

**MINUTES
PLANNING COMMISSION
FEBRUARY 4, 2021
CITY OF LAKEWOOD
7:00 P.M.
REMOTE MEETING - RECORDED**

Under the orders of the Governor and Director of Health of Ohio, the Planning Commission will meet remotely until further notice.

The remote meeting information will be posted by 5 PM the day of the meeting at www.onelakewood.com/accordions/planning-commission/

The meeting was called to order at 7:00 p.m.

1. Roll Call

Members Present

Monica Jordan
Nathan Kelly
Kyle Krewson, Vice Chair
Sean McDermott
Jeffrey Wise

Others Present

Katelyn Milius, Senior Planner, Secretary
Jennifer Swallow, Executive Assistant Law Director
Shawn Leininger, Director of Planning and Development
Mark Papke, City Engineer

2. Election of 2021 Officers

Ms. Jordan nominated Kyle Krewson to serve as 2021 Chair. Ms. Jordan, Mr. Kelly, Mr. Krewson, Mr. McDermott, and Mr. Wise voting yea, the nomination passed.

Mr. Krewson nominated Monica Jordan to serve as 2021 Vice Chair. Ms. Jordan, Mr. Kelly, Mr. Krewson, Mr. McDermott, and Mr. Wise voting yea, the nomination passed.

3. Approve the Minutes of the January 7, 2021

A motion made by Mr. Kelly, seconded by Mr. Krewson to **APPROVE** the minutes. Ms. Jordan, Mr. Kelly, Mr. Krewson, Mr. Wise voting yea, and Mr. McDermott abstaining, the motion passed.

4. Opening Remarks

Administrative staff ("staff") read the Opening Remarks into record. Mr. Krewson noted that two docket items on the original agenda had been removed administratively: Dunkin', stated the Commission Members ("members") were volunteers, and advised the public to send notice through the chat function if one wanted to address a particular docket item.

Items 5 and 6 were taken together.

OLD BUSINESS

CONDITIONAL USE

- 5. Docket No. 11-50-20**
15527-31 Madison Avenue
Barrio

Sean Fairbairn of Barrio requests review of a conditional use permit for outdoor dining in the rear parking lot; change the status of a temporary patio to a permanent one, approved at the August 6, 2020 meeting. Pursuant to section 1161.03(t) – outdoor/seasonal dining facility. The property is in a C2 - Commercial, Retail district. (Page 3)

NEW BUSINESS

CONDITIONAL USE

- 6. Docket No. 02-02-21**
15527-31 Madison Avenue
Barrio

Sean Fairbairn of Barrio requests review of a conditional use permit for a mixed-use overlay. Pursuant to Chapter 1135 – Mixed Use Overlay District. The property is in a C2 - Commercial, Retail district. (Page 15)

Tom Leneghan, Barrio was present to explain the requests. Staff provided an analysis and recommendations for both requests. Public comment was closed as no one addressed the items. The Commission members (“members”) asked for clarification of parking requirements, length of time for temporary outdoor dining, and past requests for overlay in an existing business. Staff confirmed a CAD report was received; there were no issues/complaints. The members asked about the number of allowable outdoor seats (the request was for a total of 82 seats – front and rear). There was discussion about the appropriateness of using a mixed used overlay request. Staff stated it would be permissible to expand the number of temporary seats; anything beyond 40 seats required a second egress, compliance with building code requirements, and ABR requirements (location of the ADA parking space). It was disclosed that the dumpster was on the adjoining property (an agreement was in place).

A motion was made by Mr. Kelly to TABLE Docket No. 02-02-21. There was discussion between the members and staff about the varying routes to achieve a goal. There was no second.

A motion was made by Ms. Jordan, seconded by Mr. Wise to **DENY Docket No. 02-02-21**. All the members voting yea, the motion passed.

A motion was made by Mr. Krewson, seconded by Ms. Jordan to TABLE Docket No. 11-50-20. Discussion ensued about the need to understand any impact on parking if the temporary expansion was approved. The motion was withdrawn

Discussion continued about availability of parking, the 2013 Parking Study, and the potential impact on the neighborhood with expansion of allowed seating.

A motion was made by Mr. Krewson, seconded Mr. Kelly by to **APPROVE** the request for a maximum of 82 seats with the following conditions:

- There is review of the Building Code requirements.
- There is administrative ABR review.
- There are two means of egress.

All the members voting yea, the motion passed.

A motion was made by Mr. Krewson, seconded by Mr. McDermott to **TABLE Docket No. 11-50-20**. All the members voting yea, the motion passed.

PARKING PLAN

7. Docket No. 02-03-21

1384 Hird Avenue

The Fieldhouse @ Studio West

James Ptacek, Larsen Architects requests review for revisions to a previously approved parking plan at The Fieldhouse @ Studio West project. Pursuant to section 1143.09 – Parking Plan Review. The property is in a C3 - Commercial, General Business district. (Page 18)

James Ptacek, Larsen Architects, Daniel Budish, and Betsy (last name) were present to explain the request. Staff provided an analysis of the project. Public comment was closed as no one addressed the items. The members encouraged shared parking agreements as pursued by the applicants, the number of parking and bike parking spots were clarified (six cars – five of which were ADA, 30 for bikes). There were no further comments or questions from the members.

Presentation on July 2, 2020 for a parking plan at 1384 Hird Avenue, approved by the Planning Commission meeting with the following conditions:

- *Applicant is required to provide the parking as shown on the proposed site plan for 1384 Hird with 10 parking spaces, 24 bike/scooter parking and the ride-sharing service stop, and an additional 113 owner-controlled spots within 500 ft, for which letters of intent have been provided.*
- *Applicant is in the process of acquiring additional properties in the neighborhood. The applicant will return to Planning Commission to update the parking plan to include all additional buildings that have already been determined to be part of the project, or that can reasonably be construed due to be a part of the project. The applicant will apply for a Mixed-Use Overlay District or Planned Development Rezoning and develop a comprehensive parking plan for the project.*
- *Applicant will apply for wayfinding signage approval from ABR to ensure patrons can utilize the approved parking plan.*
- *Collect data on how many patrons use ride sharing services to travel to and from the fieldhouse.*

A motion was made by Mr. Krewson, seconded by Mr. Wise to **APPROVE** the previously approved with the following modifications:

- There are six parking spaces.
- There are 30 spaces for bicycle parking.

All the members voting yea, the motion passed.

COMMUNICATION

8. Docket No. 02-04-21

Painting or Covering of Masonry Surfaces


The City of Lakewood requests approval of proposed standards for the painting or covering of masonry surfaces to be implemented by the Architectural Board of Review as authorized by Section 1325.04 of the Codified Ordinances. (Page 28)

Shawn Leininger presented the communication and asked for approval. Public comment was closed as no one addressed the items. The members asked if the public was aware of the issue. Staff stated that all contractors performing services in the city were required to be registered with the city.

A motion was made by Mr. Krewson, seconded by Mr. McDermott to **ADOPT** with the addition of the statement "in a matte or flat finish". All the members voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Krewson, seconded by Ms. Jordan to **ADJOURN** the meeting at 8:57 p.m. All the members voting yea, the motion passed.



Signature

Thomas Schwarz
Admin Asst II

March 4, 2021

Date

Signed on behalf of chair.

Johanna Schwarz

From: Katelyn Milius
Sent: Thursday, February 18, 2021 10:46 AM
To: Johanna Schwarz
Subject: FW: Getting involved

Follow Up Flag: Follow up
Flag Status: Flagged

From: Tom Leneghan <tomleneghan@yahoo.com>
Sent: Monday, February 8, 2021 6:08 PM
To: Katelyn Milius <Katelyn.Milius@lakewoodoh.net>; Shawn Leininger <Shawn.Leininger@lakewoodoh.net>
Subject: Getting involved

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Shawn / Katelyn could you forward this to the planning commission and possibly cc the mayors office ? Thanks Tom

Sent from my iPhone

Begin forwarded message:

From: Tom Leneghan <tomleneghan@yahoo.com>
Date: February 8, 2021 at 5:31:51 PM EST

To whom it may concern,

Thank you for your valuable time last Thursday for me to present for the permanent use of our temporary outdoor dining in the rear section of Barrio Tacos in Lakewood.

In my opinion, it was a very productive meeting and I do appreciate the ongoing Covid exemptions from the current code that allows Barrio to have up to 82 seats for this upcoming patio season.

I would like to express my interest in becoming further involved with the conversation for creating new legislation for outdoor dining based upon indoor occupancy load. I think we all agreed that 25% of the indoor dining for outdoor dining isn't a solid long-term strategy to re-ignite consumer confidence.

A little about me, thirty years ago, I was fortunate to be one of the hospitality and residential pioneers that sparked the renaissance that has become Tremont.

I have a vast amount of history with temporary outdoor dining whether it be in the public right away or on private land. As I stated to this commission, in NE Ohio, we have a very small window for outdoor dining. Between freezing Winters and then most of Spring being very rainy, this leaves us with a very narrow window of patio usage in this type of climate.

Additionally, there have been many conversations in regards to parking in Lakewood. This brings me back 30 years to previous conversations of evaluating if there is enough parking.

At that time, I believe it had some validity as most of the people coming into Tremont visited from outside the area. There was also no residential base and Uber/scooters weren't invented. But times have changed. Bicycling has become a main stay in our region, and particularly, in Lakewood. Furthermore, Lakewood is an amazing walkable community.

For such a progressive and trendy city, parking is an antiquated argument. It is an outdated philosophy that stifles entrepreneurial spirit and city development.

When I arrived in Lakewood 10 years ago I had the pleasure of working with Drew and Bryce in planning. They and their team were a breath of fresh air with a true growth & entrepreneurial mindset. Over the years, I have invested extensively in residential properties. With over 30 residential rental units and over 100 employees Lakewood is my second home. Additionally, my nieces/nephew bought houses in Lakewood and my wife grew up in Lakewood and is a Special Needs Teacher at Lakewood High.

This is why I want to get more involved in the long term success of Lakewood. I look forward to any guidance in this request.

Best Regards,
Tom Leneghan

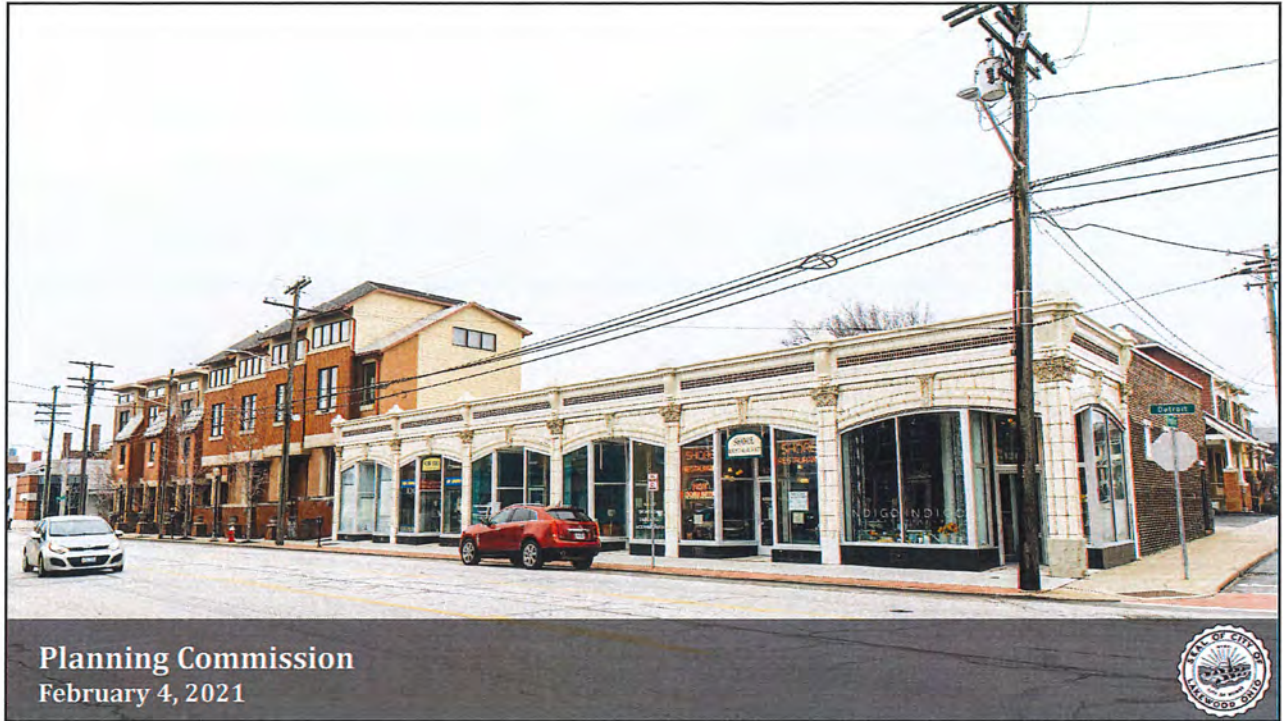
Sent from my iPhone



**CITY OF LAKEWOOD
STANDARDS FOR PAINTING OR COVERING OF MASONRY SURFACES**

The following standards shall be met for the painting of any masonry surface:

1. Painting, staining, or covering, such as but not limited to stucco, of previously unpainted or uncovered masonry surfaces is not supported or recommended. There are several reasons for the basis of this recommendation and generally include:
 - a. Painting masonry results in regular, costly maintenance whereas natural masonry is low in maintenance work and cost;
 - b. Painting masonry can result in moisture being trapped in the wall system causing unintended damage to the masonry itself and the building;
 - c. For historic buildings or those located in a historic district, painting of masonry is not recommended by the Secretary of Interior's Standards for Historic Rehabilitation and such action may result in the loss of the historic designation of the building or district – including possibly preventing a building or district from being nominated; and
 - d. There are other alternatives to the painting of masonry.
2. However, in the event such painting, staining, or covering is found to be necessary, at a minimum:
 - a. The application of such paint, stain, or covering must use a system compatible with the surface on which it is being applied. A mineral paint system is preferred.
 - b. The paint, stain, or covering must be durable, easy to apply and have good adhesive characteristics.
 - c. The paint, stain, or covering must be porous, thereby permitting the wall to breathe and preventing the trapping of free moisture behind the paint or stain film or covering.
 - d. All manufacturer and industry standard specifications must be followed.
 - e. A maintenance plan must be provided and developed in accordance with manufacturer and industry standards and strictly implemented.
3. Clear / Transparent and porous waterproofing in a matte or flat finish allowing the wall to breathe is permissible with the application of a system compatible with the surface on which it is being applied. All manufacturer and industry standard specifications must be followed.
4. The U.S. Secretary of Interior Standards for Rehabilitation of Historic Structures shall be complied with for any building:
 - a. Designated by the City of Lakewood as a historic property or landmark or located in historic property district; or
 - b. Individually listed or located within a listed district of the National Register of Historic Places.
5. All contractors must be registered with the City prior to the commencement of any approved work subject to these standards.




1

Dunkin' Drive Through Facilities at W 117th and Detroit Avenue have been administratively withdrawn from Planning Commission and will be heard by **Architectural Board of Review at their meeting on February 11th at 5:30 PM.**


Agenda

- **Barrio**
- **Studio West Fieldhouse**
- **Brick Painting**

Planning Commission
February 4, 2021



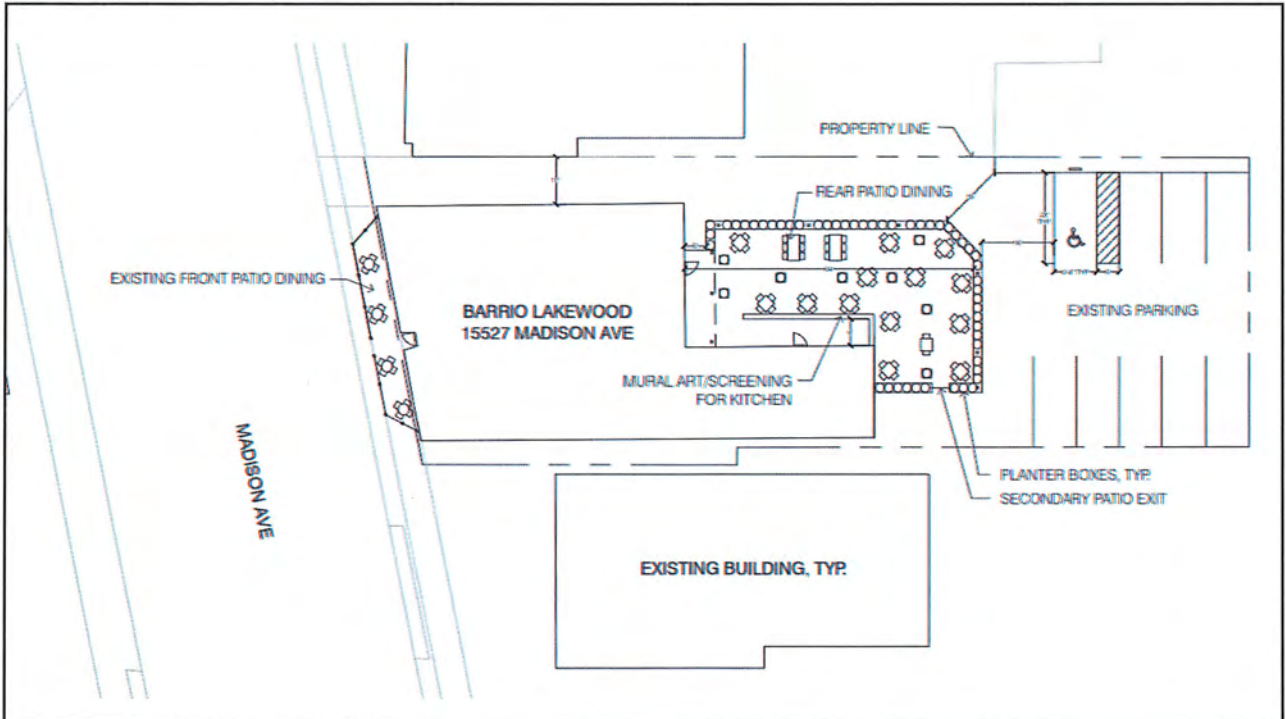
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Docket No. 11-50-20
15527 Madison Avenue

BARRIO OUTDOOR DINING & MIXED USE OVERLAY – CONDITIONAL USE

3



4



5

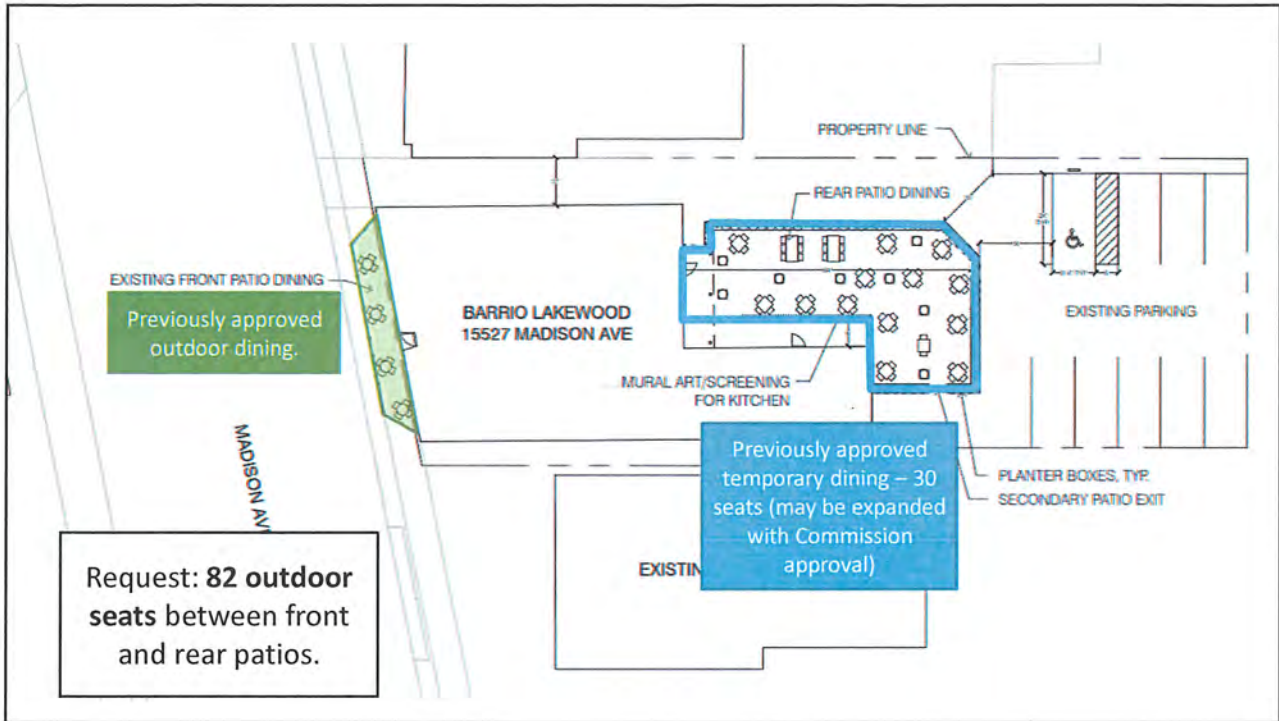
Request

- Review of a conditional use permit for outdoor dining in the rear parking lot. Pursuant to section 1161.03(t) – outdoor/seasonal dining facility. The property is in a C2 - Commercial, Retail district.
- Review of a conditional use permit for a mixed-use overlay. Pursuant to Chapter 1135 – Mixed Use Overlay District. The property is in a C2 - Commercial, Retail district.

Request: **82 outdoor seats** between front and rear patios.

Docket No. 11-50-20
15527 Madison Avenue

6



7

1135 Mixed-Use Overlay

Purpose

Provide a mechanism to accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted pursuant to this Code.

Commission shall consider Mixed Use Overlay developments on a case-by-case basis.

(c) A Mixed Use Overlay District should offer one (1) or more of the following advantages:

(2) Designs that are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards.

(6) Designs which provide a choice in the type of environment available to the public by allowing development that would not be possible under the strict application of other sections of this Code.

Docket No. 11-50-20
15527 Madison Avenue

8

Mixed-Use Overlay

1135.03 DESIGNATION OF A MIXED USE OVERLAY DISTRICT.

(b) Development Standards. The development standards, including, but not limited to, the yard and setback requirements, the height limitations, parking requirements, open space areas, and signage shall be established as a function of the application to establish a Mixed Use Overlay District and the approval of the application. The following regulations shall be observed:

(2) Parking.

A. Applicants for Mixed Use Overlay developments shall submit a parking and traffic management proposal that does not adversely affect the neighborhood, identifies peak use times, and explores shared parking agreements.

(3) Structural Requirements.

A. Mixed Use Overlay proposals must contain a residential component.

D. The principal or primary entrance to a non-residential structure must be located on the building front.

(4) Outdoor dining. Outdoor dining shall be permitted as a conditional use in a Mixed Use Overlay District pursuant to Section 1161.03(t).

1135.05 PRINCIPAL AND CONDITIONALLY PERMITTED USES.

Modification of development standards shall be permitted on the authority of the Commission as part of the conditional use review.

Docket No. 11-50-20
15527 Madison Avenue

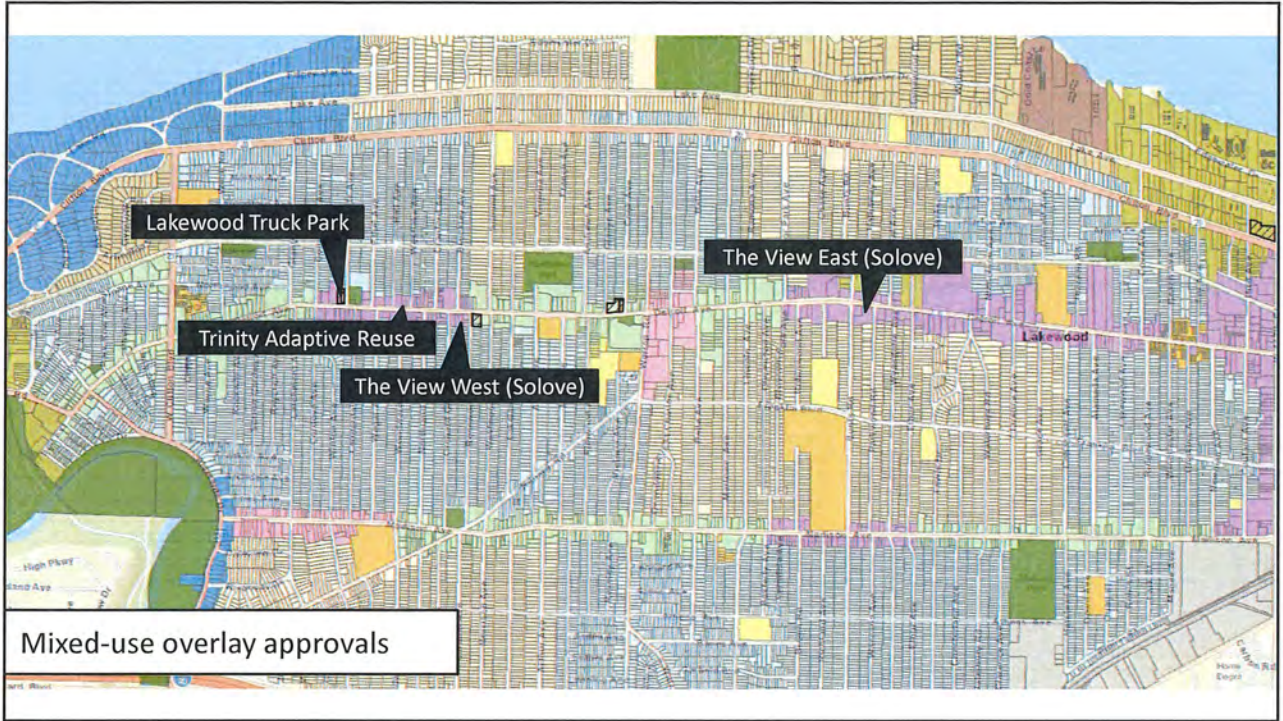
Community Vision

Our Vision supports locally owned business and entrepreneurship. It encourages high quality, sustainable and diverse mixed-use development in our commercial corridors and businesses that serve local needs.

Success is a City that...

- Designs and maintains commercial districts that are safe and inviting for pedestrians and cyclists
- Strives for commercial buildings that have a mix of uses
- Adopts and maintains a Zoning Code that is nimble enough to address evolving markets and commercial opportunities, including changes in energy production and distribution
- Minimizes the impacts of late-night commercial activity through design and enforcement

Docket No. 11-50-20
15527 Madison Avenue



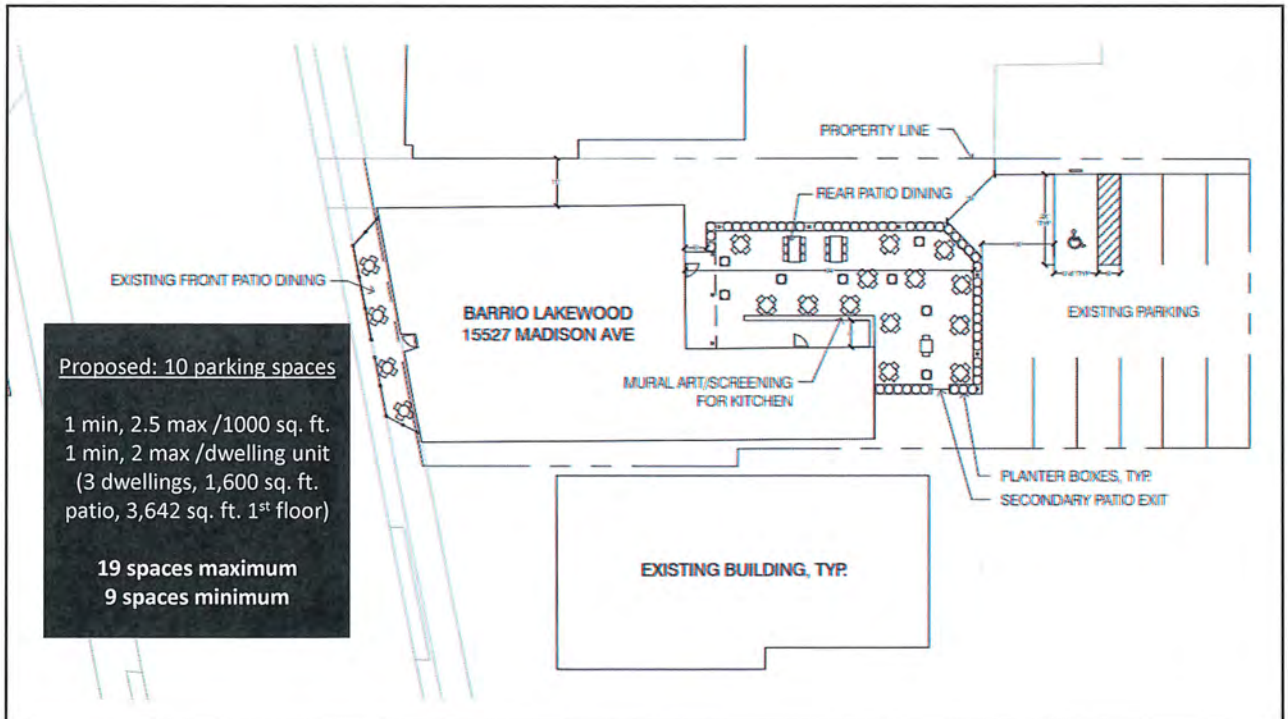
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14

1161.03 (t)

- The total number of seats shall not exceed **25%** of the maximum number of previously approved indoor seats. *(Modified per 1135.05)*
- Operate only between the hours of 11:00 a.m. and 10:00 p.m. Sunday through Thursday, 11:00 a.m. Friday to 1:00 a.m. Saturday and 11:00 a.m. Saturday to 1:00 a.m. Sunday
- Open between the months of **April through and inclusive of October**. *Where the Outdoor/Seasonal Dining Facility is located entirely on private property, it may be permitted to operate year-round upon approval of the Planning Commission.*

Docket No. 11-50-20
15527 Madison Avenue

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Request

- Review and approval of a conditional use permit for a mixed-use overlay. Pursuant to Chapter 1135 – Mixed Use Overlay District. The property is in a C2 - Commercial, Retail district.
- Review and approval of a conditional use permit for outdoor dining in the rear parking lot. Pursuant to section 1161.03(t) – outdoor/seasonal dining facility. The property is in a C2 - Commercial, Retail district. *(Modified per 1135.05 permitting additional seating)*

Recommended condition: Signed letter from owner acknowledging support of applications.

Docket No. 11-50-20
15527 Madison Avenue

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Docket No. 02-03-21
1384 Hird Avenue

FIELDHOUSE PARKING PLAN REVIEW

18



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Request

Review and approval of a parking plan update for the Fieldhouse @ Studio West project. Pursuant to section 1143.09 - Parking Plan Review. The property is in a C3 - Commercial, General Business district

Docket No. 02-03-21
1384 Hird Avenue

20

Previous Conditions

A motion was made by Mr. Wise, seconded by Ms. Jordan to **APPROVE** the request with the following conditions:

- Applicant is required to provide the parking as shown on the proposed site plan for 1384 Hird with **10 parking spaces**, 24 bike/scooter parking and the ride-sharing service stop, and an additional 113 owner-controlled spots within 500 ft, for which letters of intent have been provided.
- Applicant is in the process of acquiring additional properties in the neighborhood. The applicant will return to Planning Commission to update the parking plan to include all additional buildings that have already been determined to be part of the project, or that can reasonably be construed due to be a part of the project. The applicant will apply for a Mixed-Use Overlay District or Planned Development Rezoning and develop a comprehensive parking plan for the project.
- Applicant will apply for wayfinding signage approval from ABR to ensure patrons can utilize the approved parking plan.
- Collect data on how many patrons use ride sharing services to travel to and from the fieldhouse.

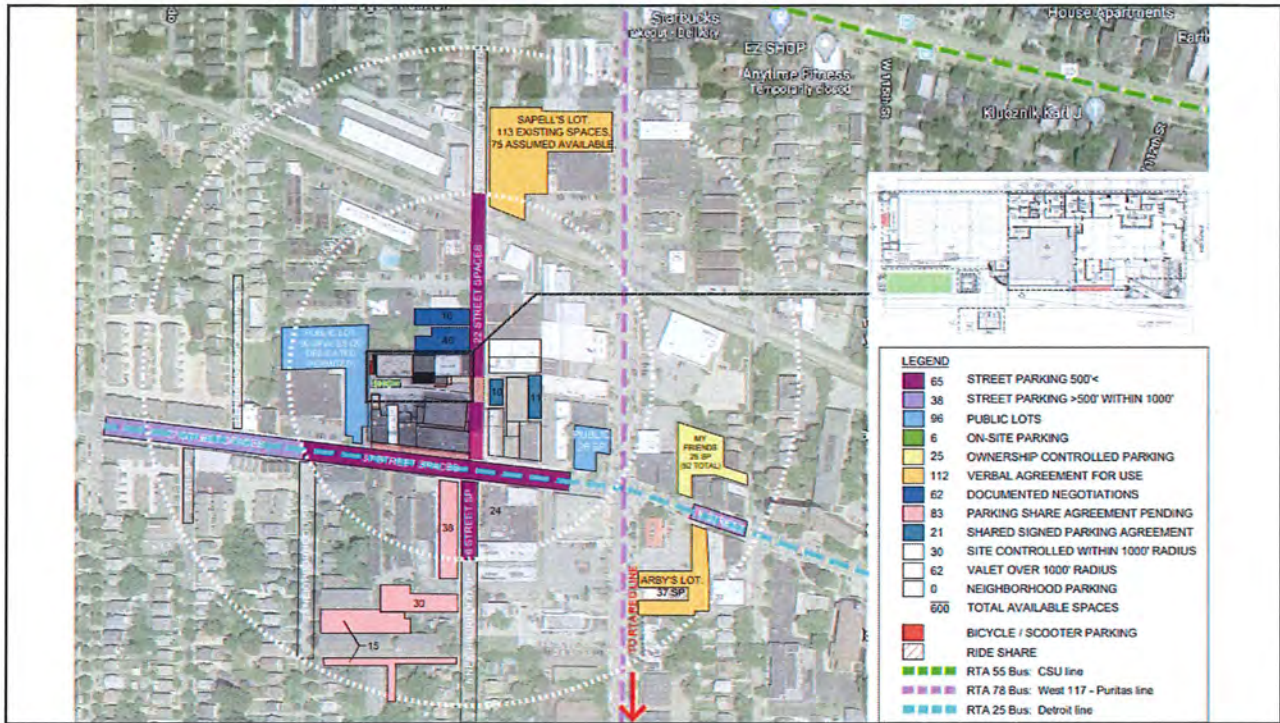
Docket No. 02-03-21
1384 Hird Avenue

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Docket No. 02-03-21
1384 Hird Avenue

22



23

Previous Conditions

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- Applicant is required to provide the parking as shown on the proposed site plan for 1384 Hird with 10 parking spaces, 24 bike/scooter parking and the ride-sharing service stop, and an additional 113 owner-controlled spots within 500 ft, for which letters of intent have been provided.
- Applicant is in the process of acquiring additional properties in the neighborhood. The applicant will return to Planning Commission to update the parking plan to include all additional buildings that have already been determined to be part of the project, or that can reasonably be construed due to be a part of the project. The applicant will apply for a Mixed-Use Overlay District or Planned Development Rezoning and develop a comprehensive parking plan for the project.
- Applicant will apply for wayfinding signage approval from ABR to ensure patrons can utilize the approved parking plan.
- Collect data on how many patrons use ride sharing services to travel to and from the fieldhouse.

Docket No. 02-03-21
1384 Hird Avenue

24




Request

Review and approval of a parking plan update for the Fieldhouse @ Studio West project. Pursuant to section 1143.09 – Parking Plan Review. The property is in a C3 - Commercial, General Business district

Docket No. 02-03-21
1384 Hird Avenue

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Docket No.
Communication

BRICK PAINTING CODE

26

Request

The City of Lakewood requests approval of proposed standards for the painting or covering of masonry surfaces to be implemented by the Architectural Board of Review as authorized by Section 1325.04 of the Codified Ordinances.



CITY OF LAKEWOOD STANDARDS FOR PAINTING OR COVERING OF MASONRY SURFACES

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 - a. Painting masonry results in regular, costly maintenance whereas natural masonry is low in maintenance work and cost.
 - b. Painting masonry can result in moisture being trapped in the wall system causing unintended damage to the masonry itself and the building.
 - c. For historic buildings or those located in a historic district, painting of masonry is not recommended by the Secretary of Interior's Standards for Historic Rehabilitation and such action may result in the loss of the historic designation of the building or district - including possibly preventing a building or district from being nominated; and
 - d. There are other alternatives to the painting of masonry.
2. However, in the event such painting, staining, or covering is found to be necessary, at a minimum:
 - a. The application of such paint, stain, or covering must use a system compatible with the surface on which it is being applied. A mineral paint system is preferred.
 - b. The paint, stain, or covering must be durable, easy to apply and have good adhesive characteristics.
 - c. The paint, stain, or covering must be porous, thereby permitting the wall to breathe and preventing the trapping of free moisture behind the paint or stain film or covering.
 - d. All manufacturer and industry standard specifications must be followed.
 - e. A maintenance plan must be provided and developed in accordance with manufacturer and industry standards and strictly implemented.
3. Clear / Transparent and porous waterproofing allowing the wall to breathe is permissible with the application of a system compatible with the surface on which it is being applied. All manufacturer and industry standard specifications must be followed.
4. The U.S. Secretary of Interior Standard for Rehabilitation of Historic Structures shall be complied with for any building:
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 - b. Individually listed or located within a listed district of the National Register of Historic Places.
5. All contractors must be registered with the City prior to the commencement of any approval work subject to these standards.

Request

The City of Lakewood requests approval of proposed standards for the painting or covering of masonry surfaces to be implemented by the Architectural Board of Review as authorized by Section 1325.04 of the Codified Ordinances.

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Planning Commission
February 4, 2021



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