



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
MARCH 6, 2023**

Present: Chairman Brad Lamb, Matt Jones, Duane Van Dyke, Lauren Falcone, 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 7:00 p.m. by Chairman Lamb.

APPROVAL OF MINUTES

Mrs. Falcone moved, seconded by Mr. Jones to approve the minutes of the regular meeting of February 6, 2023.

ROLL CALL ON APPROVAL:

Yeas: Falcone, Van Dyke, Jones, Lamb, Smith

Nays: None, motion carried

COUNCIL REPORT

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

BUSINESS

**Torton Center sign plan, 27312 Detroit Rd., 27321 Detroit Rd.,
PP#21222022 & 4, Ward 1**

Mr. Beeman explained the revisions to the sign by reducing the height to match the height of the former sign and changing the base so more than 50% of it touches the ground. He stated the owner did not want to move the electrical box at their cost and that the city moved it to that location when the road was widened.

Mr. Bedell reviewed his staff memo. Members of the commission discussed: the location of the electrical box; height of the sign; panel colors; sign area; existing colors of wall signs; having a more cohesive appearance as the proposed monument sign with blue panels does not match the existing red wall sign colors and they would like to see the background of the sign panels changed to a warm red or a terracotta color. Mr. Beeman advised that his client wanted the sign as designed with the blue color as Sherwin Williams is their main tenant who wants that color for the center due to their logo.

Findings of Fact:

1. The proposed sign replaces one in the same location.
2. A modification is required for the location of the sign to be approximately 2' from the right-of-way and for the sign to exceed 30 s.f.
3. The sign that was redesigned for the 3/6/23 meeting more closely matches the sign it is replacing in terms of height/scale and is not expected to be any closer to the right-of-way.
4. Standards for granting modifications as set forth in Section 1220.06 are met.
5. Per 1223.13, Administrative Procedures, the unique set of conditions, circumstances, or characteristics in support of a slightly larger sign results from this shopping center being developed when zoning standards were different and the widening of Detroit Road, which leaves no better alternative for its location in terms of meeting setback requirements. The size is slightly over the code requirements and could be remedied by removing the name of the center from the top of the sign; however, it is +/5 square feet smaller than the sign it is replacing.

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

1. Modification is granted for the sign to be less than 10' from the right-of-way and for the total sign face area to exceed 30 s.f.
2. Condition the color of the background {of individual sign panels} will be terracotta or a warmer red color to be administratively approved.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Mission BBQ site improvements, 2209 Crocker Rd., PP#21126075,
Ward 5**

Ms. Williams reviewed the expanded patio per the request of the commission at the last meeting. Mr. Bedell reviewed his staff memo.

Findings of Fact:

1. The purpose of this request is to approve the patio that is designed to complement the adjacent storefront.
2. There are no modifications required.
3. The updated design expands the size of the patio to more closely match the approved preliminary development plan, which also benefits the applicant by offering an additional six seats and 1 additional ADA accessible table.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of Mission BBQ site improvements with the following:

1. Condition that lighting does not exceed 3000K and 450 lumens.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

Amware sign plan, 830 Canterbury Road, PP#21304005, Ward 3

Mr. Bedell reviewed his staff memo for wayfinding signage as truck drivers have difficulty locating the proper driveway for the shipping docks. There are two proposed post and panel sign and a wall sign. The signs are not illuminated. Mr. Doyle reviewed the sign colors and sign details.

Findings of Fact:

1. The signs comply with Chapter 1223 except for the directional sign at Canterbury Road that is 2 s.f. over.
2. Per 1223.13, Administrative Procedures, the unique set of conditions, circumstances, or characteristics in support of a slightly larger directional sign results from its function as a wayfinding sign that may be hard to see if only 4 s.f. given the lack of development on the west side of Canterbury Road; driveway that is somewhat hard to see due to vegetation; and Q-Lab's monument sign on the north side of the driveway that may be seen first, causing confusion.
3. Standards for granting modifications as set forth in Section 1220.06 are met.

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

1. Modification for Sign 2 to be 6 s.f.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Mills Pointe site improvements Mills Pointe Way, PP#21714054,
Ward 6**

The applicant was not present.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Mills Pointe site improvements to the April 3, 2023 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Hope Pointe Place Townhomes development plan and sign plan, 28083
Detroit Road, PP#21219005, 012 & 054, Ward 5**

Mr. O'Connor, Mr. Filipkowski and Mr. Hoffman were present. The following was discussed: design/architecture, elevations, layout and colors of the buildings; there will be three different architectural styles of buildings spaced out without the same designed buildings next to each other (no third story buildings); setbacks and buffering/mounds on the various sides of the property where needed for buffer; the number of parking spaces throughout the site (two in each garage, two in each drive way and 18 guest spaces); lighting; utility meters; floor plans; patios at the rear of each unit; common space with a dog park; a homeowners association; owner occupied units; entry sign; retention basin; and sewers.

The following were present: Mr. Kopasakis, 28189 Detroit; Mrs. Stein, 1706 Coe's Post Run; Ms. Garcia, 1723 Coe's Post Run; Mr. and Mrs. Weiss, 1715 Coe's Post Run. The following comments were expressed: concerns with drainage along Detroit Rd. and the sewer capacity; eliminating the dog park due to noise; adequate buffering, mound height and screening along the south property line; if in the future trees were to die would they be replaced with similar quality and size trees; concerns with visibility of lights; and residents of the townhome should not cut-thru the yards of Settler's Reserve property owners to access sidewalks.

Members of the commission discussed the following: additional guest parking should be added; storm water drainage; the side elevations of the buildings need some design changes to soften the look and step down in height where visible from Detroit Road; the style and color of the privacy fences between each unit and the fence style to be use along the church property line; adding a sidewalk on the east side of the private street as requested by the Engineering Department; a straight street was not as desirable as the buildings/garages will give a wall like appearance and could it be more curvilinear – the commission would be favorable to granting a setback modification on the east side of the property to allow buildings to be placed closer to the property line so the private drive can be reconfigured; adding some height variations to the end units for interest; consider different color garage doors and to look at some side-loaded garages or variations; soften the roof lines; consideration of first floor master bedrooms; consider the scale of coach lights; the location of downspouts should not interfere with front walks, increase the number of trees on the buffer mound.

Mr. O'Connor, Mr. Filipkowski and Mr. Hoffman discussed the following: they will remove the dog park; make the mound on the southern property line as tall as they can; will submit a plan showing a different configuration of the private drive and setbacks of the buildings; painting the garage doors to match the units rather than all of them being white to break up the appearance; due to their target demographic and the width of the units it is difficult to have first floor master bedrooms; the fence along the east property line will be designed to weave around large trees to be retained; they will study storm water drainage and will provide some conceptual sketches with a different street configuration.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Hope Pointe Place Townhomes development plan to the April 3, 2023 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Bank of America development plan and sign plan, 150 Market St.,
PP#21126069, Ward 5**

Mr. Wehler reviewed: the proposal that incorporates changes discussed at the work sessions; way finding signage; monument sign along Crocker Road; landscape; park area and seating; building elevations and materials; layout on the site; and lighting. Mr. Bedell reviewed his staff memo and members of the commission thanked the applicant for incorporating the design as discussed.

Findings of Fact:

1. The proposed building is in the Eclectic Style, Design Guidelines Style #6.
2. Building and canopy lighting should be approved contingent upon approval by the City's lighting consultant, as it is still being reviewed.
3. The tinted glass requires a waiver from Design Guidelines Section 6.12.
4. Signage complies with the Crocker Park Master Sign Criteria.
5. Standards for granting modifications as set forth in Section 1220.06 are met.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Bank of America development plan with the following:

1. Modification from the preliminary development plan for the smaller building footprint and surface parking lot.
2. Condition that building and canopy lighting is administratively approved.
3. A waiver is granted from Crocker Park Mixed Use Area Design Guidelines Section 6.12 for spandrel glazing in charcoal grey or equal color.
4. Approval is subject to comments in Part III of the 3/2/23 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, Smith

Nays: none, motion carried

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

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

Ord. 2023-10 conditional use Permit for on-demand childcare (Sweet Kiddles), 137 American Blvd., ref. 2/2/23, Ward 5

Mr. Bedell reviewed his staff memo for a conditional use permit for a licensed child day care center. The business will be located in the American Greetings building east of Urban Air. He discussed: the drop-off and pick up lanes (it should not block the fire lane); playground; this day care is a unique on-demand day care; business hours; and noted the playground is just conceptual as a plan will need to be submitted once the CUP is approved. Mr. Kimmel advised the landscape plan is conceptual but similar to what they will submit. He explained the business model. Members of the commission did not have any issues with the use but will want to see details for the playground and drop-off and pick up lanes when they submit plans for the storefront and sign plan.

Findings of Fact:

1. Per 1227.03, Standards for Evaluating Conditional Use Permits, the Planning Commission determined that the location, extent and intensity of the proposed use is not objectionable to nearby dwellings by reason of noise greater than normal; the proposed use forms a harmonious part of Crocker Park, taking into account, among other considerations, convenience of access and relationship of one use to another; and its hours of operation and concentration of vehicles in connection with the proposed use are not expected to be more hazardous or dangerous than the normal traffic of the district.
2. A modification is needed in order for the playground to encroach 22.3' into the setback from Crocker Road. Due to existing and proposed screening, it will be largely hidden from view from American Boulevard and Crocker Road.
3. Standards for granting modifications as set forth in Section 1220.06 are met.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Ord. 2023-10 with the following:

1. Modification for the playground to encroach into the setback from Crocker Road as established in the current Crocker Park Preliminary Development Plan and for the vehicular drop-off/pick up location to extend beyond 30' from the entrance.
2. Condition that the east side of the landscaped playground area from American Blvd. to the building on both sides is identified as a fire lane with signs and painted curbs.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Dunkin' site improvement and sign plan, 25467 Detroit Road,
PP#21324008, Ward 1**

Mr. Bedell reviewed his staff memo noting: cosmetic changes to the exterior of the building; removal of the red mansard; new storefront and tower elements; dumpster location; building materials; canopy; signage; site circulation; double drive-thru lanes, two order stations and two pick-up windows; the elimination of the westerly driveway on Detroit Rd.; parking spaces; landscape and advised the lighting is still under review by the city's lighting consultant. The amount of signage proposed exceeds what is permitted on the site but is less than what existed when the building was occupied by KFC.

Mr. Berg, Ms. Crews and Ms. Eaken were present to review the proposal. The following was discussed: a revised site plan was submitted earlier in the day with changes to the driveway; the dumpster was relocated; presented the exterior remodel proposal; will remove the old red mansard roof; add a front door; the addition of canopies; a double drive-thru stacking lane; double pick-up windows; and signage. The amount of signage was reduced with the elimination of the mansard roof but is still more than the current code requirements.

Members of the commission discussed the following: concerns with traffic flow on the site due to the possible back up in the stacking lanes, making it difficult for patrons to exit the pick-up window; traffic flow in and out of the site; consideration of not refacing the existing pole sign and designing a monument sign instead; volume of traffic through the site and in and out of the site; driveway locations and curbing; building colors, elements and accent features; and proposed landscape. Revisions were suggested to address concerns raised.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Dunkin' site improvement and sign plan to the April 3, 2023 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**Ord. 2023-15 code amendments to Chapter 707 as to outdoor dining
facilities, ref. 2/2/23**

Mr. Bedell reviewed his staff memo noting the proposed amendments were related to emergency measures put in place during the pandemic and to better organize the code.

The following were present: Ms. L. Seeholzer, 30017 Center Ridge Rd.; Ms. J. Seeholzer, 2935 Northglen Dr.; Ms. Mertz, 2835 Northglen Dr.; and Mr. Frank, 29916 Sycamore. The following was discussed: concerns with Hail Mary's outdoor dining and enforcement; complaints with noise; how is something that is grandfathered enforced; concerns with schools being located close by; businesses shouldn't be grandfathered; Hail Mary's outdoor dining area is very large and they should consider another site if they don't have enough room as this is not the right location for that business; and the dining area is next to residential homes. Ms. Supler advised the law department has had meetings and is actively working to resolve issues. The property maintenance officer is able to issue citations and actions can be taken in court. The proposed code amendments relate to all outdoor dining in the city and not just the Hail Mary's site.

Members discussed that more time was needed to review the ordinance.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table Ord. 2023-15 to the April 3, 2023 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

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Nays: none, motion carried

**Ord. 2023-6 code amendments Chapter 1211 “Residential Districts”
as to Multi-family townhouse, cluster, two-family dwelling and
apartment developments, ref. 2/2/23**

Mr. Bedell reported that the sub-committee has been meeting to review the proposed amendments with several work sessions needed to discuss items with the planning commission.

Motion: Ms. Falcone moved, seconded by Mr. Jones to request a 60-day extension of time for Ord. 2023-6.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

Motion: Ms. Falcone moved, seconded by Mr. Jones to table Ord. 2023-6 to the April 3, 2023 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Jones, Lamb, Falcone, Smith

Nays: none, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 11:01 p.m.

Chairman Brad Lamb

Nicolette Sackman, MMC
Clerk of Commissions

Approved: _____