



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
APRIL 4, 2022**

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

The regular meeting was called to order at 7:03 p.m. by Chairman Lamb.

Motion: Mr. Lamb moved, seconded by Mr. Jones to adjourn into executive session for the purpose of pending litigation at 7:03 pm.

ROLL CALL ON APPROVAL:

Yeas: Falcone, Van Dyke, Jones, Lamb

Nays: None, motion carried

Mr. Lamb did not attend the executive session.

Motion: Ms. Falcone moved, seconded by Mr. Jones to end the executive session and return to open session at 7:23 pm.

ROLL CALL ON APPROVAL:

Yeas: Falcone, Van Dyke, Jones,

Nays: Lamb, motion carried

APPROVAL OF MINUTES

Mrs. Falcone moved, seconded by Mr. Jones to approve the minutes of the regular meeting of March 7, 2022.

ROLL CALL ON APPROVAL:

Yeas: Falcone, Van Dyke, Jones, Lamb

Nays: None, motion carried

COUNCIL REPORT

None

BUSINESS

**Travel Centers of America sign plan, 24601 Center Ridge,
PP#21524006, rep. C. Donaldson, Ward 2**

Melinda Anderson with Blair Image Elements and David Weybrecht with Travel Centers of America were present. They explained the various signage proposed to replace three existing monument signs and two existing wall signs. The signs will be changed to a different color to match the branding of all their centers across the country.

Mr. Bedell reviewed his staff memo. Two of the monument signs, S1 and S3, will be internally illuminated, and the third sign, S4, will be externally illuminated. He reviewed the area and height modifications necessary. The height of the monument signs was discussed. Proposed height of S1 is 5'-10" (existing is 5'-8"), S3 is 4'-7" (existing is 4'-1"), and S4 was approved at 12.5' in 1991 when the sign regulations were different (legal non-conforming sign). The proposed sign height of S4 is the same at 12.5'. Mr. Bedell explained the existing sign can be refaced but the applicant would like to replace it at the same 12.5' height with a sign that is modern and aesthetically pleasing. The commission discussed the proposal and while the existing sign could be refaced and nicer sign at the same height

was not an issue. They discussed the opacity of the smaller monuments signs and if the blue color will illuminate at night. Ms. Anderson advised it is a very dark navy blue that will not be very visible or bright.

Findings of Fact

1. The proposed signs are replacements and part of a rebranding effort by Travel Centers of America.
2. Modifications for size for two monument signs are de minimis and acceptable.
3. The modification for the height of the wall signs above grade is the same modification that was granted for the existing signs
4. The modification for the wall sign logo to exceed 48" is less than was granted for the existing signs (66" requiring an 18" modification versus the existing wall signs at 72" requiring a 24" modification.
5. The intent of requiring a 75 percent opaque background for monument signs is to "not be of excessive brightness or cause glare hazardous to pedestrians or drivers of automobiles or be objectionable to adjacent Residential Districts". The proposed monuments signs have a blue background and issues with glare have typically resulted from signs having a lighter color, such as white. Furthermore, the sign may be illuminated externally with floodlights and be much brighter than the proposal. Provided that the signs do not exceed 10 footcandles, the interior illumination may actually be a preferred method over floodlights.
6. Modifications are required to replace sign S4 with an entirely new one, as it does not comply to code for height, size or location (not 10' from the planned right-of-way, exceeds 30s.f., and 8' in height).

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to approve the Travel Centers of America sign plan with the following:

1. Modification for monument sign S1 to exceed 40 s.f. and S3 to exceed 30 s.f.
2. Modification for wall signs S2 to be located in the same location as the existing signs (higher than 20' above grade) and to have a logo height greater than 48".
3. Modification for sign S4 to be approved as a replacement sign located less than 10' from the planned right-of-way, to exceed 30 s.f. and to exceed 8' in height.
4. Condition that all illuminated signs will be dimmable and field adjusted if needed to not exceed 10.00 Footcandles (equivalent to 10.00 Lumen per square foot) of light when measured at night, three feet perpendicular from the center of any sign face.
5. Condition after installation of the monument sign it will be field verified for opacity and corrected as needed.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Lamb, Falcone

Nays: Jones, motion carried

Lenox Ridge monument sign plan, 28340 Center Ridge, PP#21613003, rep. J. Scherer, Ward 6

Mr. Scherer reviewed the proposal to replace the existing monument sign in the same location as the existing sign. The new sign is of stacked cultured stone with the address range of the buildings. Mr. Bedell reviewed his staff memo.

Findings of Fact

1. This replaces the existing sign with one that is of similar size and location but with an updated design that is easier to read and more attractive.
2. The modification for the sign to be in the same location as the existing one is in accordance with 1223.13.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to approve the Lenox Ridge monument sign plan with the following:

1. Modification to be located within 10' of the planned right-of-way.
2. Condition that the sign is moved at the owner's expense when Center Ridge Road is widened.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Shake Shack storefront and sign plan, 2209 Crocker Rd., PP#21126075, rep. D. Craun, Ward 5

Ms. Williams, architect, and Ms. Stickel, Shake Shack rep., were present and reviewed the proposal for the storefront and sign plan. They reviewed the signage, materials for the storefront and the patio. Mr. Bedell reviewed his staff memo.

Some members of the commission questioned if the wall sign on the south elevation (top corner) was necessary or if it could be placed lower on the wall similar to the height of the sign on the west façade. More details for the string lighting over the patio was requested.

Findings of Fact

1. The design is in accordance with the Corporate Circle Design Guidelines and Master Sign Criteria.
2. No modifications or waivers are needed.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Shake Shack Storefront with the following:

1. The string lighting is not approved and needs to come back to the planning commission for review.
2. Condition approval is subject to comments in Part III of the 3/31/22 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

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Shake Shack Sign Plan except for the wall sign on the south façade, which shall be resubmitted to the planning commission for review.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Carlton Roadway Dedication Plat, Carlton Ave., PP#21708001 to 005, 043 to 049, rep. K. Hoffman, Ward 6

Lagrange Plat #9, lot split & assembly, PP#21708020 to 024, rep. K. Hoffman, Ward 6

Mr. Bedell reviewed his staff memos. The new dedication plat widens the right-of-way to 60', while providing a permanent a cul-de-sac on portions of sublots 6-10 and a gated emergency access road to Bradley Road, as required by the engineering department. The dedication plat changes the shape of the parcels "W" and "X" that are adjacent to the proposed cul-de-sac. This requires a new lot split and assembly plat for these lots (Lagrange Plat #9). Mr. Hoffman also reviewed the location of the fiber optic lines and utilities. Mr. Pavicic explained he would like to have a split rail fence around the retention basin to match the existing split rail fence of the nearby city retention basin.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Carlton Ave Roadway Dedication Plat with the following conditions:

1. To erect a four-foot high black, brown or dark green ornamental metal picket fence or split rail/metal mesh fence (to match the existing split rail fence of the nearby city retention basin) around the entire perimeter of the retention basin unless the requirement of all or part of the perimeter fence is waived upon request by the owner of the subdivision by action of the Planning Commission prior to the issuance of any building permits for homes in the subdivision.
2. To erect a four-foot high black, brown or dark green ornamental metal picket fence or split rail/metal mesh fence (to match the existing split rail fence of the nearby city retention basin) around any control structure in excess of three feet in height if the said control structure is not inside the perimeter of the four-foot fence.
3. Approval is subject to comments in Part III of the 3/31/22 staff report and approval of the dedication plat by the 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

Findings of fact Lagrange Plat

1. The purpose of this request is to adjust two single-family lots in an existing undeveloped subdivision relative to a proposed permanent cul-de-sac that is required by the engineering department.
2. No legal non-conformities are created because of this action.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to approve the Lagrange Assembly Plat #9 involving permanent parcel numbers 217-08-020 to 024 with the following:

1. Condition that the plat meets the requirements of the County and State as indicated in the Ohio Revised Code and final engineering department approval is subject to the review of the completed plat.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Bretton Woods Condo Association, site improvements (fence), 29981 Center Ridge, PP#21724001, rep. T. Lawrence, Ward 6

Mr. Lawrence, Lawrence Management Co., explained the request is to install a 4' tall split rail fence on the property line that will end to the sidewalk. Mr. Bedell reviewed his staff memo noting a setback modification is necessary to allow the fence at the edge of the sidewalk. The reasoning for the fence is to define who is responsible for the maintenance of the trees, prevent shrubs from being planted on property that does not belong to their association, and to prevent the neighboring condo association from using the property that does not belong to that association.

Members of the commission discussed the proposal and were not in favor of the fence extended to the edge of the sidewalk but would favor setting the fence 5' off the right-of-way.

Findings of Fact

1. The proposed fence is located within 25' of the planned right-of-way requiring a modification.
2. The fence is needed to establish the boundary of the Bretton Woods Condominiums property.
3. The performance measures in 1220.06 are met.
4. The fence is very open in design and of a residential scale that will not interfere with traffic site lines or look out of place with the existing landscaping.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Bretton Woods Condo Association site improvements (fence) with a modification for the fence to be located within 20' of the planned right-of-way line, so it is 5' off the right-of-way.

ROLL CALL ON APPROVAL:

Yeas: Jones, Lamb, Falcone

Nays: Van Dyke

Hilliard Meadows Major Subdivision Preliminary Plan (4 lots), Hilliard, PP#21622020, 21625001, rep. D. Neff, Ward 6

Mr. Uhlenbrock reviewed the proposal and explained the original subdivision was approved for ten lots and it is being revised to be only four lots. They received requests for larger lots. Mr. Bedell reviewed his staff memo.

Findings of Fact

1. This subdivision stems from a 2012 lot split and assembly plat approval for this purpose.
2. The proposal is for essentially the same subdivision but with only four lots (previously 10 lots).
3. The only modifications are for a reduction of the lot depth to width ratio to allow lots that are more square than rectangular. Due to the size of the lots, there are no issues with these modifications. Modifications are in accordance with 1127.01, 1133.01 and 1133.02.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to approve the Hilliard Meadows lot split and assembly plat.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Hilliard Meadows Major Subdivision Preliminary Plan with the following:

1. Modification for the lot depth to width ratio to be less than 1.4:1.
2. Condition that available storm sewer exists along property frontage and shall be used for lot drainage.
3. Condition that final Engineering Department approval is subject to the review of the completed plans and details.
4. Condition that approval is subject to comments in Part III of the 3/31/22 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

**Concord Reserve garage development plan, 2154 Dover Center,
PP#21226026, rep. M. Cope, Ward 4**

Mr. Cope reviewed the proposal for three detached garage buildings. The independent living facility was approved in 2016 and the garages will complement the existing facility. There will be 42 garage spaces and he reviewed the site plan, elevations and materials (brick, cultured stone, cast sills, shutters, varying roof heights and windows). Mr. Bedell reviewed his staff memo. He noted the overall length is broken up through the construction of three buildings with a small green space of 11' separating the buildings. As proposed, the plans comply with the zoning codes.

Members of the commission discussed the proposal. It was discussed if the applicant could add additional cultured stone features for the middle and east buildings rear facades to break up the visual impact of the long walls.

Findings of Fact

1. The proposed accessory use is in accordance with Conditional Use Permit Ordinance 2016-73.
2. No zoning modifications are required.
3. The garages are a necessity for the residents and the design complements the independent living facility and rest of the campus.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Concord Reserve Garage Development Plan with the following conditions:

1. Condition that the additional cultured stone features be examined for the middle and east buildings rear facades and to be administratively approved.
2. Approval is subject to comments in Part III of the 3/31/22 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

**Dover Village Townhomes Development Plan, Hillsborough & Center
Ridge, PP#21706033, rep. L. Sampat, Ward 6, tabled 12/6/21, 1/10/22,
3/7/22**

Mr. Lamb left the room due to a conflict of interest.

Mr. Sampat (architect), Mr. Asimes (owner) and Mr. Urbanic (engineer) were present. Mr. Sampat reviewed the changes since the last meeting to the units adjacent to the single family residential property. The units were

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redesigned as two-family dwellings with a traditional architecture style. These units will have patios. He reviewed the mounding and landscape proposed. Evergreen trees are proposed for the large mound between the development and the single family homes.

Mr. Bedell reviewed his March 31, 2022 staff memo and the changes to the plans since the last meeting. As submitted, no modifications are needed and the plans comply with the zoning codes. He advised the engineering department reviews and approves all grading and drainage plans, not planning commission.

The following were present and made comments: Mr. Jim Crandall, 31323 Muirfield Way; Ms. Paula Linkovic, 31060 Center Ridge; Mr. Ed Adamczyk 30932 Lytham Circle; Ms. Kim Durbin, 31401 Muirfield Way; Mr. Brian Urban 31297 Muirfield Way; Mr. John Porachan, 31427 Muirfield Way; Mr. Mike Campo, 31193 Muirfield Way; Mr. Walt Nimyłowycz, 31248 Muirfield Way; Mr. Drew Vaneck, 4619 Hillsborough Point Dr.; Ms. Tracy Newman, 31245 Muirfield Way; Mr. Phil Shaver, 31144 Muirfield Way; and. The following was expressed: drainage concerns with the retention basin design and flooding; when the property was rezoned the residents were told it would be developed as single family clusters and now that is not the case and they felt deceived; the residents were happy with the property when it was zoned commercial; the rezoning is not needed; additional homes put more strain on city services; they are opposed to the request; there will be a negative impact on property values; the city engineer is incorrect relative to traffic requirements; there is no buffering adjacent to the retention basin; when the trees are removed residents will see the rear of commercial buildings on Center Ridge; the traffic and drive entrance is not safe; concerns that there is a requirement for sidewalks on both sides of the new street and there are not; concerns with the retention basis overflow; the drive to the units at the corner of Center Ridge and Hillsborough is dangerous and there is the risk for people/vehicles being hit by vehicles; the impact on surrounding properties and if the city will guarantee individuals being able to sell their property not at a decreased value; concerns with the loss of trees; concerns with grade changes and drainage problems; traffic study needs to be completed as the distance to Center Ridge Rd. is not safe; there will be accidents; look at a way to configure the drive for the corner units to be at a different location and moving the main street; the developer did not consult the residents regarding the design and character of the units; commercial development would have been better as businesses close at the end of the day; why was the cluster development plan denied with less units than this proposal; no surrounding houses in the neighborhood will be able to be sold; the value of surrounding homes should be protected; the units should not be rentals as no one will spend \$3,000 a month for a rental; concerns the mound or retention basin will not be maintained; requested that staggered evergreens are planted on the mound; safety concerns due to the line of site at the street; the developer only has rental experience; how will trash disposal be addressed; what will the rear of the units look like; rental tenants do not take care of the property and rentals should not be located in this area; residents will talk to their attorney about the proposal; concerns that the drive should not be across from the residential driveway on Hillsborough; the city should be held responsible for the loss of property values; once the trees are removed how soon will construction begin; what will happen with water during construction; it will take 20 years before any new trees mature; loss of privacy; why are so many units being proposed; the units will not sell for the anticipated price and the residents will pay one way or another for the consequences of this development; the rezoning ordinance stated the purpose of the rezoning was for cluster homes and that is what was voted on, not what is being proposed; the residents are not being treated fairly; the units will obstruct the view of oncoming traffic; there are many mistakes with the engineering report regarding traffic and ODOT standards were noted; the basin should be shifted over; and there is a lot of flooding now.

Mr. Bedell reviewed the presentation he made at the 6-27-2017 meeting when the rezoning was before the commission. At that time the applicant had a buyer for the property that was interested in developing cluster homes. The conceptual plan that was shown at that meeting did not comply with code requirements and was just a concept for the property. The presentation noted, once rezoned, any of the permitted use in the RMF-40 zoning district could be developed. Based on the presentation by the applicant at the time, the basis for the request was with the desire to develop single family cluster homes.

Lengthy discussion ensued. Mr. Sampat (architect), Mr. Asimes (owner) and Mr. Urbanic (engineer) addressed various questions. Trash collection will be no different than that of a single family home with individual garbage cans. The buffer, opacity for the buffer, drainage and retention basin was discussed. The installation of infrastructure will improve the existing drainage problems, as currently there is no drainage on the undeveloped property. It was suggested that the applicant look at the two driveway entrances on Hillsborough to see if there is a way to only have one drive onto Hillsborough. Mr. Urbanic explained that the ODOT standards referred to by the resident is for a

different type of intersection, which has different standards and is not applicable. It was suggested that the rear of the units along the single family property have some additional details to break up the visual appearance. Mr. Sampat advised he cannot add bump out features as they would be in the required setback. Mr. Bedell noted that a sidewalk on only one side is permitted as it is a private street. Putting an additional sidewalk on the other side of the street would result in the loss of green space. Revisions suggested were: dressing up the rear elevations of the units adjacent to the single family homes, looking at the consolidation of the two drives and reshaping the retention basin. The applicant would like to move forward with the project and would agree to the changes suggested as a condition of approval. Due to the Indiana Bat ban in place trees cannot be cleared at this time so tabling the plans to the next meeting should not cause delays.

Motion: Mr. Jones moved, seconded by Mr. Van Dyke to table the Dover Village Townhomes Development Plan to the May 9, 2022 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Falcone

Nays: None, motion carried

Mr. Lamb returned to the meeting.

Nike Live Storefront & Sign Plan, 236 Main St., PP#21124308, rep. M. Farr, Ward 5, tabled 3/7/22 – applicant requests to be tabled to 5/9/22

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Nike Live Storefront and Sign Plan to the May 9, 2022 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: None, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 11:15 p.m. The next regular meeting is scheduled for Monday, May 9, 2022, in the Westlake City Hall Council Chambers.

Chairman Brad Lamb

Nicolette Sackman, MMC
Clerk of Commissions

Approved: _____