



PLANNING DEPARTMENT

27700 Hilliard Blvd.
Westlake, OH 44145

Phone 440.871.3300
Fax 440.617.4324

**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
APRIL 05, 2021**

Present: Lauren Falcone, Duane Van Dyke, Brad Lamb, Nick Nunnari
Absent: Matt Jones
Also Present: Planning Director Jim Bedell, Asst. Law Director Regis McGann, 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. Van Dyke to approve the minutes of the regular meeting of March 1, 2021.

ROLL CALL ON APPROVAL:

Yeas: Falcone, Nunnari, Van Dyke, Lamb

Nays: None, motion carried

COUNCIL REPORT

Mr. Nunnari reported on council matters.

OLD BUSINESS

Ordinance 2020-146 zoning code amendment to relocate 1216.03 footnote (i)(7) to new Section 753.04 - operating hours of drive-in/drive-thru facilities, ref. 12/17/20, tabled 1/4/21, 2/1/21, 3/1/21

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ordinance 2020-146 to May 10th.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

NEW BUSINESS

Ordinance 2021-17 Rezoning 28083 Detroit from R-1F-80 to R-MF-40, PP#21219005, 012 & 054, Ward 5 ref. 3/4/21

Mr. Hoffman and Mr. Pavicic were present and explained the proposal is to rezone three parcels from single family to multi-family. It was noted that there is multi-family zoned properties across the street and to the east, a church to the east and to the west a nursing home facility. Mr. Pavicic explained it is his understanding the adjacent property owners are also interested in rezoning their property to multi-family and he had offered to include it in this request but that is not part of the proposal. He also explained there will be a 100' buffer at the rear of the property and the conceptual plan is for modern style townhomes. If the rezoning is approved, it is anticipated to submit a development plan after the election.

Mr. Bedell reviewed his staff memo and explained the multi-family layout shown is conceptual and if rezoned any of the permitted uses in the zoning district can be constructed. He reviewed the various permitted uses. Based on the size of the property, the maximum number of townhomes possible is 53. The applicant included a conceptual plan to indicate the feasibility for 40 townhome units, along with drainage, and potential to connect to development north, south, and west and consideration given to an emergency access connection but this will need to be explored in depth along with the actual development plan. This proposed zoning district does not permit apartment buildings of up to three stories or high rises that are over three stories.

Mr. David Lynn, St. Paul's Lutheran Church expressed the following: that they would like to see a fence along the property line as there are concerns visitors will use the church's parking lot to park; concerns with increased traffic and the church currently has 13 buses and parent traffic for school in the morning and afternoon, this proposal will add more traffic; he also questioned if there is a gas well on the property. Mr. Hoffman and Mr. Pavicic were uncertain about the gas well as they have not conducted that level of property research and if there is one, it can be mitigated. Mr. Pavicic stated he would work with the church and suggested meeting to discuss items.

Mr. George Kopasakis, 28189 Detroit expressed the following: he owns the adjacent property; issues with storm sewers; the plans could change and add more units; the development should be prevented; and loss of property values. Mr. Pavicic stated that it was his understanding that Mr. Kopasakis wanted to rezone his parcel as well. Mr. Pavicic had been in contact with Mr. Kopasakis's realtor regarding purchasing the property but a sales amount was not agreed upon but he did offer to include the rezoning of Kopasakis's property, at no cost to Mr. Kopasakis, with his request but that is not being proposed. They discussed the sale of the property and rezoning.

Ms. Maureen Stein, 1706 Coe's Post expressed the following: she did not support the rezoning and it is not needed; the area is quiet now and this would increase noise in the neighborhood; concerns with the possible number of units increasing; and the proposal is not the right thing for the neighborhood.

Members of the commission discussed the proposal: ballot timeframes and this would have to go on the ballot; concerns that once rezoned any of the permitted uses could be constructed; a planned unit development approach should be considered for the area, recognizing zoning text changes are needed for residential PUDs on lots that are less than 25 acres; setbacks and requirements in the zoning district should be reviewed; if a single family subdivision had been proposed; the style of units proposed; possible traffic issues; the trend is for this type of unit; and further consideration is needed. Mr. Pavicic and Mr. Hoffman explained: the sales amounts for the units and there is a market for them at the estimated sales price (\$500,000); they can provide a trip generation report; the buffer is closer in single family than multi-family; and a single family subdivision is not cost effective.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ordinance 2021-17 to May 10th.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

**Aldi's Development Plan (addition), 30700 Detroit Rd., PP#21118019 & 027, rep. R.
Pichola, Ward 5**

Mr. Pichola explained the proposal is for an addition at the rear of the building. Mr. Bedell reviewed his staff report. He explained a lot behind the plaza was purchased and will be assembled. The proposal is for: new two bay loading dock tucked behind the building; new code compliant exterior lighting for the expanded area and entire shopping center; parking upgrades to include 41 new spaces with 5 fewer spaces at the front entrance for a total of 36 new spaces; dumpster enclosure relocated to the east; updated architecture; and entrance relocated to southwest corner. The changes were reviewed and the applicant confirmed that the percentage of landscape will comply with the code requirements.

Members of the commission discussed the following: the materials and design style of the building and how it will match with the remaining plaza; has the applicant discussed the proposal with the residential neighbor to the north; reviewed the proposed screening and what will be screened from view from the street; possible way to reconfigure the parking lot so there is better flow through the site; requested that a cross section view be provided to see the change in grade and screening from the building to property to the north; there are various dumpsters in the parking lot that should be inside of enclosures and the enclosures should be reviewed; and the rear of the building should be cleaned up since it may be seen from the street.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Aldi's Development Plan to May 10th.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

**Ordinance 2021-15 Conditional Use Permit for a yoga studio at 25092
Center Ridge, PP#21327033 & 014, Ward 2, ref. 3/4/21**

Mr. Bedell reviewed his staff memo and explained the proposal is for a yoga and wellness center in a vacant tenant space in the shopping plaza. The applicant will be the only employee and the class size will be limited with a maximum of ten students. Hours of operation are 9:30 a.m. - 7:00 p.m. He discussed that there is ample parking available in front and behind the center but the parking at the shopping center can be crowded at times.

Mr. Steve Hammerschmidt, owner of the shopping center, explained that his office is located at the center so he is on site. He has addressed any parking issues when they arise. The use will not have a lot of parking space needs and he did not anticipate any issues. He also has an agreement with the neighboring pool facility to use some of their parking if needed.

Members of the commission discussed the following: if there is enough parking spaces; employees for the various tenants should park in the rear parking lot; and the various tenants have different peak hours.

Findings of fact

1. The proposal is a permitted conditional use in the General Business District.
2. The use is not likely to affect other tenants, except for parking, which at times is dominated by an existing restaurant and fitness use. The applicant should keep this in mind when scheduling classes. If this CUP is approved and future parking issues arise, it will be left to the tenants and landlord to resolve.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of Ordinance 2021-15.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

**Wild Mango Storefront and Sign Plan, 139 Crocker Park Blvd.,
PP#21125004, rep. W. Jia, Ward 5**

Mr. Jia explained he is seeking approval for a storefront and sign plan. Mr. Bedell reviewed his staff memo. The existing tenant space is being remodeled with limited changes to the exterior. He reviewed the various changes. Members of the commission discussed: the storefront colors; repositioning the wall sign facing Crocker Road to be centered on the fascia and with the wording "Restaurant and Bar" removed.

Findings of fact

1. The proposal makes limited changes to the storefront that mainly preserve and enhance its character.
2. No modifications or waivers are needed for storefront improvements.
3. It is understood that this approval does not allow the north fascia to be painted a different color and the applicant has no intent to paint it.
4. The acrylic face of the channel letters must have a matte finish pursuant to Section 3.1 of the sign criteria.
5. Any future exterior fixtures or change of existing fixtures to LED requires city approval in accordance with Section 1230.03.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Wild Mango storefront with the following conditions:

1. The wall sign facing Crocker Road is approved for this tenant only.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Wild Mango sign plan with the conditions:

1. The acrylic face of the letter forms must have a matte finish to avoid reflections in the letter face when not illuminated.
2. The wall sign facing Crocker Road is moved up onto the fascia so it is centered with the design administratively approved.

3. The wording "Restaurant and Bar" is removed from the wall sign facing Crocker Road.
4. The second side of the building is included in the calculation of the total sign area allotment for this tenant.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

Urban Air Storefront, 183 American Blvd., PP#21129005, rep. J. Drews, Ward 5

Mr. Drews was present. Mr. Bedell reviewed his staff memo. He noted the various recreational activities within the building: including indoor go-karts, skydiving, coaster, climbing walls, laser tag, bowling, ropes course, warrior course, tubes playground, mini-golf, bumper cars, café, dodge ball, and an area for practicing tumbling. It is not known if this location will include all of these activities; however, these recreational uses are permitted main uses in the Town Center PUD district.

Discussion ensued on the following: the various colors proposed on the storefront and the materials to be used; the interior lighting illumination, if it will be bright and how noticeable will the interior fixtures be.

Findings of fact

1. The proposal is consistent with the Crocker Park Mixed Use Area Design Guidelines, in accordance with Style #6 in 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.
2. Lighting complies except for color temperature that is slightly over 3500K and acceptable at 4000K.
3. A sign plan will need to be submitted for approval at a future meeting.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Urban Air Storefront with the following conditions:

1. A waiver from Section 6.11 of the Crocker Park Mixed Use Development Design Guidelines for the Nichiha panels in magenta, blue, yellow/green and canopy fascia in yellow/green.
2. The color temperature of the wall sconce luminaires shall match the existing exterior lighting color temperature at the American Greetings Building.
3. If interior lighting is causing a glare outside the building, the applicant will work with the city to address this issue.
4. Approval is subject to comments in Part III of the 3/29/21 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, Nunnari, Falcone, Lamb

Nays: None, motion carried

Crown Water Treatment Plant Development Plan, 955 Clague Rd., PP#21417001, 002, 21418001, 002, 007 & 008, rep. S. AbouAbdallah, Ward 1

Motion: Mrs. Falcone moved, seconded by Mr. Van Dyke at 9:46 pm to adjourn into executive session per ORC 121.22 for the discussion of infrastructure records are exempt from public disclosure.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

Motion: Mrs. Falcone moved, seconded by Mr. Van Dyke to return to open session at 10:03 pm.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb

Nays: None, motion carried

Findings of fact

Planning Commission Minutes

April 5, 2021

Page 4 of 5

1. The proposal is permitted in the Exclusive Industrial District.
2. No zoning modifications are required.

Motion: Based upon the findings of fact, Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Crown Water Treatment Development Plan with the following condition:

1. Approval is subject to comments in Part III of the 3/29/21 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, Nunnari, Falcone, Lamb

Nays: None, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 10:10 p.m. The next regular meeting is scheduled for Monday, April 12, 2021, in the Westlake City Hall Council Chambers.

Chairman Brad Lamb

Nicolette Sackman, MMC
Clerk of Commissions

Approved: _____