



**PLANNING DEPARTMENT**

27700 Hilliard Blvd.  
Westlake, OH 44145

Phone 440.871.3300  
Fax 440.617.4324

**WESTLAKE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
JUNE 2, 2014**

Present: Chairman Daniel Meehan, Scott Fatzinger, Phil DiCarlo, Mark Getsay  
Absent: Brad Lamb  
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 7:39 p.m. by Chairman Dan Meehan.

**APPROVAL OF MINUTES**

Mr. Fatzinger moved, seconded by Mr. Getsay to approve the minutes of the regular meeting of April 7, 2014.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

Mr. Fatzinger moved, seconded by Mr. Getsay to approve the minutes of the regular meeting of May 19, 2014.

ROLL CALL ON APPROVAL:

Yeas: Meehan, Getsay, DiCarlo

Abstain: Fatzinger

Nays: None, motion passed

Mr. Fatzinger moved, seconded by Mr. Getsay to approve the minutes of the work session meeting of May 19, 2014.

ROLL CALL ON APPROVAL:

Yeas: Meehan, Getsay, DiCarlo

Abstain: Fatzinger

Nays: None, motion passed

**COUNCIL REPORT** - None

**SELECTED CORRESPONDENCE**

Email received from Don Warnke, 25950 Williams Drive, re: Kings Tree Apartments

Additional renderings (dumpster enclosure & landscape screening for condensing units) for Security Self Storage

**Department Reviews:**

Kings Tree Apartments – Forester comments

Crocker Park PDP – Fire comments

**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, 11/11/13, 12/2/13, 1/6/14, 2/3/14, 3/3/14, 4/7/17, 5/19/14**

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Mr. Orley advised that he made revisions to the plans as requested. Mr. Bedell reviewed his staff memo. The tree preservation plans had been revised as were the landscape plans. He suggested that either two additional sections of fence be added to the north end of the screening fence or possibly installing four spruce trees. As submitted he felt that vehicle headlights may still shine onto adjacent properties and the suggested additional screening should provide what is needed. He advised that the engineering department will not approve rolled asphalt curbing and concrete is required. Relative to the buffer trees at the rear of the development by the retention basin Mr. Bedell suggested moving the trees so they are on the northwest side of the basin to provide screening for the adjacent single family homes to the north and northwest.

Ms. Mary Ellen Kraus, 25925 Williams Drive, questioned if financing had been secured for the project and when construction would begin. Mr. Orley did not wish to comment.

Members of the commission discussed the proposal and asked if Mr. Orley would comply with the suggestions made by Mr. Bedell regarding the screen fence and relocating the buffer trees to the northwest side of the retention basin. It was also suggested that spruce trees were preferred over a white pine and the species of arborvitae should be listed. Mr. Orley stated he would make the suggested changes.

The planning commission made the following findings of fact:

1. This revised development plan replaces the development plan that was approved in 2012.
2. The buildings are one story lower and are more in scale with nearby residential homes.
3. In order to approve the plan as submitted modifications are needed for building height, buffering, and curbing.
4. The opaque fences on the east and west property lines buffer adjacent properties

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Kings Tree Apartments revisions to Development Plan with the following conditions:

1. Comments in Part III of the staff report shall be addressed.
2. The 10' wide gravel access drive shown in the 5/10/14 plans is not approved.
3. A detail of the screening fences and landscape plan will be provided to staff to ensure that opacity requirements are met and to be administratively approved by planning staff and that the screening fences are lengthened as required.

4. The Engineering Department will not approve rolled asphalt curbs.
5. Modification for 1/2 story height increase on the rear elevation due to grade changes.
6. Modification for the buffering width required west of the loop road (3' modification) and east of the loop road (5' modification).
7. 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: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**NEW BUSINESS**

**Beacon Westlake Lot Assembly, Viking Parkway, PP#211-01-006 & 211-01-015, rep. C. Marshall, WARD 3**

Mr. Charles Marshall advised he wishes to split off a portion of land and assemble it to the adjacent parcel. Currently the lots are fairly regular shapes but a creek runs through a corner of one of the lots making the area of land opposite the creek unusable with the parcel it currently belongs with. He would like to split a section off along the creek line and assemble it to the adjacent parcel that would be able to access and use that portion of land. Mr. Bedell reviewed his staff memo and reiterated the overview made by the applicant.

The planning commission made the following findings of fact:

1. The applicant has a buyer for Lot 3-R1 who does not wish to purchase property that is inaccessible to the east of a creek that runs through the property.
2. The lot split and assembly adds this inaccessible piece of property to the adjacent lot 2-R1 where it may be utilized for development and will therefore enhance the value of that lot.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the Beacon Westlake lot assembly with the conditions in Part III of the staff report.

**ROLL CALL ON APPROVAL:**

Yeas: Fatzinger, Meehan, DiCarlo

Abstain: Getsay

Nays: None, motion passed

**Do Blow Dry Bar Sign Plan, 30323 Detroit Rd., PP#211-25-004, rep. B. Petro, WARD 5**

Mr. Brad Petro explained this is a new tenant going into an existing 12' wide tenant space. The sign criteria for The Promenade allow for signage to be 66.66% of the width of the tenant space which would allow for an 8' wide sign and they are requesting an 11.33' wide sign. Mr. Krause reviewed his staff memo noting the proposed signage for the tenant space does not appear to be over signed and due to the length of the tenant name and font style seems reasonable due to the narrow width of the tenant space. He suggested that a condition be made if approved that the approval is for this tenant in this tenant space only and does not apply to a future tenant.

The planning commission made the following findings of fact:

1. "Do Blow Dry Bar" is proposing to occupy a tenant space in the Promenade Shopping Center formerly occupied by "Just Dogs".
2. Promenade has a sign criterion which allows wall signage to be up to 66.66% of the total storefront width.
3. The proposed "Do Blow Dry Bar" sign is 94% of the 12' storefront width.
4. The Promenade sign criteria allows up to 20.1 sq. ft. of wall sign area for this tenant space.
5. The proposed "Do Blow Dry Bar" sign is 18 sq. ft. in area.
6. "Just Dogs" was administratively approved for a sign that was to be 69% of the stated storefront width (13.25') and 12.2 sq. ft. in area.
7. The "Just Dogs" sign was all caps, the "Do Blow Dry Bar" sign is lower case which results in greater variety of letter heights.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the Do Blow Dry Bar Sign Plan with the following conditions:

1. The waiver in sign width only applies to this particular tenant signage and does not transfer to a new tenant.

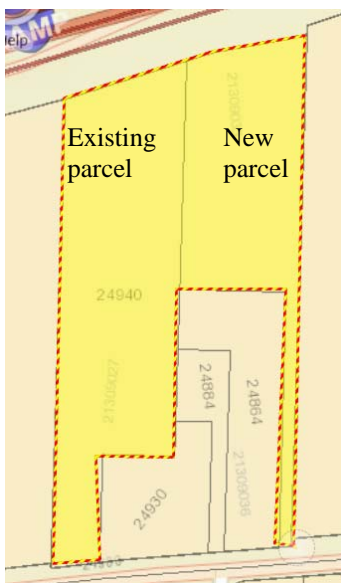
ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

### **Uncle Bob's Self Storage Development Plan, 24940 Detroit Rd., PP#213-09-035, rep. D. Keeney, WARD 1**

Mr. Don Schwanz, Uncle Bob's storage, and Mr. John Sines, Polaris Engineering, were present. The proposal is for a new climate controlled building that is approximately 30,000 sq. ft. adjacent to



the existing building. Mr. Bedell reviewed his staff memo. He explained there is a pending conditional use permit for outdoor storage of recreational vehicles that has not been referred to planning commission yet. Without the conditional use permit the applicant cannot store recreational vehicles outdoors but the development plan can be approved and construction started. Part of the approval is to assemble the two parcels. Mr. Bedell explained the new parcel is a flag shaped lot that is behind an existing parcel. There is a strip of land that accesses Detroit Road. The proposed new building will be 40.5' off the front setback line, which requires a 50' setback (a 9.5' setback modification) but this lot is behind an existing developed parcel that will screen the new development so a smaller setback is not an issue due to the unique layout of the parcels. Mr. Bedell noted that the exterior doors on the building are proposed to be Uncle Bob Yellow which would fall under signage. Mr. Krause added that primary colors are not permitted as building colors and would be viewed as signage.

Mr. Sines noted that revised photometric plans were submitted at the beginning of the meeting. Discussion ensued that the commission would like to see the color yellow on the doors changed and Mr. Schwanz advised he could change it to a color that matches the building. Mr. Bedell noted that

the paved area for the outdoor recreational vehicle storage can be constructed but it cannot be used for that specific use without an approved conditional use permit. The applicant can also not install the paving at this time and leave it grass but it cannot be a gravel area and must be paved if used. Discussion ensued regarding the 9.5' front yard setback modification as Mr. Schwanz and Mr. Sines felt that line between the parcels was not a front yard line (the property line in question is the parcel line that is at the rear of 24864 Detroit and is a shared parcel line). Mr. Schwanz noted he would like to have clarification as he may want to reposition the building without coming back to planning commission. Chairman Meehan advised that the commission is approving a development plan that has been submitted and if the applicant wishes to change the layout of the building it will require approval by the commission. He asked if the applicant wished to seek approval for the plan as submitted or if they wished to have the project tabled so they could revise the plan and seek approval of a different layout. Mr. Schwanz wished for the project to not be delayed to and to move forward with the proposal as submitted but again questioned the 9.5' front yard setback. Mr. Sines stated the parcel line in question is not a front yard line as it is behind an existing parcel and therefore should be considered a side yard line. Discussion ensued on the definition of front, rear and side lot lines and the commission advised the line in question is a front lot line and as the building is proposed requires a 9.5' setback modification. Mr. Schwanz did not agree with their interpretation but agreed in order for an approval to be granted.

The planning commission made the following findings of fact:

1. The assembly plat is required in order to develop the properties to assemble the two properties that include the existing development and its proposed expansion.
2. A front yard setback modification will not impact neighboring properties, since this lot is located behind another building and they are providing additional screening.
3. The proposed outdoor storage requires an approved Conditional Use Permit and one is pending.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the assembly plat.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of Uncle Bob's Self Storage development plan with the following conditions:

1. This approval does not include outdoor recreational vehicle storage, since it requires an approved Conditional Use Permit and one is pending.
2. A 9.5' front yard setback modification is approved.
3. Retention basin calculations shall be submitted to the Engineering Department for their approval.
4. Restrict the color of Uncle Bob yellow on the man doors and change the color to color that matches the building and is administratively approved by planning staff.
5. The 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: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Security Self Storage Development Plan, 1099 Bradley Rd., PP#211-15-009, rep. R. Bajko, WARD 3**

Mr. Bajko, architect, and Mr. Kotoch, owner, were present. Mr. Bajko explained they are proposing a standalone building east of the existing facility that will be approximately 26,000 sq. ft. in area. The building style and façade will be similar to the existing building. The existing building is setback 25' off Clemens and the new building will be setback 50'. Mr. Bedell reviewed his staff memo. He suggested incorporating six parallel parking spaces along the side of the new buildings. The code requires 68 parking spaces but for this type of a use the spaces would not be needed or used. Setting the building 50' off Clemens Road allows for more screening and landscape material. The parcel to the east will be developed for the new Holiday Inn Express and a 6' tall solid fence is being provided along that property line for additional screening.

Discussion ensued that the parcel to the north is spot zoned Office Building and this proposed development shouldn't impact any future development on that parcel, which may be better suited as an industrial zoned site than the current Office Building zoning.

The planning commission made the following findings of fact:

1. The Guide Plan indicates the future use of this property as industrial and this is an industrial use.
2. The design of the building and architecture complements the existing facility that was constructed in 2007.
3. Strict adherence to the zoning code regarding parking is unnecessary, since this is not a manufacturing warehouse and parking is provided inside the building.
4. A reduction of the side yard setback along the north property line will provide for an indoor driveway that will improve the use of the building and offer screening and sound mitigation for the neighboring property.
5. The modifications are in accordance with 1220.06, Performance Standards and are offset by superior landscaping and exterior design for a building in the Exclusive Industrial District.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Security Self Storage development plan with the following conditions:

1. Comments in Part III of the staff report shall be addressed.
2. Modification of 15' to permit a 10' side yard setback along the north property line.
3. Modification to reduce required parking by 68 spaces.
4. Six parallel parking spaces located on the west side of the proposed building shall be striped.
5. Pavement markings and bollards shall be added for the exit on the east side of the building that opens unto the driveway.

6. The 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: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Madison Eye Care Development Plan & Lot Assembly,  
26843- 26927 Detroit Rd., PP# 213-10-007, 008 & 009, rep.  
J. Larsen, WARD 3**

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Dr. Peter Mogyordy, owner was present and explained they are looking to build a new facility on Detroit Road to relocate their Center Ridge office to. Over the years the practice has expanded to three doctors and a staff of 12. Architect Mr. Jim Larsen reviewed the proposal which is to assemble three parcels and construct a new multi-tenant office building. The rear of the parcels is wooded with residential property behind. The building style will be contemporary with a wood like siding fiber material that will not fade like wood does, aluminum panels and glass. The doctor's office will occupy about half of the building. Mr. Bedell reviewed his staff memo noting that the dumpster and lighting details were provided. Members of the commission reviewed the material board with sample of the panel system to be used.

The planning commission made the following findings of fact:

1. The Guide Plan indicates the future use of this property as office.
2. The assembly plat is required in order to develop the properties.
3. Due to the contemporary design of the building, the architect chose wood like materials and a panel system that are not brick or masonry per the design review guidelines in section 1237.04, which requires a modification.
4. The modification is in accordance with 1220.06, Performance Standards.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the assembly plat.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Madison Eye Care development plan with the following conditions:

1. A modification is granted to permit the use of Certainteed – Lapsiding -Redwood and Tamlyn – Fry Reglet – Panel System.
2. HVAC screening details to be submitted to Planning Department for approval.
3. The approval is subject to comments in Part III of the planning commission staff report.
4. The 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: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**AT&T Equipment Cabinet Development Plan, 27365  
Detroit Rd., PP#212-22-003, rep. J. Janis, WARD 3**

Mr. Michael Williams, AT&T representative, explained they are seeking approval to install an equipment cabinet next to an existing cabinet. Mr. Bedell reviewed his staff memo noting the proposed cabinet is in an area that is some distance from any residential housing and landscape screening will be installed which will be an improvement to the existing conditions.

The planning commission made the following findings of fact:

1. The proposal meets the zoning requirements and no modifications are requirement.
2. The proposal improves the site by providing a screening hedge for the proposed and existing cabinet and other equipment at this location.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the AT&T Equipment Cabinet development plan.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Stone Creek Village Subdivision revised Lot Split &  
Assembly, 1860 Bassett Rd., PP#211-27-021, 028 & 034,  
rep. E. Pavicic, WARD 5**

Mr. Ed Pavicic, owner, explained the lot split and assembly plat is being revised from what was approved on 4/7/14. The strip of land that has access on Bassett Road was going to be split off the main parcel and assembled to the adjacent neighboring property on Bassett Road. The adjacent neighbor has since changed his mind and at this time does not want the additional strip of land. The new proposal will keep the strip of land with the Stone Creek Subdivision and it will become part of subplot 15. Mr. Bedell reviewed his staff memo and noted this proposal is only for the lot spit and assembly. The next item on the agenda is the approval of the final plat.

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 match the boundaries of the final plat for Stone Creek Subdivision.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to approve the revised lot split and assembly for Stone Creek Village Subdivision.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo



Nays: None, motion passed

**Stone Creek Village Subdivision Final Plat, 1860 Bassett Rd., PP#211-27-021, 028 & 034, rep. E. Pavicic, WARD 5**

Mr. Ed Pavicic, owner, explained the final plat is similar to the preliminary plat that was approved except that subplot 15 has been changed to incorporate the strip of land that will have frontage on Bassett Road. Mr. Pavicic was uncertain how the strip will be used but it will have an easement to access the retention basin but he may want to have a drive on the strip for subplot 15 to access Bassett Road. Mr. Bedell reviewed his staff memo. Discussion ensued that a parcel cannot have two frontages and a residential driveway off Bassett Road to access the rear of subplot 15 would not be permitted. An easement and temporary drive to access the retention basin would be permitted but engineering will not allow a curb cut off Bassett for a second rear driveway for subplot 15.

The planning commission made the following findings of fact:

1. The subdivision is the same as the preliminary plat except for lot 15.
2. Lots 12 and 15 do not comply with applicable standards in Parts Eleven and Twelve of the Westlake Codified Ordinances.
3. Modification may be granted for these lots as they are in accordance with 1131.04 (e).
4. Proposed entranceway signage and landscaping of common areas require City approval.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Stone Creek Village Final Plat with the following conditions:

1. Modification is granted for an irregular shaped lot (#15).
2. Modification is granted for lots #12 and #15 that are not radial to the cul-de-sac.
3. That there be limited access only off Bassett Road for maintenance and emergency access to the retention basin and there is not a residential driveway off Bassett Road for subplot #15.

ROLL CALL ON APPROVAL:

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**Crocker Park Revised PDP (w/K Block changes), within Crocker Park, rep. J. Bialosky, WARD 5**

Mr. Brian Meng was present and explained the PDP is being revised as there are changes in the K Block. The proposed hotel building is being shifted 10' to the west and the previous woonerf will become a pedestrian alley only with no access by vehicles. 14 parking spaces are being added to the east and all the building heights will remain the same. Mr. Bedell reviewed his staff memo noting the fire department did review the proposal to ensure access to the alley in the event of a fire or emergency.

The planning commission made the following findings of fact:

1. The proposed PDP replaces the Woonerf with a safer pedestrian only alley.
2. The landscape/hardscape design has not been approved for Union Square or the pedestrian only alley.

3. The proposed change in Block K is in accordance with the paradigm that has been updated to reflect current and proposed development.

**Motion:** Based upon the above findings of fact Mr. Fatzinger moved and Mr. Getsay second to recommend approval of the Crocker Park revised PDP with the following conditions:

1. Modification to permit the height of Building KSE-II to be 1 story and 30' in height;
2. Modification to allow total development of 3,040,974 s.f. in Blocks A thru K;
3. Condition that, if constructed, the alternate drive from Devon Oaks Assisted Living Facility at 2345 Crocker Road to South Corporate Drive is subject to Engineering Department approval.
4. Condition to allow up to 9.89 dwellings per acre for the combined Blocks A thru K;
5. Condition to allow the inclusion of the expanded J space in Block I land area calculation to meet the current 7,500 s.f. minimum;
6. Modification to allow the percentage of attached single family and townhouses to the total residential square footage to be 23.1% versus 40%.
7. Modification for a side setback of nonresidential use (garage H) to single family district (Lakewood Country Club land) 0' versus 50' and for a driveway setback buffer of 0' versus 100'
8. Condition to establish a setback for non-residential building (AG) to adjacent PUD residential (Wyndgate) building setback of 120' and drive setback and buffer of 50';
9. Modification for Front (Crocker Road) Building setback of 96'4" versus 110' as exists along Crocker Road due to road widening;
10. Modification for DSE building for 2 stories and 40';
11. Modification for GNE building of 1 story and 20' height;
12. Modification for the GNW building of a 1 story modification and 20' height;
13. Modification for the GSW building of a 1 story modification and 20' height;
14. Modification for the GSE building of a 1 story modification and 20' height;
15. Modification for the HE (American Greetings) building for a 4' height increase;
16. Modification for the KS building (hotel) of a 1 story and 15' height;
17. Modification for the KN building for a 1 story reduction;
18. Condition that all frontage streets (not alleyways) maintain a ratio of street width to the average building height (of the two opposing building block faces) of not less than 1:1.0;
19. Condition that the service alleyways be not less than 20' (one-way) and 24' (two-way) and where there are loading areas an additional loading width of not less than 8 feet so that no standing or stopped vehicle blocks the clear passage of trucks or emergency fire vehicles;
20. Condition that parking be provided (per the Wells parking analysis) and available for each construction phase;
21. Condition that American Avenue align with the opposite office driveway for a single signaled intersection;
22. Condition that the roads and drives immediately adjacent to off-site residential uses be screened to reduce visibility, noise and light intrusion with "superior

- buffering and landscaping”, mounding, walls, fences or other methods within the buffer area;
23. Modification that the exterior of garages F, G & H facing the perimeter of Crocker Park provide “varied setbacks or other measures to reduce the monotony of external appearance” and with designs to obscure and/or screen the garage façade with “superior buffering and landscaping” in the buffer area and provide “provisions for public security and crime prevention”;
  24. Condition that at each phase of development, trees shall be documented and provided (preserved or planted) to comply with the tree preservation ordinance;
  25. Condition for the KW building a 1-story modification (to 5 stories) and a 15’ height modification.

**ROLL CALL ON APPROVAL:**

Yeas: Fatzinger, Meehan, Getsay, DiCarlo

Nays: None, motion passed

**MISCELLANEOUS** - None

**ADJOURNMENT**

Meeting adjourned at 9:08 p.m. The next regular meeting is scheduled for Monday, July 7, 2014 in the Westlake City Hall Council Chambers.

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Chairman Dan Meehan

*Nicolette Sackman, MMC*  
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Nicolette Sackman, MMC  
Clerk of Commissions

Approved: \_\_\_\_\_  
July 7, 2014