



**PLANNING DEPARTMENT**

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**REPORT TO COUNCIL**

TO: Denise Rosenbaum MMC, Clerk of Council

FROM: Nicolette Sackman, Clerk of Commissions

DATE: 3/8/2022

RE: Planning Commission Meeting of 3/7/2022 Report to Council

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Present: Chairman Brad Lamb, Duane Van Dyke, Matt Jones, Lauren Falcone,  
Also Present: Planning Director Jim Bedell, Assistant Law Director Robin Leasure, Clerk of Commissions  
Nicolette Sackman

Westlake Planning Commission, at its meeting held on 3/7/2022 at 7:00 pm took the following actions:

**BUSINESS**

**Convergent Site Improvements (sculpture lighting), 2 Equity Way,  
PP#21120001, rep. D. Robar, Ward 3**

Findings of Fact

1. The proposed uplighting requires Planning Commission Approval.
2. It meets the requirements in 1230.03(h) and the City's exterior lighting consultant recommends approval.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Convergent Site Improvements (sculpture lighting).

**ROLL CALL ON APPROVAL:**

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Corporate Circle Lot Split, Corporate Circle, PP#21126075, rep. J.  
Plautz, Ward 5**

Findings of Fact

1. The lot splits are for financing and tax purposes and will align the new parcels with the development.
2. There are no changes in any development plans resulting from this action.
3. If the properties are sold off in the future, new owners will be "...bound by reciprocal easement agreements covering all the land within the PUD, by a person or a group of owners acting jointly under a planned development procedure" in accordance with Section 1212.03.
4. Such lot splits were routinely approved within the Crocker Park PUD for the same reasons listed above.

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Corporate Circle Lot Split involving permanent parcel number 21126075 with the condition that approval is subject to the plat meeting the requirements of the County and State as indicated in the Ohio Revised Code and approval by the Engineering Department in compliance with the code and the ordinances of the City of Westlake.

**ROLL CALL ON APPROVAL:**

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Nike Live Storefront & Sign Plan, 236 Main St., PP#21124308, rep. M. Farr, Ward 5**

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Nike Live Storefront and Sign Plan to the April 4, 2022 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Pulpo Beer Co. Sign Plan, 20 Main St., PP#21125004, rep. M. Farr, Ward 5**

Findings of Fact

1. The Crocker Park Master Sign Criteria encourages creativity in design of signs to "...contribute to the vitality and interest of Crocker Park, while respecting the variety of the architecture, creating a lively and provocative atmosphere."
2. The waivers are reasonable and improve the overall design of the signs.

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Pulpo Beer Co. Sign Plan with the following waivers:

1. Waiver for a minimum clearance of ten feet under the feature sign.
2. Waiver for open pan channel letters to have "marquee-style LED bulbs" in place of neon.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Aldi Sign Plan, 30700 Detroit Rd., PP#21118019, rep. K. Clark, PP#21118019, Ward 5**

Findings of Fact

1. The existing wall sign was granted modifications in 2004 for a box sign with individual white lettering mounted to it and five colors (two shades of blue, two shades of orange, yellow). This differs from the sign criteria for the shopping center that calls for red letters.
2. In addition, a condition was included regarding the brightness of the sign being compliant with Section 1223.07, Illumination of Signs.
3. These modifications and condition are repeated in the draft motion below.
4. An additional modification is needed for the height of the signs to be more than twenty feet above the finished grade below the signs is acceptable due to the location, placement, scale and architecture of the building.
5. The Planning Commission may grant modifications for signage pursuant to 1223.13 (h) "based on Planning Commission's consideration of the sign proposed, the general characteristics of the proposed site and surrounding area, and any unique or unusual circumstances which, in the exercise of their sound judgment, justify a modification of any requirement, or specification while maintaining the overall purpose and integrity of the sign regulations."

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Aldi Sign Plan with the following:

1. Modification for the signs to be of a box sign design with individual lettering/logo exceeding 24", colors different from the master sign criteria, and located more than above 20 feet above finished grade.
2. Condition that signage comply with the illumination performance regulations in Chapter 1223.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Starbucks Sign Plan, 30225 Detroit, PP#21125002, rep. K. Moffatt, Ward 5, tabled 11/8/21, 12/6/21, 1/10/22, 2/7/22**

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Starbucks Sign Plan.

ROLL CALL ON APPROVAL:

Yeas: None

Nays: Van Dyke, Jones, Lamb, Falcone, motion failed

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**The Apartments at Vitalia Development Plan, 26695 Center Ridge,  
PP#21501042, rep. L. Apple, Ward 2, tabled 1/10/22**

Findings of Fact

1. The conditions are typical for new development (e.g. administrative lighting review, mechanical protrusions, etc.), except that a condition is needed regarding the future use of the building for apartments and not for senior services.
2. Signage is not included in this approval.
3. A modification for a reduction in the distance between buildings makes more sense than shifting the building to meet the distance requirement, because this modification is internal to the site, whereas a shift would cause the building to encroach into the side yard setback and closer to the neighboring residences and there are no issues with lot coverage, open space, or the fire code resulting from this modification.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Apartments at Vitalia Development Plan with the following:

1. Modification for a reduction in the distance between buildings.
2. Condition that lighting will be administratively approved or submitted to the Planning Commission if it does not comply with Section 1230.03.
3. Condition that signage is presented at a future meeting.
4. Condition that any mechanical system protrusions from the walls or roof will be colored to match adjacent materials.
5. Condition that this building is not used as an assisted living, memory care, or independent living facility.
6. Condition that sound from the air conditioning condensers will be less than 50dB at the nearest residential lot line.
7. Approval is subject to comments in Part III of the 3/4/22 staff report and approval of the final plans by the Building and Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

Yeas: Jones, Lamb, Falcone

Nays: Van Dyke, motion carried

**Bailey Woods Major Subdivision Preliminary Plan (7 lots), 29883 &  
29765 Center Ridge Rd., PP#21726004, 006, 007, 012, rep. K. Hoffman,  
Ward 6, tabled 2/7/22**

Findings of Fact

1. The proposal is supported by the Guide Plan and Zoning.
2. Modifications are necessary in accordance with 1127.01 and 1133.02 being “the land involved in a subdivision is of such size or shape ... that it is impossible or impracticable in the particular proposal for the developer to conform fully to a provision of these Land Planning and Subdivision Regulations.” Three lots have lot depth to width ratios that are slightly under the requirement and a little more square than rectangular and four lots have 1.5’ 3.03’ – 9.12’ less depth than required by code with the least depth being 160.88’.
3. In order to develop Sublot 1, as indicated in “PRELIMINARY PLAN AERIAL OVERLAY w/TOWNHOME SCHEMATIC”, a 40’ front yard setback modification is needed from the new roadway. This is necessary because the revised layout provides an additional 10’ offset from the roadway to 29819 Center Ridge Road. If this subdivision is approved and setback modification is granted, the entire space between the roadway and 29819 Center Ridge Road should be buffered with landscaping, while the maintaining the unobstructed site zone and eliminating the sidewalk in this area to enhance privacy and provide additional room for buffer.
4. Tree preservation and buffering plans are needed for Sublots 1 and 7/.
5. In accordance with 1137.05 (b) for sublots 2-6, the preliminary subdivision plan needs to indicate areas which have existing trees or groupings of trees with a D.B.H. of eight inches or greater. Improvement plans and individual building plot plans shall indicate trees or areas of trees the developer intends to preserve.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Bailey Woods Major Subdivision:

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1. Modification for the depth to width ratios for Sublots 3, 4, and 6 and for lot depth for Sublots 3, 4, 5 and 6.
2. Modification for sublots 1, 2, 3 and 6 to have a front yard setback from the proposed roadway of 40' for townhomes.
3. Condition that the preliminary subdivision plan indicates areas which have existing trees or groupings of trees with a D.B.H. of eight inches or greater.
4. Condition that Planning Department staff will be notified prior to the removal of any trees.
5. Condition that approval is subject to comments in Part III of the 3/4/22 staff report and approval of the preliminary plan by the Engineering Department in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Ordinance 2022-5 rezoning 28189 and 28239 Detroit Rd from R-1F-80 District to R-MF-40 District, ref. 1/20/22, Ward 5**

Findings of Fact

1. The Westlake Guide Plan's future land use map does not support the proposed rezoning and will need to be amended to be consistent with the change of use.
2. If rezoned, the applicant, a prospective developer or a future land owner will be able to apply for approval of a development for any main or conditional use in the RMF-40 district, such as single family or cluster homes, duplex homes, townhomes, or a public or quasi-public nonprofit recreational or community center.
3. Any additional findings of fact – see “other considerations for rezoning” above.

Motion: Ms. Falcone moved, seconded by Mr. Jones recommend approval of Ordinance 2022-05.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Dover Village Townhomes Development Plan, Hillsborough & Center Ridge, PP#21706033, rep. L. Sampat, Ward 6, tabled 12/6/21, 1/10/22**

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Dover Village Townhomes Development Plan to the April 4, 2022 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Salty Mary's Oyster Bar and Tavern, Site Improvements & Sign Plan, 25600 Center Ridge Rd., PP# 21323014, rep. A. Gargari, Ward 2**

Findings of Fact

1. The proposed signage and site improvements of the former Friendly's are mainly cosmetic and enhance the building architecture with contemporary colors and materials.
2. No zoning modifications are required.
3. The lighting for the wall sign may be approved. More information is required for the exterior lighting and it should not be approved.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Salty Mary's Oyster Bar Site Improvements with the following:

1. Condition that plans for exterior lighting and fence plans are submitted to the planning commission for review.
2. Condition that the gable is painted with a blue test patch for administrative review.
3. Condition that the window and sliding door final design for mullions is administratively approved.
4. Approval is subject to comments in Part III of the 3/4/22 staff report and approval of the final plans by the Building and Engineering Departments in compliance with the code and the ordinances of the City of

Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Salty Mary's Oyster Bar sign plan with the following:

1. Condition that lights are dimmable for field adjustment as needed and shall not exceed 4000k color temperature.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**Ordinance 2022-9 code amendment 1203.03(p) of the zoning code as to  
Public Notice, ref. 1/20/22**

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Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of Ordinance 2022-9 as revised.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

**ADJOURNMENT**

Meeting adjourned at 11:00 pm. The next meeting is scheduled for Monday, 4/4/2022.