

**CITY OF HIGHLAND HEIGHTS
REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
HELD: MAY 29, 2007**

PRESENT: Commissioners Kerr, Knezevic, Mastrangelo
Recording Clerk Olson; Building Commissioner Stouffer

ABSENT: Commissioners Pilla, Urban*
(* Commissioner Urban arrived at 8:39 p.m.)

CHANGE IN MEETING FORMAT: Chairman Mastrangelo opted to open the regular meeting prior to conducting the two Public Hearings on the agenda because only three Commissioners were present. He stated that Commissioner Urban is expected to arrive at approximately 8:30 p.m. at which time the Public Hearings will be heard.

MOTION ON THE MINUTES: The reading of the Minutes of the regular meeting held May 14, 2007 was dispensed with. Mr. Kerr moved to accept the Minutes as written; seconded by Mr. Knezevic. Ayes all; motion carried.

**SUBJECT: PHILIPS MEDICAL SYSEMS, 603 ALPHA DRIVE
PZ07003 FINAL PLAN APPROVAL FOR PROPOSED BUILDING**

Carl Bell, Structura Architects, 60 South Maple Street, Suite 301, Akron, Ohio 44303, appeared before the Commission to obtain final plan approval for the proposed new building to be located on the undeveloped 10-acre parcel located in the P-C-M District at 603 Alpha Drive, Permanent Parcel 822-08-022.

(Note: The proposed facility consists of a 30,000 square foot, two-story office building; a 70,500 square foot, one-story assembly area; and an 88,000 square foot, one-story warehouse. The building will be set back 182 feet from the residential properties to the north.)

Chairman Mastrangelo stated that the Commission is in receipt of a letter dated May 24, 2007 from the Fire Department approving the plans for the proposed building. He said that tentative approval was granted by the ARB on May 14, 2007 pending approval of the final exterior color proposal. Mr. Bell was unaware of any follow-up action required on his part. Building Commissioner Stouffer stated that he will contact the ARB regarding this matter.

Chairman Mastrangelo stated that the Commission is in receipt of a letter dated May 25, 2007 from City Engineer Blackley granting preliminary approval for the purpose of obtaining OEPA and Cleveland Water Department approval; however, additional comments were cited that need to be addressed, including the elevation of the proposed building.

Mr. Bell stated that the site has been cleared and he is requesting approval to continue with grading, installation of sanitary sewers, and to begin foundation work on the office building portion of the project. Chairman Mastrangelo replied that the Commission may consider granting foundation approval up to and including footers at the applicant's risk due to the

outstanding issues from the City Engineer. Mr. Bell replied that a foundation permit would be acceptable at this time.

Mr. Knezevic referenced an item in the letter from the City Engineer that the height of the proposed building is an issue. Building Commissioner Stouffer replied that the City Engineer and the Philips' engineers are close to a resolution. He agreed that a foundation permit is acceptable. He stated that the Plans Examiner has approved the plans for the new building.

Chairman Mastrangelo stated that the Landscape Architect has not yet granted approval for the project. He requested that the applicant submit six copies of the site plan for the proposed building project. The applicant agreed.

MOTION: A motion was made by Mr. Kerr to grant foundation approval to Philips Medical Systems for the proposed building on property located at 603 Alpha Drive, contingent on resolving elevation issues with the City Engineer; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo. Ayes all; motion carried

SUBJECT: ABERDEEN COMMONS ASSISTED LIVING DEVELOPMENT, 399 BISHOP ROAD
PZ07007 PRELIMINARY PLAN REVIEW

Scott Allen, President, LifeServices Development Corporation, 1625 Lowell Avenue, Erie, Pennsylvania 16505, and Jason Neville, Project Engineer, Euthenics Inc., 8235 Mohawk Drive, Cleveland, Ohio 44136, appeared before the Commission for preliminary plan review of the proposed assisted living community at 399 Bishop Road, Permanent Parcels 821-07-010 and 821-07-012, sublots 1 and 2 of the Aberdeen Business Park, a P-C-M District.

Mr. Allen stated that he is proposing to construct a 68 unit assisted living community. He said that he has owned and operated assisted living communities for 15 years, with multiple sites in Pennsylvania, one in Mentor and one in Strongsville. Southwest Commons in Strongsville is identical to the proposed community in Highland Heights, with the exception of the building elevation. Mr. Allen presented a color rendering of the proposed two-story, residential-looking building. He stated that the site is 7 acres which will provide ample setbacks.

Mr. Allen explained that the proposed assisted living community is a residential care facility licensed by the Ohio Department of Health, and will provide 24-hour staffing, meals, weekly housekeeping, linen services, and utilities. He said that the facility will be staffed 24 x 7 with LPN's to assist with medication management which is now required by the state of Ohio. An RN will be on site approximately 60 hours per week; however, no skilled nursing tasks will be available to the residents. He stated that there will be approximately 35-40 employees.

Mr. Allen said that the typical resident is a mid-80 year old woman unable to live alone but who does not require skilled nursing. He stated that the cost is private-pay and with no government funding and that rent is moderately priced at approximately \$3,000 per month. He said that construction will begin this summer and is anticipated to open in summer, 2008.

Chairman Mastrangelo stated that building plans have been distributed to all relevant parties. He said that the applicant has filed for a Conditional Use Permit to operate the assisted living facility in a P-C-M district, and that the Commission will run a weekly public notice in the local newspaper for two weeks. Building Commissioner Stouffer stated that the lot consolidation documents are being processed.

Chairman Mastrangelo advised that a Public Hearing will be held on June 11, 2007.

ADJOURN REGULAR MEETING: Chairman Mastrangelo adjourned the regular meeting at 8:20 p.m. in order to conduct the two Public Hearings on the agenda.

RE-CONVENE REGULAR MEETING: Chairman Mastrangelo opened the regular meeting at 8:40 p.m. after completing the two Public Hearings.

ARRIVAL OF COMMISSIONER URBAN: Mr. Urban arrived at 8:39 p.m. during the Public Hearing in process for the Michal Christopher Salon.

SUBJECT: OTERO SIGNATURE HOMES LLC, S/L 62, 337 WEST EDINBURGH DRIVE, ABERDEEN AREA “H”
PZ07005 VARIANCES TO GARAGE REQUIREMENTS

Ted Otero, President, Otero Signature Homes LLC, P.O. Box 23638, Chagrin Falls, Ohio 44023, and Richard Fili, property owner, 337 West Edinburgh Drive, appeared before the Commission to obtain two variances for an oversized garage for the proposed home to be located at S/L 62, 337 West Edinburgh Drive, Aberdeen Area “H”. The Public Hearing was held prior to the regular meeting.

MOTION: A motion was made by Mr. Kerr to grant Otero Signature Homes LLC, on property located at S/L 62, 337 West Edinburgh Drive, Aberdeen Area “H”, a variance of 1’ from Section HHC1553.07: “Size of Garage (Enacted)”, which allows a three-car garage with a maximum depth of 25’, to allow construction of a three-car garage with a total depth of 26’; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo; abstain Urban. Ayes all; motion carried.

MOTION: A motion was made by Mr. Knezevic to grant Otero Signature Homes LLC, on property located at S/L 62, 337 West Edinburgh Drive, Aberdeen Area “H”, a variance of 97 square feet from Section HHC1553.07: “Size of Garage (Enacted)”, which allows a three-car garage with a maximum area of 800 square feet, to allow construction of a three-car garage with a total area of 897 square feet; seconded by Mr. Kerr. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo; abstain Urban. Ayes all; motion carried.

Chairman Mastrangelo requested that the clerk poll the Commissioners in the majority as to their reasoning for the manner in which they voted. The consensus of the Commission for approving the variances was that the variance amounts were minimal; the applicants demonstrated a need for additional storage area; the applicants agreed not to request any outbuildings for storage; and

that the garage is proportional to the size of the home and conforms with the architectural presence of the home.

SUBJECT: OTERO SIGNATURE HOMES LLC, S/L 62, 337 WEST EDINBURGH DRIVE, ABERDEEN AREA “H”
PZ07005 FINAL HOME APPROVAL

Ted Otero, President, Otero Signature Homes LLC, P.O. Box 23638, Chagrin Falls, Ohio 44023, and Richard Fili, property owner, 337 West Edinburgh Drive, appeared before the Commission to obtain final home approval for the proposed home to be located at S/L 62, 337 West Edinburgh Drive, Aberdeen Area “H”.

Chairman Mastrangelo stated that all the required signature approvals have been obtained, including the City Engineer, the Highland Heights ARB, the Aberdeen ARB (Ronald Kluchin), and the homeowner’s acknowledgement of the Homeowners’ Association.

Mr. Otero stated that the fireplace will be direct vented out the side of the roof. Building Commissioner Stouffer replied that this is acceptable and does not require any additional approvals.

Chairman Mastrangelo questioned whether the proposed driveway threshold complies with code and requested that Building Commissioner Stouffer review the matter. Building Commissioner Stouffer agreed.

MOTION: A motion was made by Mr. Kerr to grant final home approval to Otero Signature Homes LLC, on property located at S/L 62, 337 West Edinburgh Drive, Aberdeen Area “H”; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Urban. Ayes all; motion carried.

Chairman Mastrangelo signed the required approval signature sheet and returned it to Mr. Otero.

SUBJECT: MICHAEL CHRISTOPHER SALON, 6255 WILSON MILLS ROAD
PZ07006 VARIANCES FROM YARD AND AREA REQUIREMENTS

Marianne Nicolli (owner of property at 6255 Wilson Mills Road and owner of the Michael Christopher Salon in Lyndhurst), residing at 5860 Blair Drive, Highland Heights, Ohio 44143, and Donald Plunkett, Jr., architect, Studio One Design Group, Inc., 2490 Lee Boulevard, Suite 220, Cleveland Heights, Ohio 44118, appeared before the Commission to obtain variances for a proposed expansion to the existing building located at 6255 Wilson Mills Road in order to relocate the existing Michael Christopher Salon from Lyndhurst. The Public Hearing was held prior to the regular meeting.

MOTION: A motion was made by Urban to grant Studio One Design Group, on property located at 6255 Wilson Mills Road, a variance of 27’4” from Section 1143.03: “NONRESIDENTIAL YARD SCHEDULE” from the 50’ total minimum sideyard width

requirement, to allow a total sideyard width of 22'8"; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Urban. Ayes all; motion carried.

MOTION: A motion was made by Kerr to grant Studio One Design Group, on property located at 6255 Wilson Mills Road, a variance of 10'6" from Section 1143.03: "NONRESIDENTIAL YARD SCHEDULE" from the minimum sideyard width requirement of 15' on one side, to allow a sideyard width of 4'6" on one side; seconded by Mr. Urban. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Urban. Ayes all; motion carried.

MOTION: A motion was made by Kerr to grant Studio One Design Group, on property located at 6255 Wilson Mills Road, a variance of 3% (414 SF) from Section 1143.02: "NONRESIDENTIAL AREA SCHEDULE" from the 25% (3,744 SF) maximum lot coverage by buildings, to allow a building coverage of 28% (4,158 SF); seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Urban. Ayes all; motion carried.

Chairman Mastrangelo requested that the clerk poll the Commissioners in the majority as to their reasoning for the manner in which they voted. The consensus of the Commission for approving the variances was that the Fire Department approved the project; the roof area of the proposed expansion is less than the existing canopy, resulting in a sideyard setback more in compliance with code; the sideyard setback deficit on the west side of the building is non-controversial because the property adjacent to the building is a parking lot; and the unique lot size which by today's standards would not have been permitted.

SUBJECT: MICHAEL CHRISTOPHER SALON, 6255 WILSON MILLS ROAD
PZ07006 VARIANCES FROM YARD AND AREA REQUIREMENTS

Marianne Nicolli (owner of property at 6255 Wilson Mills Road and owner of the Michael Christopher Salon in Lyndhurst), residing at 5860 Blair Drive, Highland Heights, Ohio 44143, and Donald Plunkett, Jr., architect, Studio One Design Group, Inc., 2490 Lee Boulevard, Suite 220, Cleveland Heights, Ohio 44118, appeared before the Commission to obtain preliminary plan approval for the proposed building expansion project at 6255 Wilson Mills Road.

Mr. Plunkett stated that the ARB is requiring that some changes be made to the final construction drawings and that he must obtain ARB approval once the drawings are revised.

Chairman Mastrangelo advised the applicants that they must submit a landscape plan. Mr. Plunkett agreed.

Chairman Mastrangelo advised the applicants that they must appear before the Commission for final plan approval once the final construction plans are complete.

MOTION: A motion was made by Kerr to grant preliminary plan approval to Studio One Design Group for the building expansion project on property located at 6255 Wilson Mills Road; seconded by Mr. Knezevic. Roll call on the motion. Ayes Kerr, Knezevic, Mastrangelo, Urban. Ayes all; motion carried.

ADJOURNMENT: A motion to adjourn the meeting was made by Mr. Kerr and seconded by Mr. Knezevic. Said meeting adjourned at 8:55 p.m.

Susan M. Olson, Recording Clerk

Robert J. Mastrangelo, Chairman