



PLANNING DEPARTMENT

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REPORT TO COUNCIL

TO: Denise Rosenbaum CMC, Clerk of Council
FROM: Nicolette Sackman, Clerk of Commissions
DATE: March 3, 2020
RE: Planning Commission Regular Meeting of March 2, 2020 Report to Council

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, Clerk of Commissions Nicolette Sackman

Westlake Planning Commission, at its regular meeting held on March 2, 2020 took the following actions:

APPROVAL OF MINUTES

Motion: Mrs. Falcone, moved, seconded by Mr. DiCarlo moved to approve the minutes of the regular meeting of February 3, 2020.

ROLL CALL ON APPROVAL:

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

Motion: Mrs. Falcone, moved, seconded by Mr. DiCarlo moved to approve the minutes of the meeting of February 10, 2020.

ROLL CALL ON APPROVAL:

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

OLD BUSINESS

Ordinance 2019-76 rezoning south side of Center Ridge Rd west of Crocker Rd., PP#217-26-012 & 007, from R-1F-80 District to R-MF-24 District, ref. 5/17/19, rep. P. Vincent, Ward 6 – tabled 6/3/19, 7/1/19, 8/5/19, 9/9/19, 10/7/19, 11/11/19, 12/2/19 tabled to the 2/3/2020 meeting – extension of time granted to 3/15/20

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to request a 90 day extension of time for

Ordinance 2019-76.

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 2019-76 to the May 11, 2020 meeting.

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 request 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 April 6, 2020 meeting.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

NEW BUSINESS

The Learning Experience Development Plan, 25211 Center Ridge Rd., PP#215-26-005, rep. M. Zimmerman, Ward 2

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to table The Learning Experience Development Plan to the April 6, 2020 meeting with revised plans being submitted by March 23rd.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

The Villas at Westin Pointe Development Plan, 23059-23159 Center Ridge Rd., PP#214-29-006 to 008, rep. D. Siley, Ward 1

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to table the Villas at Westin Pointe Development Plan to the April 6, 2020 meeting with revised plans being submitted by March 23rd.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Gravino Lot split and Assembly Plat, Hilliard Blvd., PP#216-31-062 & 068, rep. K. Hoffman, Ward 4

Findings of fact

1. The current depth to width ratio is over the maximum and the proposal is ok for Parcel 'A' and slightly under for Parcel 'B', requiring a modification.
2. A modification is needed for Parcel 'B' to be an irregular shape (not a rectangle). As a cul-de-sac lot it is currently an irregular shape.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Gravino lot split and assembly plat involving permanent parcel numbers 216-31-062 & 068 with the following modifications and condition:

1. Modification for the depth to width ratio for Parcel 'B' to be less than 1.4:1.
2. Modification for Parcel 'B' to have an irregular shape.
3. Approval is subject to comments in Part III of the 2/27/20 staff report and approval of the plat by the Engineering Department 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, Van Dyke, Falcone, Appel, DiCarlo

Nays: None, motion carried

Crocker Woods Cluster creating fee simple title lots (for recording purposes) Crocker Rd., PP#217-27-001, rep. K. Hoffman, Ward 6

Findings of fact

1. This plat is for recording purposes to create fee simple title lots corresponding to the approved cluster units.
2. It does not change the approved development plan for Crocker Woods Clusters.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Crocker Woods Cluster plat for recording purposes.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Ordinance 2020-6 vacating Leroy Street, rep. K. Hoffman, Ward 6, ref. by council 2/6/2020

Findings of fact

1. This right-of-way vacation is necessary in order for Council to be able to approve the preliminary plan and final plat for the Mallard Cove 4 subdivision.
2. Leroy Road south of Carleton Avenue is a paper street that is not needed for access to adjacent properties.
3. The vacated property will be incorporated into two residential building lots in the Mallard Cove 4 subdivision.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to

recommend approval of Ordinance 2020-6.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Mallard Cove No 4 Major Subdivision Final Plat,
Greenview Pkwy. & Carlton, rep. K. Hoffman, Ward 6**

Findings of fact

1. This completes the fourth phase of the Mallard Cove Subdivision by subdividing 3.5962 acres into five lots 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 Road to the west of S/L 11 and 12.
4. Modifications are in accordance with sections 1127.01, 1131.04 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 final plat with the following modifications and conditions:

1. Modification for the minimum lot width for S/L 10 to be 103.12'.
2. Modification for the lot area of S/L 10 to be 18,313 s.f. with the condition that a home is not constructed on S/L 10 until ten lots, including five in Phase Four and five to the west fronting on Carleton Avenue are improved for development.
3. Modification for the lot depth to width ratio for S/L 12 to be 1.29:1.
4. Modification for the property line shared by S/L 13 and 14 to not be radial to the curve of the street line.
5. Modification for S/L 12 to be slightly more square than rectangular in form.
6. Modification for the minimum lot depth for S/L 11 and 12 to be less than 170'.
7. Condition that the Westlake City Council approves Ordinance 2020-6 vacating Leroy Road south of Carlton Avenue.
8. Condition that the retention basin is fenced with a fence to match the adjacent fence (to the east) around the city basin.
9. Approval is subject to comments in Part III of the 2/27/20 staff report and approval of the final plat 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, Van Dyke, Falcone, Appel, DiCarlo

Nays: None, motion carried

**Clague Memorial Park Sign Plan, 1371 Clague Rd.,
PP#214-23-002, B. Deminico, Ward 1**

Findings of fact

1. The proposed 15.75 sq. ft. non-illuminated black metal freestanding sign is incorporated in a black metal arch that pedestrians will pass under when entering the new ballfield area on the new sidewalk, to give a sense of arrival to the ballfields for players and fans.
2. The arch is similar in design to one at the entrance of Evergreen Cemetery that automobiles pass under.
3. This freestanding sign will require a modification to be the third freestanding identification sign on this parcel.
4. This 13' tall freestanding sign will require a 7' height modification.
5. The arch is more than 270' from Clague Road and is behind both the Clague Museum and Clague Playhouse so will be barely visible from Clague Road.
6. The nearest residence is over 300' away and will see the side view of the non-illuminated arch

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the proposed Clague Memorial Park Sign with the following modifications:

1. A modification for the third freestanding identification sign on the parcel.
2. 7' height modification.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Marc's Sign Plan, 26324 Detroit Rd., PP#213-05-005 to 009,
rep. K. Fisher, Ward 3**

Findings of fact

1. The proposal is to add a 22.66 sq. ft. internally illuminated wall sign of 2' tall individual letters on the west façade which will be visible to east bound I-90 drivers.
2. Section 1223.03(c) states: "The frontage width of a building shall be the width of the façade which faces the principal street or contains the main entrance."
3. Section 1223.03(c)(2) states: "Buildings on lots abutting a freeway shall not be considered to have building frontage on the freeway for sign area calculations and signs shall not be located for visibility from the freeway except for buildings in Interchange Services Districts or as otherwise approved by the Planning Commission.
4. Section 1223.03(c)(3) states: "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 Planning Commission has been consistent in not permitting a sign facing the freeway unless the property is located in Interchange Services Zoning District or the building has an entrance facing the freeway. They have permitted signs on the side of a building if it has an entrance on that side of the building or the side of the building faces a non-freeway street.
6. The main customer exit door for Marc's is on the west elevation of the building.

7. Marc's was using a cart corral for an identification sign visible from the freeway and placing temporary promotional signs on all of the cart corrals.
8. Section 1223.04(b)(2) limits the total amount of signage on the site to be 407 sq. ft. based on the 407 linear feet of storefront.
9. The applicant's attorney has requested that the Planning Commission consider the 158.5' long second side of the Marc's building to be counted in the calculation of total sign area available.
10. When the sign criteria for this shopping center was approved, a modification was granted for an extra 12.76 sq. ft. of sign area for a total of 419.76 sq. ft. of sign area on the site. This additional 22.66 sq. ft. will require the site to be granted a total of 35.42 sq. ft. (12.76 + 22.66) extra sign area based on the second side of the Marc's building.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the proposed 22.66 sq. ft. west facing Marc's sign with the following modifications and conditions:

1. Modification to count a second side of the Marc's building toward the extra 35.42 sq. ft. of total sign area permitted on the site, including this proposed 22.66 sq. ft. wall sign.
2. Modification to permit a west facing sign visible from the freeway because the primary customer exit door is on the west elevation of the building.
3. Condition that no signage will be mounted on the cart storage corrals except for a maximum of one 2 sq. ft. instructional sign on each cart corral.
4. Condition that the sign has a dimmable capability.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Aerie Storefront & Sign Plan, 95 Main St., PP#211-34-302,
rep. P. Brunett, Ward 5**

Storefront Findings of fact

1. The proposed storefront complies with the Crocker Park Design Guidelines.
2. The awning material sample shows that it is slightly brighter than "cottage green" which is one of the approved storefront accent colors on the Crocker Park Design Guidelines Color Palette. It is acceptable as a storefront accent color so the awnings are not considered signage.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the proposed Aerie storefront as submitted.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Sign Plan Findings of fact

1. The poster display case is internally illuminated which the applicant has stated in letter dated 2/3/20 that the landlord approves and that the sign will be turned off when the store is closed.
2. Our understanding from the description is that this is a poster display case and not a digital display board and therefore will be a static image.

3. The open channel letter script storefront sign with exposed LED bulbs behind a matte clear acrylic face is permitted under the criteria.
4. The blade sign has a green aluminum face with push through internally illuminated letters.
5. The proposed sign area complies with the Crocker Park sign criteria.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the proposed Aerie sign plan as submitted with a condition that the Poster Display Case is not an animated image.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Club Pilates Sign Plan, 30032 Detroit Rd., PP#211-19-006,
rep. J. Sapitro, Ward 5**

Findings of fact

1. Club Pilates is a new tenant in West Bay Plaza, the tenant space was inspected for occupancy on 1/2/20.
2. It was noted at the time of inspection that there was a bright sign over the front counter that is visible and can be read from outside of the tenant space at the sidewalk level and in the parking lot even though it is 11.33' back from the window.
3. Section 1223.02(a)(20) defines a "Window Sign" as a sign on the inside of a building affixed to, or near, a window for the purposes of being visible to and read from the outside of the building.
4. The West Bay Plaza Master Sign Plan has no provision for secondary signage, including window signage for secondary tenants. A brightly illuminated sign over the counter which can be read in the parking lot is not permitted by right under the criteria.
5. The applicant is requesting a waiver from the criteria to allow the interior cash wrap "window" sign over the counter as a secondary sign.
6. The 22' wide tenant space is permitted 33 sq. ft. of sign area under the criteria.
7. As usually applied Section 1223.03(a)(1) results in measuring the existing exterior sign with a rectangular box drawn around the outer limits of the sign, yielding 27.7 sq. ft. (2' X 13.86')
8. Section 1223.03(a)(1) allows the use of a combination of regular geometric forms to determine the sign area. If the existing exterior sign, sign area is calculated using a circle around the logo and a rectangle around the text then the exterior sign measures 18.9 sq. ft [(pi X radius squared = 3.14 X 1 = 3.14 sq. ft.) + (1.33' X 11.86' = 15.77 sq. ft.)]
9. Section 1223.03(a)(7) allows the Planning Commission to make a determination as to what they consider the sign area.
10. The sign over the counter measures 9.6 sq. ft. (1.93' high X 4.96' wide).
11. If two geometric shapes are used to calculate the exterior sign area than the total requested signage is 28.5 sq. ft.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve a waiver from the West Bay Plaza sign criteria to allow the 9.6 sq. ft. interior cash wrap "window" sign over the counter as a secondary sign with a condition that it be turned off when the Club Pilates is closed.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Maximum Potential Chiropractic Sign Plan, 26291 Center Ridge, PP#215-24-021, rep. J. Briola, Ward 2

Findings of fact

1. The proposed signage complies with code except that the 14.69 sq. ft. monument sign face is shown as having no parts of the sign face fully opaque.
2. If the dark green border is made fully opaque except for the lettering then the monument sign is approximately 52% opaque.
3. The owner could request a sign face up to 30 sq. ft.
4. The design of the light green logo portion of the sign does not lend itself to push through graphics.
5. If the potential 30 sq. ft. freestanding sign face area is taken into account then the approximately 7 sq. ft. of illuminated sign face represents only 23% of the potential sign face area and 77% of the potential sign face area is not illuminated.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Maximum Potential Chiropractic Sign Plan with a modification to allow less than 75% of the monument sign face to be opaque with a condition that the dark green border on the monument sign face is made fully opaque.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Hail Marys Bar & Grill, outdoor weather protection panels, 27828 Center Ridge Rd., PP#216-33-031 & 003, rep. J. Novak, Ward 4

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the weather protection for Hail Mary's patio with the condition that the joists and posts supporting the retractable awnings and the fence is painted the same brick red/burgundy color as the trim on the building, with the color to be administratively approved.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Falcone, Appel, DiCarlo

Nays: Van Dyke, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 10:55 pm. The next regular meeting is scheduled for Monday, April 6, 2020 in the Westlake City Hall Council Chambers.