



PLANNING DEPARTMENT

27700 Hilliard Blvd.
Westlake, OH 44145

Phone 440.871.3300
Fax 440.617.4324

**WESTLAKE PLANNING COMMISSION
MINUTES OF THE MAY 4, 2020 MEETING**

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

The meeting was called to order at 7:00 p.m. by Chairman Brad Lamb.

Law Director Michael Maloney explained the planning commission is permitted to hold virtual meetings in accordance with the Ohio Revised Code 121.22 emergency order due to COVID-19 and Westlake Ordinance 2020-54 which permits public bodies to conduct public meetings virtually. The meeting was live-streamed for public viewing.

APPROVAL OF MINUTES

Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the minutes of the regular meeting of March 2, 2020.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

COUNCIL REPORT

Mrs. Appel reported on council matters.

BUSINESS

Mulloy Lot Assembly, 2160 Silver Ridge Trial, PP#211-10-028 & 034, rep. P. Mulloy, Ward 6

Mr. Bedell reviewed his staff memo explaining the applicant wishes to assemble the two parcels he owns. One is a vacant parcel and he would like to install a fence so the vacant lot needs to be assembled to the lot with a main use. Mr. Mulloy agreed with Mr. Bedell's summary of his request and presentation.

Findings of Fact:

1. The purpose of this lot assembly is to allow the applicants to fence property that they own adjacent to their home and incorporate it into their yard.
2. No new non-conformities are created.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Mulloy lot assembly involving permanent parcel numbers 211-10-028 & 034 with the following condition:

1. Approval is subject to comments in Part III of the 4/29/2020 staff report and 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 development approved by the Planning Commission, the plan shall be re-submitted to the Planning Commission.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Ordinance 2020-35 Conditional Use Permit for a fitness use (Barre Code), 26480 Detroit Rd., PP#213-05-005, rep. J. Swidrak, Ward 3 – ref. by council 3/5/2020

Mr. Bedell reviewed his staff memo explaining the request is for a fitness use for Barre Code at Canterbury Commons. The business will use approximately one half of the building (2,143 s.f.). Approximately 1,143 being the exercise studio and +/- 1,000 s.f. being the corridor, reception, ADA changing room, restrooms, kids room, and office. They will offer staggered classes Monday through Friday, 6:00 a.m. and 7:00 p.m., which is in accordance with Section 753.01 being after 5:30 a.m. On Saturday and Sunday classes will be from 8:00 a.m. to noon. These are the expected times with the caveat that they may change based upon market preferences but will be in accordance with Section 753.01. Class size will average 15-20 students per class with three on staff (one instructor, one at the reception desk and one in the children's room). The children's room is not day care (no feeding or diapers with parent remaining on-site). Sound mitigation requirements are included in their lease, as they are not the only tenant in the building. Parking was discussed and in addition to parking spaces adjacent to their building, they will utilize spaces in the overflow parking lot to the west of the driveway from Detroit Road for their staff and members.

Mr. Nevar and Ms. Balser were present. Ms. Balser answered questions reiterating hours of operation.

Findings of Fact:

1. The proposal is a permitted use in the General Business District.
2. The only potential issues are sound and parking and both have been addressed by the applicant.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of Ordinance 2020-35.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Ordinance 2020-36 Conditional Use Permit for a
restaurant (Sibling Revelry), 29305 Clemens Rd., PP#211-
22-056, rep. C. Blue, Ward 3 – ref. by council 3/5/2020**

Mr. Bedell reviewed his staff memo explaining the request is for a restaurant for Sibling Revelry micro-brewery. The zoning code was amended in 2018 to allow standard restaurants as a conditional use that is accessory to microbreweries in 1226.03. Mr. Bedell reviewed the site plan, interior layout, parking and trash enclosure. The noise on site is expected to remain the same as existing conditions.

Mr. Blue reviewed the trash enclosure with Mr. Bedell and will provide plans to review with him administratively. Mr. Bedell suggested posting signs for “Employee Parking Only” at three spots that are close to the dumpster enclosure, to eliminate potential conflicts with access to the enclosure by their trash hauler.

Findings of Fact:

1. Ordinance 2017-121 was adopted in 2018 to permit Sibling Revelry to operate a distillery and have the ability to apply for a CUP for a standard restaurant in order to serve spirits.
2. No zoning code modifications are required for this request.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend approval of the Ordinance 2020-36 with the following conditions:

1. A detailed dumpster enclosure design will be submitted for administrative approval.
2. Three parking spaces adjacent to the dumpster as indicated in the 4/29/2020 staff report will be signed for “Employee Parking Only”.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**CB Auto Detailing Sign Plan, 30791 Center Ridge Rd.,
PP#217-16-027, rep. B. Kuzen, Ward 6**

Mr. Krause reviewed his staff report and explained the proposal is for a wall sign with channel letters mounted on a raceway painted to match the building behind it. The sign is illuminated with white LED and illuminates white at night but because it has perforated duo-film which makes the sign appear black during the day, this film dims it down 60% from what it would be without the duo-film. There is also a champagne colored cloth design and star design that appear white at night with perforated duo-film. He noted the fire department is requiring that address numbers and a knox box are installed as required by code.

Mr. Kuzen advised a knox box will be installed per the owner and the owner will take care of the address letters. The commission noted when the conditional use permit was approved it was discussed that there is a lot of asphalt on the site and to break up the expanse of asphalt containers with trees and bushes should be added after administrative review of a plan as discussed at that time.

Findings of Fact:

1. Proposed 30.16 sq. ft. sign complies with the code.

2. The sign representative has stated that because there is duo-film on the white sign faces to make it appear black during the day, the sign is 60% dimmer than it would appear without the duo-film
3. The fire department is requiring that address numbers and a knox box are installed as required by code.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve CB Auto Detailing sign as submitted with a condition that the applicant comply with the fire department requirements for address numbers and a knox box.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Jefferson Square Sign Plan, 26179 Detroit Rd., PP#213-18-028, rep. S. Hammerschmidt, Ward 1

Mr. Krause reviewed his staff report and explained the proposal is for a new monument sign to replace the existing sign. It will have a digital sign which will allow room for individual tenant names on one side and special promotional advertising on the other side. There will be low covering landscape surrounding the bottom of the base. The owner has agreed to not operate the sign as an animated sign (no scrolling, flashing, etc.) and will not change the message more than once every 24 hours. Digital signs come in one square foot increments and the applicant has submitted various options to show how they arrived at the version that they are seeking approval for. He questioned if there a 14 sq. ft. digital sign available. Due to the size of the digital sign, the request is for 37.66% of changeable copy. A mitigating factor for the requested 4.66% modification is that this new sign is not just a grab for more sign area, it is an architect designed statement which matches and enhances the architecture of the shopping center and adds to the attractiveness of the overall streetscape. Several options for the sign design were presented to show the level of visibility of the tenant names at various digital sign sizes available.

Mr. Steve Hammerschmidt reviewed the proposal and the examples of the various size options as when made smaller the names become too difficult to read. At 15 sf the names are visible. He is proposing an architecturally pleasing design. Members of the commission stated the sign design is attractive and will match the shopping center very well and reviewed the landscape to be used. Discussion ensued on what color the lettering will be. Mr. Hammerschmidt advised it will be a single color and has not determined any one color over another. He would like to be able to change the color on occasion and each side of the sign will only be one color. Also once the sign is in place he would like to see what is the most readable. Members of the commission were in support of the proposal.

Findings of Fact:

1. Proposal is to replace the existing monument sign and replace it with a new monument sign setback 10' from the existing/planned ROW.
2. The drawings show the existing/proposed ROW as located at the southern edge of the sidewalk and scales the placement of the sign at 9.67' from this line.
3. The owner has submitted a letter dated 3/6/20 which states that as owner: "I will not operate the changeable copy electronic sign as an animated sign. This shall include any scrolling,

flashing or changing of the sign more than once every 24 hours.”

4. Because the property is over 3 acres and the building over 30,000 sq. ft. the sign face is permitted to be 40 sq. ft. per side.
5. The 39.83 sq. ft. sign face is permitted a maximum of 13.28 sq. ft. (33%) of changeable copy, 15 sq. ft. (37.66%) is proposed.
6. The maximum height permitted is 8’ above the grade beneath the sign, The maximum height of the proposed sign face is 6.25’ above grade and the sign structure 6.33’ above grade with the light mounted on it 9.1’ above grade.
7. Digital sign background is specified as black non-illuminated with single color copy.
8. The color rendering depicts the changeable copy electric sign as grey and has a note describing it as non-illuminated black with only the copy on it a single color.
9. Code requires that 75% of a monument sign face must be opaque, this precludes operating the electric sign with the background of it illuminated.
10. The sign cannot exceed 10 lumens when measured from the center of the sign face. The color elevation includes a note to that effect.
11. The one carriage type light fixture is proposed to have 3-5watt LED candelabra bulbs which are equivalent to three 40 watt incandescent bulbs.
12. The sign is placed within a raised bed and surrounded by landscaping.

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

1. Condition that the location of the ROW in relation to the sidewalk needs to be verified and the location of the leading edge of the sign placed 10’ back from the existing/proposed ROW.
2. Condition that the changeable copy electronic sign is not to be operated as an animated sign, including no scrolling, flashing or changing of the sign more than once every 24 hours.
3. Condition that the Digital sign background remains black and non-illuminated with only a single color of copy displayed and illuminated.
4. Condition that if the sign is cited for being operated as an animated sign more than one time the digital portion of the sign will be replaced with a non-digital sign face.
5. A modification to allow an extra 1.72 sq. ft. (a total of 37.66%) of the sign face to be changeable copy.
6. A condition that the electric sign is dimmed after dusk so that it does not exceed 10 lumens when measured 3’ from the sign face.
7. A 1’1” height modification to allow the one light fixture mounted to the sign structure to be 9’1” above the grade beneath it.
8. The light fixture mounted on the sign structure must not glare into the eyes of drivers or pedestrians.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Convergent, Sign Plan, 2 Equity Way, PP# 211-20-001,
003, 005 to 007, 010, rep. D. Beeman, Ward 3**

Mr. Krause reviewed his staff report and explained the proposal is for a wall sign and two additional monument signs. This is the second building on the Equity Trust campus. He reviewed the sign details and locations. The monument sign on the corner along the intersection should be relocated to comply with the planned right-of-way setback as the intersection may be widened in the future. The wall sign consists of face lit channel letters and logo. The monument signs consist of aluminum sign cabinets with push through plastic lettering on the top panel and aluminum sign cabinets with cut out plastic backed lettering/graphics on the rest.

Mr. Beeman advised the monument signs will have a dimmer feature if the signs need to be dimmed. Discussion ensued that the wall sign will be internally illuminated and halo lit. Mr. Krause requested that a revised sheet for the wall sign is submitted to show there will be halo lighting.

Findings of Fact:

1. The proposed signage complies with code except for one clarification needed.
2. The Engineering Department commented that the signs must be set back 10' from the planned right-of-way.
3. Clemens Road planned and existing right-of-way are the same so the Sign #2 location is OK.
4. Sign #1 is shown as 11' from the existing right-of-way, which may or may not be the same as the planned right-of-way based on the Engineering Department comment.
5. Sign illumination should not exceed 10 lumens when measured 3' from the sign face.

Motion: Based upon the findings of fact Mrs. Falcone moved, seconded by Mr. DiCarlo to approve the Convergent sign plan as submitted with the following conditions:

1. Condition that the proposed location for Sign #1 is approved or changed as per the Engineering Department to ensure that it is 10' from the planned right-of-way before construction of the sign begins.
2. Condition that the "Convergent" push through letters on the monument signs are lamped or on dimmers so that the signs do not exceed 10 lumens at 3' from the sign face.
3. Condition that only three main tenants will have signage on Sign #1 and two main tenants will have signage on Sign #2.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

Corporate Circle Master Sign Criteria, Corporate Circle, PP#211-26-067 & 068, 211-29-009, rep. R. Levitz, Ward 5

Mr. Levitz reviewed the proposed sign criteria for the Planned Unit Development. As a PUD, the criteria can differ from the city sign code that regulates signage throughout the city in the other zoning districts, similar to the Crocker Park Master Sign Criteria. He presented images of storefronts within Crocker Park showing the signage which are all very similar to what is being proposed for Corporate Circle, which is across the street from Crocker Park. He reviewed the various signs on sample individual office tenant spaces in Corporate Circle.

Mr. Krause reviewed his staff memo. Having retail signage facing Crocker Road will be a major departure from what was permitted in the Crocker Park sign criteria. Any signage visible from Crocker Road is not animated and there is no outline lighting. The buildings in this PUD will have retail business facing Crocker Road. There will also be restaurants and offices within the PUD. The signage on the back of the new office building D1, closest to the abutting single-family residential is kept minimal (4 sq. ft. plaques and window signs only) and non-illuminated so that it is not visible through the buffer from the residential lots behind this project.

He reviewed the Crocker Park photos presented as samples of an appropriate level of signage for retail tenant spaces and broke down the calculations to explain how they would compare to the Existing Crocker Park Sign Criteria, proposed Corporate Circle Master Sign Criteria and the amount of sign area proposed in his staff memo (comply or over).

There was lengthy discussion with the commission, staff, Mr. Levitz and Mr. Rubin ensued regarding the following: that some tenants would want the maximum amount of signage available to them while others may not use the maximum amount; how much signage should be available to office tenants and should it be the same amount as retail; reviewing the amount of primary and secondary signage; there should be a color pallet included in the criteria so there can be determinations regarding awnings being attention getting or not counted toward sign area calculations for the tenant; request to provide the commission with an elevation showing a retail tenant space with mock up maximum amounts of signage and for office with awnings for each tenant in different colors so the commission can get a better feel for how it will look if all signage area and proposed types are used.

For the next meeting the commission requests: a color pallet to review; rendering of a retail buildings elevation facing Crocker Road showing mock up maximum amount of signage and elevation showing different awning colors for different office tenants; and signage for office tenants with just two types of secondary signage.

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to table the Corporate Circle Master Sign Criteria to May 18th.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Ordinance 2019-127 code amendments to the sign code,
1223.14(a) and 1223.18(c) ref. by council 10/17/19, tabled
12/2/19**

Mr. Bedell and Mr. Maloney explained the request is to clean up the language in the sign code relative to sign ownership and responsibility in response to recent enforcement action.

Motion: Mrs. Falcone moved, seconded by Mr. DiCarlo to recommend that Council adopt Ordinance 2019-127 as amended.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

MISCELLANEOUS

None

ADJOURNMENT

Meeting adjourned at 9:55 pm. The next meeting is scheduled for Monday, May 18, 2020.

Chairman Brad Lamb

Nicolette Sackman, MMC
Clerk of Commissions

Approved: _____