



**PLANNING DEPARTMENT**

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**WESTLAKE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
JANUARY 9, 2023**

Present: Chairman Brad Lamb, Matt Jones, Duane Van Dyke, Lauren Falcone  
Absent: Bonnie Smith  
Also Present: Planning Director Jim Bedell, Assistant Law Director Nathalie Supler, Clerk of Commissions Nicolette Sackman

The regular meeting was called to order at 7:38 p.m. by Chairman Lamb.

**APPROVAL OF MINUTES**

Mrs. Falcone moved, seconded by Mr. Jones to approve the minutes of the regular meeting of December 5, 2022.

**ROLL CALL ON APPROVAL:**

Yeas: Falcone, Van Dyke, Jones, Lamb

Nays: None, motion carried

Mrs. Falcone moved, seconded by Mr. Jones to approve the minutes of the work session meeting of December 5, 2022.

**ROLL CALL ON APPROVAL:**

Yeas: Falcone, Van Dyke, Jones, Lamb

Nays: None, motion carried

**COUNCIL REPORT**

Councilman Van Dyke reported on council matters as they relate to planning commission.

**BUSINESS**

**Automotive Events sign plan, 801 Canterbury Rd., PP#21304002,  
Ward 1**

Mr. Bedell reviewed his staff memo for a new wall sign and to replace a directional sign and a face change on the monument sign. Mr. Alley from the sign company was present to answer any questions.

**Findings of Fact**

1. The signs comply with Chapter 1223 except for the directional sign that is 2 s.f. over.
2. "Granting of a modification shall be in response to a unique set of conditions, circumstances, or characteristics and shall not be construed as having general application to other sign proposals or be the basis for other modification requests" and there is nothing unique to result in need for this larger sign. Instead, it should be reduced in size to comply.

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

1. Condition that the directional sign is reduced in size to be 4 s.f., will be no higher than 3 feet above grade and located at least 5' from the right-of-way.

**ROLL CALL ON APPROVAL:**

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: none, motion carried

**Window Depot and Bath Depot sign plan, 24510 Sperry Dr.,  
PP#21401025, Ward 1**

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Mr. Bedell reviewed his staff memo for two wall signs. Mr. Lang and Mr. Campbell were present to answer any questions.

Findings of Fact

1. The signs comply with Chapter 1223 and no modifications are needed.
2. The signs are uniform in design.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to approve the Window Depot and Bath Depot sign plan with the following:

1. Condition that the sign shall not emit more than 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 (WCO 1223.07) and is turned off when the business is closed.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: none, motion carried

**Cleveland Smile Center, sign plan, 2211 Crocker Rd. #110,  
PP#21126078, Ward 5**

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*Withdrawn*

**Plona/Primrose Management lot split and assembly, 29292, 29295,  
29292, Hampshire Place, PP#21612070, 71 & 72, Ward 6**

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Mr. Bedell reviewed his staff memo for a lot split and assembly for three parcels. The middle parcel will be split in half and assembled to the adjacent properties creating two new sized parcels. Mr. Hoffman was present and noted that one parcel has a house and the other parcel is vacant.

Findings of Fact

1. The proposal splits an undeveloped parcel in half and assembles the areas to the adjoining north and south parcels.
2. There are no zoning or platting issues with this request.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to approve the Plona/Primrose Management lot split and assembly involving permanent parcel numbers PP#21612070, 71 & 72 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

**Lincoln and Bradley Subdivision major subdivision preliminary plan  
(7 lots), 3956 Bradley Rd., PP#21702007, Ward 6**

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Mr. Hoffman reviewed the proposal for a seven lot subdivision. Currently there is one parcel that is just under five acres that will be subdivided into seven single family lots. Since this is a corner lot there will not be a new street as all the parcels will have frontage on Lincoln or Bradley. The existing home and outbuildings will be demolished. The proposed retention basin will be located at the northwest corner of the property with an access via an easement. This is the location where the current water runs off. All of the properties will have yard drains. Mr. Bedell reviewed his staff memo. It was discussed that the basin will be a dry basin, maintained by the home owner's association.

The following were present and made comments: Mary McFarland, 3935 Bradley; Edward Nassar, 30947 Belaire; and Nick Malkin, 30120 Lincoln. The following comments and concerns were expressed: concerns with flooding and drainage on the surrounding properties, Bradley Road and the property to be developed; location and size of the basin; maintenance of the basin.

Members of the commission discussed the following: concerns with the basin size, location and drainage issues should be corrected as part of this development; fencing around the basin; size and pricing of the proposed homes to be constructed; the access drive shouldn't be completely concrete and a "Grasscrete" paved drive should be considered; tree preservation and additional trees required for single family subdivisions.

#### Findings of Fact

1. The proposed subdivision is constrained by the location of the adjacent roadways and parcels resulting in several minor modifications.
2. Planning and Platting Code Chapter 1133 allows modifications when includes provisions for such modifications, where "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, the Commission may accept such adjustments as may be reasonable, if within the general intent and purpose of these Regulations."

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Lincoln and Bradley major subdivision preliminary plan with the following:

1. Modification for sublots 1 and 2 to exceed the maximum and subplot 4 to be less than the minimum depth to width ratio and for subplot 4 to be more square than rectangular in shape and less than 170' in depth.
2. Condition that, when developed, each lot will include a minimum 6 trees/24 caliper inches per lot.
3. Condition that, in addition to the trees required for individual lots, an additional 55 trees and 222 caliper inches, will be preserved or planted within the subdivision.
4. Condition that drainage required along west property line by the Engineering Department is designed to preserve trees if possible.
5. Condition a homeowner's association is created.
6. Approval is subject to comments in Part III of the 12/14/22 staff report and approval of the preliminary plan 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

Nays: none, motion carried

### **Ordinance 2022-122 Conditional Use Permit, Shaker Rocks, 30816 Viking Pwky., PP#21404011, Ward 3**

Mr. Bedell reviewed his staff memo explaining the request is for an indoor rock climbing facility in the Industrial District. He reviewed their hours of operation, a conceptual plan for the building and the site. A development plan will need to be submitted in the future but as conceptually proposed there is not enough parking spaces per the code for recreational uses. The applicant is exploring a shared parking agreement with the adjacent industrial facility to the west. He noted there is no on-street parking permitted in this location. Ms. and Mr. Spencer advised the building size has been reduced since the conceptual plan and they are looking at the parking needs and shared parking with the adjacent property. They estimated they will need 50-70 parking spaces.

Members of the commission discussed the following: this type of a proposed building fits in the Industrial Use as in the future if the business were to move, the building could be used for an industrial use due to size and height; concerns with parking and the desire for the parking lot to not have a dead end as it can be difficult to enter the parking lot and discover there is no available parking and try to turn around.

#### Findings of Fact

1. The Planning Commission will need to determine if "the proposed use shall form a harmonious part of the business, research, service and industrial district, taking into account, among other considerations, convenience of access and relationship of one use to another" and if "the hours of operation and concentration of vehicles in connection with proposed use shall not be more hazardous or dangerous than the normal traffic of the district."
2. If the future development plan mirrors the conceptual plan, modifications will be needed at that time for the

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buffer setback and parking requirements.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of Ordinance 2022-122.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: none, motion carried

**Ordinance 2022-123, Conditional Use Permit for a self-service storage establishment, Viking Pkwy., PP#21102015, Ward 3**

Mr. Bedell reviewed his staff memo for a “contractor warehousing and maxi-storage” facility. The facility will not be staffed daily but someone will be on site several times a week. Only employees and tenants will be able to access the site. Units will have electricity and will be prepped for gas, water and sewer. There will be a restroom on site and tenants are able to install their own restrooms if desired. The rental agreement notes “the premises shall be used solely for the purpose of storage pursuant to the terms and conditions of this agreement and for no other purpose whatsoever.” Therefore, a tenant cannot run their business from the unit or live in the unit, which would be a violation of the lease agreement, state and local ordinances.

Mr. Weinerman explained they proposed to have 74 units sized from 25’ x 25’ to 20’ x 50’. There will be three phases but they would like to construct the first building and only the shells of the other two buildings during the first phase. The future buildings will be completed once they see what market desires are for the sizes of the units. The units are for storage and not to conduct business out of. The storage of vehicles will be permitted on site.

Members of the commission discussed the following: the highest and best use for industrial property; how the units will be used since a tenant can install their own restroom in their unit; a business or residential use is not permitted; if there is a demand for these type of units in Westlake; construction; and security. Mr. Weinerman explained tenants might have collector cars and want to spend time in the unit, which is why electricity, gas, water and sewer will be provided. There were concerns that the units should be used for storage and what is being proposed is not similar to a traditional storage unit facility. It was requested that the law department review any potential legal issues.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table Ordinance 2022-123 to the February 6, 2023 planning commission meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: none, motion carried

**Church of Jesus Christ of Latter Day Saints site improvements (pavilion), 25000 Westwood Rd., PP#21528020, Ward 2**

Mr. Bedell reviewed his staff memo for a 1,200sf open air pavilion. This will provide a shelter and focal point for outdoor services and activities. He noted a single family property is permitted a 1,200 sf garage and the code does not address a pavilion accessory use for church services. Currently the church is permitted to hold outdoor services and the proposed pavilion will provide a roof. Mr. Tulett was present to answer any questions. There were no concerns with the proposal.

Findings of Fact

1. The proposal is a permitted accessory use.
2. Modifications are acceptable because code sections for pavilions were written for residential homes and do not address churches. Furthermore, the modification for the roof to exceed 15’ in height is acceptable because it is de minimis and imperceptible and the modification for the size to exceed 600 s.f. is acceptable because it is not inconsistent with other accessory uses, such as garages that may be 1,200 s.f.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Church of Jesus Christ of Latter-day Saints site improvements (pavilion) with the following:

1. Modification to exceed 15’ in height and 600 s.f. in size.
2. Condition lighting is turned off when not in use.

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3. Approval is subject to comments in Part III of the 12/29/22 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

**McGreevy Funeral Home Development Plan extension of time, 26691  
Detroit Road, PP#21311001, Ward 3**

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend a one-year extension of time until January 20, 2024.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone

Nays: none, motion carried

**MISCELLANEOUS**

Mr. Bedell reviewed various plans that were administratively approved.

**ADJOURNMENT**

Meeting adjourned at 9:15 p.m. The next regular meeting is scheduled for Monday, February 6, 2023, in the Westlake City Hall Council Chambers.

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Chairman Brad Lamb

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Nicolette Sackman, MMC  
Clerk of Commissions

Approved: \_\_\_\_\_