



**PLANNING DEPARTMENT**

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**WESTLAKE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
JANUARY 06, 2014**

Present: Chairman Daniel Meehan, Bonnie Smith, Brad Lamb, Scott Fatzinger, Mark Getsay

Also Present: Planning Director Jim Bedell, Assistant Planning Director William Krause, Law Director John Wheeler, 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 Dan Meehan.

**ELECTION OF OFFICERS**

**Motion:** Mr. Fatzinger moved and Mrs. Smith second to nominate and elect Dan Meehan Chairman

ROLL CALL ON APPROVAL:

Yeas: all in favor

Nays: None, motion passed

**Motion:** Mr. Lamb moved and Mrs. Smith second to nominate and elect Scott Fatzinger Vice Chairman

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Motion:** Mr. Fatzinger moved and Mrs. Smith second to nominate and elect Brad Lamb Secretary

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**APPOINTMENT OF PLANNING COMMISSION MEMBER TO BZA**

Mr. Fatzinger was appointed to be the planning commission representative to the Board of Zoning Appeals.

**APPROVAL OF MINUTES**

Mrs. Smith moved, seconded by Mr. Lamb to approve the minutes of the regular meeting of December 2, 2013.

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan

Abstain: Getsay  
Nays: None, motion passed

### **COUNCIL REPORT**

None

### **SELECTED CORRESPONDENCE**

12/30/13 Request from Mike Orley to table the Kings Tree Development Plan until March 2014

10/8/13 letter from Mary Ellen Kraus, 25925 Williams Drive re: Kings Tree Development Plan

12/20/13 letter from Peggy Rowland, 30926 Walden Dr. #26, re: Crocker Park G Block water tower

12/31/14 letter from Greg Wiechert, Lutheran Home, requesting Ordinance 2013-169 to be tabled until March 2014

12/31/13 letter from Richard Levitz re: Lulu's Candy Jar staff memo

1/6/14 letter from Jim Resar, engineer, requesting that Church on the Rise be tabled

### **OLD BUSINESS**

#### **Kings Tree Apartments Revisions to Development Plan (approved 6/2012), 25776, 25796 & 25808 Center Ridge, 213-23-023, 024 & 029, rep. M. Orley, Ward 2, Tabled 10/7/13**

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12/30/13 Request from Mike Orley to table the Kings Tree Development Plan until March 2014

**Motion:** to table Kings Tree Apartments Revisions to Development Plan to March 3, 2014  
ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

#### **Kimble Company determination of similar use for a proposed recycling facility as a main use in an Exclusive Industrial District, PP# 212-01-008, K. Kimble rep., WARD 3, tabled 11/11/13**

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Mr. Bedell noted this item was tabled to the January Planning Commission meeting in order to provide staff and members of the Planning Commission time to tour the Kimble Company's facility in Twinsburg Township. Due to scheduling conflicts in December, they were unsuccessful in arranging a time when staff and Planning Commissioners were available for the tour and plan to tour the facility before the February meeting.

**Motion:** Mrs. Smith moved and Mr. Lamb second to table Kimble Company determination of similar use until the February 3, 2014 meeting

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay  
Nays: None, motion passed

**Ordinance 2013-170 Conditional Use Permit fitness facility, 30505 Clemens, PP# 211-17-018, WARD 3 (ref. by council 11/7/13), tabled 12/2/13**

Mr. Bedell reviewed his staff memo noting the applicant requested the conditional use permit be withdrawn.

The planning commission made the following findings of fact:

1. This item was tabled to the January Planning Commission meeting in order to provide applicant, Shaun Brady, time to revise the plans in response to comments received at the December Planning Commission meeting.
2. On 12/10/13, Mr. Brady requested that the City Council withdraw this ordinance from consideration

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb recommended approval of Ordinance 2013-170

ROLL CALL ON APPROVAL:

Yeas: None

Nays: Smith, Lamb, Fatzinger, Meehan, Getsay, motion failed

**Crocker Park G Block Final Development Plans (GNE, GNW, GSE, GSW mixed-use buildings), within Crocker Park, WARD 5, tabled 12/2/13**

Mr. Bedell reviewed his staff memo noting revised plans had not been received and this project should be tabled until the next meeting.

**Motion:** Mrs. Smith moved and Mr. Lamb second to table Crocker Park G Block Final Development Plans until the February 3, 2014 meeting

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**NEW BUSINESS**

**Ordinance 2013-190 Conditional Use Permit for addition to building, 2116 Dover Center (Lutheran Home), WARD 4, (ref. 12/5/13)**

Mr. Greg Wiechert (Lutheran Home COO), sworn in by Mr. Wheeler, explained they wish to construct a building addition for independent living apartments. The addition will connect to the existing building and is part of their overall campus master plan for continual care. He explained they are applying for state tax credits and financing package so at this time they only have a conceptual plan for the proposal. If the funding is received they will come back with a full development plan. He reviewed the conceptual plan and advised they held a community meeting with surrounding neighbors over the past weekend.

Mr. Bedell reviewed his staff memo explaining the conceptual plans will probably be very similar to a future development plan if funding is received. He noted that it is anticipated that there will be a future lot split if financing is secured as the proposal would need to be on a separate parcel. The addition would still be attached to the existing building and a lot line would go through the building, similar to some of the parcel layers in Crocker Park. At that time setback modifications would be required.

The planning commission made the following findings of fact:

1. This development has long been a goal of the Lutheran Home at Concord Reserve to provide a full continuum of care from independent living, assisted living, memory support assisted living, short term-physical therapy to long-term nursing care.
2. There are no current issues with the conceptual plan in terms of setbacks; however if the applicant pursues the proposed lot split, setback modifications will be required.
3. Conditions in 1227.03, Standards for Evaluating Conditional Use Permits, have been met.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to recommend approval of Ordinance 2013-190 with the following conditions:

1. A development plan in accordance with section 1220 of the Zoning Code is required in order to construct the proposed apartment building, wellness/community center, landscaping, and parking lot.
2. If the applicant pursues a lot split in the future, this approval shall not be construed to indicate Planning Commission support or approval of the lot split or any setback modifications required in order to grant it.

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Ordinance 2013-169 code amendment 1203.18 & 1211.03  
accessory uses in single family (ref. by council 11/7/13)**

12/31/14 letter from Greg Wiechert, Lutheran Home, requesting Ordinance 2013-169 to be tabled until March 2014

**Motion:** Mrs. Smith moved and Mr. Lamb second to table Ordinance 2013-169 until the March 3, 2014 meeting

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Motion:** Mrs. Smith moved and Mr. Lamb second to request a 90-day extension of time for 2013-169 (expires 4/6/14)

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Chase Bank ATM Development Plan, 29656 Detroit Rd.,  
PP#211-21-028, rep. S. Stefanidis, WARD 3**

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Mr. Bedell reviewed his staff memo noting the proposal needs to be revised as there is the potential for head on vehicle collisions with the current configuration and the setback dimensions are needed. The applicant will revise the proposal and present it at a future meeting.

**Motion:** Mrs. Smith moved and Mr. Lamb second to table Chase Bank ATM Development Plan until the February 3, 2014 meeting

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Starrett Sign Plan, 24500 Detroit Rd., PP# 214-01-009,  
rep. A. Longaberger, WARD 1**

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Mr. Garrett Padget, Adams Sign, explained the applicant is looking to install individual channel set letters that will be LED. Mr. Krause reviewed his staff memo noting the proposal is for one 51.34 sf wall sign and one 3 sf directional sign near the driveway entrance. Currently there is a monument sign on the property which will remain. The wall sign complies with the code but the directional sign needs a very small area modification (.875sf) for the business identification letters. It was discussed that the directional sign will help visitors and deliveries find the business as the monument sign is not near the driveway entrance. The directional sign is mounted on a metal post that is painted black. The directional sign is smaller than permitted by code so the commission did not have any issues with the modification for the business identification lettering as it would fit on a larger sign (4 sf per code is permitted) without the modification.

The planning commission made the following findings of fact:

1. The only existing signage on the site is a monument sign with a legal non-conforming setback of 2.5' from the planned ROW.
2. Starrett is proposing adding a wall sign and a directional sign.
3. The maximum size permitted for a directional sign is 4 sf with a maximum of 20% (.8 sf) of the sign face for business identification.
4. They are proposing a 3 sf directional sign with 29% (.875 sf) of the sign face for business identification.
5. The setback of the proposed directional sign must be a minimum of 5' from the existing ROW and is not specified.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to approve the Starrett sign plan with the following conditions:

1. Modification to allow business identification to occupy 29% (.875 sf) of the directional sign face.
2. Condition that the sign be placed a minimum of 5' from the existing ROW and the driveway

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Ganley BMW of Westlake Sign Plan, 24690 Sperry Rd.,  
PP# 214-01-026, rep. J. Copley, WARD 1**

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Mr. Adam Moon, Ganley BMW of Westlake, explained they wish to add two small logos to the wall sign that was previously approved. Mr. Krause reviewed his staff memo advising the additional square footage is 8.75 sf and could not be administratively approved because it is an increase in the total amount of area previously approved. What is being proposed complies with code.

The planning commission made the following findings of fact:

1. The only change to the approved sign package is the addition of 8.7 sf of wall signage.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to approve the Ganley BMW of Westlake Sign Plan with the following conditions:

1. That the previous two conditions of the sign plan approved 5/20/13 remain in effect (Note: The 5/20/13 conditions are: 1. Condition that any business identification on the proposed directional signs is limited to 20% of the sign face; 2. To allow a maximum 5.67' tall non-monument freestanding sign with a condition that dense, opaque, landscaping be planted beneath it to screen the external sign illumination.)

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Lulu's Candy Jar Sign Plan, 155 Crocker Park Blvd.,  
PP#211-25-004, rep. R. Levitz, WARD 5**

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Mr. Richard Levitz reviewed the signage for the tenant which was revised to include a corner marquee sign, candy jar logo marquee signs, gummy bear window sign, easel sign, plaque sign and hours of operation sign. This tenant is a corner tenant so both sides of the tenant space can be counted toward sign area and the sign package as revised and presented complies with the code.

Mr. Krause reviewed his staff memo noting the fascia wall sign facing Crocker Park Blvd. and the small candy jar window decals had been removed from consideration by the applicant. The plans as revised comply with the code.

The planning commission made the following findings of fact:

1. The proposed sign package for Lulu's totals 76.83 sq. ft. which falls within the area permitted by the criteria for a corner tenant in this location.
2. The criteria states that a sign plan for a corner tenant must allocate their additional signage in proportion to the linear frontage of each façade, which has been accomplished with the revised sign package.
3. Section 4.1 of the Crocker Park Mixed-Use Sign Criteria states that: "The following materials are to be discouraged unless they meet the quality and aesthetic requirements of the Planning Commission: plastic materials of any kind, including acrylic letters..." The representative has demonstrated that the proposed signs will be of the same quality as previously approved signage at Crocker Park.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to approve the Lulu's Candy Jar Sign Plan

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Church on the Rise Lot Split, 3550 Crocker Rd. PP#216-10-023, rep. J. Resar, WARD 6**

1/6/14 letter from Jim Resar, engineer, requesting that Church on the Rise be tabled

**Motion:** Mrs. Smith moved and Mr. Lamb second to table Church on the Rise Lot Split until the February 3, 2014 meeting


ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**Stone Creek Village Lot Assembly, 1860 Bassett Rd., PP#211-27-021 & 211-27-022, rep. E. Pavicic, WARD 5**

Mr. Pavicic explained the proposal is to assemble the parcels that were shown to be part of the subdivision so the property can then be subdivided. The subdivision as previously submitted does not change. He noted that he is currently in contract to purchase additional land to the north.

 Mr. Bedell reviewed his staff memo and in order to create a subdivision all the parcels must first be assembled into one parcel so it can be subdivided.

The planning commission made the following findings of fact:

1. The platting process mandates that there be only one parcel prior to approval of the final plat.
2. The geographic boundaries of the new lot are in accordance with the approved preliminary plan for Stone Creek Subdivision and will not alter the approved design of the subdivision.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to approve the Stone Creek Village Lot Assembly involving parcels 211-27-021, 211-27-022 and 211-27-026

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**LA Centre/Chatterjee Lot Split & Assembly, 25777 Detroit Rd. & 1341 Adelaide Ct., PP#213-21-066, 006, 034 & 035, rep. M. Roberts, WARD 1**

Attorney, Meghan Roberts, explained the proposal is a lot split and assembly of a triangular shape of land at the rear of Dr. Chatterjee's property. Within this area is a willow tree and landscape that Dr. Chatterjee has been maintaining and this proposal would make it part of his parcel. Ms. Roberts reviewed the topography of the land, existing buffer mound and property lines.



Mr. Bedell reviewed his staff memo explaining this will make Dr. Chatterjee’s parcel more regular in shape. Discussion ensued on the history of the parcel. Ms. Roberts noted that in 2008 La Centre submitted a proposal to assemble all of their parcels but at that time requested that the assembly not be acted on. She formally requested that the previous submittal from 2008 be withdrawn as they no longer wish to assemble those parcels.

The planning commission made the following findings of fact:

1. Both property owners are in agreement about the proposed lot split and assembly that will split off .027 acres of property at the southern (rear) property line of LaCentre and assemble it to a neighboring parcel owned by Dr. Arup K. Chatterjee and Mrs. Sugata Chatterjee.
2. The Chatterjees have, at their own expense, installed flowerbeds and shrubs on their side of the screening mound for LaCentre that slopes towards their property.
3. They have also maintained a portion of the LaCentre property that also includes a mature willow tree.
4. Detroit Columbia Properties is willing to sell them this property and will provide an easement so the Chatterjees may continue to maintain the flowerbeds and shrubs that they have installed.
5. This improves an oddly shaped corner of the Chatterjees rear lot line.

**Motion:** based on the findings of fact and comments received, Mrs. Smith moved and Mr. Lamb second to approve the LaCentre/Chatterjee lot split and assembly.

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**OLD BUSINESS**

**Planning Commission By Laws, tabled 8/26/13, 11/11/13, 12/2/13**

Brief discussion ensued that there were no further questions or revisions necessary.

**Motion:** Mrs. Smith moved and Mr. Lamb second to approve the Planning Commission By Laws.

ROLL CALL ON APPROVAL:

Yeas: Smith, Lamb, Fatzinger, Meehan, Getsay

Nays: None, motion passed

**ADJOURNMENT**

Meeting adjourned at 8:32 p.m. The next regular meeting is scheduled for Monday, February 3, 2014 in the Westlake City Hall Council Chambers

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Chairman Dan Meehan

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Nicolette Sackman, MMC  
Clerk of Commissions



Approved: February 3, 2014