



**WESTLAKE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
OCTOBER 1, 2007**

Present: Acting Chairman John DesForges, Daniel Meehan, James Connole,  
Nathaniel Cross

Absent: Richard Schultz

Also Present: Planning Director Robert Parry, Assistant Law Director William Huffman,  
Assistant Planning Director William Krause, Clerk of Commissions  
Nicolette Sackman

Discussion of agenda items and fact finding was conducted at 7:00 p.m. The regular meeting was called to order at 7:30 p.m. by Acting Chairman John DesForges

**APPROVAL OF MINUTES**

Mr. Meehan moved, seconded by Mr. Connole to approve the minutes of the regular meeting of August 27, 2007.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**COUNCIL REPORT**

Councilman Connole reported on council matters regarding planning commission items.

**SELECTED CORRESPONDENCE**

Revised color rendering for **Achievement Centers** monument sign, dated received 9/28/07

Memo from Will Krause dated 9/27/07 for **Achievement Centers Sign Plan**

Memo from Will Krause dated 9/13/07 for **Woodhill Properties Lot Split and Minor Revision**

Memo from Will Krause dated 9/13/07 for **West Side Plaza – Realty One Sign Plan**

Memo from Will Krause dated 9/13/07 for **Fastenal Sign Plan**

Memo from Will Krause dated 9/13/07 for **Crocker Park Bldg. BW & EWN Rev. Development Plans**

Revised building elevation drawings for **Crocker Park building ENW**, dated received 9/28/07

Memo from Robert Parry dated 10/01/07 re: **Ordinance 2007-110**

Redlined version of **Ordinance 2007-110**

Memo from Robert Parry dated 10/01/07 re: **Ordinance 2007-151**

Boxscore:

**Medical Resource Group**

### **OLD BUSINESS**

**DOCKET 07-08-78 – Achievement Center, Sign Plan, 24211 Center Ridge Road, PP# 214-10-007, R. Milburn, rep., WARD 1; withdrawn by applicant on 8/27/07**

Mr. Milburn explained the revised sign plans. The sign base was revised to be a neutral color and the new sign will be in the same location as the existing sign. The existing illumination for the sign does not work but the new sign will be illuminated.

Mr. Parry reviewed Mr. Krause's sign review memo noting the revised sign is 6' tall, externally illuminated with a 30 sq. ft. area. The existing sign is 24 sq. ft. with an additional 8 sq. ft. area of address block. The code limits the area to 24 sq. ft. Modifications for setback are required (same location as existing sign) and it was suggested that a condition of approval be that the owner move the sign at their own expense if the road is ever widened.

Mr. Tom Cardello of 3117 Bay Landing Drive questioned what type of business the applicant owns.

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to approve the Achievement Center Sign Plan with the following conditions and modifications:

1. modification to permit the second side (same as existing sign);
2. a 6 sq. ft. sign area modification;
3. a 7' setback modification from the planned right-of-way;
4. a 6' setback modification from the drive (same as existing);
5. a condition that the sign owner agrees to move the sign at their own cost if the road is widened;
6. a condition that the external illumination adhere to the illumination performance regulation of the code.

**ROLL CALL ON APPROVAL:**

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**NEW BUSINESS**

**DOCKET 07-10-81 – Medical Resource Group,  
Revised Development Plan, 27791 Center Ridge  
Road, PP# 215 06 010, W. Davison, rep., WARD 4**

Mr. Bill Davison, architect and Mr. George Panstares, owner were present. Mr. Davison explained the proposed building is approximately 10,700 sq. ft. with over 8,000 sq. ft. being located on the first floor and a partial second floor. The revised development plan is similar to the plan approved a couple of years ago. They moved the parking spaces from next to the building to west side of the property. The biggest changes are to the elevation.

Mr. Parry reviewed the boxscore for the proposal. The materials to be used for the building are red brick, sandstone, white trim, and grey cement board. A canopy entry feature was added to the north elevation and revised lighting plans were submitted. The photometric plans show that there will be no light shining onto the adjacent property. The proposed poles are 18' but the plans show 20' poles. A landscape plan was presented showing plant material and partial fencing material along the western property line. The plans as shown may provide 100% opacity where there are sections of fencing but the parking lot and drive 5' to 6' above the grade at lot line.. The lot coverage for the property is at 21% coverage. The code allows up to 25% coverage for a one story building and 20% coverage for a two story building. The proposed building does have a second floor but it is more like a 1 ½ story building.

Mr. Tom Cardello of 3117 Bay Landing Drive commented on the following: the landscape plans; if landscape mounds will be incorporated into the buffer plans; he did not want to see a parking lot from his home; the surrounding area is residential; why are buildings constructed on green vacant lots and not on other vacant lots that are eyesores; how long can a lot remain vacant; what type of tax revenue will this development bring into the city. Mr. Parry responded that property owners have the right to develop their land and the city does not tell people what lots to build on. If someone owns a vacant lot and doesn't develop it, the city cannot force them to build or not build if they so choose. As for tax revenue that is something Mr. Cardello would have to address with the city finance department.

Ms. Barb Maye of 3171 Bay Landing Drive commented on the following: the type of fence to be used and if light will shine into homes. Mr. Panstares reviewed the photometric sheet, showing there will not be light trespass onto the property. His objective is to provide landscape that is attractive and provides buffer and screening. He reviewed the different plants and trees to be used. The fence will be a board on board white vinyl fence 6' tall in 20' sections that are placed to block headlights from the residential windows.

Ms. Mary Ellen Sullivan of 3149 Bay Landing Drive commented on the following: that a 6' fence is not tall enough; will headlights pass through shrubs; and what are the hours of

operation. Mr. Panstares advised this is not a retail center and it is an office building. His hours will be 8 a.m. to 5 p.m. and he anticipates future tenants he may have would also have similar hours since there is no retail permitted in the building. He thought the buffer he is proposing to provide will give 100% coverage and he did look at a 4' fence but went with a 6' fence.

Ms. Sharon Huelsman of 3063 Bay Landing Drive commented on the following: There have been problems in the past related to drainage on the Bay Landings property. Mr. Panstares reviewed the drainage plans, which is for underground retention and the water will be split between different storm sewer drains. He is aware there have been problems in the area and his drainage plans will not add to existing problems. It was also noted that the city engineer must review and approve all drainage plans and that department would address any problems or concerns.

Discussion ensued with questions as to why the parking was flipped to the other side of the driveway from the original approved plan. It was questioned if the height of the property in relation to the neighboring residential land would result in headlights from vehicles being seen or not. Mr. Panstares advised the parking was moved for aesthetic reasons and because of a utility pole with transformers and boxes along the front of the property. A great deal of time was spent discussing the screening and buffering of headlights within the parking lot. It was suggested that a 4' fence be install along the entire length of the west property line to provide screening at all times from headlights due to the raised grade of this property in comparison to the Bay Landing property. The upward slope of the property with a 4' fence should provide appropriate screening. Mr. Panstares questioned if he were to provide a staggered fence, using both 4' and 6', if he could use less landscape materials because his initial plan incorporated the use of plant material to provide the opacity. Members also questioned what will be planted along the slope of the property between the boulders and fence line. The landscape plans presented show very large trees with no gaps between trees and it was questioned if this was at grow out in ten years or more because it would be very costly to have this size landscape material at installation. It was suggested that a revised landscape plan be provided showing the changes and plant material to be used on the slope.

The location of the dumpster was questioned because where proposed will cause for garbage trucks to have to back down the entire length of the parking lot which will result in noise problems with the beeping sound made while backing. Due to the proposed location it was suggested that restrictions on the hours of garbage collection be placed so there are no early morning collections. Mr. Panstares was ok with collection times during business hours. The commission expressed they would like to see revised photometrics for 20' pole heights since that is what the drawings are showing for light pole height. Mr. Davison advised they will revise the plans so the poles are only 18' tall to match the photometrics.

**Motion:** Mr. Meehan moved, seconded by Mr. Cross to table the Medical Resource Group, Revised Development Plan to October 15, 2007.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan  
Nays: None, motion passed

**DOCKET 07-10-82 – Woodhill Properties, Lot Split,  
800-802 Sharon Drive, PP#214-01-015 & 016, R.  
Nottrodt, owner, WARD 1**

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**DOCKET 07-10-83 – Woodhill Properties, Minor  
Revision to Development Plan, 800-802 Sharon  
Drive, PP#214-01-015 & 016, R. Nottrodt, owner,  
WARD 1**

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Mr. George Hufmann, engineer and Mr. Robert Nottrodt, owner were present. Mr. Hufmann explained the current lot is one lot with three buildings. They propose to split the lot so one building is on parcel A (1.5 ac) and two buildings are on parcel B (4.57 ac). One parcel will have 50' frontage and the other will have 304' frontage. Cross easements for ingress and egress will be provided, as will easements for water and retention.

Mr. Parry reviewed Mr. Krause's memo. The Lemix building (former use) was constructed over a parcel line and in 1995 the two parcels were joined together to correct this problem and in order to create the building site for the two then proposed multi-tenant buildings. Now Woodhill Properties is requesting to re-split the property and put the Youth Challenge (former Lemix) building on its own parcel (designated Parcel A) with access easements on the adjoining parcel to access the Youth Challenge parking lot. Submitted with the application are easements to share the retention basin and to allow the multi-tenant parcel (designated Parcel B) access to the domestic water and fire line located on the Youth Challenge parcel. All of the property is zoned Exclusive Industrial and this zoning district has no minimum requirement for lot size or frontage except that any newly created lot needs to have access to a public street. Therefore the proposed lot split into a 1.5 acre and 4.57 acre parcel with 50' of frontage on Sharon Dr. and cross-easements for access, does not require any modifications. The Minor Revision to the previously approved Development Plans does involve modifications necessary for the as-built conditions for the southwest corner of the building and parking setbacks.

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to approve the Woodhill Properties Lot Split with the condition that all ingress and egress easements, water main easements and retention easements be recorded at the same time as the plat.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan  
Nays: None, motion passed

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to recommend approval of the Woodhill Properties, Minor Revision to Development Plan with the following condition and modifications:

1. a 5' parking setback modification for both Parcel A and Parcel B on each side of the split line as shown;

2. a 4' parking setback modification for Parcel B for an area of parking near the retention basin;
3. a 13' setback modification for the rear setback of the southwest corner of the Youth Challenge building on Parcel A;
4. a condition that the retention basin is maintained and shared by both parcel's property owners

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**DOCKET 07-10-84 – Westside Plaza - Realty One  
Real Living, Wall Sign Plan, 2055 Crocker Road,  
PP# 211 26 030, G. Harris, rep. WARD 5**

Mr. Greg Harris was present and explained the tenant is seeking to put a wall sign up that complies with the sign plan that was approved for the Fidelity tenant, which did not move to this building. The proposed sign is the same, white channel letters, and will mirror the existing Huntington Bank sign on the opposite side of the entrance.

Mr. Krause reviewed his memo and noted the plan requires a modification for height, which was previously approved for other tenants.

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to approve the Westside Plaza - Realty One Real Living Wall Sign Plan with a modification to place the sign 26' above grade.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**DOCKET 07-10-86 – Crocker Park Bldg. ENW,  
Revised Development Plans, Crocker Park Blvd.,  
PP# 211-24-001, S. Rubin, rep., WARD 5**

**DOCKET 07-10-87 – Crocker Park Bldg. BW,  
Revised Development Plans, Crocker Park Blvd.,  
PP# 211-24-001, S. Rubin, rep., WARD 5**

Mr. Paul Deutch was present and explained the issue for both buildings is the same. While designing the suites and reviewing marketing trends it was decided that 10' ceilings in the condo units was preferred over the 9' ceilings previously approved. The apartment units will remain with 9' ceilings. Also while reviewing the structural systems needed for support it was discovered that the floor joists needed to be deeper due to bearing walls. Due to these changes an additional 3' of additional height is needed so they are seeking approval of a 61' tall building with a 73' tall penthouse verses a 70' tall penthouse previously approved. Mr. Deutch also reviewed the internal floor plans which changed but the exterior elevations visible from adjacent streets will remain the same just 3' taller.

Mr. Parry advised since there was a change in height he could not administratively approve the proposal so it had to come to planning commission. The changes are minor.

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to recommend approval of the Crocker Park Bldg. ENW, Revised Development Plans with the condition that the previous conditions and modifications from the approval remain other than:

1. Modification #2 should be replaced with a height modification of 11' to the top of the fifth floor; and
2. Modification #3 should be replaced with a height modification of 23' to the top of the penthouse roof.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**Motion:** Mr. Meehan moved, seconded by Mr. Cross to recommend approval of the Crocker Park Bldg. BW, Revised Development Plans with the condition that the previous conditions and modifications from the approval remain other than:

1. Modification #2 should be replaced with a height modification of 11' to the top of the fifth floor; and
2. Modification #3 should be replaced with a height modification of 23' to the top of the penthouse roof.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**DOCKET 07-10-88 – Ordinance 2007-110  
Amending title Three of the Zoning Code of the City  
of Westlake by the addition of New Chapter ~~1220~~  
1210 Entitled “Public Recreation District and  
Education District” – ref. 6-21-07 by council**

Mr. Parry explained this ordinance creates a new zoning district. The ordinance was amended since its referral since Chapter 1220 already exists and the number was changed to 1210 and added Education in the title – “Public Recreation and Education District.”

Mr. Parry researched these types of districts in other communities and found that they all varied somewhat. Some districts allow other public uses in the district and a couple of communities allowed public buildings as Conditional Uses. Also in the revised version of the ordinance he provided numbers (for setbacks, etc.) for the blanks in the ordinance.

Discussion ensued if the intent of this ordinance was to preserve green space and if so why buildings would be allowed other than those that are accessory uses. In a public recreation use there may be some buildings such as a clubhouse for a golf course which would be desired. Different parks may have different uses based on what the park is being used for such as Clague Park compared to Bradley Woods. It was suggested to allow certain public building uses as Conditional Use Permits or accessory uses and that buildings like churches should not be included in a Public Recreation and Education

District. The various properties that could fall under this type of use may be city owned or school board owned. City offices such as police or fire would not be desirable uses in these districts. Mr. Parry will provide additional changes to the ordinance for the review at the next meeting.

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to table Ordinance 2007-110 to October 15, 2007

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**DOCKET 07-10-89 – Ordinance 2007-151 -  
Amending and Supplementing §1212.02**

Mr. Parry advised the suggested changes to the code were a result of changes the planning commission made when reviewing the PUD District. He did suggest changing subsection five of the ordinance to actually list the prohibited uses by name rather than by code section numbers [1216.03(e)(6); 1216.03(g)(1); 1216.03(g)(3); 1216.03(g)(5) and 1216.03(g)(13)] because sometimes numbers change and could cause confusion in the future. He also suggested allowing a decorating shop as a permitted use because a furniture store could be considered a decorating shop and a couple stores of this type already exist in the PUD District. Members agreed with Mr. Parry's suggestions.

**Motion:** Mr. Meehan moved, seconded by Mr. Cross to recommend approval of Ordinance 2007-151 with the amendment that (g)(5) read:

(5) Service establishments and other business uses as listed in Section 1216.03(e) and (g) with the exception of: Tin Shop, plumbing shop, furnace repair shop, sign display; printing shop, newspaper printing establishment, employing more than five employees; pet shop, animal hospital and animal day care establishment; mortuary; nursery/landscaping.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**DOCKET 07-10-85 – Fastenal, Freestanding Sign,  
29275 Clemens Road, PP# 211 22 052, B. Mobley,  
rep., WARD 3**

**Applicant not present at meeting**

**Motion:** Mr. Meehan moved, seconded by Mr. Connole to table Fastenal Freestanding Sign Plan to October 15, 2007.

ROLL CALL ON APPROVAL:

Yeas: Connole, Cross, DesForges, Meehan

Nays: None, motion passed

**MISCELLANEOUS** - none

**ADJOURNMENT**

Meeting adjourned at 9:30 P.M. The next meeting is scheduled for Monday October 15, 2007 in the Westlake City Hall Council Chambers.

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Acting Chairman John DesForges

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Nicolette Sackman, CMC  
Clerk of Commissions

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