



PLANNING DEPARTMENT

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**WESTLAKE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
JULY 6, 2015**

Present: Chairman Dan Meehan, Mark Getsay, Phil DiCarlo, Brad Lamb, Duane Van Dkye

Also Present: Planning Director Jim Bedell, Assistant Planning Director Will 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.

OATH OF OFFICE

Mr. Wheeler administered the oath of office to Mr. Van Dyke.

APPROVAL OF MINUTES

Mr. Lamb moved, seconded by Mr. DiCarlo to approve the minutes of the regular meeting of May 11, 2015.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo

Abstain: Van Dyke

Nays: None, motion passed

Mr. Lamb moved, seconded by Mr. DiCarlo to approve the minutes of the regular meeting of June 1, 2015.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo

Abstain: Van Dyke

Nays: None, motion passed

COUNCIL REPORT

Councilman Getsay reported on council items. There will be a storm water study meeting on July 14, 2015 which could impact items on the agenda.

SELECTED CORRESPONDENCE

6/29/15 email from Jim Wensink, 2135 Radcliffe Dr. expressing concerns re: Canterbury Manor 2

Mr. Bedell explained that the city engineer has requested a storm water study for this area and therefore Canterbury Manor 2 will be tabled tonight and not discussed as the plans could change.

Canterbury Manor 2 Subdivision Preliminary Plan (12 lots), Center Ridge Rd. & Newbury extension, PP#213-23-023 & 024, rep. C. Szucs, Ward 2

Motion: Mr. Lamb moved and Mr. DiCarlo second to table Canterbury Manor 2 to the August 3, 2015 meeting.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

OLD BUSINESS

Kensington Square Sign Plan, 28687 Center Ridge Rd., PP# 216-18-001, rep. M. Harrison, WARD 4

Mr. Harrison explained they revised the message center and provided a letter from the landlord that they would comply with city regulations regarding electronic message centers. The sign will not flash, scroll and the amount of changeable copy is within the code requirements. Mr. Krause reviewed his staff memo noting when the black area of the sign is counted as sign face the changeable copy does comply with the code requirements. The proposed sign face area exceeds the code but is smaller than the existing sign face which is being replaced.

Findings of Fact:

1. The proposed replacement sign face complies with code in terms of height above grade.
2. Section 1223.08(b)(4) states that: "In a commercial ... district, up to a maximum of thirty three percent (33%) of the area of a freestanding identification sign may be devoted to single-color changeable copy..."
3. This provision has been used by Planning Commission to allow single-color electronic changeable copy as long as such a sign complies with the code in terms of not being an animated sign and not exceeding the illumination performance regulations in the code.
4. The electronic message center is described as "full color" but is depicted as one color and owner has stated in a letter that they will only use one color at a time.
5. The electronic message center is 29% of the proposed sign face.
6. Section 1223.02(a)(1) defines an "Animated sign" as "any sign that uses movement or change of lighting including ... flashing to depict action or create a special effect or scene. Animation shall be considered any change or movement more frequent than once per twenty-four hours."
7. Section 1223.12(a) prohibits animated signs.
8. The message center will replace approximately ten individual tenant panels on the existing sign face.
9. The applicant has submitted a letter stating that they will comply with the code and will only change the message one time a day with no flashing or scrolling.

10. Section 1223.07(b) prohibits excessive brightness for signage which is defined as emitting more than 10 lumens of light when measured three feet from the center of the sign face.
11. The applicant has submitted letter stating that they will not exceed 10 lumens when measured 3' from the center of the sign face.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to approve the proposed sign plan as submitted with a:

1. 3.78 sf sign area modification to allow a 33.78 sf total sign face;
2. Condition that they comply with the sign code as stated in the letter submitted 5/29/15.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

NEW BUSINESS

Michael Kors Storefront & Sign Plan, 203 Market St., PP#211-24-308, rep. R. Levitz, Ward 5

Mr. Levitz explained the proposal is for a storefront and sign plan. The design is simple and elegant with high quality materials. Mr. Levitz reviewed the elevations, materials and sign plans. Materials to be used are sandstone colored porcelain, clear glass, black granite floor tiles and white polished marble door handles. Mr. Krause reviewed his staff memo noting the proposal is simple and modern.

Findings of Fact:

1. The storefront complies with the requirements of the design guidelines.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Michael Kors storefront as presented.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Findings of Fact:

1. The proposal, as corrected, complies with the sign criteria.
2. Section 3.1 states that the acrylic face of letter forms must have a matte finish to avoid reflections in the letter faces when not illuminated.
3. Section 3.1 states that raceways are not permitted unless they become an integral part of the sign design or architecture of the storefront. The stainless steel ledge reads as part of the architecture of the storefront.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to approve the Michael Kors sign plan as submitted with a condition that the acrylic faces of the signage have a matte finish.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**Lululemon Athletica Storefront & Sign Plan, 201
Market St., PP#211-24-302, rep. R. Levitz, Ward 5**

Mr. Levitz explained the proposal is for a storefront and sign plan. The design is artistic with steel panels and arch elements to mimic bridge structures. It is a modern design with acid etched glass, cast stone and an organic feel. The signage is very minimal. Mr. Krause reviewed his memo noting the Corten steel is steel which rusts to a stable brown color. The steel used in this plan is treated with an arrestor which results in a mottled rust orange and brown finish. It is then coated with a protective finish which will prevent the orange rust from bleeding onto the adjacent concrete. The design is unique. The acid etched glass will have the appearance of frosted glass, which will require a modification as clear glass is required per the design guidelines. Being a corner tenant, they are permitted to expand the storefront above into the second floor.

Findings of Fact:

1. The storefront is primarily constructed of Corten steel treated with an arrestor to maintain a mottled rust and brown surface and coated to prevent rust from bleeding onto adjacent surfaces.
2. Some of the glazing is acid etched and appears dark.
3. Section 6.12 of the Crocker Design Guidelines requires glass to be clear unless a special or unique circumstance exists.
4. Section 10.1 of the Crocker Design Guidelines states that they are “intended to restrict creativity as little as possible...each shop should become a distinct and expressive participant in creating Crocker Park’s ‘sense of place’ ...The collection of these unique storefronts will make the street experience a truly remarkable one...Placing strict limitations on their ingenuity is counterproductive to the ultimate goal of creating active and visually stimulating streets...”

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Lululemon Athletica storefront as presented with the following conditions and modification:

1. Condition that the protective coating is maintained to keep any rust from bleeding onto adjacent concrete and other materials.
2. The arch motifs are considered part of the storefront rather than part of the signage.
3. Modification from the Crocker Design Guidelines to allow part of the façade to be acid etched glass (which will appear frosted).

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Findings of Fact:

1. The proposal complies with the sign criteria.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to approve the Lululemon Athletica sign plan as submitted.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**Westfield Apartments Sign Plan, 29050 Detroit,
PP#212-11-010, rep. M. Barron, Ward 3**

Mr. Michael Barron and Mr. Bill Hamilton (North Coast Signs) explained they wish to replace the existing monument sign that is in the driveway island and relocate it to the front yard so it is more visible. In the current location the sign cannot be seen due to the neighbor's hedge. They would like to place it 21' off the street and install a new sign as well as a new directional sign for the leasing office.

Mr. Krause reviewed his staff memo noting the new sign is not a monument sign but actually a post and panel sign, which will need buffer at the bottom of the sign to prevent glare from any lighting. Lighting specifications have not been submitted and are needed prior to installation and can be administratively approved, as can the flag pole which specifications are needed.

Discussion ensued on the placement of the post and panel sign as the commission was not in favor of the existing large trees being removed. The landscape plan provided was not very detailed and does not provide many new trees. It was suggested moving the sign closer to the street so two mature oak trees can be preserved and the commission was in favor of granting a modification for that scenario. The applicant wasn't sure if that would be the best location and was concerned with visibility. There was also discussion regarding the directional sign and if both wording (Leasing Office) and an arrow were needed and if the size of the sign could be reduced. Mr. Barron expressed due to the layout of the site the leasing office is difficult to find and because of the adjacent landscape their signs are not visible. It was determined that the post and panel sign would be located closer to the street to preserve the existing trees.

Findings of Fact:

1. The proposed sign plan replaces an existing monument sign with an over-sized directional sign and a new post and panel sign.
2. The over-sized directional sign will need a modification to be 6 sq. ft. in area and 3.69' tall.
3. The over-sized directional sign is in lieu of monument signs that they could install at their other two entrance.
4. The new freestanding identification sign is a post and panel sign constructed between two brick columns topped by coach light fixtures and will be externally illuminated.
5. The applicant has submitted a letter dated 6/9/15 stating that they will not exceed 10 lumens when measured 3' from the center of the sign face and that they will plant dense landscaping beneath the sign face to screen glare.
6. The applicant proposes to locate the new signage 10' from the planned right-of-way to avoid having to move it when the road is widened.
7. The applicant wishes to remove two large trees from the front yard to improve the visibility of the new sign but will plant a new tree and additional landscaping in the front yard.
8. The removal of the two trees will make the property less compliant with the current tree regulations.

9. The applicant wished to install a flagpole in the front yard behind the sign.

Motion: Based upon the findings of face Mr. Lamb moved and Mr. DiCarlo second to approve the proposed sign plan as submitted with a:

1. Modification to permit an over-sized directional sign in lieu of monument signs permitted at their other two Bassett Road driveways.
2. A 2' size modification and .69' height modification for the directional sign.
3. Modification to allow a new post and panel freestanding sign with a condition that dense landscaping is planted beneath the sign face to shield glare from new external illumination.
4. Condition that they comply with the sign code as stated in the letter submitted 6/9/15.
5. Condition that exact light specification are submitted to and approved by the Planning Department.
6. Condition that the new freestanding post and panel sign is installed 12' from the sidewalk which will place it 1' outside the planned right-of-way in order to not have to remove any of the mature trees in the front yard. This will require a 9' setback modification.
7. If the sign must be moved when the road is widened that it be done at the sign owner's expense.
8. Modification to allow a new flagpole in the front yard for display of an American flag as long as the pole is no closer to any lot line than its height, in no cases is taller than 35' and that a building permit is obtained before it is installed.

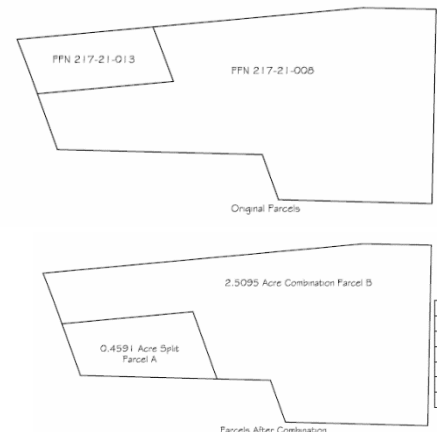
ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Savarino, Lot Split & Assembly, 30419 Center Ridge, PP#217-21-008 & 013, rep. G. Savarino, Ward 6

Mr. Savarino explained they own two parcels and wish to reconfigure them. Currently the parcel with the historic home is a large parcel with a smaller parcel in adjacent and in front. They wish to swap the rear portion of the property so that it is with the existing smaller parcel and make the parcel with the historic home the smaller lot.



Mr. Bedell reviewed his staff memo noting the existing historic home has an encroachment as it crosses the property line. Reconfiguring the parcels will improve the current situation. It was suggested to reduce the width of the vacant parcel so the historic home would have a 15' side yard setback. The applicant plans to build a new home at the rear of the vacant parcel so it will not be adjacent to the historic home or constructed in the area where the front lot width is narrow.

Members of the commission discussed the proposal and agreed that configuring the historic home parcel with a 15' side yard setback made sense and they supported the non-conforming width as this is a unique situation. The Lilly Bement House (circa 1845) was constructed prior to current zoning codes and this will correct an existing encroachment on the property line. Mr. Savarino noted the historic house will be restored. The existing garage will be demolished after construction of the new house or moved so that it is on one parcel as it also encroaching the property line prior to the proposal.

Findings of Fact:

1. The proposal permits the development of a new home site while preserving a historic resource.
2. The proposal does not increase the nonconformity of the existing home.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to approve the proposal as submitted with the following:

1. Condition that the garage will be removed after construction of the new home or moved to be solely on one parcel and outside of any setback areas.
2. Condition that there be a 15' side yard setback to the adjacent property line from the historic house and that new plat and legal description is submitted.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

The Reserve at Fox Run Subdivision, Final Plat (14 lots), Fox Run, PP#214-29-018, rep. J. Orley, Ward 1

Mr. Kevin Hoffman explained the final plat is being submitted for approval. Mr. Bedell reviewed his staff memo noting the plat is pretty much the same as the preliminary plan other than the islands that were added to the cul-du-sacs. Planting plans for the cul-du-sacs can be administratively approved.

Findings of Fact:

1. The proposed location of the street is generally the same as the approved 1984 Guide Plan Map with changes to the road alignment and lots to reflective of current requirements for minimum lot size requirements and surrounding development that makes it impossible to construct the roadway in the exact same location as shown in the guide plan.
2. These changes, as well as the shape of the area to be subdivided, resulted in the need for very minimal modifications for lot depth to width ratios for various lots. Even with these modifications, all lots will provide the required setbacks and square footage necessary for new home sites. Therefore, the modifications are in accordance with sections 1131.04 and 1127.01 of the Planning and Platting Code.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Reserve at Fox Run Subdivision Final Plat with the following conditions:

1. Modifications are granted for lot depth to width ratios of .1 for lot 3, .3 for lots 7 and 12 and .4 for lot 14.
2. The planting design for the islands shall be submitted to staff for approval prior to construction of the landscaping.
3. A homeowners association shall be established for the maintenance of the retention basin and cul-de-sac.
4. A fence will be provided around the drainage basin, unless a waiver is granted.
5. The approval is subject to comments in Part III and the 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, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**The Reserve at Fox Run Subdivision, fence waiver,
Fox Run, PP#214-29-018, rep. J. Orley, Ward 1**

Mr. Hoffman explained they are seeking a fence waiver for the retention basin which will be a dry basin on two of the sublots. He explained during a typical storm it will have a height of 18" of water in the basin but during a 100 year flood would have a height of 3' of water in the basin which would slowly drain into the storm sewers over a 48 hour period. During non-rain events the basin would be dry.

 Mr. Bedell reviewed his staff memo noting the basin is a dry basin but will retain water during rain events. He showed a drainage graph for the basin provided by the applicant. He noted that the police department is not in favor of the request and recommends denying the request for safety purposes. Mr. Orley understood safety concerns but noted there are many wet basins in the city without fencing and this is a dry basin. Mr. Hoffman expressed that he could not find in the city code where a retention basin is required to be fenced and all he could find was that pools are required to be fenced.

Discussion ensued that many of the basins in the city are fenced and the commission has been in support of fencing the basins. Mr. Krause noted that at times the commission and council have granted fence waivers and at times they have required the fences; the police department is always in favor of having a fence and does not support waivers. It was discussed that the applicant should talk to Captain Turner and see if they can get him to support their request.

Motion: Mr. Lamb moved and Mr. DiCarlo second to table the Reserve at Fox Run fence waiver to the August 3, 2015 meeting.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**Ordinance 2015-84 rezoning southwest corner of
Crocker & Center Ridge, PP#217-26-002, from R-
1F-80 (single family) to OB (Office Building
District), ref. by council 6/4/15, Ward 6**

Mr. Bedell reviewed his memo and explained the request is to rezone the rear portion of parcel 217-26-002 from single family to office building. The front of the parcel is zoned office building. When Crocker Road was extended it cut through this parcel leaving an odd shape at the rear of the parcel that is zoned single family. The guide plan over the years has shown the parcel being used in a variety of ways – cluster and office. It makes sense to rezone it to office building. The proposed future use of the property would be for a medical arts building, but development plans have not been submitted at this time for that use. Members of the commission agreed the rezoning makes sense.

Findings of Fact:

1. The proposed rezoning is being done to remove split zoning from a parcel in order to development the entire parcel for a medical arts office building.
2. The proposal meets the purpose for office zoning in 1216.01.
3. The proposal meets the best practices for rezoning in Part III of the 6/18/15 staff report.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to recommend approval of Ord. 2015-84.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**Mitchell's Tavern Development Plan, addition,
24282 Center Ridge Rd., PP#214-08-007, rep. G.
Fischer, Ward 1**

Mr. Gary Fischer reviewed the site plan explaining the proposal is for an addition at the rear of the building, similar to the previous one approved a couple of years ago. There will be an alcove between the existing building and the addition which will serve for back of house items. He reviewed the elevations noting the brick and stone will match the existing materials.

Mr. Bedell reviewed his staff memo noting the addition is a nice updated modern look. He advised that the parking lot lights need to be installed and questioned when the addition would begin. Mr. Gual hoped to start this summer and is ready to begin construction.

Findings of Fact:

1. The building design approved on 10/3/11 is being altered to better serve the adjacent volleyball courts, provide additional restroom facilities, and an improved kitchen.
2. The proposal meets zoning requirements with a modification needed for the deck on the east side of the addition. This deck provides access from the rear patio to the exterior alcove.

Motion: Based upon the findings of face Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Mitchell's Tavern Development Plan with the following conditions:

1. An earth tone color shall be used for the dumpster enclosure gate.
2. A modification of 8' is granted for the deck.
3. The exterior alcove shall be paved.
4. The approval is subject to the comments received in Part III of this 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, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

**Miami Nights Development Plan, addition, 857
Columbia Rd., PP#213-08-026, rep., L. Sampat,
Ward 1**

Mr. Sampat explained the owner is renovating the building and wishes to have an outdoor covered patio on the east side of the building that is 16' x 35'. They will be installing new steel canopies and would like to have a silver metal roof and a tower roof in a black finish. They would be painting the existing green roof black. The building will have a new entry with a valet parking drop off area. The drive in front of the building will be one way only and is adjacent to the valet area. They will lose nine parking spaces but still comply with the parking requirements for the code. Mr. Sampat noted that the landscape had been removed, as it was in poor condition, and he will need to submit a landscape plan for a future meeting.

Mr. Bedell reviewed his staff memo advising either a silver or black roof will need a modification from planning commission as they are not permitted colors for the roof. The same lights will be used and the applicant has been requested to paint a driveway arrow and install signage for the one way drive to minimize collisions at the valet parking area. He reviewed the signs which are three wall signs and one ground sign. They are seeking a modification for more area than permitted but this is a corner lot and the commission can grant more area based on the frontage of two sides of the building.

Members of the commission reviewed the proposal and discussed that they preferred a silver roof over a black roof. Mr. Sampat advised the applicant was okay with either black or silver and they had sought black since the building sits down about 7' below the grade of the I-90 exit ramp and they wanted the building to pop out more. The commission would like to see a new landscape plan at the next planning commission meeting.

Findings of Fact:

1. Since this is a corner lot, with two main facades, granting a small modification for the proposed additional signage is reasonable.
2. Architecturally, the sign above the new entry doors appears correct and does not detract from the building design.

3. The architect has not indicated any new exterior lighting.

Motion: Based upon the findings of face Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Miami Nights Development Plan with the following conditions:

1. A modification is granted for the standing seam metal roof and tower in a silver finish.
2. Any substandard, unhealthy, or dying plant materials should be replaced with like materials.
3. Submit landscape plan for August 3, 2015 planning commission meeting.
4. A modification of 20.9 s.f. is granted for the total amount of signage permitted for the property.
5. A modification is granted for the sign above the new entry doors that is slightly taller than the parapet for the rest of the building.
6. A sign permit with detailed drawings for construction including materials and color is required for staff approval.
7. 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: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Rhino Holdings Group Development Plans, Viking Parkway, 211-01-006, rep. J. Kalin, Ward 3

Ms. Kalin briefly explained the proposal is for a new two story office building. Mr. Bedell reviewed his memo explaining the proposed building will be about 21,869 sf, in grey tones with a patterned EFIS. He advised there are protective covenants in place for this property that requires that Beacon Westlake LLC approve the design and both parties must agree on the design. A sample of the corrugated metal has been sent to Beacon Westlake LLC for their approval as the covenants require insulated metal panels that is still awaiting their approval.

Discussion ensued that the corrugated metal is preferred rather than a flat panel as it brings some architectural detail to the building. The location of the loading dock was discussed and if trucks would be able to navigate the area. Ms. Kalin advised that they will and the building was placed on the lot in this location to allow room for future expansion and flexibility.

Findings of Fact:

1. A 2' modification is needed for the driveway width.
2. There are protective covenants in place for this property that requires that Beacon Westlake LLC approve the design before the applicant may bring it for your approval.

3. Although the City does not enforce restrictive covenants these individuals must agree on the design before your review.

Motion: Based upon the findings of fact Mr. Lamb moved and Mr. DiCarlo second to recommend approval of the Rhino Holdings Group Development Plans with the following conditions:

1. Architectural insulated metal panels shall be used in place of corrugated metal panels shown on plans.
2. Final approval of plans is required by Beacon Westlake LLC in accordance with the protective covenants.
3. Asphalt/concrete curbs required on all drives and parking lots.
4. A modification is granted for the width of the driveway to be 26' wide.
5. A modification is granted to Landbank 20 parking spaces.
6. Fence shall be in a black, brown or green finish.
7. The approval is subject to the comments in Part III of this 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, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Ordinance 2015-83 amending §1218.03 by enacting new subsections (h)(14) commercial indoor firing ranges in Exclusive Industrial, ref. by council 6/4/15

Mr. Holtz explained he is requesting a text amendment to the code to allow indoor firing ranges in Exclusive Industrial District as a conditional use permit. Mr. Bedell reviewed his staff memo noting currently this use is not a permitted use in the city. This particular business has about 75% retail sales as its business. The text amendment does not address retail sales in the industrial district. Concerns that were raised at Council's PZL meeting were allowing retail sales associated with the firing range in industrial districts, and concerns that this would open the door for other business uses who would want retail sales in the industrial districts. Other city codes relating to the discharge of firearms would need amended along with this text amendment. It was questioned whether conditions should be listed in the text amendment for this type of use.

Mr. Holtz added that while in dollar amount retail sales are higher than the shooting range, there is more shooting range foot traffic. The shooting range runs about \$18 per hour, while a specialized sporting gun can run thousands of dollars. This makes retail sales a higher portion of his business. Last quarter his retail sales were about 87% of the income.

Members of the commission felt more research should be done before making a decision. There are concerns with allowing retail sales in industrial districts as the industrial districts have been preserved for non-retail uses. It was questioned if this use should be a conditional use in the general business district and if so, what conditions should be required. The

commission was open to exploring options for this type of use and desired that staff research the proposal further.

Motion: Mr. Lamb moved and Mr. DiCarlo second to request an extension of time until October 5, 2015 for Ordinance 2015-83

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

Motion: Mr. Lamb moved and Mr. DiCarlo second to table Ordinance 2015-83

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

MISCELLANEOUS

Draft code amendments

Mr. Bedell reviewed code amendments to 1218.03 regarding office uses in the industrial district. He explained potential office uses are being turned away as there is less vacant office property available for new office developments. Offices are permitted as a conditional use in the Exclusive Industrial District but only for a select area between Detroit Road and Interstate 90, and between Sperry Road and the north corporation line from Clague Road to Columbia Road. The proposal removes the area limitation and allows office development to occur throughout the district. Members discussed the proposal.

Motion: Mr. Lamb moved and Mr. DiCarlo second to forward suggested code amendments to 1218.03 to council for its consideration.

ROLL CALL ON APPROVAL:

Yeas: Lamb, Meehan, Getsay, DiCarlo, Van Dyke

Nays: None, motion passed

ADJOURNMENT

Meeting adjourned at 9:55 p.m. The next regular meeting is scheduled for Monday, August 3, 2015 in the Westlake City Hall Council Chambers.

Dan Meehan

Chairman Dan Meehan

Nicolette Sackman

Nicolette Sackman, MMC
Clerk of Commissions

Approved: August 3, 2015