

**AGENDA
PLANNING COMMISSION
CITY OF LAKEWOOD
MAY 4, 2023
PRE-REVIEW MEETING
6:00 P.M.
CITY HALL AUDITORIUM**

REVIEW DOCKET ITEMS

**REGULAR MEETING
6:30 P.M.
AUDITORIUM**

1. ROLL CALL
2. APPROVE THE MINUTES OF THE FEBRUARY 2, 2023 MEETING
3. APPROVE THE AMENDED MINUTES OF THE MARCH 2, 2023 MEETING
4. APPROVE THE MINUTES OF THE APRIL 6, 2023 MEETING
5. OPENING REMARKS

NEW BUSINESS

CONDITIONAL USE

6. **Docket No. 05-09-23
13333 Madison Ave.
Hammer and Nails**

Chris Guglielmi, Waterbury Development Company, applicant requests the review and approval for a conditional use permit to operate outdoor dining in the side parking lot, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. Property is in a C2 – Commercial, Retail district. (Page 3)

7. **Docket No. 05-10-23
14810 Madison Ave.
Red Rose Cafe**

Rose Kirschnick, Red Rose Cafe, applicant requests the review and approval for a conditional use permit to operate outdoor sidewalk dining, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. Property is in a C2 – Commercial, Retail district. (Page 9)

ORDINANCE AMENDMENT

8. **Docket No. 05-11-23
Amendments to Chapters 1121, 1123, and 1133 of the Zoning Ordinance to Support Additional Dwelling Units and Principal Building Lot Coverage**

Administrative staff will present the proposed amendments. On March 20, 2023, City Council referred Ordinance No. 07-2023 and the associated communication to the Housing, Planning, and Development Committee and the Planning Commission for deliberation and recommendation. (Page 16)

ADJOURN



PLANNING COMMISSION

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
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Application Cover Page

Docket No.: 05-09-23

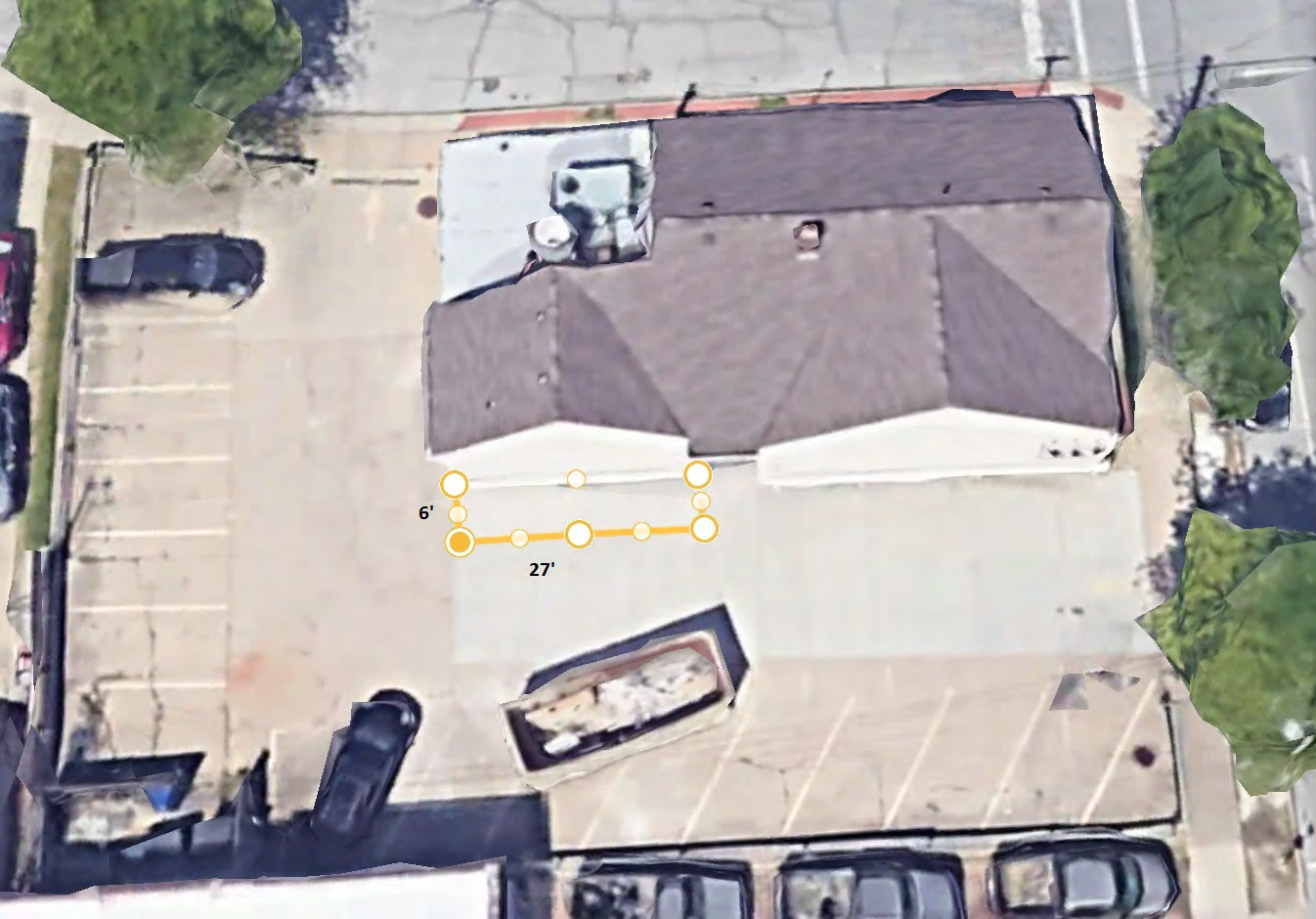
Permit No.: PC23-000011

Applicant Name: Chris Guglielmi, Waterbury Development Company

Project Address: 13333 Madison Ave.


Project Name: Hammer and Nails

Proposal: The review and approval for a conditional use permit to operate outdoor dining in the side parking lot, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. The property is in a C2 – Commercial, Retail district.





✕


Perimeter ?


65 ft ▾ 


Area


164 ft² ▾ 

 Start new

 2D









Hammer and Nails
Grooming Shop for...



Proposed Patio



Raised Planters




Tables and
Chairs





Home > All Products > Facilities Maintenance > Patio Furniture > Patio Seating



PATIO SEATING

Contemporary, comfortable seating for wineries, restaurants and rooftop patios.


- Withstands the harshest weather.
- Stylish, synthetic wood won't fade, peel or crack.
- Powder-coated steel frame.
- Chairs are stackable for easy storage.

■ SHIPS VIA MOTOR FREIGHT.

MODEL NO.	DESCRIPTION	SIZE W x L x H	WT. (LBS.)	PRICE EACH		ADD TO CART
				1	4+	
H-8590	34" Square Table	34 x 34 x 29"	43	\$300	\$275	1 <input type="button" value="ADD"/>
H-8591	46" Square Table	46 x 46 x 29"	61	375	350	1 <input type="button" value="ADD"/>

javascript: display_image();

48inx32inx12in Solid Wood



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Size (1): 48inx32inx12in
 48inx32inx12in

Color (1): OriginalWoodGrain
 OriginalW

Quantity: 1

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Application Cover Page

Docket No.: 05-10-23

Permit No.: PC23-000009

Applicant Name: Rose Kirschnick

Project Address: 14810 Madison Ave.

Project Name: Red Rose Cafe

Proposal: The review and approval for a conditional use permit to operate outdoor sidewalk dining, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. Property is in a C2 – Commercial, Retail district.



April 17, 2023

As submitted, we are requesting another approval of our patio. The Red Rose Café patio was approved in 2015. All fees were paid for review.

The reason we have not put our patio up in the last 2 years is because the sidewalk concrete shifted and the holes in the concrete to secure the iron fencing did not align with the wrought iron. For all those years, a barrier was required to have a patio.

During the last 2 years we have reached out on numerous accounts about this issue however after being advised there were new guidelines being reviewed by the City, we were waiting for the final guidelines.

We understand what has been going on in the last couple of years. Our patio will be the same as before, without the wrought iron. We will have the same format as previous years since 2015, now without the wrought iron. Abiding by all new guidelines, just as we abided by all previous guidelines, specifically taking our patio down on time every year, as required.

Thank you for your time and review.

RoseBrian Inc.
Dba./The Red Rose Café
14810 Madison Ave.

Brian & Rosaleen Kirschnick
Owners for 18 years of Property & Business in The City of Lakewood

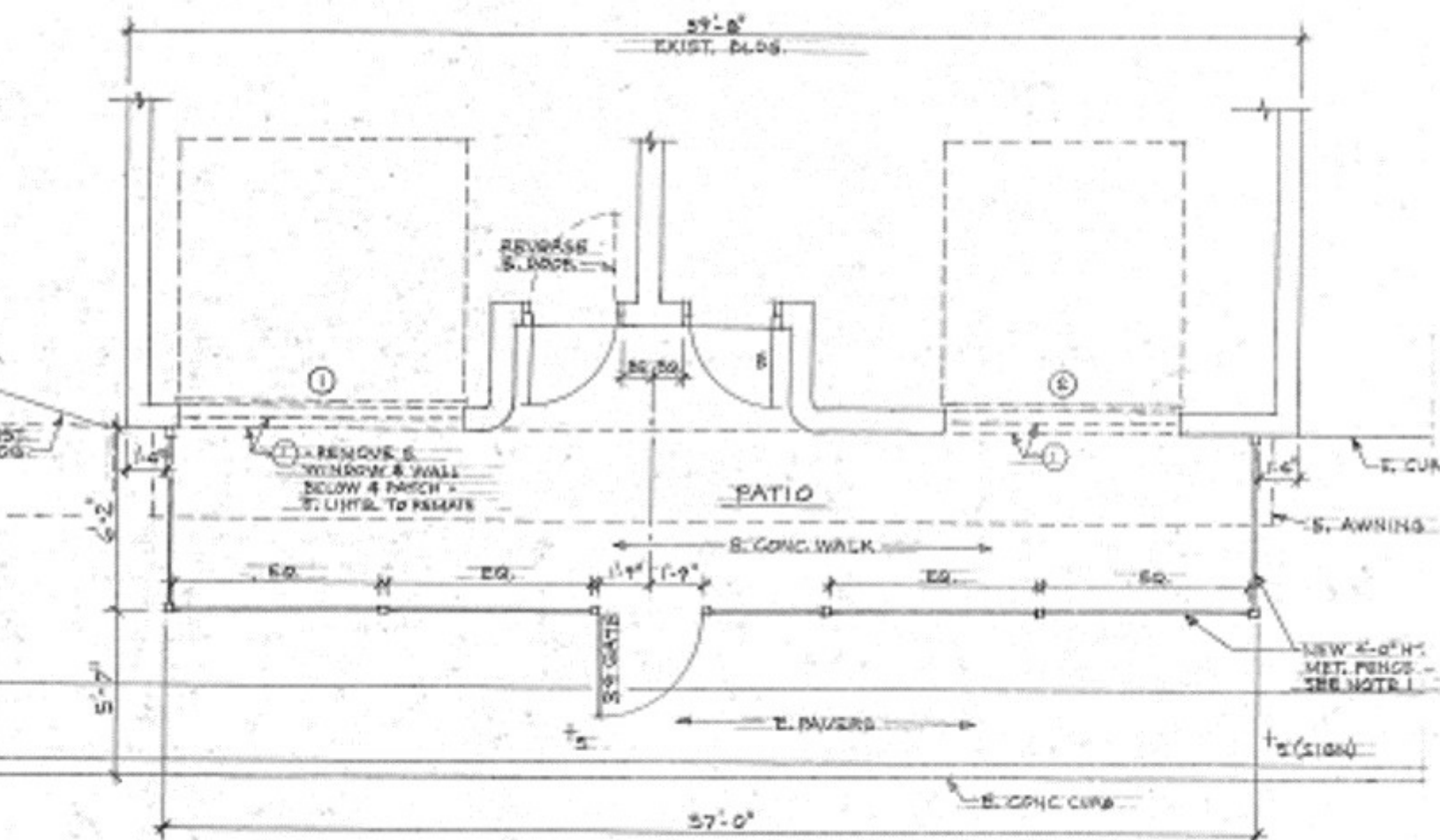


ENORMA HOTEL

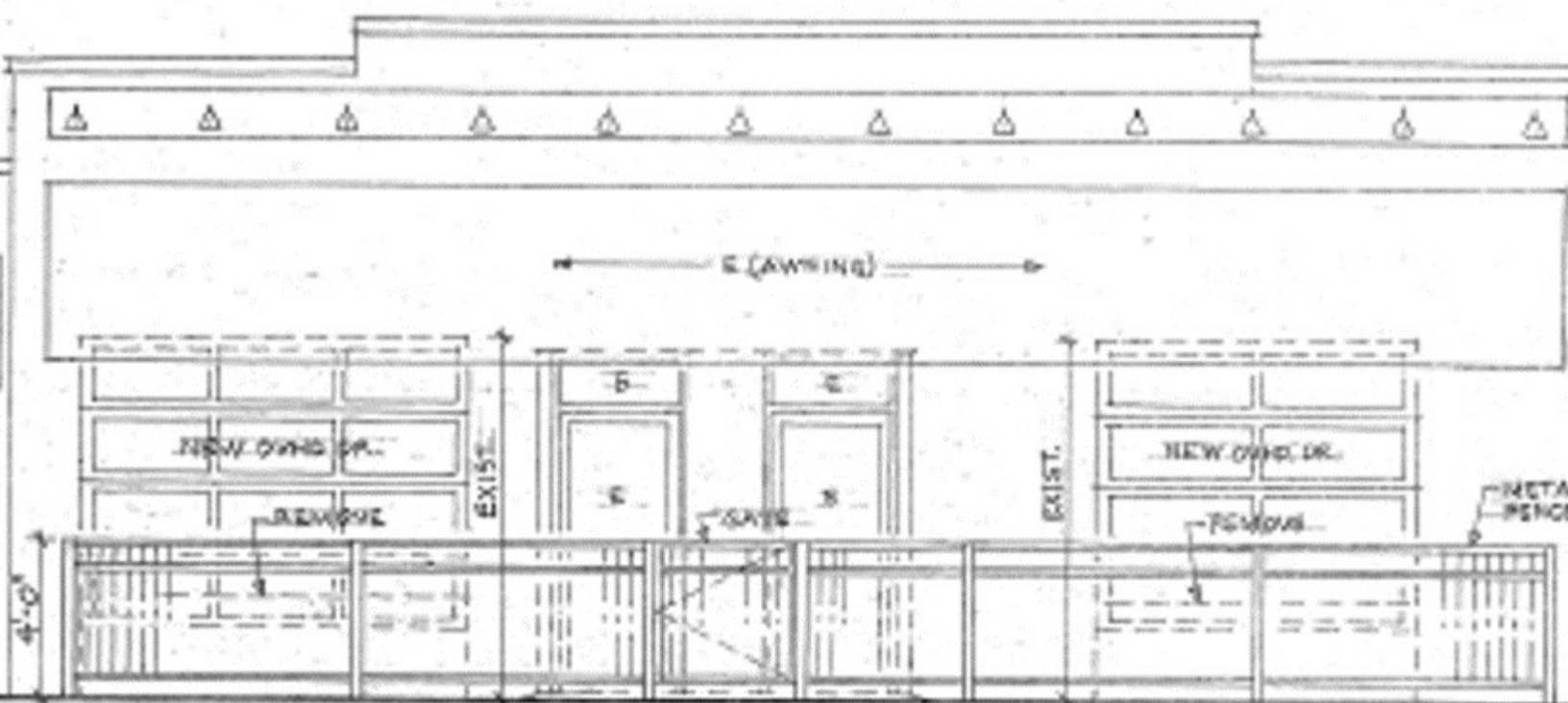
SPEED LIMIT 25

The Red Box
RR
Cafe

NO PARKING



FLOOR PLAN
SCALE 1/4" = 1'-0"



FRONT ELEVATION

$\frac{1}{4}'' = 1'-0''$



PLANNING COMMISSION

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4/9/2015

Brian and Rosaleen Kirschnick
Red Rose Cafe
14810 Madison Ave
Lakewood, Ohio 44107

Re: **Docket No. 04-12-15**
14810 MADISON AVE
Red Rose Cafe

Dear Brian and Rosaleen Kirschnick:

At the meeting on 04/02/2015, the Lakewood Planning Commission considered administrative review and approval of conditional use permit for outdoor seasonal dining.

The Board decided to **APPROVE** the application

As this is a conditional use for outdoor dining on public property, you are required to complete a Public Use Agreement, which we will mail to you this month. Please return a signed copy of the agreement and proof of insurance as stipulated in the agreement.

Please contact the Department of Planning and Development with any comments or concerns you may have at (216) 529-6630.

Sincerely,

Bryce Sylvester, Board Secretary
City Planner, Planning and Development

\$150 fee

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

REFERENCE No. PL15-001520
DOCKET No. 04-12-15
FEE PAID _____

APPLICATION
LAKWOOD PLANNING COMMISSION

Property Address 14810 Madison Avenue Business/Tenant Name The Red Rose Cafe
Property Owner Name Rosaleen Kirschnick Owner Phone 440-554-7298
Owner E-mail TheRedRoseCafe3@yahoo.com Zoning _____ Parcel Number _____
Project Summary Permit Renewal for Sidewalk Dining granted by the Lakewood Planning Commission at its April 2, 2015 meeting.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- Minor Sub-Division - (Commercial \$200, Residential \$200, Planned Development \$500)
- Lot Consolidation/Lot Split - (Commercial \$200, Residential \$200, Planned Development \$500)
- Planned Development - (\$500)
- Similar Use - (Commercial \$50, Residential \$25)
- Conditional Use - (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
- Variance - (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (1 copy, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): _____ Company _____
Applicant Address: _____
Phone: _____ Fax: _____ E-mail: _____
Signature: _____ Date: _____

OFFICE USE ONLY: Application Reviewed and Accepted by: _____ Date: _____

File History: _____

Bldg. Dept. Remarks: Attached with this signed application are the signed Use of Public Property Agreement, payment of \$150.00., and the updated insurance information naming the City of Lakewood as a co-insured for the year of 2015.

ORD. _____ SECTION _____



PLANNING COMMISSION

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Application Cover Page

Docket No.: 05-11-23

Permit No.: PC23-000012

Applicant Name: City of Lakewood

Project Address: 12650 Detroit Ave.

Project Name: Amendments to Chapters 1121, 1123, and 1133 of the Zoning Ordinance to Support Additional Dwelling Units and Principal Building Lot Coverage

Proposal: Administrative staff will present the proposed amendments. On March 20, 2023, City Council referred Ordinance No. 07-2023 and the associated communication to the Housing, Planning, and Development Committee and the Planning Commission for deliberation and recommendation.



**PLANNING &
DEVELOPMENT
DEPARTMENT**

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www.lakewoodoh.gov

May 4, 2023

Planning Commission
Lakewood City Hall
12650 Detroit Avenue
Lakewood, Ohio 44107

RE: Docket No. 05-12-23 - Amendments to Chapters 1121, 1123, and 1133 of the Zoning Ordinance to Support Additional Dwelling Units and Principal Building Lot Coverage

Dear Members of the Planning Commission:

On March 20, 2023, City Council referred Ordinance No. 07-2023 and the associated communication to the Housing, Planning, and Development Committee and the Planning Commission for deliberation and recommendation. Please review the attached documents that will be considered at the next regularly scheduled Planning Commission meeting.

Sincerely,

Shawn Leininger, AICP
Director of Planning & Development



**PLANNING &
DEVELOPMENT
DEPARTMENT**

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March 9, 2023

City Council
City of Lakewood
12650 Detroit Avenue
Lakewood, Ohio 44107

RE: Zoning Code Amendment - Primary Lot Coverage and Additional District Regulations

Dear Council President Litten & Members of City Council:

Creating housing opportunities that support affordability, aging in place, and shared living are important goals of the Community Vision. To that end the Planning & Development Department has been exploring the subject of Accessory Dwelling Units (ADU's) to determine if recommended changes to the code would encourage investment in the construction of housing units and additions thereto while also maintaining the historic "front porch" neighborhood character of our residential single and two-family districts. The result of that exploration is this initial set of recommendations that adheres to that intent, focusing primarily on the R-2 zoning district.

Forty-six percent (46%) of all city parcels are currently zoned R-2 (Single and Two-Family) Residential District. There are more parcels zoned to allow two-dwelling units than any other type of parcel in the city. Of the 8,339 parcels zoned R-2 District, just 2,545 currently have a two-dwelling unit structure. This leaves nearly 6,000 properties that are zoned for two units and only have one.

Based on the analysis by City staff, there are two prohibitions within the code that contribute to the dearth of two-dwelling unit structures in the R-2 District. The first is a regulation passed in 1996 that prohibits the enlargement of a primary structure to accommodate more than one family. The second is a restriction on primary structure lot coverage.

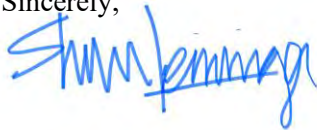
The current regulations cap primary structure lot area coverage at 25%, leaving, on a typical lot, an additional 10% of otherwise buildable land which – even though it may adhere to all other zoning requirements – is unusable. By increasing the allowable primary lot coverage to 35% and removing the prohibition to adding a second dwelling unit to a single-family home, property owners in the R-2 District who have a single-dwelling unit structure will be permitted to add a second unit either attached to or within the primary structure, provided other setback requirements are maintained.

In support of aging in place and shared living, single-family districts R-1H, R-1M and R-1L do not permit two separate units. However, a traditional intergenerational “in-law suite “which is not a separate dwelling unit, but a suite within the dwelling unit is permitted. Similar to the R-2 District, a typical lot is not fully usable given the lot coverage restriction of 25%. The proposed increase in permitted lot coverage to 35% will allow greater opportunity of investment in first floor in-law suites and additions that support shared living and aging in place in these single-family districts.

By maintaining current setbacks for the front, side, and rear property lines and continuing to adhere to the original development pattern of our neighborhoods and intent of our Zoning Districts, the high-quality housing character and scale that Lakewood is known for can be maintained with minimal impact on the existing neighborhood and infrastructure.

As this proposal amends the Zoning Code of the City of Lakewood, the Ordinance must be referred to the Planning Commission for review and recommendation as well as a committee deemed appropriate by City Council.

Sincerely,



Shawn Leininger, AICP
Director of Planning & Development



Michelle Nochta, AICP
Senior Planner

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Sections 1121.09(a) Single-Family Maximum Lot Area Coverage, 1123.09(a) Single- and Two-Family Maximum Lot Coverage, and 1133.06 Conversion of Single-Family Structure Prohibited of the Codified Ordinances of the City of Lakewood in order to update the provisions.

WHEREAS, the City of Lakewood has established certain regulations limiting the building area coverage of lots and restricting the conversion of single-family dwellings to accommodate more than one family despite the use being permitted by the zoning district; and

WHEREAS, the regulations subject to this Ordinance were authorized in 1996 with the adoption of a new Zoning Code for the City of Lakewood; and

WHEREAS, the City desires to create new housing opportunities in the community, particularly those that support affordability, aging in place, and shared living; and

WHEREAS, with knowledge of the historical impact of these restrictions on the City’s goal, the City must amend the regulations; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that these provisions should be enacted to advance the City’s goal to create new housing opportunities that enhance affordability, aging in place, and shared living; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That Sections 1121.09(a) Single-Family Maximum Lot Area Coverage, 1123.09(a) Single- and Two-Family Maximum Lot Coverage of the Codified Ordinances of the City of Lakewood, currently reading as follows:

1121.09(a). Maximum Lot Area Coverage. The principal structure including decks, patios, etc., shall not cover more than twenty-five percent (25%) of the lot area.

1123.09(a). Maximum Lot Area Coverage. The principal building, including attached decks, shall not cover more than twenty-five percent (25%) of the lot area.

are hereby repealed.

Section 2. That new Sections 1121.09(a) Single-Family Maximum Lot Area Coverage, 1123.09(a) Single- and Two-Family Maximum Lot Coverage are hereby enacted to read as follows:

1121.09(a). Maximum Lot Area Coverage. The principal structure including decks, patios, etc., shall not cover more than thirty-five percent (35%) of the lot area.

1123.09(a). Maximum Lot Area Coverage. The principal building, including attached decks, shall not cover more than thirty-five percent (35%) of the lot area.

Section 3. That Section 1133.06 Conversion of Single-Family Structure Prohibited of the Codified Ordinances of the City of Lakewood, currently reading as follows:

1133.06. Conversion of Single-Family Structure Prohibited. No single-family structure shall be converted to or enlarged or altered to accommodate more than one (1) family.

is hereby repealed.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) of members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted _____

John Litten, President of Council

Maureen M. Bach, Clerk of Council

Approved _____

Meghan F. George, Mayor