



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
JUNE 5, 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 May 8, 2023.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

COUNCIL REPORT

None

BUSINESS

**Lincoln and Bradley Subdivision final plat, 3956 Bradley Rd.,
PP#21702007, Ward 6, tabled 5/8/23**

Mr. Bedell reviewed his staff memo explained the retention basin was shifted to the south and reconfigured into a different shape. All the lots remain the same as approved on the preliminary plan. Mr. Hoffman advised that the basin will have some aeration in the means of a fountain or bubbler.

Findings of Fact

1. The final plat layout is the same as the preliminary plan, except that the retention basin design has been refined in accordance with comments received at the 5/8/23 Planning Commission meeting.
2. The property is constrained by the location of the adjacent roadways and parcels resulting in several minor modifications.
3. Planning and Platting Code Section 1131.04 allows modifications, "...where the size, shape and topography restrict development, provided that the modification is within the intent and spirit of these Subdivision Regulations, and further provided that any modification will be set forth in the minutes of the Commission and made a condition of its approval." The modifications meet the intent of this section, as they also did for the preliminary plan
4. The modifications and conditions are repeated in the motion in order to have matching language in the preliminary plan ordinance and final plat ordinance.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Lincoln and Bradley Subdivision final plat 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. Approval is subject to comments in Part II of the 6/1/23 staff report.

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, tabled 5/8/23

Mr. Faile, Mr. Sprague and Pastor Woodward were present. Mr. Bedell reviewed his staff memo noting the following: Sunday worship services will begin prior to the 10:00 am noise control code; the pavilion height, area and design; split face concrete masonry units at 4" x 12" is not readily available so a different size will be used and require a modification; and the proposed uses for the pavilion are permitted as church accessory uses. Mr. Faile advised they will be using 8" x 16" CMU.

Members of the commission discussed the following: the building materials and colors; suggested not using black for some of the trim; lighting (there will only be motion detector lights); noise; structure height and materials.

Findings of Fact

1. The proposal is for a permitted accessory use.
2. Colors for materials and material samples were presented at the meeting and are earthtone in accordance with Chapter 1237.
3. Modifications may be considered because code sections for pavilions were written for residential homes and do not address churches and the required size of the split face concrete masonry units at 4" x 12" is not readily available.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Prince of Peace Lutheran Church site improvements (pavilion) with the following:

1. Modification to exceed 15' in height and 600 s.f. in size.
2. Modification for split face concrete masonry units to exceed 4" x 12".
3. Approval is subject to comments in Part III of the 6/1/23 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

Teddy sign plan, 218 Crocker Park Blvd., PP#21125302, Ward 5

Mr. Bedell reviewed his staff memo for wall signs that comply with the criteria. Mr. Levitz reviewed the design and placement of the signs.

Findings of Fact

1. The sign plan complies with the Crocker Park Master Sign Criteria and the use of the metal frame (beam) that incorporates the raceway is allowed because it is "... 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)."
2. The total amount of signage is very low compared to what is permitted for this tenant and is uniform.

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve the Teddy sign plan.

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, tabled 5/8/23

Mr. Bedell reviewed his staff memo noting the following; the revised landscape plan will need further revisions as the shade trees were replaced with shorter trees and a few other plants will not survive along the street, which will work for Dover Center but Detroit should have shade trees; the lighting plan needs reviewed; “exit only” signs should be added to the building so patrons go the correct direction; the entry arch will require a modification as it sets in the front yard setback, but on this small non-conforming parcel any archway would be in the setback; the vacuum stations are back in place (same location and units); the color of the clearance bar needs to be determined; and he showed some of their other locations and the building/site design.

Mr. Seifert (architect) and Mr. Krushzewski (owner) discussed the proposal: “exit only” signs will be added; they will revise the landscape plan however the commission would like; the previous white fence will be painted grey to match the building; the building color will be burgundy with a grey trim at the top fascia panels; the guardrail was replaced and fixed; the existing vacuum stations will remain in the same location; there will be no new lights added to the vacuum stations; the sign package complies with the code; the adjacent neighbor submitted a letter in support and noting there are no apartment units above the plaza; they did look at some alternate cladding materials but at this time they are not in the budget.

Members of the commission discussed the following: the upper fascia panels are old and deteriorated and painting them a light grey will bring attention to them and a different color should be selected so not to highlight the panels; the panels may need to be replaced in the future; different landscape plants need to be selected as what is shown on the plan are not heat tolerant and shade trees should be planted on the Detroit Road side; revised lighting fixtures need to be presented to the commission for review and approval; due to the dark building colors a white fence might be better than a grey fence; and the archway color should be burgundy to match the building.

Findings of Fact

1. The landscape plan, lighting plan and fence design needs to be revised and is not included in this approval.
2. A modification is needed for the size of the split face concrete masonry units, but the approved 4” x 12” size is not readily available, so this is an acceptable substitution.
3. The Planning Commission will need to determine whether the setback modification for the approved entry arch is in accordance with Sections 1220.05 and 1220.06.
4. Signage complies with Chapter 1223, provided clearance bar color and copy is exempt.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the Sgt. Clean Car Wash site plan with the following:

1. Modification for 6” split face concrete masonry units for the dumpster enclosure.
2. Modification for the new entry archway to encroach into the front yard setback and the color of the archway to match the burgundy building color.
3. Condition that the revised fence, landscape and lighting plan is submitted to the planning commission for approval at a future meeting.
4. Condition that the upper fascia panels are painted dark grey with the color is to be administratively approved.
5. Approval is subject to comments in Part III of the 6/1/23 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

Motion: Ms. Falcone moved, seconded by Mr. Jones to approve of the Sgt. Clean Car Wash sign plan with the following:

1. Condition that two signs reading “exit” not exceeding 2 s.f. each are placed at the north (one sign) and south (one sign) side of the carwash tunnel exit.
2. Condition that the clearance bar color is submitted for administrative approval.
3. Condition that signs are dimmable, 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, and

are turned off when the business is closed.

ROLL CALL ON APPROVAL:

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

Nays: none, motion carried

**Sunoco, Development Plan (cooler addition), 27179 Detroit Rd.,
PP#21310001, Ward 3**

Mr. Bedell reviewed his staff memo for a 240 s.f. building addition and 480 s.f. cooler addition (both single story). The masonry addition is 6' x 40' (same width as existing building) and the cooler is 12' x 40'. The masonry addition will be designed to match the building with similar materials and brick and fascia color. The cooler addition is a pre-fabricated unit that is aluminum colored.

Mr. Shahid Latif and Mr. Mohammad. Latif were present and discussed the following: when they purchased the property it was in poor condition and they are making an investment to improve the property; the current interior of the existing building is very small and only one customer at a time can fit inside; the addition and cooler will provide more interior space; the additions will be at the rear of the building; in the future they would like to construct a new building but proposed an addition at this time for financial reasons; and they will be adding landscape to the property to improve the site.

Members of the commission discussed the following: visibility of the addition from Mitchell's Ice Cream; the addition is close to the property line but the parcel is a small non-conforming lot; and adding landscape to screen the addition. Councilman Van Dyke was not in support of the request as he has concerns with the proposed cooler aluminum cladding material setting a precedent; the lighting should be adjusted so it is downcast and not as bright; and if the applicant considered putting the cooler inside the building by extending the walls around the structure rather than leaving the cooler materials exposed.

Findings of Fact

1. The proposal is for a small building and cooler addition.
2. The Planning Commission determined that the landscaping and setback modifications are in accordance with Sections 1220.05 and 1220.06.

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

1. Modification for landscaping to be less than 25% and the side (south) setback to be less than 10'.
2. Condition that the landscape plan is administratively approved.
3. Approval is subject to comments in Part III of the 6/1/23 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

Nays: Van Dyke, motion carried

**RX Westlake Medical Office site improvements, 23709 Center Ridge
Rd., PP#21428001, Ward 1, tabled 5/8/23**

Mr. Bedell reviewed his staff memo for cosmetic renovations to the exterior elevations: accent lighting, awnings, planter boxes, Nichiha panels in gray, new side entry door, removal of bollards, and a drop-off/pick up area. The building will be used for multiple tenants in the future. Signage is not being proposed at this time. Ms. Foster (architect) reviewed the proposal noting the Nichiha panels will be above the windows except on the north and west sides where the panels will not be added. The parking was revised due to the drive up drop-off/pick up area ADA accommodations so there will be 49 parking spaces.

Members of the commission discussed: paint colors; materials; location of the Nichiha panels; lighting and landscape.

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Findings of Fact

1. The proposal modernizes the look of the building, changing it from a retail appearance to an office one.
2. Signage will be presented at a future meeting.
3. No zoning modifications are required.

Motion: Ms. Falcone moved, seconded by Mr. Jones to recommend approval of the RX Westlake Medical Office site improvements with the following:

1. Condition that the drive-up window is not used for any food/beverage service related activities and is only used for permitted General Business uses and that lighting does not exceed 4000K and is dimmable.
2. Condition that revised building elevation drawings are submitted for the file.
3. Approval is subject to comments in Part III of the 6/1/23 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

Ord. 2023-15 code amendments to Chapter 707 as to outdoor dining facilities, ref. 2/2/23, tabled 3/6/23, 4/3/23, 5/8/23 extension of time to 8/31/23

Mr. Bedell reviewed his staff memo spelling out all the suggested changes to the ordinance and what new language was added. Members of the commission discussed: defining the rolls of the city departments to clarify review for outdoor dining; if conditional use permits should be required for outdoor dining; looking at the distance of outdoor dining areas in relation to surrounding residential uses; enforcement in real time; setbacks; possible public notice if planning commission needs to review an outdoor dining area; existing non-conforming uses; hours of operation; storage of alcohol inside when not in use; use of weather protection panels and when they will be permitted to be used; parking; a possible license process; fines for non-compliance; defining what can be administratively approved and what planning commission/council will need to review and approve.

Mrs. Seeholzer, 2935 Northglen Dr. expressed the following concerns with the adjacent Hail Mary's outdoor dining patio next to her home and other residential homes: noise; the patio has had a lot of changes to include KENO machines, TVs, beer signs, roof and sides making the patio area into a structure; cooler outside that stores alcohol; the amount of seating exceeds the permitted 33% of the interior seating; HVAC on the patio; buffer plants do not provide enough screening for the residential properties; the outdoor dining patio has become an outdoor bar and not used for dining; weather protection panels are not rolled up at the end of the evening. Mr. Maeder, 30834 Lytham Circle expressed the following: more details should be added to the ordinance; noise regulations; setbacks from residential property, which should be similar to drive-thru restaurants.

Motion: Ms. Falcone moved, seconded by Brad Lamb to table of Ord. 2023-15.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Falcone, Smith, Van Dyke

Abstain: Jones

Nays: Jones, motion carried

MISCELLANEOUS

Ms. Falcone questioned the status of the retention basin on Bradley Road (Garland Homes) as it is unfinished. Mr. Bedell will check with the city engineer regarding the status. Councilman Van Dyke stated basin regulations need to be discussed so they are installed, seeded, and fenced prior to construction so it does not take years, at times, for them to be installed.

ADJOURNMENT

Meeting adjourned at 10:07 p.m. The next regular meeting is scheduled for Monday, July 10, 2023, in the Westlake City Hall Council Chambers.

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Brad Lamb
Chairman Brad Lamb

Nicolette Sackman
Nicolette Sackman, MMC
Clerk of Commissions

Approved: July 10, 2023