

**CITY OF CLEVELAND HEIGHTS
PLANNING COMMISSION
FEBRUARY 13, 2019
MINUTES OF THE REGULAR MEETING**

MEMBERS PRESENT:	Craig Cobb Jeff Rink Leonard Horowitz Adam Howe Anthony Mattox, Jr.	Chair
MEMBERS ABSENT:	Jessica Cohen Michael Gaynier	Vice Chair
STAFF PRESENT:	Kara Hamley O'Donnell Nathaniel Hall Christy Lee	City Planner II Assistant Director of Law Recording Secretary

CALL TO ORDER

Mr. Cobb called the meeting to order at 7:01 p.m. He welcomed the audience to the February 13, 2019, meeting of the Cleveland Heights Planning Commission. Everyone is here but Jessica Cohen and Michael Gaynier, whose absences are excused.

ELECTION OF CHAIR

Mr. Cobb stated that the first order of business this evening was to elect a chair for the year, followed by vice chair. Mr. Horowitz motioned for Craig Cobb to continue as Planning Commission Chair and the motion was seconded by Mr. Mattox, Jr. and carried with 5-0 vote. Mr. Horowitz made a motion that Jessica Cohen continue as Vice Chair of the Planning Commission. The motion was seconded by Mr. Mattox, Jr. and approved with 5-0 vote.

ELECTION OF HOUSING COUNCIL MEMBER

Mr. Cobb then stated now they would vote on the Housing Council Member. Leonard Horowitz was nominated by Mr. Mattox Jr, and Adam Howe seconded. The motion carried 5-0.

APPROVAL OF MINUTES

Mr. Cobb asked had the Commission read the minutes from both the November 12, 2018, and November 27, 2018, Planning Commission meetings and asked if there were any corrections needed. There were no corrections needed and the minutes stand approved.

Proj. No. 19-02: Bank of America, 12451 Cedar, C-2 Mixed Use, requests conditional use permit for financial establishment w/ ATM per Code chapters 1111, 1115, 1131, 1151 & 1153.

Mr. Cobb asked that if anyone in the audience planned to speak or testify would need to stand and take the oath or affirmation. He asked that upon testifying could they provide their name and address.

Mr. Hall administered the oath and Ms. Hamley O'Donnell and others stood and took the oath.

Ms. Hamley O'Donnell explained that the site is located in the Cedar Fairmount District in the C-2 Local Retail District. The applicant proposes to lease the tenant space and install a conditionally permitted ATM room in a new front vestibule. Those with ATM cards will scan their card to allow access to the vestibule. Code section 1131.02(b)(4) conditionally permits a financial establishment with an ATM.

Ms. Hamley O'Donnell showed the Standards for Conditional Uses and summarized the proposed use's compliance with the standards as described in her staff report. She shared the standards for ATM machines laid out in Code section 1153.05(m) and how the proposed use would comply with those conditions, including the Police Chief's comments. Last, Ms. O'Donnell stated that the project would comply with the Sustainability Guidelines, Code section 1165.06, which encourage historic preservation and adaptive reuse of existing structures and noted that, at a Cedar Fairmount Special Improvement District meeting, merchants supported this idea.

Ms. Hamley O'Donnell then asked that the staff report be entered into record for Project 19-02 and the report dated February 5, 2019, and showed photos of the proposed site. She stated that staff recommends that the Planning Commission approve a conditional use permit for a financial establishment with an ATM, as described in the application materials and shown in the drawings by Nelson dated 12/10/2018, with the following additional conditions:

1. 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;
2. The applicant shall work with staff to resolve any complaints from neighbors;
3. Applicant shall obtain, and adhere to, Police Chief-approved operations and security plan and Fire Chief-approved safety plan which shall be updated, as needed or required;
4. Architectural Board of Review approval shall be required for any exterior changes to the building, including signage;
5. The use shall not constitute a traffic or safety hazard and applicant shall take adequate measures to minimize traffic congestion in the public streets; and
6. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.

Mr. Cobb asked if there were any questions for staff and there were none. Mr. Cobb asked what would be the plan of keeping a thief from taking or robbing the ATM machine.

Ms. Hamley O'Donnell stated this particular ATM will not be a freestanding machine which will reduce theft and will only be accessible by scanning your ATM card.

Mr. Leonard Horowitz asked if Bank of America would be able to lease out the back end of the current building that they will occupy.

Ms. Hamley O'Donnell stated that they currently lease the rear portion and they have discussed possibly expanding to the back of the building based on need. She stated there is also the possibility that the space could be leased for commercial or office uses.

Mr. Cobb asked if there were any further questions for staff and there were none. He then asked if the applicant wanted to add anything.

R.B. Mesina, who took the oath, stated that he was the project manager and the owner's representative for Bank of America. He stated that the bank is excited to expand their presence here in the city, starting with the remote units and continuing with more full service and financial centers.

Vincent Pangle confirmed he took the oath and stated that he was the owner of the building and represents the property management company that Bank of America was leasing from. He went on to say that Bank of America leases the entire space, so it is under their desecration as to how they utilize the space.

Mr. Cobb asked if there was a motion on the floor.

Mr. Horowitz motioned approval for a conditional use permit for Bank of America, 12451 Cedar, for a financial establishment with an ATM with the following additional conditions:

1. 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;
2. The applicant shall work with staff to resolve any complaints from neighbors;
3. Applicant shall obtain, and adhere to, Police Chief-approved operations and security plan and Fire Chief-approved safety plan which shall be updated, as needed or required;
4. Architectural Board of Review approval shall be required for any exterior changes to the building, including signage;
5. The use shall not constitute a traffic or safety hazard and applicant shall take adequate measures to minimize traffic congestion in the public streets; and
6. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.

Mr. Mattox, Jr. seconded the motion, which was approved 5-0.

Ms. Hamley O'Donnell gave an update on the Top of the Hill Project. She mentioned the progress that was made and the project is still moving forward.

Proj. No. 19-01: Y. Espenschied, 2110 & 2112 Renrock (PPN 684-18-081 & 684-18-062), B two-fam, requests lot resubdivision to join parcels per Code chapters 1111, 1115 & 1121.

Mr. Hall swore in Mr. Espenschied.

Ms. Hamley O'Donnell asked that her staff report be entered into the public record and presented the information in the staff report. She stated that staff recommends that the Planning Commission approve the lot resubdivision to join permanent parcel numbers join PPN 684-18-081 & 684-18-062 to create one parcel as shown on the site plan, with the condition that, prior to submitting the plat to the County Recorder, it must be signed by the Director of Law and Director of Planning & Development.

Mr. Cobb asked if there were any questions for staff and there were none, so Mr. Cobb asked if the applicant had any comments.

York Espenschied, 2110 Renrock, confirmed he took the oath he asked that the plat be renamed with the original plat number as "62" and not the "81."

Ms. Hamley O'Donnell explained that plat number change should be discussed with the County, not the City of Cleveland Heights.

Mr. Cobb asked if there was a motion on the floor

Mr. Horowitz made a motion for approval for lot joining for York Espenschied, 2110 & 2112 Renrock (PPN 684-18-081 & 684-18-062), with the condition that, prior to submitting the plat to the County Recorder, it must be signed by the Director of Law and Director of Planning & Development.

Mr. Mattox Jr. seconded and the motion which approved 5-0.


OLD BUSINESS

None.

NEW BUSINESS

None.

The meeting was adjourned at 7:27 p.m.



Craig S. Cobb, Chair



Richard Wong, Secretary