohen asked if there were any questions for staff.

There were none.

Ms. Cohen asked Ms. Keller if there was anything that she wanted to add or share with us.

Ms. Keller replied no.

Ms. Cohen stated that given that there are no comments, is there a motion on this case?

Mr. Horowitz made a motion to approve the Project 16-12, E. Keller at 2272 Westminster with the all the staff recommendations.

Ms. Cohen asked if there was a second.

Mr. Mattox, Jr. seconded the motion.

All in favor.

Aye.

Anyone opposed, there were none.

Any abstentions, there were none.

Ms. Cohen congratulated Ms. Keller.

Project 16-13: Artful Ohio, Inc., 2843 Washington, potential tenant, 'A' single-family, requests Conditional Use Permit to: (a) adaptively reuse 5,376 s.f. at former Coventry School for 20 artist studios/offices and gallery w/ occasional classes and (b) modify parking requirements to provide 2 designated parking spaces (18 required).

Mr. Wong, Ms. Hamley O'Donnell and others in the audience who plan to testify were sworn in by Ms. Rothenberg.

Ms. Hamley O'Donnell began with showing a photo that many of you are familiar with. She stated that anytime there is a change to an adaptive reuse in a school building, it needs to come before the Planning Commission and as you know the former Coventry School is a multi-tenant building so anytime there is a change or addition of a tenant, they come back before this Commission for review of the impact on the neighborhood. She stated, because there are very few here this evening, you do have the Staff Report where the first page details all of the times since 2010 that this building has come before the Planning Commission to be reviewed. Ms. Hamley O'Donnell continued saying this is the site from an aerial view, showing you around Washington Boulevard where there is parking on the existing large parking lot and where the parking spaces are located on the site. She stated on the first floor or the main floor there is a daycare on the lower level. She added that Artful's goal is provide affordable workspace and education for the city's abundant artist population. They propose twenty office/studios in 5,376 square feet on part of the 2nd floor. Artful will create the spaces and sublease them to artists. They anticipate that no more than 10 artists will be working at the same time, because most artists work at other jobs and they will come at various times throughout the day, evening and on weekends. Artful will offer art and business related classes about once a month with not more than 18 attendees. She stated that Artful has reached out to the other business tenants and anticipates partnerships with some of these tenants.

Ms. Hamley O'Donnell stated that they are also asking for reduction to the parking requirements. Ms. Hamley O'Donnell stated as far as the parking goes, they have two reserved parking spaces in the upper lot for their executive director and for artists that will be dropping off and picking up art supplies, boards and those kinds of things that they do not want to carry too far. Ms. Hamley O'Donnell stated the plan is for the artists to park in metered or permit parking in the city lot across Euclid Heights Boulevard or the Coventry parking deck and, since this is a Cleveland Heights-based business, they anticipate that a fair amount will ride their bikes or walk to the studios. She stated that the Code requires 18 designated spaces based on their square footage, but they anticipate they will need less than that and will only need two parking spaces on site and then use off-site parking for the rest. She stated they have done that before with other businesses that have been in this building. The staff report has a grid that shows the maximum parking need in the day and the maximum parking need in the evening and that compared with the total maximum need of 68 parking spaces in the day and 81 in the evening when there are 49 spaces on site. She stated some of that is seasonal because there is a school there so, obviously, they are not there in the summer and it is also time dependent. She referenced businesses like Ensemble Theater where they may not have much during certain times of the year but then if they have a big play, then obviously there are a lot of people coming all at once. She stated that her understanding is with talking to one of the tenants; they all communicate

pretty well and try not to have all their peak needs at the same time. The tenants seem to communicate well about everything. She stated that even though the maximum need exceeds the total number of available parking spaces on site, staff has concluded that this is not a problem because the actual needs will not be at the same time for all tenants. Ms. Hamley O'Donnell stated there is an ongoing problem, for instance sometimes when offsite users of the building decide to use the free parking lot for their convenience. The school district should monitor this site to assure that it is available for their tenants since it becomes a problem when parking is taken up by non-tenants. She stated that, from the conversations that she has had with the tenants, the parking is harder to find during some weeks vs. other weeks when parking is not a problem, so it is an ebb and flow. It is unclear as to whether this may be due to users who are using it and then going to the commercial district. One of the tenants had noted that in the last couple of weeks, it has been more difficult and was wondering if that could be attributed to the fact that the school is at the end of their year. Often the parents are coming in and helping with end of year activities. She stated we want the applicants to continue to work with one another on the coordination issues and Artful has said each tenant is signing a year lease which they plan to clarify the issue of where their tenants can park and the applicant has committed to working with their Artful tenants, as well as other building tenants, to address any other issues as they arise.

Ms. Hamley O'Donnell stated there are two requests before you: (1) Adaptive Reuse of a non-residential building, and (2) reduction in parking spaces. She stated that she has been assured by our Assistant Law Director, that because they are basically intertwined, we only will need one motion when we get to that point. She stated we review as based on the Standards for Conditional Uses which are in your report and they are numbered "A" through "H" and are on the screen in front of you. Ms. Hamley O'Donnell stated that we feel as long as the applicant is sensitive to adjacent residential uses and other uses in the building, the use of a school building to house offices or artist studios should be in keeping with the objectives of the zoning code. The applicant has stated that no artist will be permitted to use loud equipment and should be explained to the Commission, in this open plan building, how sound and odor disturbance is kept to minimum between the various uses. The applicant should explain how their proposed use will protect the safety and security of uses in the building where children are present. She stated as far as "C," there is no change planned so we do not anticipate any change to the character of the neighborhood. With "D," we have no reason to believe that these studios would negatively impact the neighborhood. She stated with "E," they do not see this site impeding future improvement of this site or adjacent properties. She stated also with "G," we do not anticipate any backups from the proposed use. She stated the artists will typically park in the city lot across the street. She said with "H," we do not anticipate any excessive additional requirement at public cost. She stated we then outline a little bit about the standards for conditional uses and as far as the sustainability guidelines, we of course like to see our existing buildings well used and we like that it contributes to our being an artist community and our positive reputation. Ms. Hamley O'Donnell stated that with that staff recommends that the Planning Commission approve a Conditional Use for Artful Ohio Inc. to:

- A. Adaptively reuse 5,376 square feet at the former Coventry School for 20 artists, studio/offices and a gallery with occasional classes.
- B. Modified parking requirements to provide 2 designated parking spaces with the Expectations that the artists will utilize the city parking on Euclid Heights Boulevard all is described in the application materials with the following additional conditions:
 1. *Applicant shall return to the Planning Commission for approval of any significant alteration or expansion of their operations;*
 2. *Aside from the two parking spaces reserved for the Executive Director and for artist pick-up and drop-off, all Artful tenants shall park in the City lots across Euclid Heights Boulevard;*
 3. *The use shall not be offensive to neighboring property owners or occupants by reason of excessive noise, late hours of business activity, the intensity of the business activity or other such reason;*

4. *The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties;*
5. *The applicant shall work with staff to resolve any complaints from other tenants, neighbors and residents; and*
6. *All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.*

Ms. Hamley O'Donnell stated that she did get an e-mail from Sara and Gordon Ween who live at 2863 E. Overlook Road. Ms. Hamley O'Donnell read it aloud: "As residents of the Coventry and Grant Deming's Forest Hill neighborhood, we fully support the application of Artful Ohio Inc. to adaptively reuse space in the former Coventry Elementary School."

Ms. Hamley O'Donnell asked that this e-mail be entered into the public record.

Ms. Cohen replied it shall be and asked if there were any questions of staff.

Mr. Horowitz stated that normally the School Board has a representative here for these presentations, and there is no one here tonight. He asked if they have received a copy of the executed lease or some representation from the schools.

Ms. Hamley O'Donnell answered that we do have a note saying they are ok with them moving forward.

Mr. Gaynier asked about the hours they will be operating.

The applicant, Ms. Morris, came to the lectern. She was asked to affirm that she has been sworn in.

Ms. Morris came to the lectern and stated she is Shannon Morris and that she is the Executive Director of Artful. She stated her address is 2524 Kingston Road and she has taken the oath.

Mr. Gaynier asked what kind of hours will you be operating and will one of your people who has the space be able to go in at 2 AM in the morning?

Ms. Morris replied that the structure of the lease that we are going to make the artists sign, these are going to be actual working artists. These are not going to be young people operating it in the middle of the night. These are going to be people that have families that don't have that extra room in their house to dedicate to their art. They will be coming after dinner and coming in the morning and on the weekends. She stated that they figured as they went along, and as we branched off and divided up the space, each person would have to sign this lease and the commitment to not bother the neighbors, and to not make any noise. We thought if any issues came up, we would deal with them as they came.

Mr. Gaynier noted that there really are not going to be set hours.

Ms. Morris agreed.

Ms. Morris stated they do not anticipate being there in the middle of the night at all. She stated she is not going to be there in the middle of the night and she will have the biggest studio.

Ms. Cohen asked if there was anything Ms. Morris wished to share with the Commission.

Ms. Morris felt Ms. Hamley O'Donnell did a wonderful job and she just wanted to explain a bit more about Artful. She stated she was born and raised in Cleveland Heights and she really wants to keep artists living in Cleveland Heights and this building gives us the best

opportunity we have to do that because of the cost of commercial space. She stated we can get it at a reasonable price and we can lure people into our little neck of the woods and keep them here by renting them the space.

Ms. Cohen asked if there were any more questions for the applicant.

There were none so Ms. Cohen asked for a motion.

A gentleman in the audience stood to speak but needed to be sworn in first.

Ms. Rothenberg swore him in.

The gentleman came to the lectern and stated he wanted to be one of the first people to welcome Artful to the city. He then stated his name is Martin Cosentino and that he is the Managing Director of Ensemble Theater and he has been sworn in. He wanted to welcome Artful but we do have some parking conflicts. He asked for the aerial view that Ms. Hamley O'Donnell used earlier, he pointed to the large lot with 37 spaces and then he pointed to the small lot in the back that you access from Euclid Heights. He currently said there are 4 spaces for Urban Oaks and 2 for Ensemble Theater over by the fence. He asked where these places will be.

Ms. Hamley O'Donnell stated that Ms. Morris can answer that better, but that her assumption would be that they will not overlap with your spaces and they would be in the upper lot.

Mr. Cosentino said since he spoke to George Petkac at the District, he said there is a space left in the building in Coventry that will be the last space. The building will be completely full and 100% occupied. He said as a result of that, we have been asking the district for about 6 months now for the space. He asked Ms. Hamley O'Donnell to show the slide again for him to point out the vacant space. He pointed to where Artful will be and where their space will be. He pointed out a District storage place they are giving up for him. He stated they had collaborated with the Heights Youth Theatre two years ago with children classes. He said this place is designated for that since we finally got that. He said that is why he is stating this tonight because he does not know if there is any communication with the district on who is doing what in the building. He said they just found out recently, and only by accident, that Artful was coming into the building. This was never shared with the tenants. That being said, the parents of all of these kids that are going to be in these classes are going to come pick their kids up or drop them, they are going for 8 weeks and starting the first week in July.

Ms. Rothenberg asked if the Ensemble Theater received a Conditional Use Permit in 2010.

He replied "yes."

Ms. Rothenberg asked if the use has been expanded.

He answered that Mr. Petkac from the Board of Education said we can use the space.

Ms. Rothenberg asked that since this use was originally presented to Planning Commission and received a Conditional Use Permit, has the space increased?

Mr. Cosentino spoke of some other changes in the spaces.

Ms. Rothenberg stated that if your use of this space has changed, which it sounds like it has since approval in 2010, and then Ensemble Theater needs to come back to Planning Commission to receive permission to increase your space. She said again, for anything that was not presented to Planning Commission in 2010, it needs to come back to us.

Ms. Cohen stated it sounds like there is no objection to the project at hand.

Mr. Cosentino stated that it has to do with the city and the district. The problem is the parking, time of day and all of the evenings. He stated that Coventry is full of people and the patrons have no place to park. He stated we need to figure out how we can do this. He said he knows this is the 10 pounds in the 2 pound bag problem, and this is what is happening. Mr. Cosentino said if you have a choice between free or paid parking, guess which one you are going to take? He stated the 37 spaces of parking go quickly.

Mr. Mattox, Jr. asked if when we factor in the parking, do we include the library activities?

Ms. Hamley O'Donnell answered that the school district and the library are sort of tied together, and there are 5 spaces reserved for the library staff.

Ms. Cohen asked about no signage in that lot.

Ms. Cohen stated that since we are requested to reduce the amount of parking for Artful Ohio, it sounds like the larger parking is the conversation that the Planning Department might want to have with the School District or the owner of the property.

Ms. Cohen asked staff if that sounded reasonable.

Mr. Wong said they would be happy to intervene or take a look at the side streets as well.

Ms. Cohen offered her own personal opinion that she would never use the City Lot because she does not connect it to Coventry School, so she wondered if, from a planning perspective, is there something to think about in terms of connecting the lot. Obviously, we would have to consult with the Police Department but she felt it was underutilized.

Ms. Cohen asked if there were any other comments on this particular project.

Ms. Hamley O'Donnell wanted to point out again that the second condition requires all the Artful tenants, with the exception of those two parking spaces, will park across the street. She felt that will be part of the conversation of their lease and what Ms. Morris stated.

Ms. Cohen asked Mr. Cosentino to come to the lectern to speak.

Mr. Cosentino stated that he knows Ensemble has to come back and we are still talking to the District about the new spaces in the building so we will have to come back to you with an expanded plan for the additional parking that we need.

Ms. Cohen acknowledged Mr. Cosentino and his thoughts, but as Ms. Rothenberg stated earlier, we can only consider the project at hand, so we will have taken up the larger parking question should the Ensemble Theater come back to us.

Ms. Rothenberg stated that Mr. Horowitz brought up a good point, so when you do come back, you should try and get the landlord here as well. If you could encourage the School District to come back with you since they are going to have to come back. It would be very helpful, staff will encourage them also.

Ms. Hamley O'Donnell stated she will follow up with them, too, and the expansion obviously has to come back before this Commission and there are also issues of dealing with our Building Department and the Fire Department to make sure they understand the expansion and that all the Codes are met for health and safety.

Ms. Cohen asked for a motion for Project 16-13.

Mr. Mattox, Jr. made the motion for approval with the staff recommendations.

Ms. Cohen stated that A & B will be together in the motion.

Mr. Gaynier seconded the motion.

All in favor.

Aye.

Any opposed, any abstentions? There were none.

The motion is passed unanimously.

OLD BUSINESS

Ms. Cohen asked about Old Business. There was none.

NEW BUSINESS

For our New Business, Mr. Mike Gaynier was welcomed to his first Planning Commission meeting.

Ms. Dunbar was recognized for coming to the meeting.

EXECUTIVE SESSION

At 8:00 PM Mr. Rink made the motion that we be adjourned into Executive Session to discuss with an attorney for the public body, claims or disputes involving the public body that in the judgment of such attorney, appear likely to be the subject of a future claim.

The motion was seconded Anthony Mattox, Jr.

Ms. Rothenberg asked for a roll call.

Ms. Cohen	Yes
Ms. Gaynier	Yes
Mr. Horowitz	Yes
Mr. Mattox	Yes
Mr. Howe	Yes
Mr. Rink	Yes

Mr. Wong stated there were 6 replies.

At 8:04, Ms. Cohen made a motion to come out of Executive Session. The motion was seconded by Mr. Horowitz. Ms. Rothenberg asked for a roll call.

Ms. Cohen	Yes
Ms. Gaynier	Yes
Mr. Horowitz	Yes
Mr. Mattox	Yes
Mr. Howe	Yes
Mr. Rink	Yes

The meeting was adjourned at 8:04 PM.

Craig Cobb, Chair

Richard Wong, Secretary

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