

**VILLAGE OF CHAGRIN FALLS  
PLANNING AND ZONING COMMISSION  
March 19, 2018**

Members present: Baker, Rogoff, Paolozzi, Feniger, Davis  
Also present: Lindner, Markowitz, Jamieson

The meeting was called to order at 7:30 p.m. by Chairman Patti Baker.

**APPROVAL OF MINUTES**

Moved by Ms. Rogoff, seconded by Mrs. Davis that the minutes of the meeting held February 21, 2018 be approved. Carried. Ayes: Baker, Rogoff, Paolozzi, Davis. Abstain: Feniger. Nays: None.

**77 EAST WASHINGTON STREET - CHAGRIN FALLS INTERMEDIATE SCHOOL**

The changes to the pedestrian access plan and parking plan were reviewed along with the final landscape plan. Comments were heard and questions were answered.

Moved by Mrs. Baker, seconded by Ms. Rogoff to approve the proposed landscaping plan with the arborvitae hedges being 5' to 6' tall at the time of planting and planted 6' on center and allowing them to not plant where the Historical Society already has a hedge. There is landscaping shown on these two islands and we will say that that is not required. Carried. Ayes: Baker, Rogoff, Paolozzi, Feniger, Davis. Nays: None.

**CLEVELAND STREET - CHAGRIN RIVER TOWN HOMES. NEW SUBMISSION**

Michael Horton, Harper Horton Architects representing Brickhouse Partners, gave an overview of the proposed subdivision project. There was discussion, comments were heard, and questions were answered.

Mrs. Paolozzi said I would propose to allow the setback request for just the north side of the building on the river front and not any other request. Ms. Rogoff said not the rear yard, not the side yard, and the space between the two buildings, which is 25'.

Mrs. Baker suggested that they cut their setbacks by 25% and see what they can come up with that would fit.

Moved by Mrs. Feniger, seconded by Mrs. Davis to grant a continuance. Carried. Ayes: Baker, Rogoff, Paolozzi, Feniger, Davis. Nays: None.

### **ZONING CODE OVERHAUL**

Mrs. Lindner said she sent this to Mr. Jamieson so it is at the administrative stage right now.

### **CHAPTER 1146 - HISTORIC PRESERVATION REGULATIONS**

Mrs. Lindner and the commission reviewed and discussed the recommended changes.

Moved by Ms. Rogoff, seconded by Mrs. Paolozzi that we recommend passage of this to Council, Chapter 1146 as amended, and with all the other amendments in there. Carried. Ayes: Baker, Rogoff, Paolozzi, Feniger, Davis. Nays: None.

### **HEARTWOOD COFFEE - 20 NORTH MAIN STREET**

James Sanders, owner of Heartwood Coffee in Hudson, explained that wants to open a full-service coffee shop in the building where Verizon was and it will be owner operated. He said his biggest issue is that the zoning ordinances request that anybody in that district there has a full-service restaurant. We don't have a hostess and we don't have table-side service. The space is pretty small so you would be greeted as you come in, then you would place your order, then you would have a seat, and then we would bring you your order.

Mrs. Paolozzi said Starbucks doesn't have full-service. Mr. Jamieson said they predate the code. Mrs. Lindner said the provisions that Mr. Sanders mentioned were added to the definition of full-service restaurant in 2007 in Section 1138.05.

Mr. Sanders said as far as keeping the integrity of Chagrin Falls we are not trying to allow a disposable commercial type of business to come in. Subway, Jimmy Johns, or McDonalds couldn't come into the historical district because of some of the wording in that ordinance. We are the farthest thing from that. It is everything that you would want in a central meeting place in Chagrin Falls.

Ms. Rogoff said I look at the retail sales, the permitted uses in Section 1138.02(a)(2). Mr. Jamieson said we did look into that and the law department felt that it was not clearly defined as retail but it is close.

Mrs. Davis said isn't Lemon Falls the same? Mr. Jamieson said their use included full-services. Mrs. Paolozzi said no they don't, you get a number and then they bring you your

food.

Mrs. Baker said my question is if we allow this and then they decide to move can we then get a Subway or Jimmy Johns? Is it a permanent change to the property or is it just for this establishment? Mr. Markowitz said the approval is specific to their use and to their specific use of food service but it does have some precedential impact in the future if somebody else comes in. Forget Jimmy Johns, it could be something that we haven't even contemplated yet. It could be something that does not meet the spirit and intent of what you did when you changed the code. You could have a negative impact but I think each one of these could be taken on its individual merit.

Moved by Mrs. Baker, seconded by Mrs. Feniger that we consider the proposed coffee shop in the Verizon building to fit in the main uses permitted for the district because it is under Section 1138.05, a full-service restaurant. Carried. Ayes: Baker, Rogoff, Paolozzi, Feniger, Davis. Nays: None.

The meeting adjourned at 10:27 p.m.

  
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Patti Baker, Chairman  
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