



**PLANNING DEPARTMENT**

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**REPORT TO COUNCIL**

TO: Denise Rosenbaum CMC, Clerk of Council

FROM: Nicolette Sackman, Clerk of Commissions

DATE: 10/5/2021

RE: Planning Commission Meeting of 10/4/2021 Report to Council

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

Westlake Planning Commission, at its meeting held on 10/4/2021 at 7:00 pm and took the following actions:

**NEW BUSINESS**

**All Metal Sales Sign Plan, 31060 Clemens, PP#21103005, rep. M. Cipolletta, Ward 3**

Findings of Fact

1. The 48 s.f. stainless steel sign cabinet is a background that does not “constitute a display surface or device” and is not counted as sign area.
2. Instead, the sign area is based on the square footage of the logo and copy which is 16.88 s.f.

Motion: Ms. Falcone moved, seconded by Mr. VanDyke to approve the All Metal Sales sign plan with the condition that any future signage is limited to 30 s.f. of the 48 s.f. stainless steel sign cabinet.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**Struers Inc. Lot Split and minor modification to approved development plan (no new construction), 24766 Detroit, PP#21401001, rep. Davis, Ward 1**

Findings of Fact

1. The purpose of this request is to split off the property that encompasses the Struers Building and parking lot from the undeveloped portion of the property.
2. An easement for utilities and the shared use of the driveway to Detroit Road by Struers is provided. Otherwise, this would be a landlocked parcel that could not be approved.
3. Agreements will be in place for any shared maintenance responsibilities, utilities, etc. This will be a private matter between the Struers and the property owner (Carnegie Management) and it will not be the City’s responsibility to ensure that they are adhered to.
4. Modifications are needed for setbacks but there will be no physical changes to the site as a result of this action.

Motion: Ms. Falcone moved, seconded by Mr. VanDyke to approve the Struers Lot Split with the following conditions:

1. Subject to approval of the minor revision to the development plan by Council.

2. Plat should meet the requirements of the County and State as indicated in the Ohio Revised Code.
3. Final Engineering approval is subject to the review of the completed plat.

**ROLL CALL ON APPROVAL:**

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

Nays: None, motion carried

Motion: Ms. Falcone moved, seconded by Mr. VanDyke to recommend approval of the Struers minor revision to the development plan with the following modifications:

1. Modification for the building on 'Parcel A' to be at a 25' setback from the rear (east) lot line.
2. Modification for the parking on 'Parcel A' to be at a 0' setback from the front (west) lot line.
3. Condition that these modifications are for Parcel A as currently developed and any future development will meet zoning code requirements.

**ROLL CALL ON APPROVAL:**

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

Nays: None, motion carried

**OLD BUSINESS**

**Ordinance 2021-92 Conditional Use Permit (Chipotle), 25288 Detroit Rd., PP#21309014 to 017, 021, 022 & 037, Ward 1**

**Findings of Fact**

1. The standards for evaluating conditional permits in Section 1227.03(b) have been met except for (6) regarding "the concentration of vehicles in connection with proposed use shall not be more hazardous or dangerous than the normal traffic of the district." This is an issue at this location for the following reasons:
  - a. The lot is less than 250' in width, as required by code, and this width was established in order to provide a safe distance between restaurants for traffic management.
  - b. This use generates more traffic than office uses during peak evening traffic hours that are also peak traffic hours for the nearby Detroit Road/Columbia intersection and will be open for longer hours and on nights and weekends.
2. Section 1227.03 (c) Safeguards and Conditions, allows the city to approve safeguards and conditions "in the permit in addition to the general standards set forth in subsection (a) and (b) herein" and there are a number of conditions recommended in the traffic study and by the City Engineer that pertain to traffic safety.
3. There are a number of setback modifications shown on the conceptual plan that will need to be addressed in this CUP ordinance.

Motion: Ms. Falcone moved, seconded by Mr. VanDyke to recommend approval Ordinance 2021-926 with the following:

1. Modification for the lot width at the setback line to be 140' (a 110' width reduction).
2. Modification for a 50' front yard setback for the main use (a 60' setback reduction).
3. Modification to allow the parking spaces to be at a 5' side yard setback (a 10' setback reduction).
4. Modification for portions of two parking spaces at the southeast corner of the parking lot to encroach into the front yard setback.
5. Modification for the monument sign to be located 1' from the front yard setback (a 9' setback reduction), with the condition that the sign is relocated at the owners expense if Detroit Road is widened and the existing freestanding pole sign is removed.
6. Condition that an assembly plat is submitted for Planning Commission approval.
7. Condition that the western driveway is eliminated with a new single driveway constructed as far to the east as possible, as indicated in the conceptual plan.
8. Condition that, if there is a significant change in the development plan from the design shown in the conceptual plan, a revised traffic study may be required by the Planning Commission during their review of the development plan.
9. Condition that only one building may be constructed on the property.
10. Condition that the traffic engineer and the city engineer meet to determine the length of the westbound right turn lane on Detroit Road and widening {the roadway} if widening is necessary.

11. Condition that the traffic study is revised to reflect traffic based on 500 meals per day, 375 trips total, for review and approval by the City Engineer.
12. Condition that the main drive apron is widened to allow three lanes – one incoming lane and two outbound lanes (right and left turns) as approved by the City Engineer.
13. Condition that Detroit Road is restriped to allow for an eastbound left turn lane as approved by the City Engineer.
14. Condition that the traffic engineer provide a memo to clarify the actual usage on this site and its impact.

ROLL CALL ON APPROVAL:

Yeas: Jones, Lamb, Nunnari, Falcone

Nays: Van Dyke, motion carried

**Ordinance 2020-146 zoning code amendment to relocate 1216.03 footnote (i)(7) to new Section 753.04 - operating hours of drive-in/drive-thru facilities, ref. 12/17/20, 90-day extension of time (exp. 8/14/21), tabled 1/4/21, 2/1/21, 3/1/21, 4/5/21, 5/10/21**

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Motion: Ms. Falcone moved, seconded by Mr. VanDyke to table Ordinance 2020-146 to the November 8, 2021 meeting.

ROLL CALL ON APPROVAL:

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

Nays: None, motion carried

**MISCELLANEOUS**

None

**ADJOURNMENT**

Meeting adjourned at 9:45 pm. The next meeting is scheduled for Monday, 11/8/2021.