



PLANNING DEPARTMENT

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REPORT TO COUNCIL

TO: Denise Rosenbaum CMC, Clerk of Council
FROM: Nicolette Sackman MMC, Clerk of Commissions
DATE: 5/11/2021
RE: Planning Commission Meeting of 5/10/2021 Report to Council

Present: Lauren Falcone, Duane Van Dyke, Matt Jones, Brad Lamb, Nick Nunnari (arriving at 7:19 pm)
Also Present: Planning Director Jim Bedell, Assistant Law Director Regis McGann, Clerk of Commissions
Nicolette Sackman

Westlake Planning Commission, at its meeting held on 5/10/2021 at 7:00 pm and took the following actions:

OLD BUSINESS

Aldi's Development Plan (addition), 30700 Detroit Rd., PP#21118019 & 027, rep. R. Pichola, Ward 5, tabled 4/5/21

Findings of Fact:

1. The proposal is a permitted use in the General Business district.
2. Modifications are needed for the parking setback and driveway width.
3. No signage is approved with this request and will be submitted for a future meeting.
4. Buffering will be field verified during construction and adjusted if needed to meet the requirements of Chapter 1130.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Aldi's Development Plan with the following modifications and conditions:

1. Modification for parking setback to be 30.2 setback from the north property line.
2. Modification for driveway width at 36'.
3. Condition that buffering will be field verified during construction and adjusted if needed to meet the requirements of Chapter 1130.
4. Condition that the exterior lighting plan emailed to staff on 5/7/21 is approved.
5. Approval is subject to comments in Part III of the 5/6/21 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, Jones
Nays: None, motion carried

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

Findings of Fact:

1. The Westlake Guide Plan's future land use map does not support the proposed rezoning and will need to be amended to be consistent with the change of use.

2. The conceptual plan indicates the potential density of units if the property is rezoned RMF-40 and the feasibility at this location. It is not a development plan and is for reference only.
3. The conceptual plan indicates the required 30' buffer to the adjacent R1-F-80 zoned property with the additional required 102.43' setback to the rear and 50' to the side of the townhomes. If this area is developed as a single-family subdivision, the rear setback is 30' and the side setback is 15' with no buffer required.
4. If rezoned, the applicant, a prospective developer or a future land owner will be able to apply for approval of a development plan that does not include the type or number of units or layout shown in the conceptual layout and may instead include a different type or number of units or a different layout. This could result in a different number of units for the site with the maximum allowed by code being 53.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to amend the Westlake Guide Plan Future Land Use Map to designate permanent parcels 212-19-005, 012 & 054 as Multi-Family Residential (Medium Density).

ROLL CALL ON APPROVAL:

Yeas: Nunnari, Falcone, Lamb, Jones

Nays: Van Dyke, motion carried

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of Ordinance 2021-17.

ROLL CALL ON APPROVAL:

Yeas: Nunnari, Falcone, Lamb, Jones

Nays: Van Dyke, motion carried

NEW BUSINESS

Reed, Benjamin and Joyce - Lot Split and Assembly, 31569 & 31487 Center Ridge Rd., PP#21714016 & 026, Ward 6

Findings of Fact:

1. The purpose of this request is to split property from one parcel and add it to the adjacent parcel owned by the applicant.
2. An existing legal non-conformity for lot width for PP#217-14-026 is eliminated and the depth to width ratio non-conformity is switched from PP#217-14-026 ("COMBINATION") to PP#217-14-016 ("SPLIT") and reduced slightly.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Reed, Benjamin and Joyce Lot Split and Assembly involving permanent parcel numbers 217-14-016 & 026, with the following modification and condition:

1. Modification for "SPLIT" parcel (PP#217-14-016) to be more than 3.5:1.
2. Condition that approval is subject to the plat meeting the requirements of the County and State as indicated in the Ohio Revised Code and approval by the Engineering Department in compliance with the code and the ordinances of the City of Westlake.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Equity Trust Lot Split & Site Improvement 1 & 2 Equity Way, PP#21120001, rep. A. Maione, Ward 3

Findings of Fact:

1. The purpose of this request is to split off the Convergent East Building for tax abatement purposes.
2. There will be no physical changes to the site because of this action.
3. Should Parcel 'A' or "B" be sold, easements for parking and shared access are needed.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Equity Trust lot split involving permanent parcel number 211-20-001 with the following conditions:

1. Subject to approval of the site improvement plan (site plan) by Council.
2. That a future and permanent shared parking and ingress/egress easement serving both parcels is added to the plat.
3. The plat meets the requirements of the County and State as indicated in the Ohio Revised Code and is

approved by the Engineering Department in compliance with the code and the ordinances of the City of Westlake.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Equity Trust site improvement plan with a modification for the existing parking spaces to be at a 0' setback from the new lot line shared by Parcel A and Parcel B.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

UGSC Bradley Rd LLC Sign Plan, 876 Bradley Road, PP#21102013, rep. C. Marshall, Ward 3

Findings of Fact:

1. The address numbers require a permit because they exceed two s.f. and are considered a wall sign.
2. No conditions or modifications are needed.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to approve the UGSC Bradley Rd LLC Sign Plan.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Hilliard Meadows Major Subdivision Preliminary Plan, Hilliard Blvd., PP#21625001, rep. B. Uhlenbrock, Ward 5

Findings of Fact:

1. This subdivision stems from a 2012 lot split and assembly plat approval for this purpose.
2. There are no modifications necessary.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Hilliard Meadows Major Subdivision Preliminary Plan with the following conditions:

1. A public utility easement is required on the north side of Hilliard Blvd.
2. Storm water quality is required along with storm calculations.
3. Rear yard storm drainage is required.
4. All lots require water and storm connections.
5. Pavement width on Hilliard Blvd shall be twenty-five feet (25') from face of curb.
6. Approval is subject to comments in Part III of the 5/6/21 staff report.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Gales Garden Center Development Plan (greenhouse addition), 24373 Center Ridge Rd., PP#21410001, rep. R. Rouser, Ward 1

Applicant requested to be tabled.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Gales Garden Center Development Plan to June 7th.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Crocker Park F Surface Parking Lot Development Plan, 130 American Blvd., PP#21126001, rep. J. Plautz, Ward 5

Findings of Fact:

1. The only modification is for the parking lane width that was supported to be reduced by the City Engineer to improve the layout of the parking lot.
2. The Preliminary Development Plan was revised when this was approved in 2019 for a minimum setback of 74' from Crocker Road for this parking lot.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Crocker Park F Surface Parking Lot with the following modification and conditions:

1. Modification for a 23' wide parking aisle.
2. Approval is subject to comments in Part III of the 5/6/21 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, Jones

Nays: None, motion carried

**Crocker Park DSE Parking Lot Development Plan, 130 Market St.,
PP#21126069, rep. J. Plautz, Ward 5**

Findings of Fact:

1. No modifications are required.
2. The Preliminary Development Plan was revised when this was approved in 2018 for a minimum setback of 50' from Crocker Road to be consistent with the existing parking setback for this lot and the Union Street lot that is 50'.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Crocker Park DSE Parking Lot with the following condition:

1. Approval is subject to comments in Part III of the 5/6/21 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, Jones

Nays: None, motion carried

**Concord Reserve Sign Plan, 2116 Dover Center Rd., PP#21226025, rep.
M. Lloyd, Ward 4**

Findings of Fact:

1. The purpose of this request is for new instructional signs for wayfinding at Concord Reserve.
2. The signs comply with Chapter 1223 and do not require any modifications.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to approve of the Concord Reserve sign plan with the condition that instructional signs placed no closer than 18" from the driveway curb and not obstruct the sight line view of pedestrians or motorists.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Rosewood Grill Site Improvements (patio), 2035 Crocker Rd.,
PP#21127004, rep. G. Schindler, Ward 5**

Findings of Fact:

1. The request meets code requirements, except for roofing materials.
2. "Shade by others" is required for a future approval by the Planning Commission in accordance with Section 707.05(b).

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Rosewood Grill Site Improvements with the following modification and condition:

1. A modification is granted from Chapter 1237, Design Guidelines, for the roof material to be of black aluminum frame with translucent polycarbonate panels.
2. Approval is subject to comments in Part III of the 5/6/21 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, Jones

Nays: None, motion carried

Taco Bell Sign Plan, 1345 Columbia Rd., PP#21324009, rep. M. Harrison, Ward 1

Findings of Fact:

1. The proposed signage complies with code, except for the digital menu board that require modifications from 1223.08(b).
2. These modifications are consistent with those granted for other drive-thru restaurants.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to approve of the Taco Bell sign plan with the following modification and condition:

1. Modification to allow the digital menu boards to exceed 33% of the sign face and have more than one color; and to allow the message to change more than once but no more than 4 times per day, except for the portion of the digital menu board used for an order display area that may change as needed.
2. Condition that the digital menu boards are not operated as animated signs except as stated above and that the crash bar and canopy are approved as presented.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

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, 90-day extension of time (exp. 5/16/21), tabled 1/4/21, 2/1/21, 3/1/21, 4/5/21

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to request a 90-day extension of time.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ordinance 2021-17 to June 7th.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 10:17 pm. The next meeting is scheduled for Monday, 5/17/2021.

