



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE WORK SESSION MEETING
JANUARY 14, 2019**

Present: Phil DiCarlo, Brad Lamb, Lynda Appel
Also Present: Councilman Sullivan, Planning Director Jim Bedell

The work session was called to order at 7:01 p.m. by Chairman Brad Lamb.

**Parkway Crossings, Development Plan (146 units),
Westchester Parkway, PP#213-03-001 & 003, rep. J.
O'Connor, Ward 3**

Jim Bedell provided answers to questions raised at the December 17, 2018 and the email received with “the follow up from Woods of Westlake” questions pertaining to emergency access that is required by code and the Fire Department, traffic, drainage, environmental, access, mounding/buffering, and sidewalk access. He read comments provided by Police Chief Bielozer, Fire Chief Hughes, and City Engineer Kelly. He provided answers to questions pertaining to the Planning Commission and Hyland Software. He explained sections 1211.31 and 1237.04 regarding sidewalks for multi-family districts. He noted some questions relating to the development plan would be explained by the developer. He found no record of why the emergency access was not extended from the end of Bryandale into the Bennett Builders property.

Applicant Jim O’Conner, Pulte Group, and Brian Uhlenbrock, Neff Associates explained and clarified the proposal. The drainage system was explained. The existing flow from the west will be made to go north bypassing Site ‘C’, the developed area in Site ‘C’ will be diverted to a new storm water basin and then will flow to the north. The existing storm sewer from the south property will drain into a new storm sewer to an existing inlet on the property to the east that will utilize the existing system to drain through the site to Westchester; if they are able to utilize an existing stub, they may have limited tree removal in that location. This has the potential to improve drainage from the rear yards of Bryandale homes. The storm water does not flow well in the current ditch system versus the proposed storm that is smaller but with a greater capacity. The Parkway Crossing home owners association will be responsible for maintenance and there will be weekly inspection of the culverts and structures. The existing ditches may not flow well because of poor maintenance or filling by homeowners.

Buffering was clarified. It is not required for Site ‘A’, because it is surrounded by industrial. At site ‘B’ a single Bryandale residence that is +/-140’ requires buffering; it was thought that the dense woods and distance will provide the required opacity. Jim Bedell explained that a typical condition is that buffering is field verified and that evergreen trees may be used to supplement the buffer where needed

in Site 'B' or 'C'. The mound height was clarified as being 5' with the board on board fence height at 6'. This exceeds the buffer opacity requirements. The base of the mound will generally be 25' from south property line depending on the location of existing trees to be preserved and the width of the buffer will be the 30' required by code and the additional area covered by the mound. The number of trees within the 30' buffer impacted by the current plans for the mound was clarified as being approximately nine trees over six inch caliper with three being in the location of the access drive/sidewalk. The combination of a mound and fence was recommended as the best screening option. It was noted that the deer have eaten most of the lower branches of the trees and understory vegetation and retaining the trees in this area instead of the mound and fence was not expected to provide enough buffering. The height of the double swing gate at 5.5'. It is flanked by two stone columns. The board on board fence butts up to these columns. Within the buffer, at least 24 trees greater than 6" caliper will be preserved. They did not measure smaller trees (the code requires trees surveyed greater than 8" caliper), so the total may be higher. The buffer mound extends slightly to the west and north of building '3' with the forest to the west being preserved as a natural buffer. They are limiting the disturbance as much as practical to preserve as many existing trees as possible; however providing adequate drainage and safety from falling trees due to damaged roots is also a consideration in terms of trees that may be preserved. Their methodology for marking the tree clearing limits was explained. These area will be staked and clearly marked prior to construction activities. A detail was included in the development plan regarding tree protection and photos were shown. The protective barriers are installed prior to any clearing. They will provide contact information to the City for the on-site construction manager in case there are any problems. Jim O'Conner offered to walk the extents of the buffer prior to any clearing and Jim Bedell requested that Planning Department staff also be included. Buffering will effectively screen the ground level of the units, with some visibility of the second floor depending on the location of existing trees. There will be no flood lights on the buildings or other lights above the height of the buffer mound and fence that will shine onto adjacent properties. The only lights on the back of building four will be for the patios. No lighting will be on the sides of the buildings facing south. There will be windows on the end units. It was questioned whether the buffer mound was needed, as there are many trees in the location of the mound. Mr. Uhlenbrock answered that an option is to not include the mound, but it is in the location that will be cleared for the storm sewer and the mound will provide superior buffering with the combination of the mound and fence.

The sidewalk access was discussed. Landscaping and grading of Site 'C' was designed so that the section of sidewalk connecting the development with Woods of Westlake can be included or removed from the design at the direction of the City of Westlake. Mr. Uhlenbrock and Mr. O'Conner did not want a decision regarding the sidewalk to hold up the approval and suggested that it be left up to a future phase of construction, with the proper grading in place so it can be added later if agreed upon by the City, Woods of Westlake and applicant.

Parking was explained. The code requires two spaces per unit and four are provided with eight guest spaces provided in Site 'C'. They thought it unlikely that residents of Parkway Crossing would tell guest to drive over 1/2 mile to park on Bryandale Drive. The location of the community mail box will be determined based on the requirements of the United States Postal Service.

There will be no use of the attic space for living units and the Parkway Crossings home owners association will include provisions regarding no short term rentals, storage units or back yard additions. A minimum contingency fund study will be completed for the development.

Residents had the following questions and concerns:

- The applicant was asked about drainage in rear yards of Bryandale Drive and south of Whitehill Circle. He responded that they will provide drainage close to those yards and also with the change in drainage patterns are hoped to improve drainage for those homes. Drainage in ditches may fail due to debris that collects in it such as grass clippings. Whitehill Circle is too far to be affected by the proposal. They can only design drainage for their property, but it should not worsen the situation for Whitehill Circle homes.
- There was a question regarding the target market and if they foresee any changes in price-points. Mr. O'Conner explained that it is still starting at \$275,000 with an average of \$315,000 and that Pulte has in-house financing, so he did not anticipate it changing based on their market research.
- A resident opposed to the proposed sidewalk asked why they are not also providing a sidewalk from site 'B' to site 'C' through the woods. Why was the gate 6" lower than the stone columns and fence and why have a 12" gap at the bottom of the gate? The applicant answered that a sidewalk connecting the two phases was not considered; the gate is 6" lower for aesthetic reasons and to reduce the weight load on the hinges and the gap in the bottom was to make it easier to open if there is snow. He clarified that the gates swing both ways and that the Fire Department will be able to open it if needed for emergencies. The gap in the bottom would not affect the blocking of headlights by the gate.
- There was a question about a guarantee that the gate will not become a permanently open street connection for thru-traffic in the future. Mr. Bedell explained that doing so requires Planning Commission and Council approval via the same development plan approval process and public notification. The residents of Parkway Crossing would be opposed to it because their streets are privately owned and maintained and they would not want wear and tear from public use, as they have to fund repairs.
- A resident explained the appeal of the neighborhood being "closed off" from other development and this would change with the addition of the sidewalk.
- It was questioned how to prevent people in the development from parking in the Woods of Westlake subdivision and using the sidewalk.
- Site 'C' has only one driveway onto Westchester Parkway. When one side of the entry boulevard is blocked, residents of Woods of Westlake use the other side. Jim Bedell clarified that a boulevard is not considered two permanent means of access.
- A resident stated that left turns on Detroit Road to Cahoon at 4:00 PM are difficult due to traffic and the current signal.
- A resident said he would rather have the buffer mound and fence than to leave the trees in that area. He explained that the deer have eaten all of the lower branches, so the buffering will be far better with the mound and fence.
- A resident asked for clarification on the second permanent means of access and Jim Bedell explained the proposed gated emergency access fulfills this requirement.
- The safety of Cahoon Road was questioned, as at the last work session Chief Hughes gave an example of hypothetical accident closing the intersection of Cahoon and Bryandale and Chief Bielozer and Mr. Kelly do not consider it a dangerous street.

- It was clarified that if this development did not go forward another one would be required to provide the same emergency access at Woodland Way.
- A resident asked if the sidewalk could be removed as a concession.
- The emergency access connection will be brick pavers with no concrete road connecting the two developments. The Parkway Crossing home owners association will be responsible for its maintenance and also the maintenance of the fence, gate and brick columns.
- Mr. Bedell suggested that options be provided for the February meeting with an option showing the sidewalk and a second one showing it as a possible future sidewalk. A third option is no sidewalk. He showed a recent example (Crocker Woods Cluster) that has an emergency access connection and sidewalk connection to a long-established subdivision. A resident noted the difference being that the sidewalk in question connects Bryandale and Westchester Parkway with little reason to use it versus the Crocker Woods example that connects residents of Bretton Woods to Crocker Road and the Bradley Woods Reservation.

ADJOURNMENT

Meeting adjourned at 9:16 p.m. The next regular meeting is scheduled for Monday, February 4, 2019, in the Westlake City Hall Council Chambers.

Brad Lamb

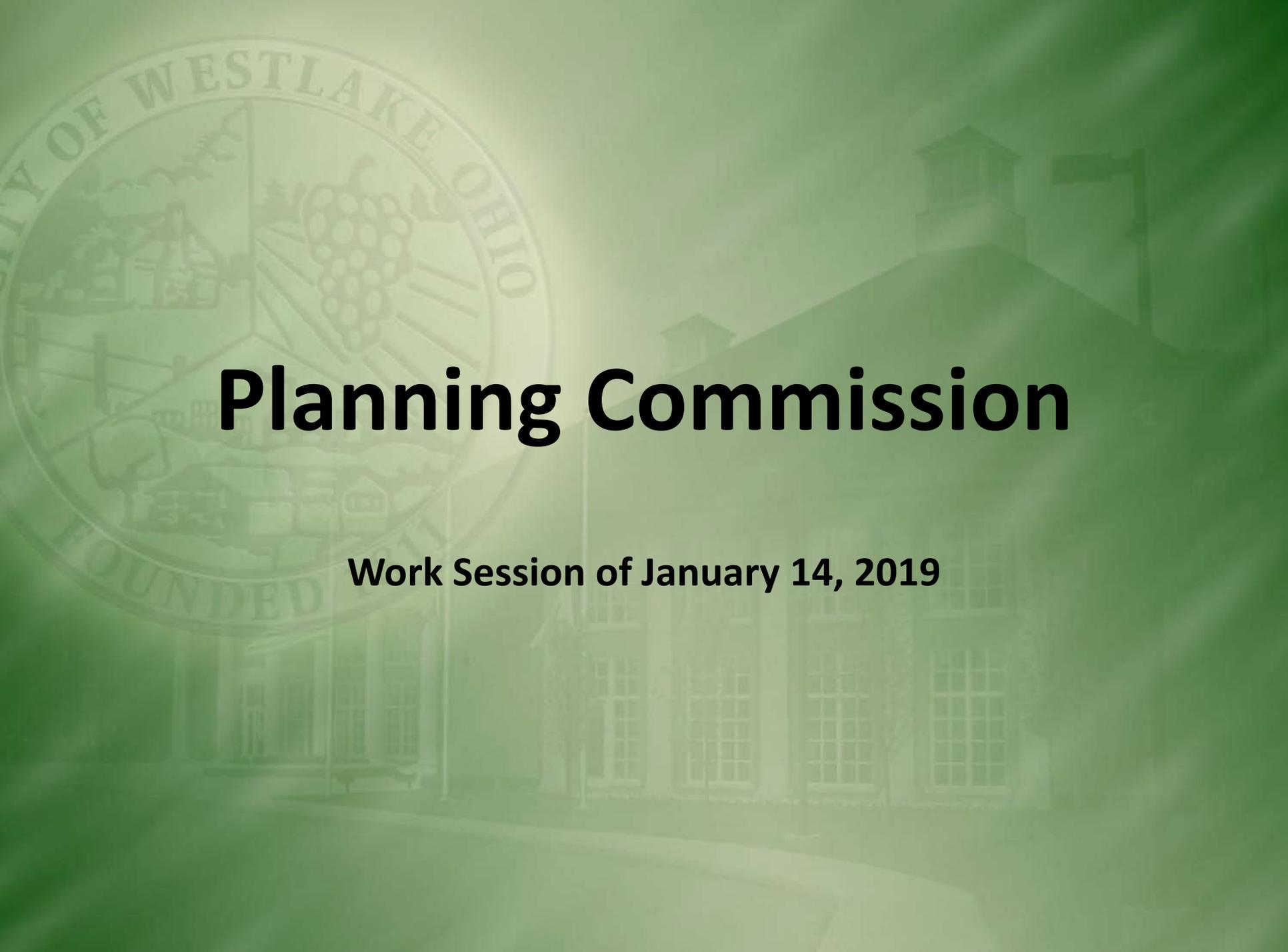
Chairman Brad Lamb

Jim Bedell

Jim Bedell, AICP

Director of Planning and Economic Development

Approved: February 11, 2019



Planning Commission

Work Session of January 14, 2019

Parkway Crossing

Development Plan (144 units), Westchester Parkway,
PP#213-03-001 & 003, rep. J. O'Connor, Ward 3, *tabled*
11/19/18, 1/7/19

Emergency Access

Chief Hughes – no change in the Fire Department's assertion that this connection is needed.

Police Chief Bielozer's Response to Comments at 12/17/18 Work Session

- There is nowhere to pull vehicles off the road on Cahoon (e.g. mail, landscapers, and school busses). I am unaware of this circumstance being a causative factor in any past MVA
- There have been multiple accidents on Cahoon Road and some were caused by illegal passing at the curve. There have been multiple accidents on Cahoon Road (and almost every street in the City). I am unaware of illegal passing at the curve being a cause of any of them. The operator of a vehicle involved in a single car accident at the curve reported a medical condition that likely caused him to lose control. Most accidents have no (or minor) injuries and are the result of driver inattention.
- Residents want to see greater traffic enforcement on Cahoon Road. WPD responds to all traffic enforcement complaints. In the past 3 years, 144 traffic enforcement details have been run on Cahoon Road. Very few violations have been observed. WPD will continue traffic enforcement...but prioritization of efforts includes identifying high injury accident areas as well as responding to citizen complaints.
- The crosswalk on Cahoon Road should have flashing lights with a button. City Engineer
- There was a comment regarding a statement at a Council meeting 15 years ago that Cahoon Road is the most dangerous road in the City. I never heard about such a comment...traffic accident data does not support such a claim.

City Engineer Kelly's Response to Comments at 12/17/18 Work Session

- The pavement width on Cahoon Road was thought to be insufficient for the additional traffic demand because it is not 28' wide as recommended in the Guide Plan. The guide plan recommended 28 feet because it is a county road. When the street was resurfaced with the water main project. It was decided to make it 22 feet wide to slow traffic and discourage cut through traffic.
- Issues were raised regarding signalization and timing at Cahoon and Detroit Roads. The signal timing at Cahoon and Detroit is design to change automatically based on traffic volumes on the roadway. It works as designed.
- The elimination of the no left turn sign from the Hyland parking lot that was meant to lessen northbound traffic on Cahoon Road was questioned. That left hand turn lane restriction was removed from the Hyland entrance by Planning Commission when Hyland moved in.
- Traffic calming on Cahoon Road (e.g. speed tables) should be used to slow traffic. Speed bumps are not permitted on public streets.
- A functioning turning arrow from Detroit Road to Cahoon Road is necessary, as only one or two cars can turn during peak times. Installing a left turn arrow will reduce the operation efficiency of the intersection and is not recommended

City Engineer Kelly's Response to Comments at 12/17/18 Work Session

- Additional traffic on Cahoon Road has occurred with each new phase of Hyland Software. Chief Hughes explained the necessity for the access from Hyland Software to Cahoon Road for a fire lane. It was clarified that it had been a keyed entry by Five Seasons, to prevent cut-through traffic, but it has not been used that way since the property has been redeveloped. **Planning**
- Residents did not want construction traffic for the development to use Cahoon Road. **Construction traffic can be diverted to Crocker Road**
- There was a comment regarding a statement at a Council meeting 15 years ago that Cahoon Road is the most dangerous road in the City. **Cahoon Road is not dangerous.**
- Residents questioned the need for the sidewalk connecting the development that they did not want to be connected to their subdivision for privacy and security reasons. Lauren Falcone shared her experiences with sidewalks and the use of streets in her subdivision that has been positive. She stated that sidewalks make a community and eliminating this connectivity should not be supported. Lynda Appel agreed that connectivity is important for our walkable city. **Not an Engineering issue**

City Engineer Kelly's Response to Comments at 12/17/18 Work Session

- Drainage was questioned. Jim Bedell explained that City Engineer, Bob Kelly, said that this development will have to improve drainage. **Onsite drainage improvement will be designed to improve offsite drainage.**

City Engineer Kelly's Response to Follow Up from Woods of Westlake

DRAINAGE

- Will the new drainage system for the Pulte development connect with the existing, problematic, drainage system that runs west behind the Woods of Westlake homes on Whitehill, then north, then east? **Yes and the new system will help resolve some issues with the current drainage problems.**
- How will the new storm sewer system impact the existing problem of water pooling in backyards after big rains along the northern edge of the Woods of Westlake, from Cahoon Road westward? **It will provide a drainage system that others will be allowed to use to fix their current rear yard drainage problems.**
- Will installation of the new storm sewer system require the demolition of trees anywhere within the southern or eastern buffer zones of the proposed development? If so, where and how many trees will be impacted? **Some trees will have to be removed so the drainage system can be installed to benefit properties to the south.**
- Will installation of the storm sewer system require the demolition of any trees on the nursing home property? **Possibly some trees will be removed if need to assure proper drainage.**
- How might homes on Cahoon and Creekside, that already deal with flooding issues, be impacted by the new development? Are any measures being taken to protect them? **They will not be impacted.**

City Engineer Kelly's Response to Follow Up from Woods of Westlake

ENVIRONMENTAL:

- To assure the safety of the project for residents and the environment appropriateness, will the city require that all permitting (Individual Permit/Water Quality Certification? Rule 13 approval, 401 and 404 certificates, wetland determinations, etc.) for all three sites be in place before work begins on the first site, Site C? **All of the above permit will be required before any construction permits will be issued.**
- Will those documents be posted online? **No.**
- What testing has been done to determine that the land Site A will be built on will not run into issues from buried remains of the city dump? That is, hazards associated with explosive gases generated by landfills, potential stability issues, release of contaminated leachate to surface and ground water, and potential contact with waster material previously disposed at the facility. **Test bores have been performed and no landfill debris was found.**
- What is the city's commitment, and its timeframe, for constructing a barrier to control access to the former landfill? **No barrier is planned.**

City Engineer Kelly's Response to Follow Up from Woods of Westlake

TRAFFIC:

- At one point there was a promise to have all the ditches alongside Cahoon filled in for safety's sake. What is the plan to fill them in? **All property owners who entered into the ditch elimination program with the city had the ditches filled in years ago.**
- What was discovered regarding the "missing" No Left Turn sign that used to prevent those exiting Hyland from heading north on Cahoon? **It was removed once Planning Commission approved Hyland.**
- What will be done about the timing of the light at Cahoon and Detroit to help alleviate the backup of cars during evening rush hour? **The light is constantly being update with changing traffic patterns.**
- What can be done about the danger of making a left-hand turn off Detroit Rd. onto Cahoon during busy traffic times? **Left hand turns are always dangerous. Drivers need to be cautious.**
- What consideration is being given to doing a traffic/safety study on Cahoon Road in general? **Cahoon Road does not rank high on being unsafe. Most accident are speed related. Speed Limit enforcement should be enforced.**
- Will new signage/lighting/signal be installed to protect the safety of pedestrians using the crosswalk(s) on Cahoon? **Yes. DONE and noted and appreciated.**

Other Questions

Ms. Falcone said that to lessen traffic “the public needed to be educated not to use Cahoon Road.” What is being done along these lines regarding traffic the city has or might have some sway over: leaf removal trucks, mulch drop-off trucks, city maintenance trucks, school buses, etc.? **None.**

ACCESS:

- On what grounds are these two requirements as set out by the city being set aside for Site “C”?:
 - Subdivision requirement as noted in WPC Staff Report 11/15/18: “...any subdivision shall have two permanent means of access...” **This was answered at the 12/17/18 work session. It is a requirement of 1127.04.**
 - Municipal Code - Multi-family developments (Under Street Planning 1127.03): “Public and private streets for multi-family developments shall be planned to connect only with major or secondary streets so that large volumes of traffic will not be generated on local residential streets.” **This was answered at the 12/17/18 work session. It connects to Westchester Parkway for use by the Fire Department and “large volumes of traffic will not be generated on local residential street”**
- Was secondary access or emergency access for the Woods of Westlake considered at the western “end” of Bryandale when the Bennet Building on Clemens was being constructed? If not, given statements regarding the necessity, why not? **The 3/22/99 meeting minutes only included a condition “that the buffering shall be added to the southeast portion of the site to buffer the area that is open at the end of Bryandale.**

Other Questions

Mounding/Buffering:

- What is the final determination of the mound height on the southern border of Site B? - **Development Plan – applicant will explain at work session**
- What is the final determination of the fence height on the southern border of Site B? - **Development Plan – applicant will explain at work session**
- What is the final determination of the mound height on the southern border of Site C? - **Development Plan – applicant will explain at work session**
- What is the final determination of the fence height on the southern border of Site C? - **Development Plan – applicant will explain at work session**
- How many trees within the 30-foot buffer will be impacted by current plans for the mound? (City Ordinance. 1130.04 GENERAL PROVISIONS. Natural Planting Requirements: “Where natural plantings and trees exist in yards requiring buffering, such natural plantings and existing trees shall be preserved and grades maintained...” Same provision, Multi-Family Districts: “..buffering width shall not be less that 30 feet when bordering or abutting a Residential district.”). **This was discussed at the 12/17/18 work session. Doing so would remove the buffer mound provided they can provide the 80-60 percent opacity buffer.**
- How far from the Bryandale property lines does the southern base of the mound start? - **Development Plan – applicant will explain at work session**
- What are the final design measurements of the gate that will block access onto Woodland Way? - **Development Plan Detail – applicant will explain at work session**

Other Questions

SIDEWALK ACCESS:

Woods of Westlake is, and always has been, accessible to all from Cahoon Road. City ordinance, 1975-158, 1130.01 Intent under Planning and Platting: “Protect and preserve the appearance and property values of residential uses from adverse effects of adjoining nonresidential uses and certain multi-family uses”, supports one means of access into the development.

In addition, connecting the new multi-family project with the Woods of Westlake, an established single-family development, is contrary to the wishes of the majority of its long-time residents who have safety concerns with the creation of a secondary means of ingress and egress. Including millennials in our neighborhood.

We state again: We have sidewalk access. The residents of Parkway Crossing can walk down Westchester, turn right on Cahoon and enter the Woods of Westlake. Walkers, bike riders, whomever. Walk over and visit.

Other Questions

So our questions is: On what grounds would the Planning Commission go against the ordinance and the wishes of long-time residents to support connecting the two developments with sidewalk access?

1211.31 SUPPLEMENTARY DESIGN REGULATIONS.

In all Multi-Family Districts, the following regulations shall apply:

(d) Sidewalks shall be provided to all dwelling units connecting dwellings to parking areas and the public street.

1237.04(a)(4)

C. General site characteristics which encourage well landscaped and conveniently located parking areas, safe and comfortable pedestrian ways, and convenient pedestrian movement among adjacent and nearby buildings and parking areas; and

Other Questions

Foliage:

What are the details in the updated tree plan regarding how many trees will be preserved alongside the southern border of Site C within the 30-foot buffer?

Development Plan - Tree preservation plan.

What are the details in the updated tree plan regarding how many trees will be preserved alongside the eastern border of Site C within the 30-foot buffer? (City Ordinance Part 11, Planning and Platting Code, 1130.04 GENERAL PROVISIONS.

(c) Buffered Areas.

(1) Location and width. In.... . Multi-Family Districts buffering width shall be not less than thirty feet when bordering or abutting a Residential District. Plant material and screening shall be distributed within the buffer area so as to provide the desired opacity and visual screening. (Ord. 1994-195. Passed 11-17-94.) **Development Plan - Tree preservation plan.**

When will a copy of the update tree plan be posted? **Deadline for the February meeting is January 21st.**

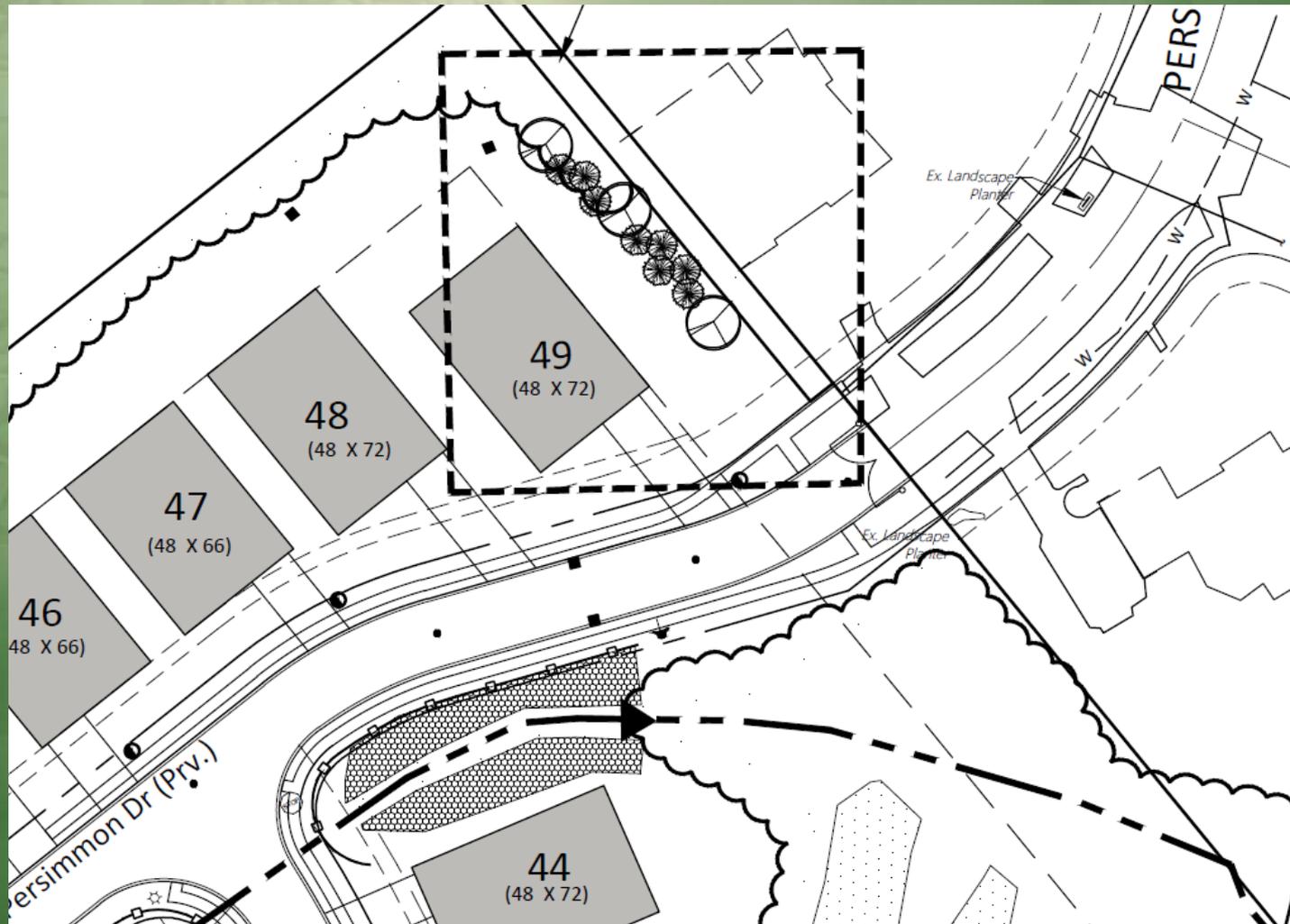
- How will trees in the buffer, and other trees to be preserved, be marked and protected from destruction? **This was explained at the December 17 work session. Methodology is provided in the development plan.**

Other Questions

MISCELLANEOUS:

- Has the USPS committed to a location for the community mail boxes in Site C?
- What is the wording of the provision in the sales document that requires owners to live onsite for one year before renting? **Zoning code does not require this.**
- Does the updated development plan include the written commitment to not offer roof decks as an option, regardless of the presumption that they will be either too expensive or not requested? **Doing so requires a revised development plan approved by the Planning Commission and Council. This will be made a condition of approval – no roof decks or third floor bonus rooms.**
- What is the wording set out in the HOA guidelines for the property regarding:
 - short term rentals? **Air B and B are not permitted in the Westlake Zoning Code**
 - storage units in back yards – **“not permitted by development HOA in common areas.” Would require Planning Commission and Council approval with a revised development plan.**
 - back yard additions? – **“not permitted by development HOA in common areas.” Would require Planning Commission and Council approval with a revised development plan.**
 - A minimum contingency fund? **“10 percent of annual dues is typical”**

Similar Sidewalk/Emergency Access at Crocker Woods Cluster



ADJOURNMENT

The next regular meeting is scheduled for February 4, 2019