



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
MARCH 4, 2019**

Present: Chairman Brad Lamb, Lynda Appel, Phil DiCarlo, Lauren Falcone, Duane Van Dyke

Also Present: Planning Director Jim Bedell, Assistant Planning Director Will Krause, Law Director Michael Maloney, Clerk of Commissions Nicolette Sackman

Discussion of agenda items and fact finding was conducted at 7:00 p.m. The regular meeting was called to order at 7:30 p.m. by Chairman Brad Lamb.

APPROVAL OF MINUTES

Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the minutes of the regular meeting of February 11, 2019.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

COUNCIL REPORT

Mrs. Appel reported on council matters.

OLD BUSINESS

Westlake Community Services Center (on Rec. Center property), exterior elevation details only, 28955 Hilliard Blvd., PP#216-14-002, rep. B. Kelly, Ward 4

Mr. Bob Kelly, Westlake City Engineer, Architects Sean Barbina and Eric Pros were present. Mr. Pros advised the site plan which has not changed. The committee has worked on several options for the commission to review that have revised the elevation details and the roof (including hip roof or a gable roof over the entrances). He presented renderings of two options showing various views of the building as well as a solstice solar study video showing sunlight throughout the building and especially in the atrium.

Mr. Bedell reviewed his staff memo noting on 2/11/19, the Planning Commission recommended approval of the revised development plan for the Westlake Community Services Center with the condition that "revised building elevations will be presented at a future meeting for recommendation" as more details were needed. Changes to the building include: to address the expansive brick area above the office windows, the window height has been increased to provide windows that are rectangular in shape; light colored window mullions were added to add interest to the windows and also to complement the storefront system at the entrance; the front entrance

canopy has been lowered; more specifically the pitch of the roof has been lowered so the gable end is less imposing; also, the gable end has been shortened and is now properly positioned directly above the columns; the side entrance canopy has been scaled down in size to give prominence to the front entrance; and the gable end has been furthered refined include appropriate moldings. Pre-cast stone has been detailed to include rusticated and smooth finished faces in patterns at the base of the building. The roof has been changed to be architectural shingle.

Members of the commission discussed the proposal and thanked the architect for the solstice video and this plan fits more with the character of other Westlake municipal buildings. Overall the preference for the entrance roof was Option 1 including the gable roofs at the entry canopies. They would like to see a city seal or something similar to the recreation center entrance feature at the main entrance canopy. Mr. Van Dyke made architectural recommendations for changes in the building elevations involving the materials and building design. Concerns were expressed regarding the illumination of the dining room and what will be visible to the adjacent neighbors, which Mr. Pros advised the lights will not be similar to retail and the space will not be used often in the evening. Patio furniture will be placed on the rear patio and the pickleball court location by the recreation center was noted.

Findings of fact

1. The purpose of this request is to provide detailed drawings of the building elevations, as the prior elevations were more conceptual.
2. No modification are required.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Westlake Community Services Center exterior elevation details with the following conditions:

1. Condition that Option 1 is used with the gable style pediment for the west and front entry elevations.
2. Approval is subject to 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: Lamb, Appel, DiCarlo, Falcone, Van Dyke

Nays: None, motion carried

**Hillsborough Townhomes, Development Plan (24 units),
NW corner Hillsborough / Center Ridge, PP#217-06-033,
rep. M. Neff, Ward 6, tabled 11/12/18, 11/19/18, 12/03/18,
1/7/19, 2/11/19**

The applicant requested to be tabled.

Motion: Mr. VanDkye moved, seconded by Mr. DiCarlo to table the Hillsborough Townhomes Development Plan to the April 1, 2019 meeting.

ROLL CALL ON APPROVAL:

Yeas: Appel, DiCarlo, Falcone, Van Dyke

Abstain: Lamb

Nays: None, motion carried

NEW BUSINESS

**Earth to You, Development Plan (hoop structure), 26690
Detroit Rd., PP#213-05-027, rep. G. Case, Ward 3**

Mr. Case, owner, explained he is seeking approval for an additional hoop structure over a landscape bin, similar to the ones that were approved in 2017. The hoop cover will be “Westlake Green” in color and he reviewed the materials and the installation process. The hoop remains in place year round.

Mr. Bedell reviewed his staff memo noting the two hoop structures approved in 2017 are 30’ wide by 48’ long and 19’ high (height including the existing concrete block bin wall is 27’). This hoop structure will be covered with the same green fabric (polyethylene cover) as the other two “to blend with trees and landscape”. A planting bed with three evergreen trees to the south in the lawn area was installed in 2017 to screen views from Detroit Road. There is a drop in elevation of 16’ from Detroit Road. This paired with the evergreen trees should reduce visibility of the hoop structures from Detroit Road but given the location of this structure, additional evergreen trees should be planted to more fully screen the hoop structure. This request requires a side yard setback as it is located 21’ off the side lot line. There was a court order for the previous owner establishing the side yard setback to be 25’, so the options are to move the concrete blocks over so they are not in the 25’ setback or to grant a modification. This zoning districts calls for a 20’ side yard setback so 21’ setback would not be out of character, but requires a modification due to the court order.

Discussion ensued regarding safety concerns with the stability of the structure and how the existing hoops held up to the recent high wind storm. Mr. Case advised there were no issues, nor have there been any issues over the two years they have been in place, and they remained in place during strong winds with no damage. He reiterated the installation process and each block the hoop structures are connected to are each 2,500 lbs. He explained he has been improving the property since he purchased it in October 2016 and wants the business to be successful. It was questioned if moving the concrete block for the bin would be problematic so a setback modification was not necessary and how long the blocks have been in place. Mr. Case advised he installed the blocks two years ago and all the blocks are over a ton in weight. He placed them 21’ off the side property line thinking that would be permitted as the zoning code notes a 20’ side yard setback. The structures do not require a permit or inspection from either the building or engineering departments. Mr. Case noted these types of structures exist in various locations throughout the city, including the city’s service department.

Findings of fact:

1. The purpose of the request is to provide a permanent covering for bagged materials.
2. This proposal does not expand the use of this legally non-conforming property as prohibited in Chapter 1225 of the Zoning Code.

- The design guidelines in Chapter 1237 do not address the covering of hoop structures and do not specify the use of fabric (polyethylene) coverings under materials for roofing. Traditional roofing materials in Chapter 1237, such as asphalt and standing seam metal roofs, are not appropriate for the proposed hoop structures.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Earth to you Development Plan (hoop structure) with the following modification and conditions:

- Modification to allow the hoop structure to encroach 4' into the 25' side yard setback.
- Condition that the green polyethylene cover is approved for the proposed hoop structure.
- Condition that additional evergreen trees are added to the buffer to the south of the structure to screen views of it from Detroit Road and that staff will field verify the location and number of trees to be added.
- Condition that the building department review the structure.

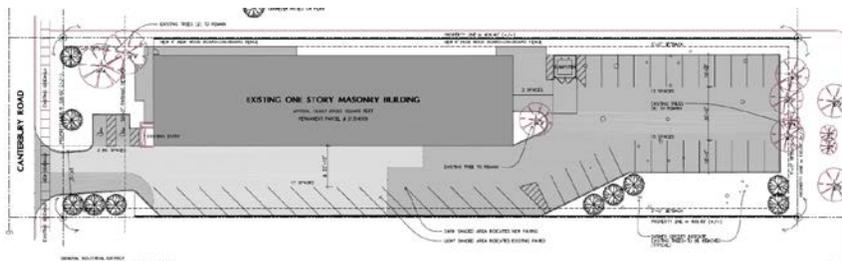
ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Patton Painting, Site Improvements (parking lot and front entry), 855 Canterbury Rd., PP#213-04-009, rep. D. Maddux, Ward 1

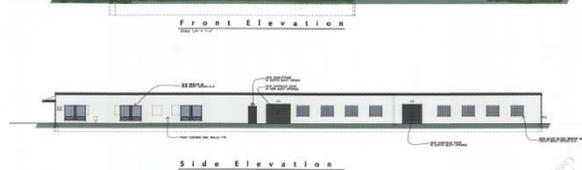
Mr. Maddux and owners Tim and Zac Patton were present. Mr. Maddux explained the applicant has grown out of their previous location on Canterbury Road and recently purchased this property for their business. The building was constructed in 1963 and needs some improvements.



They wish to expand the parking lot and resurface the existing lot. They will be creating a total of 48 parking spaces (currently there are 17 spaces) for fleet vehicles and employee parking. Two of the parking spaces will be in



front of the building for ADA parking, which is not out of character for the area as other nearby buildings have parking in front of them. The remaining parking spaces will be adjacent and behind the building. They are proposing to install a 6' board on board fence along the property line as this is an industrial area and the adjacent building's parking lot abuts their lot so they would like some screening and to keep the parking for their use. The front of the fence will be screened by landscape. The trash enclosure



will be at the rear of the property. The building will be renovated with new windows and the brick face will remain natural but the painted concrete block side and rear walls will be re-painted. The front of the building originally had a glazed tile feature designed to be located

between the windows that was changed when the building was constructed to wood. They proposed to remove the wood and replace it with a glazed tile. The front door will also have a flat entrance awning.

Mr. Bedell reviewed his staff memo explaining there is enough space for 32 spaces without granting a modification, while the remaining spaces will be located in the setback. They are continuing the existing setback of the existing parking lot. The pavement on the applicant's property and the adjacent neighbor extends to the property line. At the rear of the property the parking lot will angle. The proposed fence is close to the street and in the front yard setback by 10'. Mr. Patton explained the placement of the fence was to create not only screening of the parking lot but to add some dimension to the front property rather than lining it up with the setback of the building or the front sidewalk.

Discussion ensued that members of the commission did not have issues with the two front ADA parking spaces as this area of industrial property was developed before current zoning codes and many of the buildings have parking spaces in front of the building as well as along the edge of the property line. There were concerns with the location of the fence in the front setback and options were discussed for placement, height, material and screening. The fence will be either cedar with a natural stain to match the tile feature on the building or a composite material that is dark in color. Based on discussion the parking lot and fence will be shifted back 5', to line up with the existing walkway, so only a 5' front yard setback modification is necessary. The concrete block portions of the building will be painted a warm grey color to compliment the brick. Mr. DiCarlo suggested using a Gingko Century tree rather than the proposed crabapple tree as it will not spread as much and encroach on the trash enclosure or building.

Findings of fact:

1. Modifications are needed for encroachments for the fence and two ADA parking spaces in the front yard and eight parking spaces in the side yard.
2. The eight parking spaces maintain the same side yard setback as the existing parking.
3. Signage is not included in this request.
4. 1218.06 Performance Regulations and 1220.06 Performance Standards have been met.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Patton Painting site improvements with the following modifications and conditions:

1. Modifications are granted for two ADA parking spaces encroaching into the front yard setback and eight parking spaces encroaching into the side yard setback.
2. A modification is granted for the fence to encroach into the front yard setback by 5' by moving the entire parking lot back 5'.
3. Condition that the final color of the fence and building is administratively approved by the Planning Director.
4. Approval is subject to comments in Part III of the 2/27/19 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: Lamb, Appel, DiCarlo, Falcone, Van Dyke

Nays: None, motion carried

**West Bay Plaza, Revised Master Sign Criteria, 30100
Detroit Rd., PP#211-19-006, rep. C. Reville, Ward 5
West Bay Plaza, Site Improvements (reface façade) 30100
Detroit Rd., PP#211-19-006, rep. C. Reville, Ward 5**

Mr. Chris Reville explained they are looking to revise the master sign criteria and reface a portion of Building 100. Mr. Krause reviewed his staff memo regarding the master sign criteria. The current development plan request reduces the amount of demolition for the remaining Building 100 so the sign criteria needs to be adjusted to reflect these changes. The section not being demolished will get a new re-allocation of sign area. The area identified as “Building 100 Phase 2A” is a multi-unit façade capable of housing up to six tenants (the plan shows five separate entrances with the possibility of a sixth entrance for the bay farthest to the south). Phase 2A will use similar signage as the rest of the minor tenants in the development. The proposed criteria has Building 100 with 660’ of frontage and 1,029.5 sf of wall signage and the whole site with 3,220.5 sf of signage. This is a reduction of 128.5 sf of sign area. The proposed individual tenant wall signs for Phase 2A and the total wall signage on the site comply with code. Other changes to the criteria include the reduction in the number of major tenants from six to four and allowing major tenants to use up to .1 sf of their .5 sf per linear foot of storefront frontage for freestanding secondary signage. This will allow them to have secondary signage on their cart corrals or one portable sign for places serving food and drinks.

Mr. Bedell reviewed his staff memo regarding the proposed changes to the façade. The current request further reduces the amount of demolition for the remaining Building 100 by limiting it to the area that is currently occupied by Marc’s. The section not being demolished will be remodeled to match the rest of the center. The area identified as “Building 100 Phase 2A” is a

multi-unit façade capable of housing up to six tenants. Phase 2A uses similar building materials and traditional styling to match the rest of the center. Accent lighting will be placed on the seven brick pilasters. This area of tenant space overhangs the sidewalk for people to walk under.



APPROVED ELEVATIONS



Mr. Reville explained the brick material on

the columns is only carried up to the roof line on the end caps as they want to be able to have flexibility for the tenant spaces and signage needs. If the brick columns were to go all the way up to the roof line (on the five columns shown) and a tenant were to lease three of the tenant spaces for one large tenant, a column in the area of the sign would create problems for the signage, as normally the signage is centered over the tenant space. At this time they do not know what tenants are going in or how many there will be, which is why they would like the flexibility. The building materials will be similar to what has been used throughout the shopping center. It was explained in the future the area where Marc's is located will be demolished but they want to reface this portion now. The current plan reduces the amount of lot coverage, but Mr. Bedell suggested leaving the previous modification in place since the area where Marc's is located hasn't been demolished and new phase constructed. They exceed the amount of parking necessary.

Discussion ensued that the members of the commission did not have any issues with the proposed revised master sign criteria, but felt the area being refaced was very plain, especially when compared to what was approved and built in the other phases. They understood the need for flexibility since it is unknown how many tenants will go in. As designed it looked like a strip mall and one dimensional. Discussion ensued that the commission liked the pop out features on the other buildings and wondered how more interest could be added to this area, as a lot of time was initially spent when this property was redeveloped. Mr. Reville advised that retail is changing and larger tenants aren't as frequent as they used to be. He was willing to make revisions but needed to keep flexibility in mind not knowing what tenants will go into this area of the building. He will look at options to add another layer and textures, or elements, on the facade and ways to break up the upper space.

Findings of fact master sign criteria:

1. The development plan has been revised based on space needs of tenants in the new Building 100.
2. The master sign plan needs to be adjusted to reflect these changes.
3. The proposed individual tenant wall signs for Phase 2A and the total wall signage on the site comply with code.
4. Other changes to the criteria include the reduction in the number of major tenants from six to four and allowing major tenants to use up to .1 sf of their .5 sf per linear foot of storefront frontage for freestanding secondary signage.
5. Section 1223.13(d)(4)D requires instructional signs larger than two sq. ft. to be approved by the Planning Commission.
6. Schedule 1223.04(g) permits Planning Commission to approve as part of a Master Sign Plan one six sq. ft. portable sign per establishment serving food and drinks.
7. A rendering of the proposed changes to the exterior elevations have been submitted but updated blackline measured drawings to attach to the updated master sign criteria have not.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve of the West Bay Plaza revised master sign criteria with the following modification and conditions:

1. Modification from Section 1223.13(d)(4)D to permit administrative approval of instructional signs for major tenants such as cart corral signs greater than two sq. ft. to be administratively approved by the Planning Director as long as they do not exceed .1 sq. ft. of linear foot of major tenant storefront frontage.
2. Condition that as per Schedule 1223.04(g) to approve one six sq. ft. portable sign per establishment serving food and drinks as part of this master sign plan, all other portable signs are prohibited.
3. Condition that the blackline Exterior Elevation Sheets A09 and A10 dated 11/10/17 are updated with sign area placement and calculations to reflect the changes approved with this revision to the master sign criteria and one hard copy of each and one digital pdf of each submitted to the planning department.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Findings of fact – site improvements:

1. The development plan has been revised based on space needs of tenants in the new Building 100.
2. There has been no loss of the percentage of landscaping previously approved with no need for a new modification.
3. The building square footage for the entire site is 13,040 s.f. s.f. less than the approved development plan, having the benefit of lowering lot coverage, while exceeding the approved parking ratio of 4.1 spaces per 1,000 s.f. (ratio provided is actually 4.45/1,000). The parking ratio of 4.1 spaces per 1,000 s.f. was approved on 12/4/17 and is still applicable with no need for a new modification.
4. The previous modification for lot coverage was granted at 22.05% and the proposed lot coverage is 20.44% and this modification should be adjusted accordingly when the redevelopment of the site is completed.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the West Bay Plaza revision to the approved development plan with the following modifications and conditions:

1. Condition that any exterior fixtures associated with Phase 2A are dimmable and field adjusted by the applicant and Planning Department staff during construction and if fixture “G” is used it will be reviewed administratively.
2. Condition to administratively approve the reworking of the storefront façade as a minor revision to the development plan by the planning director with a survey by planning commission members to determine if the improvements are adequate to break the scale and rhythm of the roof line.
3. Approval is subject to comments in Part III of the 2/27/19 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: Lamb, Appel, DiCarlo, Falcone, Van Dyke
Nays: None, motion carried

Mallard Cove 3 Revised Subdivision Prelim. Plan, 30400-30412, 30380 & 30304 Center Ridge Rd., PP#217-22-064, 016 & 017, rep. K. Hoffman, Ward 6
EFG Lot Split, 30400-30412, 30380 & 30304 Center Ridge Rd., PP#217-22-064, 016 & 017, rep. K. Hoffman, Ward 6

Mr. Hoffman explained the preliminary plan for the subdivision is being revised as Mr. Pavicic



purchased two additional properties which will be split and assembled to the subdivision and a future townhouse project that will be along Center Ridge Road. The subdivision provides a stub street for future connection to Carlton Ave. and Greenwood Parkway. For now there will be a temporary emergency access drive that goes through Block A to connect to Center Ridge Road and when the emergency access drive is removed it will become a lot.

Mr. Bedell reviewed his staff memo noting there will be removable bollards on the emergency access drive so only city emergency vehicles can access the drive. Due to the length of the street this is required by code for safety reasons. The lots are larger than those on Greenview, as the homes on Greenview were constructed when 15,000 sf lots were permitted. He questioned what trees would be persevered. Mr. Pavicic, owner, explained this area was mostly cleared by the previous land owners, but he plans to preserve as many trees as he can and is not certain if he will need to clear anything. Mr. Bedell continued to review the plan noting sublots 5 and 6 need lot width modifications as they are not 100' wide at the 50' front yard setback. A solution is a modification for the front setback for sublots 5 and 6 to put it where the width at the building line is 100', which is approximately 60' back. Mr. Hoffman explained most houses that are constructed have side load garages so the garage might be in front of a 50' setback while the house would not. Mr. Pavicic advised they have not laid any houses out on the lots yet, but can work with the commission to see what will work, and make adjustments with the final plat. Mr. Bedell reported that there were some lot to depth width ratio modifications needed, which can happen when developing infill property.

The following were present and made comments: Mr. Ken Vergara, 30480 Mallard Cove; and Mr. Justin Kelley, 30485 Mallard Cove; (Mr. Pavicic's grade school aged step-daughter Brandy Lorince also came forward to participate in conversation for a school project). Comments and concerns raised by the residents were: grading and water issues; drainage; wetlands on surrounding properties; location of the basin; there is a temporary basin that is not being maintained adjacent to Mr. Kelley's property; and when will the project begin.

Mr. Hoffman reviewed the location of storm sewers and it is possible that the retention basin may be relocated if additional property to the north is purchased by Mr. Pavicic. Mr. Pavicic has been paying the previous owner of the property to mow the lawn and will make sure that the area by Mr. Kelley's house is maintained. He anticipates beginning the project in the fall as he plans to submit plans for the townhouse development to the south and begin that project first due to infrastructure needs.

Members of the commission discussed if there will be any buffering between this subdivision and Greenview Parkway. Mr. Pavicic advised there is a tree line in that area which he plans to retain as the storm sewer line will be brought in so not to disrupt those trees if possible. They did not have a problem with the 100' lot width being back further on sublots 5 and 6. Mr. Pavicic noted if additional property is purchased it could change the layout of this subdivision and move the retention basin north near Carlton Ave., using it as a water feature. He noted that when the master plan was envisioned for this area the lot area and width requirements were smaller than what is required today. It was questioned why the rear of sublots 5 and 6 were on an angle rather than a straight line and 90° angle. Mr. Hoffman advised the area to the south may be needed for the townhouse development and as they layout that plan they will review the lot lines. The size and price of the homes was discussed with Mr. Pavicic noting they are custom built and the price can vary from \$500,000 up to a million dollars or more pending features and size. Typically the houses start around a minimum of 3,400 sf but can go up over 6,000 sf pending finished basements and features.

Findings of fact Lot Split:

1. The purpose of this request is to create two parcels with one parcel being for the proposed Mallard Cove 3 Subdivision and the other for a future townhome development.
2. The proposed subdivision is currently before the Planning Commission but an application for a future townhome development has not been received at this time.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the EFG lot split & assembly involving PPN 217-22-016, 217-22-017 and 217-22-064 with the following condition:

1. Approval is subject to 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 plat approved by the Planning Commission, it shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Findings of fact subdivision:

1. This proposal includes an extension of Mallard Cove with nine single family residential lots and one lot for a future residential lot (Block 'A') when the temporary emergency access driveway is no longer required.
2. Also included is an out parcel lot adjacent to Center Ridge Road for a future townhome development.

3. The modifications for lot depth to width ratio and lot depth are in accordance with Section 1133.02, since the “land involved in a subdivision is of such size or shape ... that it is impossible or impracticable in the particular proposal for the developer to conform fully to a provision of these Land Planning and Subdivision Regulations...” Section 1133.02 authorizes the Planning Commission to “...accept such adjustments as may be reasonable, if within the general intent and purpose of these Regulations.”
4. A modification is required to allow S/L 7 to be 18,027 s.f. in accordance with Section 1211.09 table footnote (k).
5. A modification is required to allow S/L1 (corner lot) to be 20,194 s.f. instead of 22,000 due to the shape of the parcel being subdivided and its relation to existing streets.
6. A modification is required for the width at the building line is required for S/L 5 to be at 90’ and S/L 6 to be at 87’. An alternative to this modification is a condition that the front setback for S/L 5 and S/L 6 be where the width at the building line is 100’. This is an approximate 60’ setback versus the typical 50’ front yard setback. This was discussed with the applicant at the meeting.
7. A modification is required for the depth to width ratio of S/L 1 to be 1.23:1 instead of 1.4:1.
8. Sublot 1 has a minimum lot depth of 150’ and averages 155’. A modification is needed because there is no other way to make this lot compliant due to the shape of the parcel being subdivided and its relation to existing streets. For the same reason sublots 2-7 all have at least one point of the lot that is less than 170’; however these lots have depth averaging 170’.
9. The fence around the retention basin is shown as being a 4’ tall ornamental fence. The height in the ordinance approving subdivisions is 6’. A waiver is required for a fence lower than 6’.
10. The ordinance approving subdivisions includes a requirement that retention basins are screened with a double row of evergreens (buffer to existing subdivision to the north) and this is included in the preliminary plan.
11. The final subdivision plat improvement plan should be engineered to preserve mature trees whenever possible.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Mallard Cove 3 revised major subdivision preliminary plan with the following modifications and conditions:

1. Modification for subplot 1 to be less than 22,000 s.f. with a depth to width ratio of less than 1.4:1 and subplot 7 to be less than 20,000 s.f. and sublots 1-7 to have lot depths at less than 170’.
2. Condition that the front setback for sublots 5 and 6 is where the width at the building line is 100’.
3. Condition that Block ‘A’ may be developed as a residential home lot when the temporary emergency access driveway is no longer required.
4. Condition that the ornamental fence around the retention basin is a 4’ tall ornamental fence.
5. Condition that the final subdivision plat improvement plan will be engineered to preserve mature trees whenever possible.

6. Condition that a 1' reservation strip be deeded to the City at the end of Carlton Avenue, as shown on the preliminary plan.
7. Condition that a homeowners association be established.
8. Approval is subject to comments in Part III of the 2/28/19 staff report and approval of the preliminary plan 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 plan approved by the Planning Commission, it shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Allstate, Sign Plan, 30584 Detroit Rd., PP#217-07-027,
rep. D. Detar, Ward 6**

Ms. Jennifer Smith, sign contractor, explained the applicant has rebranded and as a result is requesting a change in their signage. Mr. Krause reviewed his staff memo noting they wish to replace the existing white 17.92 sf Allstate wall sign with a new 25.92 sf wall sign consisting of blue letters and a 3.49' total logo. He reviewed the conditions placed on the retail center regarding signage, and what is being proposed require waivers from the master sign criteria for this retail center.

It was questioned why the signage was located to the right of the door rather than being centered over the door. Ms. Smith explained that there is a second tenant in this area of the building, so the area is split for both tenants. At this time the other tenant does not have signage but there is wall space allocated for that tenant's signage. It was questioned if the blue color would blend in with the building and be visible from the street as the existing white color stands out. Ms. Smith advised the sign will illuminate white and there will not be an issue.

Findings of fact:

1. The original development plan limited this property to 152 sq. ft. of signage.
2. The approved sign criteria limits the maximum size of an individual letter (or logo) to 18" tall and that all the lettering or logos would be red and that the landlord can allocate signage to the individual spaces.
3. A modification/waiver to the criteria was granted in 2003 to permit the signage facing Center Ridge to be blue.
4. The criteria had no provisions for permanent window signage.
5. The existing permanent signage currently displayed on the site, not including the existing Allstate wall sign totals 69.95 sq. ft.
6. An existing sign frame on the side of the building has space for a 20 sq. ft. sign panel.
7. The sign area remaining available is 32.05 sq. ft.
8. The newly proposed 25.92 sq. ft. Allstate wall signage falls within the sign area available.
9. The 3.49' tall logo will require a waiver from the criteria, similar to waiver granted for 3' tall logo on front facade.
10. The blue logo and lettering will require a waiver from the criteria, similar to waiver granted for the Center Ridge façade of the building.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the proposed Allstate sign plan with the following sign waivers and conditions:

1. Waiver from the approved sign criteria to permit a 3.49' tall logo.
2. Waiver from the approved sign criteria to permit blue lettering and logos on the east façade of the building.
3. Waiver from the criteria to permit permanent vinyl window signs and sign frames in the windows with the condition that the total sign area on the site does not exceed 152 sq. ft. as originally approved with the development plan.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Westlake Laser Wash, Sign Plan, 30760 Center Ridge Rd.,
PP#217-07-006, rep. M. Boukzam, Ward 6**

Mr. Boukzam, owner, explained the history of the building and that he purchased the failing business after the previous owner passed away. His desire is to improve the property and add signage so customers know the car wash is open as it had been closed for a couple of years previously. He took possession of the property in December and in January came into city hall to review his signs. He thought he submitted everything that was needed and has been waiting for approval. It is now March and he would like to order the requested signage as it will take some time before he is able to have it installed. He explained the prime time for a car wash is the current season and he needs to be able to attract business to be successful. He was upset when he received Mr. Krause's staff review memo recommending the proposal be tabled due to outstanding issues, as there must be a misunderstanding as he thought he submitted what was needed. He explained there were existing signs on the property and all he did was change the phone number listed on the signs, which he stated he did not include on the plans since they were already there.

Mr. Boukzam has spoken to staff regarding signage he wished to have and was told it was illegal and not permitted (flag-like sail signs) so he removed them. He didn't understand because he sees similar signage in other locations in the city and did not know why those businesses were allowed signage that he is not permitted to have, such as lights along the trim of the building. He is willing to work with the city and recommendations made by Mr. Krause. He asked that the commission consider his ground sign as it will take 1 ½ months to make before he can even install it. He removed the signs noted as "*#2 The freestanding temporary promotional signage are removed*" per a memo he received tonight. He put them in the building and they are no longer outside. Regarding "*#3 The wall mounted light fixtures are put into compliance with the development plans approved by Planning Commission 9/4/01*" Mr. Boukzam stated he spoke to the mayor and his wife and he did what they wanted, which was to light up the area nicely. If what he did is an issue, then he requested that the commission tell him what they want as it is just a wall light that is so far back from the street that it is not seen, but he can replace it. Regarding "*#4 All of the sign area dimensions of existing and proposed signs are submitted for calculation of the total sign area requested on the site (including product dispenser or kiosk signs, instructional signs larger than two sq. ft. and any portable signs for which the applicant is seeking modification from the Planning Commission to display).*" Mr. Boukzam stated he didn't

know that all the signs that were on the site were necessary to be shown on the proposal and that some of them were not on the plan from 2001. He thought he only needed to provide information regarding new signs he is proposing. He discussed removing some signs, changing other signs, adding new signs and converting one of the existing freestanding signs to a community board.

Regarding “#1 *The outline lighting is removed*” Mr. Boukzam stated that he submitted a sample of the material used and it is a thin 3/8” trim tubing that is under the gutters to accent the building trim and is not near the roof. There is no other lighting on the building other than the wall packs. He reviewed the location of lights on the property. He researched what his customers would like on the site to feel safe regardless of what time they come to use the car wash. He had lights on a timer to go off at midnight but then he was told it was safer to leave them on all night (he did not state by whom, but it happened at dinner – uncertain what he is referring to). It was reiterated that there is the need to increase business and make customers aware the car wash is open in order to be successful and not go out of business.



Mr. Krause reviewed his staff memo. The purpose of this request is to replace the existing monument sign in a new location, install an externally illuminated flag and flagpole in the old monument sign location, convert a rear internally illuminated sign to a “Community Board” and add a wall sign to the west façade of the building facing Bradley Road. When he visited the site to set a mockup of the monument sign in the proposed location to ensure there were no visibility issues he discovered there were other signs on the site. In December the applicant took possession and added outline lighting to the eaves and gables of the building, replaced the previously installed downcast wall mounted lighting fixtures with standard wall packs that glare toward the street, added a possible non-downcast fixture on the west façade and numerous portable and temporary signs that do not comply with code. There are also additional permanent signs which were not submitted with the application

The proposed 7’ tall monument sign is not an issue in the proposed location of 10.5’ from the existing right-of-way. Code requires that it is 10’ from the planned right-of-way, resulting in a 9.5’ modification. The owner agrees to move the sign at his own expense if the road is widened in the future. Up to 33% of the area of a freestanding sign can be changeable copy. 9.9 sf of the 29.9 sf proposed sign is changeable copy and complies with the 33% requirement, and will be red with a black background. The code prohibits animated signs that changes more than once every 24 hours and the application states that “owner will operate the digital sign in conformance with the code”. As submitted the monument sign is described as yellow lexan faces that are a minimum 75% opaque. The monument sign should be installed with dimmers so that if the LED cabinet or digital sign are found to exceed 10 lumens at 3’ from the center of the sign face they can be dimmed down, which the applicant noted on the application that there will be dimmers.

The proposed wall sign is 14.5’ above grade and complies with the code. §1223.10(c) states that all signs on a lot shall have a consistency of design including color. The yellow, green and blue wall and freestanding sign are consistent. The multi-color menu signs include these colors and more but are not visible from the street.

The outline lighting that was put on the building is not permitted. Calculations for the total amount of signage that is on the site is needed to determine what modifications are necessary and to know what will be on the site. The applicant has requested that second 50' side of building toward sign area is counted toward the sign area allotment, as the lot is unique as it has frontage on Center Ridge and Bradley Roads, even though it is not the corner parcel. This is permitted per §1223.03(c)(3).



The proposed flagpole is an accessory structure/use that will be constructed approximately 26' from the existing right-of-way and is required to be 60' from the planned right-of-way per code, so the flagpole requires an approximately 44' setback modification. Prior to the meeting Mr. Krause revised his recommendations that were listed in his memo to the following: *Recommend that Planning Commission table the application until, 1 - The outline lighting is removed; 2 - The freestanding temporary promotional signage are removed; 3 - The wall mounted light fixtures are put into compliance with the development plans approved by Planning Commission 9/4/01; and 4 - All of the sign area dimensions of existing and proposed signs are submitted for calculation of the total sign area requested on the site (including product dispenser or kiosk signs, instructional signs larger than two sq. ft. and any portable signs for which the applicant is seeking modification from the Planning Commission to display).*

Lengthy discussion ensued regarding the proposal. Members of the commission want to see that the applicant has a successful business but the plans as submitted need more information as noted by Mr. Krause. The outline lighting was not favored and Mr. Boukzam noted other businesses that have this type of lighting. It was pointed out that this has been issues at other locations and is not permitted. It was asked if the car wash is manned and what the hours of operation are. Mr. Boukzam advised it is a self-service no touch car wash, with his phone number to contact him should there be an issue and per the planning department the hours are 6 am to 11 pm (conditional use permit condition of approval). The wall pack should be downcast and shielded and the lighting on the site should be looked at if there is a need for illumination. A total calculation of all the signage should be provided to determine what exactly will be on the site and what modifications are necessary. Members discussed the colors of the ground sign looking too busy with so many different colors and determined that the yellow color should be removed and replaced with a 100% opaque white or green background. Mr. Boukzam should work with Mr. Krause to have the ground sign administratively approved and the remaining items are to be tabled to the next meeting when all the information is provided.

Findings of fact:

1. The Westlake Laser Wash is under new ownership and has requested revised and additional signage for the site.
2. A sign application was submitted 2/5/19 but all of the existing and proposed sign area dimensions were not included for computation of the total sign area requested for the site.
3. Outline lighting was installed since December 2018 in violation of Section 1223.12(d) of the Westlake codified ordinances.

4. Wall mounted light fixtures were installed which do not comply with the approved development plans and are in violation of Section 1230.03 of the Westlake codified ordinances.
5. As of 2/28/19 there are portable signs and freestanding temporary promotional signs displayed on the property which are in violation of Sections 1223.12(h) and 1223.04(g) of the Westlake codified ordinances.
6. New monument sign proposed 10.5' from the existing right-of-way, approximately .5' from the planned right-of-way and 10' from the driveway. As per Schedule 1223.06 footnote (a) requires a 9.5' setback modification from Center Ridge Rd.
7. Note #3 on drawing - Owner agrees to move sign at their expense if the road is widened.
8. The proposed flagpole is an accessory structure/use that will be constructed approximately 26' from the existing right-of-way. As per Section 1216.06 the front yard setback in General Business Zoning for an accessory use is 60' from the planned right-of-way [as per footnote (a)] so the flagpole requires an approximately 44' setback modification.
9. American flag is exempt as long as it complies with Section 1223.11 (j) and (k).
10. As per Section 1223.08(b)(4) the changeable copy must be a single color (it is shown as red on a black background).
11. The proposed sign package exceeds the code by at least 54.66 sq. ft. Note #5 on drawing, applicant requesting to count second 50' side of building toward sign area which Planning Commission can consider under Section 1223.03(c)(3). This would reduce the sign area modification to at least 4.66 sq. ft.
12. As per Section 1223.08(b)(4) up to 33% of the area of a freestanding sign can be changeable copy. Since 9.9 sq. ft. of the 29.9 sq. ft. proposed sign is changeable copy = 33%.
13. Section 1223.12(a) prohibits animated signs which as per Section 1223.02(a)(1) means any sign that changes more than once every 24 hours.
14. Planning Commission has approved digital signs with a written statement by the applicant stating that they will operate the digital sign in conformance with the code. Note #4 on the drawing states that "owner will operate the digital sign in conformance with the code".
15. As per Section 1223.07(g) a minimum of 75% of the sign face of an internally illuminated monument sign must be opaque or nontransparent. As submitted the monument sign is described as "yellow lexan faces (min. 75% opaque)".
16. As per Section 1223.07(g) external lights on the flag must be screened, shielded and located so that there is no hazardous glare towards the road. Note #1 states "lights will be directed so that there is no hazardous glare towards the road."
17. As per Section 1223.07(b) light sources shall not exceed 10 lumens when measured 3' from the sign face. This will be difficult with a yellow background sign. Excessive brightness can be avoided through the use of cut out letters on internally illuminated signs with opaque backgrounds and dark backgrounds on internally illuminated translucent signs. The monument sign should be installed with dimmers so that if the LED cabinet or digital sign are found to exceed 10 lumens at 3' from the center of the sign face they can be dimmed down. Note #5 on drawing states "new sign illumination will be installed with dimmers".

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve only the monument sign at this time, except that the background color to be changed to the color white or green and be 100% opaque and the final design of the sign is to be administratively approved by the planning department.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to table the remaining Westlake Laser Wash sign plan to the April 1, 2019 planning commission meeting.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**UPS Store, Sign Plan, 25935 Detroit Rd., PP#213-21-001,
rep. J. Briola, Ward 1**

Mr. Briola, sign contractor, explained the criteria for the plaza does not include brown letters. The proposal is for individual letter in the UPS brown color and an UPS logo. At night the sign will appear white. Mr. Krause reviewed his staff memo noting the color is a waiver from the criteria. It was noted that black letters are considered a neutral color that is not counted and what is being proposed is a dark brown.

Findings of fact:

1. Section 1223.10(c) of the Westlake sign code states that all wall or fascia signs of buildings on the same lot shall have consistency in size, design and color, with the style of the sign generally consistent throughout the building or group of buildings. Consistency of design includes uniformity of colors or harmonious use of a limited range of compatible colors.
2. The original 1994 Williamsburg Square criteria limited signage to individual internally illuminated blue letters.
3. The criteria was amended and approved in 2011 to allow blue, red, green and white letters. Logos were requested at that time but it was discussed at that Planning Commission meeting to review and approve logos and capsule signs on a case by case basis.
4. There are no provision in the approved criteria for or against logos.
5. Typically the planning department considers black or white letters as neutral "colors" that are permitted in addition to the other colors permitted in a criteria because they are harmonious with other colors, brown could be considered neutral as well.
6. The 17.5' wide tenant space is permitted a total of 26.25 sq. ft. of sign area under the criteria, the proposed 19.23 sq. ft. falls within this area.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve waivers from the Williamsburg Square sign criteria for the brown UPS letters and brown and gold UPS logo.

ROLL CALL ON APPROVAL:

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

MISCELLANEOUS

Ordinance 2017-67, rezoning certain land located on Center Ridge Rd. and Dover Center Rd. from Office Building District, R-1F-80, and General Business District to R-MF-24 District, PP#213-16-034 to 037, 213-16-013 and 213-16-018, ref. by Council 5/18/17; extension of time expires 3/4/19

Applicant submitted an email requesting to be tabled nine months (December 2019). Members of the commission were not in favor of a nine month extension of time and wanted the applicant to attend the next meeting and if they are not able to proceed they can reapply when they are ready.

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to grant a 30-day extension of time for Ordinance 2017-67 (to expire on April 4, 2019).

ROLL CALL ON APPROVAL:

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

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to table Ordinance 2017-67 to the April 1, 2019 planning commission meeting.

ROLL CALL ON APPROVAL:

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

ADJOURNMENT

Meeting adjourned at 11:30 p.m. The next regular meeting is scheduled for Monday, April 1, 2019 in the Westlake City Hall Council Chambers.

Brad Lamb
Chairman Brad Lamb

Nicolette Sackman
Nicolette Sackman, MMC
Clerk of Commissions

Approved: April 1, 2019