



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
MAY 8, 2023**

Present: Chairman Brad Lamb, Matt Jones, Duane Van Dyke, Lauren Falcone, Bonnie Smith
Also Present: Planning Director Jim Bedell, Law Director Michael Maloney, 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 March 6, 2023.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Mrs. Falcone moved, seconded by Mr. Jones to approve the minutes of the work session of March 23, 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.

BUSINESS

**Dunkin' site improvement and sign plan, 25467 Detroit Road,
PP#21324008, Ward 1, tabled 3/6/23, 4/3/23**

Mr. Berg, Ms. Crews, Mr. McIntyre and Ms. Eaken reviewed the revisions since the last meeting. Changes were made to the following: increasing the stacking lane to accommodate 30 vehicles; removal of an ADA parking space; a total of nineteen parking spaces; landbanking of 4 parking spaces; replacement of the pole sign with a monument sign; added the word "Westlake" on the base of the sign; the entire parapet will be white all around the building; painting the brick at the rear of the building brown; removal of the artwork/signage on the walls; and changes to the brick pattern.

Mr. Bedell reviewed his staff memo. He advised the signage was reduced in overall area and noted when KFC was there they were 770 sf over what is allowed. The commission discussed the following: the circulation pattern on the site regarding vehicles exiting the drive-thru and accessing Columbia Rd. as vehicles in the stacking lane when full will block access around the building; requested signage so stacking lane vehicles do not block the access intersection on the site for those exiting the drive-thru; crash bar pink color and text on the bar; concerns with the backing up of traffic onto Detroit Rd.; Detroit Rd. is to be right turns out of the site; removing the word "Westlake" from the monument sign and reducing the height of the sign to 6'; lighting on the building; changing the color of the dumpster for an improved visual appearance; no left turn into the site for vehicles heading westbound on Detroit Rd.; and changing the height of the parapet so the entire building is at the same height.

Mr. Berg advised that the vehicles in the drive-thru are on average in one location for approximately 15 seconds. This site will have new technology that will increase the ordering speed. They can install signs for wayfinding and to not block the exit of the drive-thru lane.

Findings of Fact

1. As this is a retrofit of an existing restaurant, there are a number of conditions/modification that are required in accordance with 1220.05 and 1223.13.
2. The Planning Commission, in accordance with 1223.03(c)(3), has allowed two sides of the building to be included in the calculation of total sign area in past approvals for this site and this is needed for this proposal.
3. The unique set of conditions, circumstances, or characteristics in support of 90.45 sf of additional signage results from the proposal being for retrofit of an existing drive-thru restaurant with new double drive-thru service lanes with two menu boards, branded orange colored canopies and trim, and the replacement of an existing pole sign with a new monument sign. The double drive-thru lane is needed to prevent vehicles from `backing up onto Detroit Road, the orange color is branding but also provides a punch of color for some added architectural interest to the building that is in subdued shades of gray, white, and wood tones; the proposed signage is less than KFC due to the removal of the red mansard roof and cupula signage that counted as approximately 757 sf of signage.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Dunkin' site improvement plan with the following:

1. Modification for parallel parking spaces.
2. Condition that CMU used for the dumpster enclosure is 6” split-faced CMU that is painted “Gauntlet Gray” and the gates are also the same color.
3. Condition to land bank four spaces.
4. Condition that final engineering plans indicate the location of new curbing.
5. Condition that exterior lighting plan received on 5/8/23 is approved.
6. Condition that mechanical screens are required for any rooftop equipment that is not screened by the parapet walls with the design of the mechanical screens administratively approved.
7. The height of the parapet wall is consistent.
8. Approval is subject to comments in Part III of the 5/4/23 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: Ms. Falcone moved, seconded by Mr. Jones to approve, the following motion is advised:

1. Condition that the Planning Commission has allowed the maximum square footage for signage to include a second side of the building (north side) in addition to the west side that contains the main entrance for a total of 128.2 s.f. of site signage allowed.
2. Modification for an additional 90.45 s.f. total site signage.
3. Modification to allow the message on the digital menu boards to change more than once but no more than 4 times per day and to allow the electronic message center to exceed 33% of the sign face and have more than one color provided that there shall be no scrolling or flashing of the digital signs, and the level of illumination shall not measure more than 10 lumens at three feet from the center of the sign face.

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, tabled 3/6/23, 4/3/23

Mr. Jones abstained from discussion and voting due to the issues discussed for one particular business.

Mr. Bedell reviewed his staff memo noting the revised proposed amendments. The emergency measures put in place during the pandemic for outdoor dining expired. One suggestion he received is requiring an annual permit that is revocable by the city if certain conditions are not met.

Mr. Seeholzer (on behalf of his parents at 2935 Northglen Dr.) expressed the following: more regulations should be added to the ordinance for music, noise, parking and other problems they are experiencing from Hail Mary's. He questioned who enforces the codes as issues at Hail Mary's are not being enforced. Ms. Supler advised all enforcement questions are to be address with Director of Inspection Mr. Grayem as that is an administrative function and not something the planning commission can address, or are part of the pending ordinance (concerns raised by the residents regarding Hail Mary's).

Members discussed the following: additional changes made to the ordinance are needed; Mr. Bedell advised the suggested language still needs further review; the bigger picture should be reviewed such as all outdoor dining should come before the planning commission and the ordinance should be tabled for more review.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to request a 90-day extension of time for Ord. 2023-15 (to 8/31/23).

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Lamb, Falcone, Smith

Abstain: Jones

Nays: none, motion carried

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ord. 2023-15 to the June 5, 2023 planning commission meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Lamb, Falcone, Smith

Abstain: Jones

Nays: none, motion carried

Chipotle Mexican Grill sign plan, 25350 Detroit Rd., PP#21309014, Ward 1

Ms. Clark advised the existing pole sign will be removed and replaced with a monument sign 8' in height. Mr. Bedell reviewed his staff memo. Members of the commission discussed the height of the monument sign and felt a 6' tall sign would be a better fit. Ms. Clark agreed to redesign the sign to be 6' in height.

Findings of Fact

1. The proposed sign complies with Chapter 1223 with the condition to allow a second side of the building to count towards the total site area allowance pursuant to 1223.03(c) (3).
 - a. This is a standard condition for restaurants that require more signage than other retail businesses (e.g. more instructional signage needed for circulation for restaurants than for a store).
 - b. The building is oriented with the short side facing the street, which creates a lesser amount of sign area; but this cannot be helped, due to the shape of the property and topography that prevents it from being oriented with the long side facing the street.
2. Even with the second side being counted, signage continues to remain understated, as there is 86.7 s.f. of additional sign allowance not being used.

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

1. Condition that the second side of the building is included in the calculation of total site sign area allowed, illumination does not exceed 10 footcandles when measured 3' perpendicular from the center of the sign face at night and submit one hard copy of plans to the Engineering Department for final approval and permitting.
2. Condition the sign is relocated at the owner's expense when Detroit Road is widened.
3. Approval is subject to comments in Part II of the 5/4/23 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: Jones, Lamb, Falcone, Smith, Van Dyke

Planning Commission Minutes

May 8, 2023

Page 3 of 10

Nays: none, motion carried

Motion: Ms. Falcone moved, seconded by Mr. Jones to reconsider the previous motion.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

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

1. Condition that the second side of the building is included in the calculation of total site sign area allowed, illumination does not exceed 10 footcandles when measured 3' perpendicular from the center of the sign face at night, and submit one hard copy of plans to the Engineering Department for final approval and permitting.
2. Condition the sign is relocated at the owner's expense when Detroit Road is widened.
3. Sign will a maximum six feet in height above grade.
4. Approval is subject to comments in Part II of the 5/4/23 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: Jones, Lamb, Falcone, Smith, Van Dyke

Nays: none, motion carried

**Rinaldi and Associates development plan (garage addition), 29656
Detroit Rd., PP#21121028, Ward 3**

Mr. Rinaldi and Mr. Mangione were present to discuss the proposal. Mr. Rinaldi advised that he is moving his law firm practice to Westlake. Mr. Mangione reviewed the following: the proposed garage is in the location of the previous bank's drive-thru; the drive-thru area will be enclosed to create a one-car garage; the location is at the rear of the building and they will need a modification to allow stucco material.

Mr. Bedell reviewed his staff memo and noted the existing building is stucco so the garage will match. The garage is not a commercial garage and is just for the owner's car and for document storage. Members of the commission discussed the following: the gutter downspouts should connect to the storm sewer; if the blank façade of the garage can include windows to break up the solid wall; existing exterior lights are to be downcast and should be tilted downward accordingly; and if there will be any changes to refresh the existing pavement, such as asphalt sealing. Mr. Mangione advised windows could not be included due to security issues so no one can access the garage and documents that will be stored there. The only thing that is being done on the site is the garage addition and some new landscape in the front of the building.

Findings of Fact

1. The proposed garage is an accessory use to the main office use.
2. A modification for stucco {EFIS} is acceptable because it is intended to match the rest of the building that is of stucco {EFIS}.

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

1. Modification to allow stucco {EFIS} as the primary cladding material for the infilled areas.
2. Approval is subject to comments in Part III of the 5/4/23 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: Jones, Lamb, Falcone, Smith, Van Dyke

Nays: none, motion carried

Planning Commission Minutes

May 8, 2023

Page 4 of 10

**Lincoln and Bradley Subdivision final plat, 3956 Bradley Rd.,
PP#21702007, Ward 6**

Mr. Bedell reviewed his staff report noting the final plat matches the preliminary plan with the same modifications. Mr. Hoffman explained the area of the parcels remains the same and they worked with the city's engineering department regarding the retention basin connecting to the storm sewers on Bradley Rd. instead of Lincoln. It is proposed to be a wet basin that will be fenced.

Edward Nassar, 30947 Belaire Circle, explained he is the HOA president for the adjacent subdivision next to the basin. He expressed the following: as designed the basin is too close to their properties and should be moved further away from the property lines; mosquito problems and concerns the wet basin will further add to that problem. He suggested a dry basin with grass swale in the basin.

Discussion ensued regarding the following: relocation and shape of the basin, which will have to come back to the commission; and if there is an agitator in the basin. Mr. Hoffman advised he has recommended an agitator in the basin to the developer but is uncertain what they will do. He described changes that would be needed for a dry basin. The grade change presents challenges to move water from the east to the west. There are new EPA requirements regarding inlets/outlets and they recommend the use of wet basins. A dry basin does not result in fewer mosquitos than a wet basin. There can be problems with grass growing in a dry basin due to the times and length that standing water would be in the basin. Mr. Jones, who is a civil engineer, confirmed new EPA requirements require that dry basins must include small pools of water at inlets and the outlet and some developers are opting for wet basins instead.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Lincoln and Bradley Subdivision final plat to the June 5, 2023 planning commission meeting.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

**Lumina Imaging and Diagnostics sign plan, 30400 Detroit Rd.,
PP#21118029, Ward 5**

Mr. Petro reviewed the proposal for a new wall sign of internally illuminated channel letters that are dimmable and not mounted on a raceway. Mr. Bedell reviewed his staff review memo.

Findings of Fact

1. The proposed sign does not require any modifications.

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

1. Condition that any visible attachment hardware, such as brackets, raceways, or rails are painted to match the building color and illumination does not exceed 10 footcandles when measured 3' perpendicular from the center of the sign face at night.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

**Sweet Kiddles storefront and sign plan, 137 American Blvd.,
PP#21129005, Ward 5**

Mr. Grieder, Ms. Enderle, Mr. Levitz, Mr. Rubin, and Mr. Kimmel were present. The following was discussed: reviewed the proposed design: the storefront façade will match the adjacent Urban Air design with the same mullions and colored panels but in their corporate colors; there will be bollards along the playground fencing; review of the playground area and equipment; the signage; the windows will be frosted so pedestrians cannot look into the daycare; and that the frosted glass will allow natural light into the interior of the tenant space.

Mr. Bedell reviewed his staff memo noting there are no modifications needed for the signage and signs facing Crocker Rd. are permitted for this use. Mr. Levitz further reviewed the design of the various signs. Members discussed the following: relocating the bus stop that is across the street for safety reasons; installation of a stop sign on American Blvd.; ODOT has a manual that notes stop signs are not for speed control and there are requirements to warrant a stop sign. Mr. Rubin advised the bus stop is a RTA bus layby for drivers to take a break and they will look at the possibility of installing a stop sign.

Findings of Fact

1. The proposal is consistent with the Crocker Park Mixed Use Area Design Guidelines, in accordance with Style #6, Section 6.10, except for the colored Nichiha panels that require a waiver from Section 6.11, Color Palette in order to not be counted as signage and for the frosted/filmed glass for child security that requires a waiver from Section 10.5 to exceed 25 percent of the storefront (this is a unique situation, as there are no other day cares in Crocker Park and it is not precedent setting for other commercial and office uses).
2. The sign plan complies with the Crocker Park Master Sign Criteria.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Sweet Kiddles storefront with the following:

1. A waiver from Section 6.11 of the Crocker Park Mixed Use Development Design Guidelines for the Nichiha panels in Sweet Kiddles branded colors and from Section 10.5 for the frosted/filmed glass to exceed 25 percent of the storefront.
2. Wall sconces shall match the color temperature and lumens of existing ones on the building.
3. Approval is subject to comments in Part III of the 5/4/23 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 that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted.

ROLL CALL ON APPROVAL:

Yeas: 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 Sweet Kiddles sign plan.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

University Hospitals Urgent Care storefront and sign plan, 2209 Crocker Rd., PP#21126075, Ward 5

Mr. Rubin and Ms. Williams reviewed the proposal. Ms. Williams explained there will be a red fabric awning across the storefront length; the door was relocated to be more in the center of the tenant space; there will be an area that will have frosted glass as a bathroom is in that location so clear windows are not being used; wall sconce lighting; and signage. Mr. Bedell reviewed his staff memo.

Members of the commission discussed the following: the red awning should be replaced with a black awning as it will stick out compared to the other awnings and would count against the signage allotment for this tenant; the sign raceway, which will not be visible as it is behind the wall; and if there will be halo lighting behind the sign, which the applicant advised there will not.

Findings of Fact

1. The proposed storefront complies with the Corporate Circle Design Guidelines.
2. Signage largely complies with the master sign criteria and Chapter 1223, except that:
 - a. A waiver from the master sign criteria is needed for the logo that exceeds 36" in height
 - b. The use of raceways is acceptable because they are located on the rear of the parapet wall, where they are not visible.
 - c. The Planning Commission determined that the awning in their branded red color is signage and when included with other proposed signage the total square footage allotment for this tenant is

exceeded. A waiver was not supported for additional signage, as the awning could be changed to a neutral color instead.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to approval of the University Hospitals Urgent Care storefront with the following:

1. Condition that the awning is black.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to approve the University Hospitals Urgent Care sign plan with the following conditions:

1. Waiver is granted from the Corporate Circle Master Sign Criteria for the logo to exceed 3' in height.
2. The acrylic face of the letter forms have a matte finish to avoid reflections in the letter face when not illuminated.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

Prince of Peace Lutheran Church site improvements (pavilion), 28455 Center Ridge Rd., PP#21617003, Ward 4

Mr. Faile (architect) and Mr. Sprague (church representative) were present. Mr. Sprague explained the design of the structure would have a similar look to the Blossom Music Center pavilion. He advised the pavilion will be used during daytime hours for: outdoor worship; making the pavilion available for church service and may be made available for the local community; music/bands; picnics; family gatherings; dramas; graduation parties; wedding venue; funerals; community events and meetings; worship services; live nativity; pig roasts; parties; bible study; Sunday school classes; memorial services; preschool graduation; pandemic space; counseling area; baby and bridal showers; and other things.

Mr. Faile advised the church property is 9.5 acres with woods to the west of the church. He reviewed the design of a pavilion is mostly an open air structure, as there will be a partial wall on the south side; will be used during nice weather; 240' off Center Ridge Rd.; a landscape mound will be added between the pavilion and Center Ridge for screening from the street; drainage plans/design; no lighting in the pavilion but there will be motion sensor lights; asphalt shingles but possibly a standing seam roof pending budget; use of Brazilian Walnut for the cross feature above the roof line; and concrete wall structures.

Mr. Bedell reviewed his staff memo. He advised to roof should have gutters that need to tie into the storm sewer per the city engineer. Mr. Faile stated they are not planning to tie in as it will be director into the yard drains and he has had discussion with the engineering department. The maximum building height for this type of structure is 15' but the code does not address structures of this type for places of worship but residential uses. Mr. Faile advised the roof structure would be sloped with a large pitch with the roof height being 26' tall. The cross feature above the roofline is 43' above grade. It was questioned if any trees will be removed in this area. Mr. Faile advised two trees would be removed that are dying but other trees will remain as they want to keep them. There are many trees being added and existing on the site.

Members of the commission discussed the following: the building materials; the roof materials must be determined as it needs to be known for approval; any changes must come back to the city, and possibly the commission and cannot just be changed during construction; what are the uses for the structure; concerns with noise levels from bands; events related to the church are permitted but there were questions and concerns with possible renting of the structure for non-church events (Mr. Bedell will check with the Law Department regarding uses); Type 5 construction is not permitted and this is addressed by the building department during their review of the construction plans; seating; and lighting. Mr. Sprague commented that they will comply with any noise requirements and there are woods, which should screen any noise.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the Prince of Peace Lutheran Church site improvements to the June 5, 2023 planning commission meeting.

Planning Commission Minutes

May 8, 2023

Page 7 of 10

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

**First Watch storefront and sign plan, 168 Market Street,
PP#21125004, Ward 5**

Mr. Farr reviewed the proposal for a covered seating area and revised signage. The covered seating structure will match the storefront materials; maintain the 8' pedestrian area; will have fans and heaters. The existing awnings will be removed as will some signage. Mr. Bedell reviewed his staff memo. He explained the overall signage area has been reduced and complies with the Master Sign Criteria. The covered seating area complies with the Crocker Park Design Guidelines except that the amenity zone is wider than 12 feet. The design of the seating area and open-air window canopy will match many elements of the storefront.

Members discussed the following: if there will be lights; suggested use of bollards and if there will be weather protection panels. Mr. Farr did not think there would be lights as First Watch is not open in the evenings. He can look into the use of bollards and at this time, they are not proposing weather protection panels.

Findings of Fact

1. The remodeled storefront complies with the Crocker Park Mixed Use Area Design Guidelines with no modifications required.
2. The sign plan complies with the Crocker Park Master Sign Criteria and the use of metal frames and raceways is allowed because they are "... skillfully designed to become an integral part of the sign design or architecture of the building or storefront as approved by Planning Commission (CP MSC Section 3.1)."
3. The total amount of signage is very low compared to what is permitted for this tenant and less than currently exists.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the First Watch storefront with the following conditions:

1. East façade "open air window canopy" will also include 4" ornamental medallions used on the covered seating area fascia.
2. The amenity zone width is increased to 16'-5".
3. Approval is subject to comments in Part III of the 5/4/23 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 that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

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

1. Condition to approve the use of metal frames and raceways.

ROLL CALL ON APPROVAL:

Yeas: Jones, Lamb, Falcone, Smith

Nays: none, motion carried

**RX Westlake Medical Office site improvements, 23709 Center Ridge
Rd., PP#21428001, Ward 1**

The applicant requested to be tabled.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table the RX Westlake Medical Office site improvements to the June 5, 2023 meeting.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

Sgt. Clean Car Wash site improvements and sign plan, 27180 Detroit Rd., PP#21101001, Ward 3

Mr. Seifert advised this is a second location in Westlake and is an existing small site on a corner lot. Currently they are doing maintenance work and interior remodeling. Mr. Bedell reviewed his staff memo and questioned if the existing asphalt will have a new topcoat, which Mr. Seifert advised it will. The site improvements include: site lighting (is still under review by the city's lighting consultant); new pavement striping; fence; dumpster enclosure; guardrail painting; customer welcome arch; planting trees; painting the building and vacuum stations. The vacuum stations were not shown and the existing ones were removed. The details and specifications will be needed before anything is installed as they will need to be approved. Some brands have LED lighting on the arms, which will not be able to be done at this location due to the proximity of the streets. He also noted the proposed shade trees along Dover Center will need to be switched to lower height trees due to the power lines. Mr. Bedell advised the lot is a legal non-conforming lot and the pole sign reface was administratively approved. He noted there are only two signs as part of this proposal but there will be other site signage and questioned why all of it is not being submitted at this time. It is better to review all the signs at the same time. Mr. Seifert was uncertain regarding additional signage. He advised the vacuum arms will not have LED lights on them. He presented a new color rendering of the building paint color as he had mistakenly swapped the colors. The building will be the red brick color and the top will be grey.

Members of the commission discussed the following: the car wash is already open and much work has been done without review by the planning commission; the site lighting should be reviewed by the city's consultant before the commission takes any action on the proposal; the proposed white vinyl fence will be very visible and it was suggested to look at a color other than white to blend better with the site; the guardrail should be replaced or repaired, as there are various locations where it is damaged; concerns with the welcome arch being located in the setback; concerns with the vacuum location due to the proximity to the sidewalk and street; brick on the building should be repaired before painted; will there be any other landscape on the site; will awnings be replaced; and they would like all the details for the proposed site improvements before voting on the request.

Mr. Seifert responded to the following: there will be landscaped flower beds; the welcome arch will help to direct patrons to the sacking lanes; the brick will be repaired and prepped prior to being painted; the existing awnings were removed and if they can be cleaned up they will put them back up or replace them if they are unable to be used again.

Motion: Ms. Falcone moved, seconded by Mr. Jones to table Sgt. Clean Car Wash site improvements and sign plan to the June 5, 2023 meeting.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

MISCELLANEOUS

**Dover Village Townhomes, Center Ridge Road, PP#21706033, Ward 6
– request a 6-month extension of time, Council approved 6/2/22**

Due to a conflict of interest, Mr. Lamb left the meeting and Ms. Falcone stepped in as chairman.

Mr. Asimes advised he is seeking an extension of time as they are still seeking approval for the wetland offsite mitigation from the Army Corp of Engineers. Due to a Supreme Court case, everything has been delayed and his engineer was waiting for the case results to determine the proper process to complete and submit the application. This has resulted in the project being on hold while they wait for approval and is the reason that there are no permits and work has not commenced. Mr. Bedell reviewed his staff memo noting that since this project was approved there are code amendments to the multifamily zoning. A request for an extension of time must be received prior to the one year of council's approval date. The letter was received 4/12/23, which is within the one-year timeframe.

The following were present and made comments: Ms. Durbin, 31401 Muirfield Way; Mr. Urban 31297 Muirfield Way; and Mr. Slezak, 31196 Muirfield Way. The following comments and concerns were made: when did the applicant apply for the wetlands permit; they have had plenty of time to apply and waited until the last minute; when the project was approved Commission member Mr. Jones advised the applicant to apply for permits due to delays at the time; the applicant was negligent in applying for the permit; an extension of time should not be granted because

Planning Commission Minutes

May 8, 2023

Page 9 of 10

the applicant did not apply within a reasonable amount of time; the Supreme Court case does not have any bearing for applying for a permit and starting construction; the lack of a permit is another way to delay the project; it will be years before the project is complete; the applicant should have been communicating with the city regarding the project the entire time regarding the court case and a possible extension of time. Ms. Sackman advised a letter was received from Mr. Crandall, 31323 Muirfield Way and given to the commission for the record.

Mr. Asimes explained his engineer applied for a permit in late February or in March, and has been waiting to determine how the offset will be handled. It was questioned if the Supreme Court case has been underway for the last year. Mr. Asimes advised they have been working according to the guidance of their environmental engineer to see how the case was going to get settled. Mr. Jones (a civil engineer) confirmed that there is a pending Supreme Court case that has resulted in a lot of delays over the last year as to how to proceed with offsite mitigation. The applicants delay is not a sign of negligence or intentional delay necessarily. He is not surprised there is a delay and the request is not problematic. Mr. Bedell advised that the zoning code does require communication regarding a request and they are only required to submit a request for an extension of time prior to the one-year expiration. Ms. Suppler advised that all requests for an extension of time have been granted for the last 10 years.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend that Council approve an extension of time for the Dover Village Townhomes Development Plan to April 12, 2024.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

ADJOURNMENT

Meeting adjourned at 11:13 p.m. The next regular meeting is scheduled for Monday, June 5, 2023, in the Westlake City Hall Council Chambers.

Brad Lamb
Chairman Brad Lamb

Nicolette Sackman
Nicolette Sackman, MMC
Clerk of Commissions

Approved: June 5, 2023