

**CITY OF MACEDONIA
BOARD OF ZONING AND BUILDING CODE APPEALS
MEETING AGENDA
July 17, 2024**

Time: 6:30 p.m.

1. Call to Order
2. Roll Call: Mr. Pilato, Mr. Ferraro, Mr. Shellko, Mr. Ioffreda, Mr. Scott

ADMINISTRATIVE:

- Approval of Minutes
 - a. Case 701

NEW BUSINESS:

- Case #702 –** Reza Reyazi
On behalf of National Church Residences
Route 8 & Valley View (PP's #3303899 & 8100104)
Macedonia, OH 44056

The Board of Zoning and Building Code Appeals will hear a request for an area variance at Route 8 and Valley View for National Church Residences. The variance request is to section 1171.11(c) regarding off-street parking for Senior Citizen Independent Living. The applicant is requesting a variance to have 55 off-street parking spaces instead of 81, reducing it by 26 spaces.

- Case #703 –** Reza Reyazi
On behalf of National Church Residences
Route 8 & Valley View (PP's #3303899 & 8100104)
Macedonia, OH 44056

The Board of Zoning and Building Code Appeals will hear a request for an area variance at Route 8 and Valley View for National Church Residences. The variance request is to section 1167.03(g) regarding the height of a building in a B-2 Community shopping district. The applicant is requesting a variance of 1.5' to increase their allowable height from 35' to 36.5'.

If you approve of the above-mentioned use of said property, or, if such use is thought by you to be injurious to your premises or contrary to the public interest, please file a statement by letter or email stating your viewpoint to the Building Department no later than **two** business days before the meeting. You may also contact the Building Department at 330-468-8364. All public comments received to the City will be discussed during the conference call.

If you know of any affected property owners who may be interested, but who may not have read this notice, please inform them of this meeting.

If you are not interested in this matter, please disregard this notice.

-Macedonia Board of Zoning and Building Code Appeals



City of Macedonia

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056
(330) 468-8360 • FAX (330) 468-8396

Building/Engineering/Zoning/Planning Department

INTEROFFICE MEMO

To: Zoning Board of Appeals
From: Chris Hall
Subject: NCR Senior Housing - Parking and Building Height Variance
For Consideration by the Board on July 17, 2024
Cc: Mayor Molnar, Nino Monaco, Rachael Gambatese
Date: June 25, 2024

Applicant: Reza Reyazi, National Church Residences
Location: Route 8 and Valley View Road (Parcel #'s 3303899 and 8100104)
Zoning: B-2 Community Shopping District
Request I: Applicant is requesting “*area variance*” reducing the off-street parking spaces from the required 81 to 55.
Standards: **1171.11 OFF-STREET PARKING.**
(c) Schedule of Required Off-Street Parking.
The following schedule shall apply:
Senior Citizen Independent Living Unit 1-½ spaces/dwelling unit
Findings: Required Off-Street Parking Spaces: 81
Proposed Off-Street Parking Spaces: 55
Please see attached City Planner Memo dated April 6, 2024; Planning Commission Minutes dated April 29, 2024; NCR Parking Narrative Justification.
Board’s Action: The Board of Zoning Appeals is to consider the applicant’s request for an “*area variance*” to 1171.11(c) reducing the off-street parking spaces for a Senior Citizen Independent Living Unit from the required 81 to 55, a variance of 26 off-street parking spaces.



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Request II: Applicant is requesting “*area variance*” increasing the allowable height of the building from a maximum of 35’ to 36.5’.

Standards: **1167.03 B-2 COMMUNITY SHOPPING DISTRICT**
(g) Height of Building. No building shall be erected in the B-2 Community Shopping District to a height in excess of four stories or in excess of forty-five feet measured from the natural grade at the building line to the highest point on the roof so long as such height does not substantially interfere with immediately adjacent parcels, **otherwise**, no building shall be erected in the B-2 Community Shopping District to a height in excess of three stories or in excess of thirty-five feet measured from the natural grade at the building line, to the highest point on the roof, excluding gables of no more than 10 feet in height, except that these provisions shall not apply to the height of a clock tower, wireless towers, chimney stage tower, scenery loft or other mechanical appurtenances part of such building. The above such projections shall not exceed ten feet above roof peak. All such projections in excess of ten feet must be approved by the Planning Commission.

Findings: "Height of a building" means the vertical distance to the highest point of the coping of the street wall in the case of a flat roof, and to the mean height between eaves and ridge, in the case of a pitched roof, measured from the "finished grade".

Please see attached NCR Height Increase Justification.

Board’s Action: The Board of Zoning Appeals is to consider the applicant’s request for an “*area variance*” to 1167.03(g) increasing the allowable height of a building from a maximum 35’ to 36.5’, a variance of 1.5’.

GENERAL ZONING INFORMATION

ADDRESS: ROUTE 8 AND VALLEY VIEW RD, MACEDONIA, OH 44056
 PARCEL NO.: WEST PARCEL: 8100104
 EAST PARCEL: 3303899
 EXISTING ZONING CLASSIFICATION: B-2
 EXISTING HEIGHT DISTRICT: H-35
 COMMERCIAL OVERLAY: NONE
 TOTAL SITE AREA: 5.54 ACRES

VARIANCES NEEDED:

- 1. PARKING SPACES** - 1171.11 OFF-STREET PARKING:
 REDUCE REQUIRED PARKING SPACES FROM 1 1/2 PARKING SPACES PER DWELLING UNIT TO 1 PARKING SPACES PER DWELLING UNIT
 REDUCE REQUIRED PARKING FROM 81 SPACES TO 55 SPACES.
- 2. BUILDING HEIGHT** - 1167.03 B-2 COMMUNITY SHOPPING DISTRICT:
 MAXIMUM BUILDING HEIGHT SHALL BE THIRTY-FIVE (35) FEET.
 INCREASE THE PERMITTED BUILDING HEIGHT FROM 35'-0" TO 37'-0"

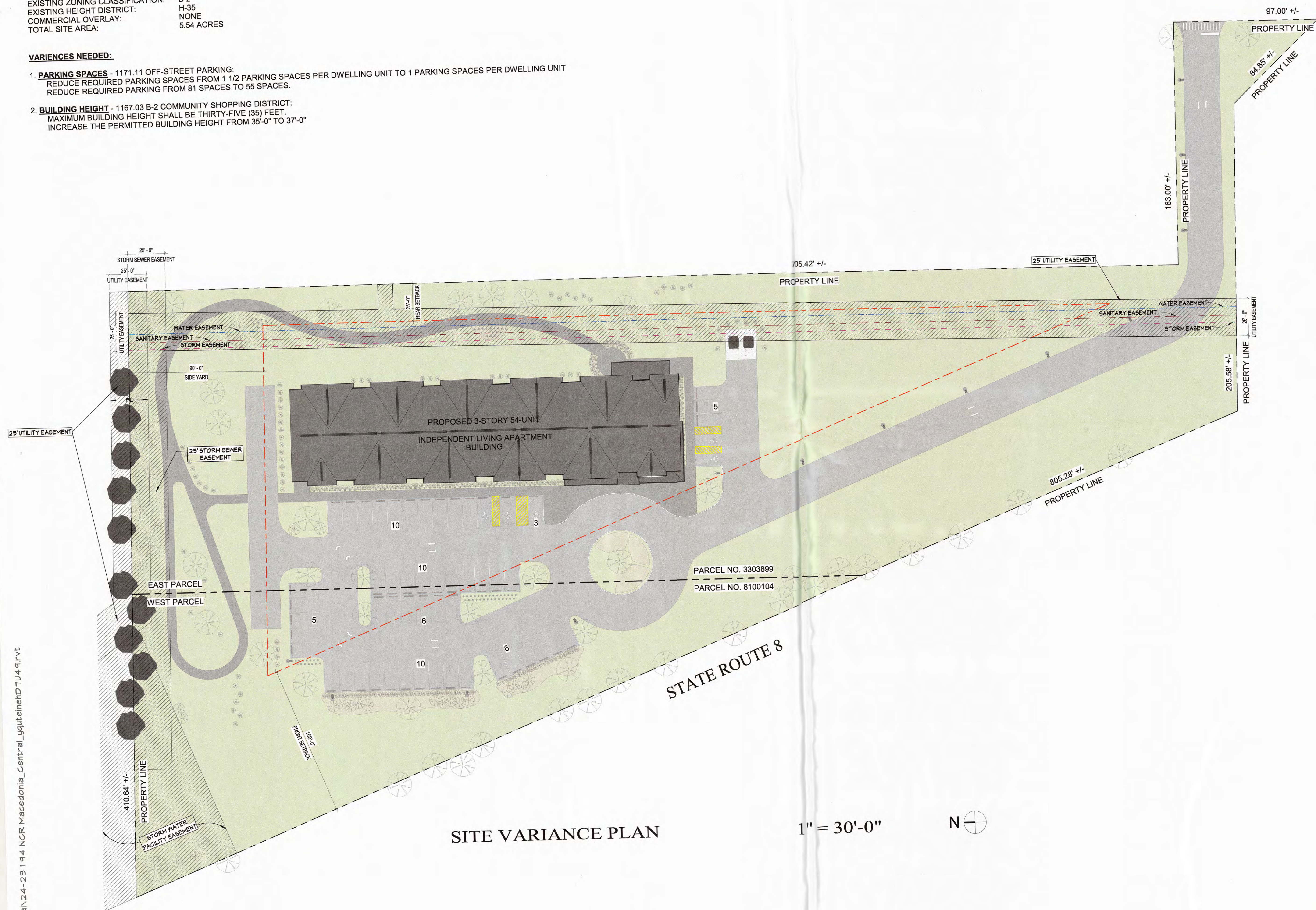
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SITE VARIANCE PLAN

1" = 30'-0"



SCHEMATIC

PROJECT DATE: 6/11/2024
 PROJECT #: 23194

#	Description	Date

SITE VARIANCE PLAN

A1

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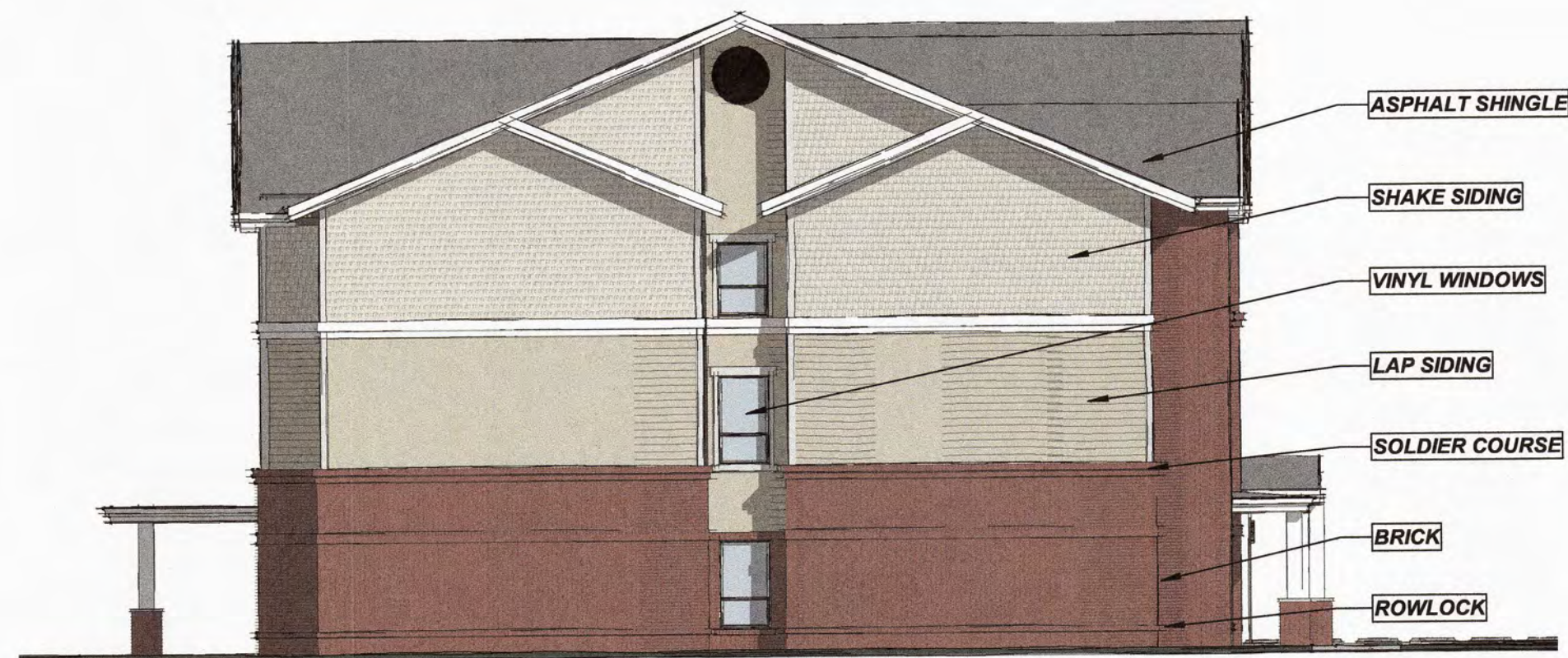
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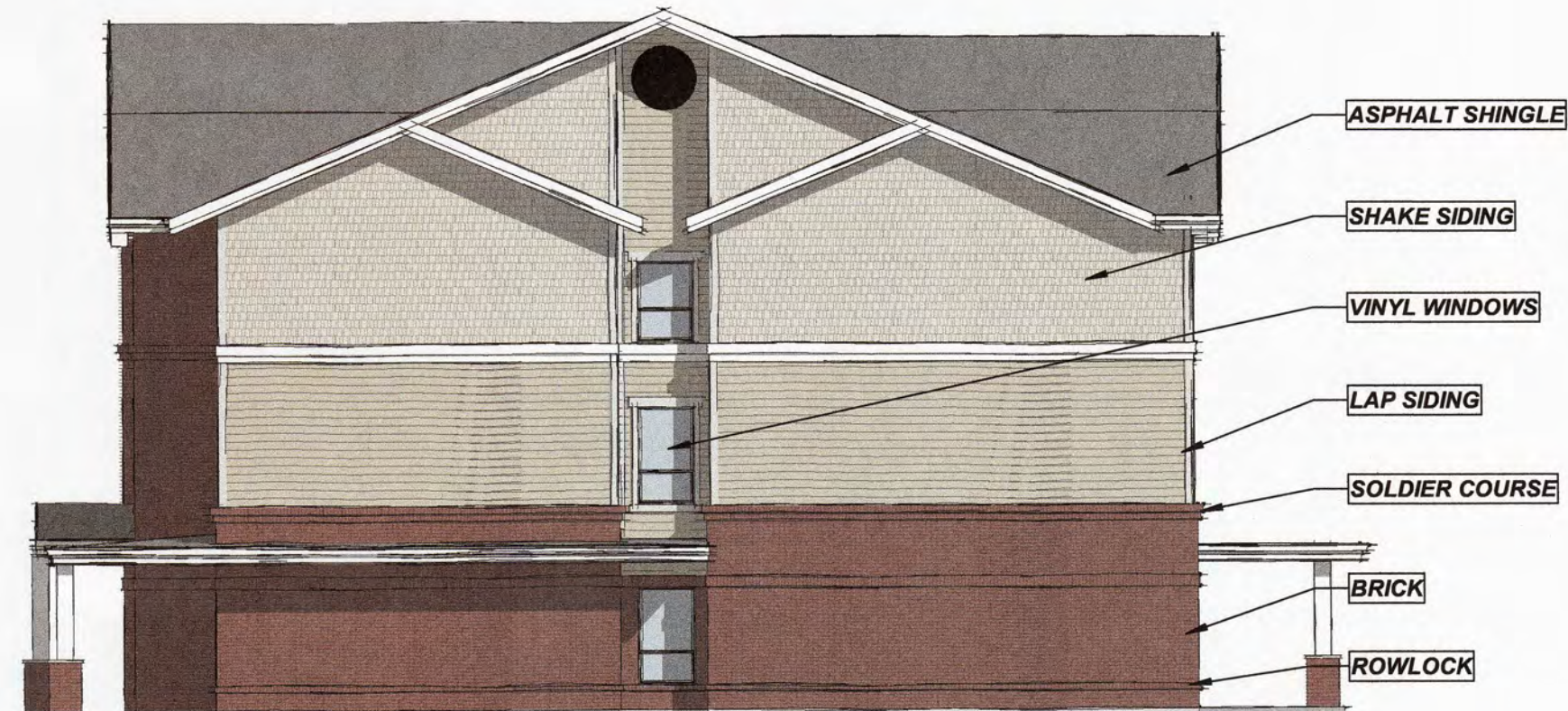
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SIDE ELEVATION 3/32" = 1'-0"



SIDE ELEVATION 3/32" = 1'-0"



REAR ELEVATION 3/32" = 1'-0"



PRINCIPAL ELEVATION 3/32" = 1'-0"

SCHEMATIC

PROJECT DATE: 3/21/2024
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#	Description	Date

PRELIMINARY ELEVATIONS

A2.0

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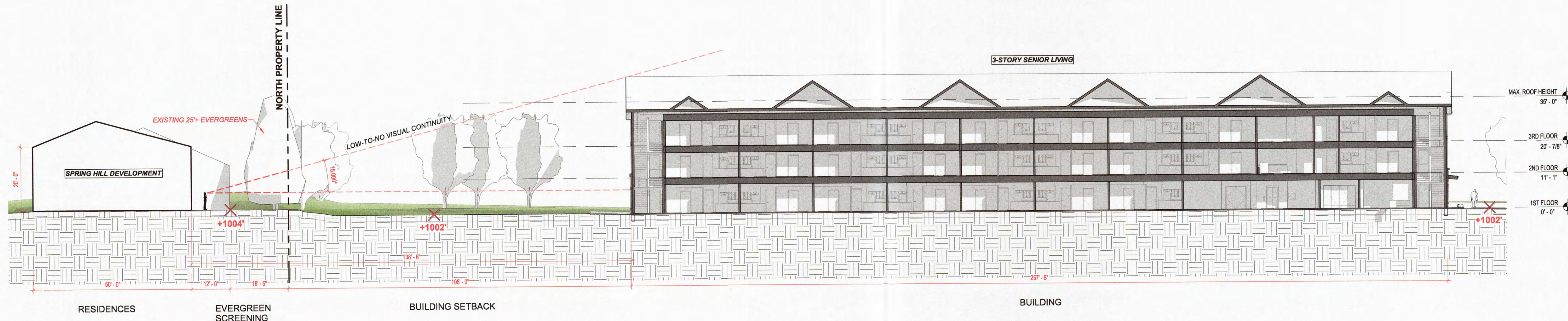
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PRELIMINARY SITE CROSS SECTION 1/16" = 1'-0"

SCHMATIC

PROJECT DATE: 3/21/2024
PROJECT #: 23194

Description	Date
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SITE SECTION

A2.1

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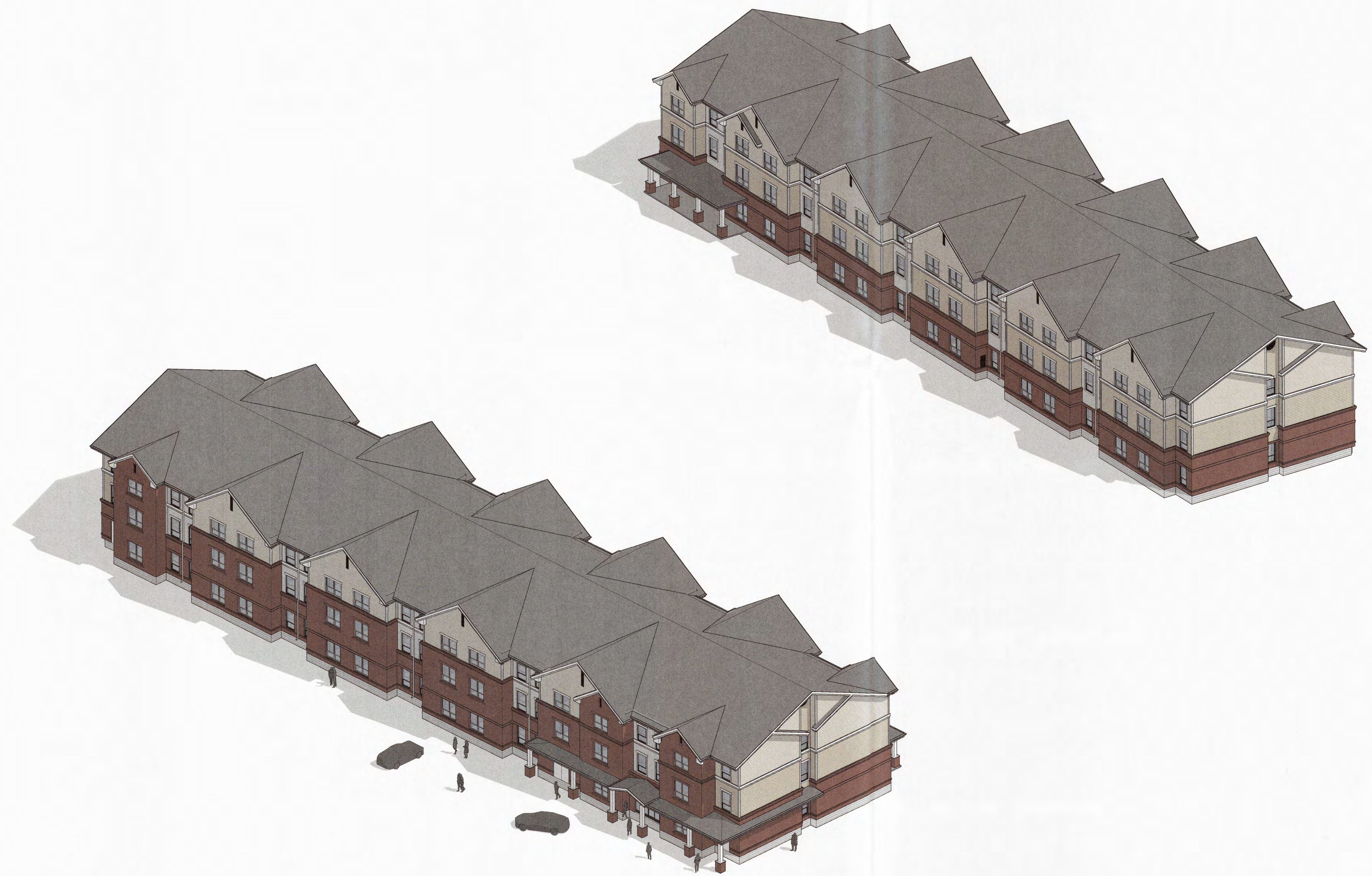
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AXONOMETRICS 1'-0" = 1/16"

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PROJECT DATE: 3/21/2024
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AXONOMETRICS

A2.2

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SCHEMATIC

PROJECT DATE: 3/21/2024
 PROJECT #: 23194

Description	Date

RENDERING

A2.3

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Memorandum

TO: Nicholas Molnar, Mayor
and Macedonia Planning Commission

FROM: Brian M. Frantz, AICP

SUBJECT: NCR Macedonia Senior Housing – Conditional Zoning Certificate

DATE: April 6, 2024

I have reviewed an application dated March 22, 2024 that provides updated information responsive to the Planning Commission’s request. Based on my review of the updated application and materials, I offer the Planning Commission the following comments for their consideration:

Proposal

The applicant is proposing an age restricted senior housing facility on two parcels (the “Subject Site”) totaling approximately 5.54 acres (see the aerial exhibit to the right). The Subject Site is zoned B-2 Community Shopping District. Within the B-2 District, Senior Citizen Residential Facilities are conditionally permitted pursuant to Section 1167.08 of the Planning and Zoning Code.

Analysis – Conditional Zoning Certificate

The applicant has provided a revised preliminary development plan (including a market study and other exhibits) that substantially addresses the concerns previously noted. The market study is well prepared and provides solid insight into the demand for the proposed senior housing. Moreover, my previous concerns regarding sight lines from the adjacent residential development have been addressed on Sheet A2.1 of the plans. However, a few items remain that needed to be addressed.

- 1) Section 1137.04 (a) (2) (A) (12) of the Code requires information about off-street parking. The conditional zoning certificate plan illustrates 37 off-street parking spaces, but Section 1171.11 (c) requires 81 spaces based on 1.5 parking spaces for every dwelling unit. The applicant states that only one space per unit is needed and they intend to request a variance from the Board of Zoning Appeals (BZA) to permit 26 less parking spaces. If the variance is not granted, 26 off-street parking spaces are shown along the western edge of the access drive. The parking spaces are shown as “reserve parking,” pending the results of the BZA request.

My concern is twofold: First, the applicant has demonstrated that parking can be constructed on this property without the need for a variance. Second, since the parking requirements can be met on the property, the next issue becomes access to these areas. At best, the southerly parking spaces along the western edge of the access isle are more than 325 feet to the front door of the building. For senior citizens aged 75, this is a burden and unreasonable distance to walk, especially in northeast Ohio weather. Assuming distance isn’t an issue, access from the building to these parking spaces is an issue. As designed, tenants will need to access these spaces by crossing the driveway, and essentially walking the edge of the access drive where the cars are entering and exiting.

- 2) Fire Department vehicle access to the north and east building elevations isn't provided. The Fire Department should confirm if the building layout meets Fire Code requirements.
- 3) Section L1.0 provides a comprehensive landscape plan and is thoughtful to the City's standards and neighboring residential development to the north. Generally, the plan is acceptable, with the exception that if a variance is not granted to reduce the number of required off-street parking spaces, then additional landscape beds/screening will be required along the western side of the reserve parking row.
- 4) The existing access road is approximately 19 feet wide, and the applicant states they intend to resurface this driveway. Two issues need to be addressed: First, 19 feet is not acceptable, and the Code requires a minimum of 22 feet in width for an access drive. Second, the condition of the access drive is unknown. The applicant states that condition is irrelevant because they intend to resurface the driveway to their new entranceway. However, the driveway shows raveling and stress cracks at the edges, which is often indicative of subsurface failure in the pavement base. Both issues are technical in nature and can be addressed during the development plan review. But any conditional zoning approval should reference these concerns.

Conclusion

The property is zoned appropriately for the proposed senior residential facility and the applicant has substantially addressed my prior concerns. However, a few issues remain that require attention. Therefore, any approval of the conditional zoning certificate should stipulate the items noted in this report. Specifically, pedestrian access to the reserve parking area must be addressed if a variance is not obtained. Moreover, this area must also be screened appropriately and documented on a revised landscape plan. Finally, the width and condition of the access driveway must be addressed at development plan submittal.

If you have any questions or need additional information, please feel free to contact me.

**MACEDONIA PLANNING COMMISSION
APRIL 29, 2024
MEETING MINUTES**

CALL TO ORDER: Mr. Westbrooks called the meeting to order at approximately 5:17 p.m.

MEMBERS PRESENT:

Planning Commission: Mr. Westbrooks, Mr. Wallenhorst, Mr. Roberts, Mr. Cox, and Ms. Meske

City Planner: Mr. Frantz

City Fire Inspector: Mr. Kalish

City Engineer: Mr. Gigliotti

Building Commissioner: Mr. Monaco

APPROVAL OF THE MARCH 18, 2024 PLANNING COMMISSION MEETING MINUTES.

Mr. Cox motioned to approve as submitted. Mr. Wallenhorst seconded, and all were in favor.

PROPOSED SIGNAGE FOR CHASE BANK LOCATED AT 8261 GOLDEN LINK BLVD.

Mr. Cabe was present. Mr. Frantz made his comments. Mr. Cox motioned to approve as submitted, Mr. Wallenhorst seconded and all were in favor.

PROPOSED SIGNAGE FOR TESLAMEND LOCATED AT 585 HIGHLAND RD.

Mr. Almukdad was present. Mr. Frantz made his comments. Ms. Meske motioned to approve as submitted, Mr. Roberts seconded and all were in favor.

PROPOSED CONDITIONAL USE CERTIFICATE TO CONSTRUCT AN ADDITION ON AN EXISTING ACCESSORY BUILDING LOCATED AT 781 LEDGE RD.

Mr. Fosselman was present and gave an overview of the project. Mr. Frantz made his comments and recommended a scaled plan be submitted to the Building Department and suggested a variance for height from the BZA if needed. Mr. Gigliotti commented that the size of the project is below the threshold for the storm water management code, but positive drainage away from structure is needed. Mr. Fosselman stated that the existing storm water drainage will be extended to flow away from structure onto own property. Mr. Westbrooks motioned to approve the Conditional Zoning Certificate subject to administrative review of the compliance of height restriction, Mr. Roberts seconded and all were in favor.

PROPOSED CONDITIONAL ZONING CERTIFICATE FOR ANYTHING ON WHEELS TO PERMIT RETAIL SALES IN A L-I LIMITED INDUSTRIAL DISTRICT LOCATED AT 9100 VALLEY VIEW RD. UNIT F.

Mr. Frantz made his comments and suggested approval. Mr. Westbrooks motioned to approve the request for a Conditional Zoning Certificate as an accessory use per 1169.03 (D) (2) of the code. Mr. Cox seconded and all were in favor.

PROPOSED STORAGE BUILDING FOR GROUND UP LOCATED AT 1411 E. TWINSBURG RD.

Mr. DiRosa was present along with his business partner and submitted a new drawing to the Planning commission. Mr. Frantz made his comments. There was much discussion of setbacks, storm water management, parking, yard hydrants, etc. Mr. Frantz recommended using a design professional. Mr. Westbrooks motioned to continue to the inactive agenda, Mr. Wallenhorst seconded and all were in favor.

MS. MESKE RECUSED HERSELF FROM THE MEETING.

PROPOSED CONDITIONAL ZONING CERTIFICATE FOR A PROPOSED SENIOR CITIZEN RESIDENTIAL FACILITY IN A B-2 BUSINESS DISTRICT LOCATED ON VALLEY VIEW RD.

Mr. Brown and Mr. Ochner, the attorney, and numerous other representatives were present. Mr. Brown gave an overview of the project. Mr. Kalish expressed the need for emergency access. Driveway access and parking were discussed. Mr. Gigliotti stated that private drive standards will be required and a document in place for maintenance between the 3 property owners. Mr. Westbrooks motioned to approve the Conditional Zoning Certificate contingent on the market study being investigated, parking issues/variance, access road details being provided, fire access, consolidation plat, and if the layout for use changes or expands the Conditional Zoning Certificate would need to be revised or the applicant would need to return to the Planning Commission for approval. A Public Hearing was held prior to the meeting with no public comments and a second Public Hearing was unnecessary. Mr. Cox seconded, Mr. Wallenhorst voted yes, Mr. Cox voted yes, and Mr. Roberts voted no.

MS. MESKE RETURNED TO THE MEETING.

PROPOSED SITE PLAN REVIEW FOR 7-BREW LOCATED AT 660 E. AURORA RD.

Mr. Westbrooks motioned to continue to the May meeting at the applicant's request. Mr. Wallenhorst seconded and all were in favor.

MISCELLANEOUS:

PROPOSED SIGNAGE COLOR CHANGE FOR NORDSTROM RACK TOWER LOCATED AT 500 E. AURORA RD.

Mr. Wallenhorst motioned to approve the change with white lettering and no physical letter changes, Mr. Roberts seconded and all were in favor.

ADJOURNMENT:

Mr. Wallenhorst motioned to adjourn at approximately 7:30 p.m. Mr. Cox seconded, and all were in favor.