



**PLANNING DEPARTMENT**

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**REPORT TO COUNCIL**

TO: Denise Rosenbaum CMC, Clerk of Council  
FROM: Jim Bedell, Director of Planning and Economic Development  
DATE: January 7, 2020  
RE: Planning Commission Regular Meeting of January 6, 2020 Report to Council

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Present: Chairman Brad Lamb, Lauren Falcone, Duane Van Dyke, Lynda Appel, Phil DiCarlo  
Also Present: Planning Director Jim Bedell, Law Director Michael Maloney, Assistant Planning Director William Krause

Westlake Planning Commission, at its regular meeting held on January 6, 2020 took the following actions:

**ELECTION OF OFFICERS**

**Motion:** Mr. Van Dyke moved and Mr. DiCarlo second to nominate Brad Lamb Chairman.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo

Nays: None, motion passed

**Motion:** Mr. Van Dyke moved and Mr. DiCarlo second to nominate Lauren Falcone, Vice Chairman.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Appel, DiCarlo

Nays: None, motion passed

**Motion:** Mr. Van Dyke moved and Mr. DiCarlo second to nominate Phil DiCarlo Secretary.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel

Nays: None, motion passed

**APPROVAL OF MINUTES**

**Motion:** Mrs. Falcone, moved, seconded by Mr. DiCarlo moved to approve the minutes of the regular meeting of December 2, 2019.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo  
Nays: None, motion carried

**OLD BUSINESS**

**Market Square, Development Plan (building addition), 239 Market St., PP# 211-24-003 & 004, rep. B. Garrett, Ward 5 –tabled 11/11/19 – requests to be tabled to the 2/3/2020 meeting**

**Motion:** Mrs. Falcone moved, seconded by Mr. DiCarlo to table the Market Square, Development Plan (building addition) to the February 3, 2020 meeting.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo  
Nays: None, motion carried

**West Bay Plaza, revision to approved Master Sign Criteria, 30010 Detroit Rd., PP#211-19-023, rep. C. Reville, Ward 5, tabled 12/2/19**

Findings of Fact:

1. That a note on Sheet A10 of the development plan depicted the south elevation be changed to read: “Development Identification Signage Frontage: 77LF”; “Sign Allowed at 1.5SF/LF = 115.5 SF (Shown at 105.5 SF, Maximum permitted by Criteria 114 SF); “Max. Letter or Logo Element = 60”; “Sign Restricted to Development Identification”.
2. That the Building Signage calculation under the Analysis section of the Summary be corrected to read “(1.5 SF per 1,983.5LF frontage). “
3. That Item #8 under “Building Signs” is corrected to read “114SF in area ... on the south elevation.”
4. That under part III. Matrix, the Buildings Proposed Frontage (LF) and Total Proposed Frontage (LF) be corrected to “1983.5”.
5. That under part III. Matrix, the Proposed Frontage (LF) for Building 100 be corrected to “644.0”.
6. That under Part III. Matrix, the Buildings Proposed Frontage (LF) on the last page be corrected to “1983.5”.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the revisions to the approved West Bay Plaza Master Sign Criteria dated 12/2/19, submitted 12/10/19, with landscaping screening or panels to be provided at the back of the entry signs administratively approved.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo  
Nays: None, motion carried

**Ordinance 2019-127 code amendments to the sign code, 1223.14(a) and 1223.18(c) ref. by council 10/17/19, tabled 12/2/19**

**Motion:** Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend a 90-day extension of time for Ordinance 2019-127.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo

Nays: None, motion carried

**Motion:** Mrs. Falcone moved, seconded by Mr. DiCarlo to table Ordinance 2019-127 to the February 3, 2020 meeting.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Van Dyke, Falcone, Appel, DiCarlo

Nays: None, motion carried

**NEW BUSINESS**

**Bur Oak Estates Phase III Major Subdivision Preliminary Plan, Bur Oak Dr., PP#211-05-034, rep. K. Kelly, Ward 5**

Findings of Fact:

1. This completes the Bur Oak Subdivision by developing 23.3543 acres as 28 residential lots.
2. An existing home on Avon Road will be reoriented to the subdivision and access to it from Avon Road will cease in accordance with the Bur Oak Phase III Lot Split & Assembly approved by the Planning Commission on 9/14/15.
3. Modifications are insignificant and in accordance with 1127.01 and 1133.02.
4. The cover letter states that the homeowners association (HOA) for Phase II will be merged with the HOA of Phase III and, eventually, it will merge with the existing Bur Oak HOA to create a single HOA.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Bur Oak Estates Phase III Major Subdivision Preliminary Plan with the following modifications and conditions:

1. Modification for the turn-around of the cul-de-sac to have a diameter of 120'.
2. Modification for depth to width ratios for subplot 68 to be 1.24:1, subplot 69 to be 1.13:1 and PPN 211-05-035 to be 1.07:1.
3. Modification for the property line shared by PPN 211-05-035 and s/l 68 to not be radial to the cul-de-sac.
4. Condition that the driveway from Avon Road to PPN 211-05-035 will be eliminated when Jager Boulevard is open for public use.
5. Individual landscape designs for each of the three cul-de-sac islands are provided for administrative approval.
6. Approval is subject to comments in Part III of the 12/27/19 staff report and approval of the preliminary plan by the Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Mallard Cove No 4 lot split and assembly, Greenview Pkwy., PP#217-12-030, 217-08-048 & 049, rep. K. Hoffman, Ward 6**

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Findings of Fact:

1. The purpose of this request is to create a new parcel for the proposed Mallard Cove No 4 Major Subdivision Preliminary Plan from the backlands of two Carlton Avenue parcels.
2. The proposed subdivision is currently before the Planning Commission.
3. The modification is acceptable, as it is for lots that are non-compliant and the applicant is expecting to combine them in the future to create a compliant larger lot.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Mallard Cove No 4 lot split and assembly with the following modification and conditions:

1. Modification for PP#217-08-048 and 049 to exceed the maximum lot depth to width ratio and to be less than 20,000 s.f.
2. Condition that PP#217-08-048 and 049 are assembled or re-subdivided with adjacent property into a single lot to meet the minimum 20,000 s.f. lot size.
3. Condition that the Westlake City Council approves legislation vacating Leroy Avenue south of Carlton Avenue.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Mallard Cove No 4 Major Subdivision Preliminary Plan, Greenview Pkwy., PP#217-12-030, 217-08-048 & 049, rep. K. Hoffman, Ward 6**

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Findings of Fact:

1. This completes the fourth phase of the Mallard Cove Subdivision by subdividing 3.5962 acres into five lots and one block by extending Carlton Avenue and Greenview Parkway.
2. Three subdivisions, Mallard Cove, Hedgewood Estates and Lagrange, that have been stalled for decades will be connected satisfying the requirement for providing "... two permanent means of access, one from each direction" for streets exceeding 1,000 feet in length or 25 homes required in Section 1127.04(a)(3).
3. It eliminates an undedicated and undeveloped right-of-way for Leroy Avenue to the west of S/L 4 and 5.
4. Modifications are in accordance with sections 1127.01 and 1133.02 of the Planning and Platting Code and are necessary largely due to the location of the proposed subdivision in relation to the existing roadways and adjacent properties that cannot be changed.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Mallard Cove No 4 Major Subdivision Preliminary Plan with the following modifications and conditions:

1. Modification for the minimum lot width for S/L 1 to be 106.9'.
2. Modification for the lot area of S/L 1 to be 18,339 s.f. with the condition that a home is not constructed on S/L 1 until ten lots, including five in Phase Four and five to the west fronting on Carleton Avenue are improved for development.
3. Modification lot depth to width ratio for S/L 4 to be 1.29:1.

4. Modification for the property line shared by S/L 2 and 3 to not be radial to the curve of the street line.
5. Modifications for minimum lot depth for S/L 4 and 5 to be less than 170’.
6. Condition that the Westlake City Council approves legislation vacating Leroy Avenue south of Carlton Avenue.
7. Condition that the retention basin is fenced with a 48” tall ornamental wrought iron style aluminum fence in black, brown or dark green color, or an alternative fence material and design to be administratively approved.
8. Approval is subject to comments in Part III of the 12/27/19 staff report and approval of the preliminary plan by the Engineering Departments in compliance with the code and the ordinances of the City of Westlake; and, in the development process, should there be any changes necessitated by engineering requirements that visually alter the appearance of the development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

**ROLL CALL ON APPROVAL:**

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Crocker Woods Cluster Sign Plan, Crocker Rd., PP#217-27-001, rep. K. Hoffman, Ward 6**

**Findings of Fact:**

1. The Crocker Woods Cluster PUD development plan was recommended for approval on 11/12/18.
2. The staff review for this project for the 11/12/18 Planning Commission meeting stated: “Section 1212.09 SIGNS – Monument signs mounted on the proposed entrance features are included on Sheet L3 and meet zoning requirements for signage and entrance features.”
3. Under the findings of fact of the staff review for the development plan it was noted that monument signs were shown on sheet L3 and that a sign permit application was required.
4. No sign application was submitted at that time and no action was taken by the Planning Commission to approve the signage.
5. Section 1212.09 in the PUD regulations refers to Section 1223.04(h) in the sign regulations which regulates commercial monument signs for mixed-use PUD developments.
6. Section 1223.08 in the sign code refers to regulations for monument signs for residential developments.
7. Two single sided signs, maximum 30 sq. ft. per side, maximum 4’ sign face above grade, mounted on maximum 120 sq. ft. sign structure, minimum of 10’ from the planned right-of-way are permitted.
8. Two single sided 29 sq. ft. masonry sign faces, 4’ sign face above grade, mounted on 50.5 sq. ft. sign structures, 1’ from the right-of-way are proposed and comply with code in all ways except for setback from the Crocker Road right-of-way.
9. The planned and the existing right-of-way is the same for Crocker Road and appears to be 8’ from the existing 15’ wide asphalt sidewalk on the cities and counties GIS.
10. The final improvement plans by Polaris Engineering approved by the Engineering Department and e-mailed to the Planning Department 1/2/20 show an existing 15’ wide asphalt sidewalk in the right-of-way, set back 6’ from the curb of Crocker Road and 8’ east of the west edge of the right-of-way line. They also show the north/south line of the

entranceway fence 11' west of the west edge of the right-of-way line and the angled sign face 10' west of the west edge of the right-of-way line. They also show the north entranceway feature 14' from the new northerly private "right-of-way" line of Crocker Woods Lane and the south entranceway feature 13' south from the new southerly private "right-of-way" line of Crocker Woods Lane.

11. The approved L-1 landscape plans by Knight and Stolar dated 10/16/18 show the existing asphalt sidewalk 8' east of the west edge of the right-of-way line, 10' from the proposed entranceway fence and 9' from the proposed sign faces. The approved L-2 landscape plans by Knight and Stolar dated 10/16/18 show the existing asphalt sidewalk up against the edge of the right-of-way with the entranceway fence 2' from asphalt sidewalk and right-of-way line and 1' from the asphalt sidewalk and right-of-way line and the stop bar 5' into the 15' wide sidewalk.
12. The L-2 landscape plan dated 10/16/18 submitted 12/10/19 with this request needs to be corrected to match the revised final improvement plan.
13. The revised location of the proposed entranceway fence and sign structure comply with code.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Crocker Woods Cluster sign plan for the proposed entranceway fence with an 11' setback from the right-of-way and the proposed entranceway signs with a 10' setback from the right-of-way, as shown on the final improvement plans approved by the Engineering Department and e-mailed to the planning department 1/2/20, and the corrected L-2 landscape plan matching the setbacks shown on the improvement plans that were emailed on 1/6/20 and with the final sign design to be administratively approved to reflect comments at the 1/6/20 meeting.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Struers Inc. Development Plan (addition), 24766 Detroit Rd., PP#214-01-001, rep. R. Pichola, Ward 1**

Findings of Fact – development plan:

1. The proposal is a permitted use in the Exclusive Industrial District that is supported by the Westlake Guide Plan's Future Land Use Plan.
2. No zoning code modifications are necessary.
3. The conditions of approval may be approved administratively during the construction plan review process.
4. The proposal is expected to comply with Section 1218.06, Performance Regulations.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Struers Inc. development plan with the following conditions:

1. Condition that buffering next to 24756 Detroit Road (PP#214-01-004) will be field verified during construction and, if needed, appropriate measures to meet opacity requirements are to be approved administratively.
2. Condition that an exception is granted for the existing site lighting, provided that building mounted egress lighting, flag lighting and automated site lighting controls are approved administratively and house side shields or flashing are added to each of the four existing

luminaires along the entry drive with the shields or flashing painted matte black on side facing lens.

3. Condition that rooftop units will be screened with architectural screens or parapet walls if visible from Detroit Road with the design approved administratively.
4. Condition that the metal fascia is in grey or earth tone with the color to be approved administratively.
5. Approval is subject to comments in Part III of the 12/27/19 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: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Findings of Fact – sign plan:**

1. The existing building has 120 linear feet facing the main street, the new addition has 75 linear feet facing the main street for a total of 195 linear feet facing the main street X 1 = 195 sq. ft. of signage permitted.
2. The existing 30 sq. ft. Westlake Corporate Center Monument sign was approved in 2003 for four tenants, therefore 7.5 sq. ft. of it is allocated to Struer's.
3. A 43 sq. ft. non-illuminated wall sign was approved 4/10/03. It was subsequently externally illuminated.
4. The proposed new wall sign is internally illuminated and 60.56 sq. ft. (22.98 sq. ft. logo + 37.58 sq. ft. name).
5. The facility is permitted one 24 sq. ft. corporate flag (three existing flag poles are shown) under Schedule 1223.04.
6. The total existing and proposed signage is 135.06 sq. ft. (7.5 + 43 + 60.56 + 24), 92.06 if the existing 43 sq. ft. wall sign is removed.
7. The existing and proposed signage is uniform in color (red and white).

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Struers Inc. wall sign as submitted, including the display of up to one 24 sq. ft. corporate flag.

**ROLL CALL ON APPROVAL:**

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**The Art of Shaving Storefront and Sign Plan, 229 Main St.,  
#211-24-302, rep. J. Wagner, Ward 5**

**Findings of Fact – sign plan:**

1. The 16' wide storefront falls under Section 11.1 of the Crocker Park Mixed-Use Area Sign Criteria and is permitted 24 sq. ft. of primary signage and various amounts of secondary signage.
2. The 18.72 sq. ft. of proposed primary signage and 10.66 sq. ft. of secondary signage all comply with the criteria.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Art of Shaving sign plan as submitted.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

Findings of Fact - storefront:

1. This tenant is replacing Scout & Mollies and will be located next to Homage.
2. The proposed replacement materials comply with the Crocker Park Mixed-Use Area Design Guidelines.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Art of Shaving Storefront as submitted.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel

Nays: None, motion carried

**Charles Schwab Sign Plan, 2341 Crocker Rd., PP#211-29-009, rep. R. Levitz, Ward 5**

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Findings of Fact:

1. The newly proposed wall sign is located on the north side of the building to replace a clock face which was approved in this same location.
2. The newly proposed wall sign brings the total of requested amount of signage to 129.37 sq. ft. This requires a modification to count a second side of the building toward 29.37 sq. ft. of the total proposed sign area.
3. Charles Schwab is located on the corner of Crocker Road and a private driveway.
4. Section 1223.03(c)(3) reads: “The Planning Commission after consideration of building orientation, corner tenancy, corner locations, combination of uses and number of frontages, may allow multiple sides of a multi-tenant or single tenant building to be included in the calculation of total sign area for a building and placement of signs on the building.
5. The height above grade to the top of the sign is 21.75’ which requires a 1.75’ height modification to Section 1223.05(b) which limits wall signs to 20’ above grade. This section states that Planning Commission can take into consideration the location, placement, scale and architecture of the building when granting this modification. The proposed location is a logical place for the sign considering the architecture of the building.

**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Charles Schwab sign plan with the following modifications and condition:

1. Modification to count a second side of the building towards 29.37 sq. ft. of the total proposed signage.
2. Modification to allow the new sign to be placed 21.75’ above grade due to the approved architecture of the building.
3. Condition that any additional sign area for this or future tenants in this building will require the approval of the Planning Commission.

ROLL CALL ON APPROVAL:



Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel  
Nays: None, motion carried

**Ordinance 2019-134 amending §1211.13 as to  
condominium developments, ref. by council 12/5/19**

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**Motion:** Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of Ordinance 2019-134.

ROLL CALL ON APPROVAL:

Yeas: Lamb, DiCarlo, Van Dyke, Falcone, Appel  
Nays: None, motion carried

**MISCELLANEOUS**

**ADJOURNMENT**

Meeting adjourned at 10:34 pm. The next regular meeting is scheduled for Monday, February 3, 2020 in the Westlake City Hall Council Chambers.