



**PLANNING DEPARTMENT**

27700 Hilliard Blvd. Phone 440.871.3300  
Westlake, OH 44145 Fax 440.617.4324

**REPORT TO COUNCIL**

TO: Denise Rosenbaum MMC, Clerk of Council

FROM: Nicolette Sackman MMC, Clerk of Commissions

DATE: 7/13/2021

RE: Planning Commission Meeting of 7/12/2021 Report to Council

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

Westlake Planning Commission, at its meeting held on 7/12/2021 at 7:00 pm and took the following actions:

**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. 8/14/21), tabled 1/4/21, 2/1/21, 3/1/21, 4/5/21, 5/10/21**

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ordinance 2020-146 to the August 2, 2021 meeting.

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, tabled 5/10/21**

Mr. Van Dyke recused himself from discussion. The applicant was not present.

Ms. Falcone moved, seconded by Mr. Nunnari to table Gales Garden Center to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

Yeas: Nunnari, Falcone, Lamb, Jones

Nays: None, motion carried

**Ordinance 2021-30 Code amendment: 1211.04(B)(1) "Accessory Uses" of the Zoning Codes to fences, ref. 4/15/21, tabled 5/17/21**

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Ordinance 2021-30 to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**909 Canterbury LLC (multi-tenant building), Master Sign Criteria, 909 Canterbury, PP#21307040, rep. K. Kelly, Ward 1**

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table 909 Canterbury LLC to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**i.c. Scientific Solutions Sign Plan, 909 Canterbury, PP#21307040, rep. T. Tilberg, Ward 1**

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table i.c. Scientific Solutions to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**Apartments at Vitalia Development Plan, 26695 Center Ridge, PP#21501042, rep. Lawrence Apple, Ward 2**

Findings of Fact:

1. Review of the lighting plan by the City's consultant has not been completed.
2. The conditions are typical for new development (e.g. administrative lighting review, mechanical protrusions, etc.), except that a condition is needed regarding the future use of the building for apartments and not for senior services.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Apartments at Vitalia Development Plan with the following:

1. Condition that lighting will be administratively approved or submitted to the Planning Commission if it does not comply with Section 1230.03.
2. Condition that any mechanical system protrusions from the walls or roof will be colored to match adjacent materials.
3. Condition that this building is not used as an assisted living, memory care, or independent living facility.
4. Condition that access where hallways connect to the existing building is limited to maintenance and housekeeping staff.
5. Condition that sound from the air conditioning condensers will be less than 50dB at the nearest residential lot line.
6. Condition that there is right turn out only to Center Ridge at the west drive and it is signed accordingly.
7. Approval is subject to comments in Part III of the 7/9/21 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

**NEW BUSINESS**

**Crocker Woods Cluster Fee Simple Title Plat, Crocker Rd., rep. K. Hoffman, Ward 6**

Findings of Fact:

1. This fee simple title plat, for recording purposes, is being modified to allow the developer to market their entire line of homes for these lots.
2. While the proposal extends sublots 15 and 16 by 12', these sublots are still 20-30' outside of the Crocker Road setback with no zoning modifications required.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the amended Crocker Woods Cluster fee simple title plat for recording purposes with the condition that the plat meets the requirements of the County and State as indicated in the Ohio Revised Code and final Engineering approval is subject to the review of the completed plat.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**St. Paul Lutheran Church Site Improvements (fence), 29981 Detroit Rd., PP#21219009 & 006, rep. R. Jozity, Ward 5**

Findings of Fact:

1. The proposed fence requires a modification because the combined height of the fence and new retaining wall exceeds the 6' maximum height requirement.
2. The neighboring property owner has provided a letter of support.
3. The performance measures in 1220.06 are met.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the St. Paul Lutheran Church site improvements (fence) with the following:

1. Modification for the fence to exceed six feet in height.
2. Condition, if deemed necessary by the building department, that blocking will be added to the base of the fence.
3. Approval is subject to comments in Part III of the 7/8/21 staff report and approval of the final plans by the Building 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: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**The Sis Kiss Sign Plan, 681 Dover Center Rd., PP#21301018, rep. R. Brady, Ward 3**

The applicant was not present.

Motion: Ms. Falcone moved, seconded by Mr. Van Dyke to table Sis Kiss to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**Express / Express Men Sign Plan, 100 Main St., PP#21125004, rep. J. Briola, Ward 5**

Findings of Fact:

1. The proposal meets the requirements of the Crocker Park Mixed Use Area Design Guidelines and the Crocker Park Master Sign Criteria.
2. There are no waivers or modifications required.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Express / Express Men sign plan with the condition that the interior illumination of the signs is dimmable and will be adjusted if needed to comply with 1223.07, ILLUMINATION OF SIGNS.

ROLL CALL ON APPROVAL:

Yeas: Van Dyke, Nunnari, Falcone, Lamb, Jones  
Nays: None, motion carried

**Life Storage Sign Plan, 1099 Bradley Rd., PP#21115009, rep. J. Gray, Ward 3**

Findings of Fact:

1. The proposal does not require any zoning modifications.
2. The proposal is for the same design details as the wall signage approved in Phase 1.
3. The conditions placed on signage with the Phase 1 approval have been met.
4. This is a large site (720' Clemens Rd. and 226' Bradley Rd. frontage, 3.7 acres) with large buildings (Phase

1 –66,877 s.f., Phase 2 - 49,900 s.f.).

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to approve the Life Storage Sign Plan with the condition that the interior illumination of the signs is dimmable and will be adjusted if needed to comply with 1223.07, Illumination of Signs.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Shinto Site Improvements (patio cover), 857 Columbia Rd.,  
PP#21308026, rep. L. Sampat, Ward 1**

Findings of Fact:

1. Although the proposal requires a modification to encroach 8'-11' into the setback from Columbia Road, a 30' setback modification was granted for the entire patio when it was approved in 2005. Since it did not include the proposed roof structure, a new modification is required so it can also encroach.
2. Otherwise, code requirements are met except for roofing materials.
3. Operation of the patio must be in accordance with Chapter 707 of the Westlake Code of Ordinances.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Shinto Site Improvements (patio cover) with the following:

1. Modification is granted for the encroachment of the roof structure into the front yard setback and for the roof material to be of a dark bronze colored aluminum frame with translucent Acrylite®, acrylic panels.
2. Condition that the infrared gas heater units will be in a dark bronze color.
3. Condition that approval is subject to comments in Part III of the 7/8/21 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

**All Metal Sales Site Improvements, 31060 Clemens Rd., PP#21103005,  
rep. M. Macrauld, Ward 3**

Findings of Fact:

1. The proposed patio encroaches into the side yard setback and requires a modification. It is not likely to affect the adjacent neighboring property.
2. The performance measures in 1220.06 are met.
3. The custom red color is similar to a brick red color and does not count towards signage.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the All Metal Sales Site Improvements, with the following:

1. Modification to allow the patio to encroach into the side yard setback.
2. Condition that approval is subject to comments in Part III of the 7/8/21 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

**Daray Law Development Plan (small addition), 26843 Detroit Rd.,  
PP#21310029, rep. G. Fischer, Ward 3**

Findings of Fact:

1. The proposal requires a modification to permit the west addition to encroach into the front yard setback.
2. The performance standards for modifications in 1220.06 are met.
3. All other zoning code requirements are met.

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to recommend approval of the Daray Law Development Plan (small addition) with the following:

1. Modification for the encroachment of the west addition into the front yard setback.
2. Condition that approval is subject to comments in Part III of the 7/8/21 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

**Bahia Bowl Storefront, 225 Main St., PP#21124302 rep. C. Dixon,  
Ward 5**

Motion: Based upon the findings of fact Ms. Falcone moved, seconded by Mr. Van Dyke to table the Bahia Bowl Storefront to the August 2, 2021 meeting.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**MISCELLANEOUS** - None

**ADJOURNMENT**

Meeting adjourned at 9:41 pm. The next meeting is scheduled for Monday, 8/2/2021.