

**CITY OF HIGHLAND HEIGHTS
PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION
HELD: MAY 27, 2008**

PRESENT: Commissioners Knezevic*, Mastrangelo, Pilla, Urban;
Recording Clerk Olson; Assistant Building Commissioner Austin
(* Commissioner Knezevic arrived at 6:45 p.m.)

ABSENT: Commissioner Kerr

**SUBJECT: KNOWLEDGE LEARNING CORPORATION (DBA KINDERCARE), 675
MINER ROAD
PZ08006 VARIANCES TO PARKING REQUIREMENTS**

Public Hearing was called to order at 6:30 p.m. Notices of this Public Hearing were mailed in accordance with Section 1113.04.

The variances are requested as follow:

- **1. Variance of ~~95 feet~~ **70 feet** from Section 1143.03: “NONRESIDENTIAL YARD SCHEDULE”, which establishes a minimum front yard setback of 200 feet in a P-C-M District, to allow the front parking lot to be ~~105 feet~~ **130 feet** from the Miner Road right-of-way.
2. Variance from Section 1143.04(a): “FOOTNOTES TO 1143.03 NONRESIDENTIAL YARD SCHEDULE”, which restricts parking in the front yards of P-C-M Use Districts to passenger automobiles only belonging to company executives and management and to visitors, to allow 26 parking spaces in the front yard.

(** Variance #1 as it originally appeared in the legal notice was revised during the course of this Public Hearing to reflect a variance of 70 feet rather than a variance of 95 feet from the 200-foot minimum front yard setback requirement.)

Gerald Weber, Weber Architecture, 13711 Madison Avenue, Lakewood, Ohio 44107, and Mark Luttner, developer, 669 Miner Road, LLC, 3401 Enterprise Parkway, Suite 105, Beachwood, Ohio 44122, appeared before the Commission to obtain two variances to parking lot requirements for the proposed day care center at 675 Miner Road, a P-C-M District. (Note: Knowledge Learning Corporation will lease the site from the property owner, 669 Miner Road, LLC.)

Chairman Mastrangelo advised the applicants that only three of the five Commissioners were present and that three affirmative votes are required to grant a variance. He extended them the option to defer the Public Hearing until the next meeting when all of the Commissioners would be present. The applicants chose to proceed. Chairman Mastrangelo advised the applicants of their right to be represented by an attorney. The applicants waived that right.

Mr. Weber stated that the parking lot configuration will consist of 23 parking spaces on the south side for all teachers, staff and two school vans; and 26 parking spaces in the front yard for visitors and drop-offs, for a total of 49 parking spaces.

Chairman Mastrangelo noted that the driveway around the parking lot is setback 105 feet from Miner Road, whereas the parking area is setback 130 feet from Miner Road. He recommended that variance #1 be revised accordingly to reflect a variance of 70 feet rather than 95 feet from the minimum front yard setback requirement of 200 feet.

Assistant Building Commissioner Austin stated that a resident had questioned if the proposed plans are actually the first of a two-phase project involved in developing the site. Mr. Weber replied they are not.

In response to Mr. Pilla's inquiry if the retention basin will remain in the northwest corner of the property, Mr. Weber replied yes.

Chairman Mastrangelo inquired if the applicant would consider adding a second driveway onto Miner Road if space allowed after installation of the retention basin. Mr. Weber replied it could be investigated in the future and stated that Mr. Austin and the Fire Department have approved the plans with only one driveway. Mr. Austin noted that of the seven businesses on Miner Road, three have only one driveway on Miner Road. Mr. Austin noted that one driveway on Miner Road may be preferred because it would contain the KinderCare traffic congestion on-site.

Meeting opened to the Public.

Stephen and Barbara Suhy, homeowners, 670 Miner Road, stated that they live directly across the street from the proposed site of the day care. They questioned why the proposed building is not centered on the site and expressed concern that the large, undeveloped area on the south end of the site could be developed in the future. Mr. Weber and Mr. Luttner replied that the purpose of placing the building on the north end of the property is to preserve the existing vegetation to the south. Chairman Mastrangelo stated that the applicant is entitled to add onto the building in the future; however, the land cannot be subdivided for the purpose of adding a separate building.

Public Hearing closed at 6:46 p.m.

Susan M. Olson, Recording Clerk

Robert J. Mastrangelo, Chairman