

**MINUTES
PLANNING COMMISSION
CITY OF LAKEWOOD
12650 DETROIT AVENUE
AUDITORIUM
MAY 5, 2022
6:30 P.M.
MEETING RECORDED
<https://www.lakewoodoh.gov/videos-2/>**

The meeting was called to order at 6:30 p.m.

1. Roll Call

Members Present

Kyle Krewson, Chair
Nicholas LaPointe
Sean McDermott, Vice Chair
Kyle Reisz
William Sanderson

Others Present

Katelyn Milius, Secretary, Assistant Director
Mark Papke, City Engineer
Jennifer Swallow, Executive Assistant Law Director

2. APPROVE THE MINUTES OF THE APRIL 7, 2022 MEETING

A motion was made by Mr. Krewson, seconded by Mr. LaPointe to **APPROVE** the April 7, 2022 meeting minutes as amended (first and second motion names added). All the members voting yea, the motion passed.

3. OPENING REMARKS

Administrative staff ("staff") read the Opening Remarks into record.

OLD BUSINESS

CONDITIONAL USE

- 1. Docket No. 04-06-22
14615 Detroit Ave.
CHASE Bank**

Terron Wright, The Architects Partnership, LTD, applicant, requests approval of conditional use permit for the use of a drive-thru ATM lane. Pursuant to Section 1129.17 – Supplemental Regulations for Drive-through Facilities. The property is located in a C1, Commercial - Office district. (Page 3)

Staff received communication from the applicant requesting a deferral.

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **DEFER** the request until June 2, 2022. All the members voting yea, the motion passed.

PARKING PLAN

- 2. Docket No. 04-07-22
14615 Detroit Ave.
CHASE Bank**

Terron Wright, The Architects Partnership, LTD, applicant, requests approval of a parking plan. Pursuant to Section 1143.79 – Parking Plan Review: Planning Commission. The property is located in a C1, Commercial - Office district. (Page 19)

Staff received communication from the applicant requesting a deferral.

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **DEFER** the request until June 2, 2022. All the members voting yea, the motion passed.

REVIEW OF CONDITIONAL USE

3. Docket No. 05-09-22

**16900-06 Detroit Avenue + 1386, 1376 Edwards Avenue
Lakewood Beer Garden + Food Truck Park**

At the June 7, 2018 meeting, the Planning Commission approved a mixed-use overlay with outdoor dining. The property is in a C3, General Business and an R2, Single and Two-Family district. The Planning Commission has requested a review of the conditional use as a result of noise complaints that occurred over the past year. (Page 34)

Dan Deagan was present to explain the request. Staff relayed complaints from the public to the members. Discussion ensued between the applicant and members about the noise issues. Written communications had been distributed to the members prior to the meeting (made part of record). Public comment was closed as no one addressed the item. The members asked about barriers between the business and adjoining properties, the parking lot, live music, sound system and speakers. Ms. Swallow explained the response process by the police. Asked about parking, the employees were allowed to park at the YCMA back parking lot.

A motion was made by Mr. Krewson, seconded by Mr. LaPointe to **APPROVE** the conditional use with the following condition:

- Administrative staff is to provide a report at the August 4, 2022 meeting.

All the members voting yea, the motion passed.

4. Docket No. 05-10-22

**13601-05 Detroit Avenue
O'Toole's Pub**

At the June 18, 2020 meeting, Planning Commission approved conditional use for temporary expansion of outdoor dining. The property is in a C3 Commercial - General Business district. The Planning Commission has requested a review of the conditional use as a result of right-of-way complaints/concerns. (Page 39)

Patrick O'Toole had conflicting appointments and would not be at the meeting. He sent an email stating that he and his staff checked periodically throughout the day to ensure the fence was located properly. Staff stated the reasons for bringing the issue to the members. Public comment was closed as no one addressed the item. Discussion between the members and staff began about anchoring the barriers although the business was approved for temporary outdoor dining, demark the area with paint / temporary visual markings on the concrete, installation of a parklet, ADA compliance, condition of the sidewalk, instability of the unanchored fence, and expiration of the permitted Temporary Outdoor Dining at the end of the year.

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **APPROVE** the conditional use for the front and side dining areas with the following conditions:

- There are temporary visual markings on the concrete denoting post placement of the fencing.
- If the city confirms on more than two occasions that they encroach closer than thirty-six inches (36”), the Temporary Outdoor Dining Conditional Use permit is revoked.

All the members voting yea, the motion passed.

NEW BUSINESS CONDITIONAL USE

5. Docket No. 05-11-22

2051 Quail St.

North Coast Baptist Church

Rich Bozic, Blatchford Architects, LLC request approval for the expansion of a non-conforming structure. Pursuant to Section 1149.03 – Non-conforming use of structures. The applicant received a side yard setback variance from Board of Zoning Appeals at their meeting on April 21, 2022. Property is in an R2, Single-and Two-Family district. (Page 41)

Travis Logsdon, Blatchford Architects, LLC and John Lutz, Pastor of the North Coast Baptist Church were present to explain the request to allow expansion for ADA compliance. Staff provided an analysis of the proposal. Public comment was closed as no one addressed the item. The members asked about the allowable square footage for lot coverage.

A motion was made by Mr. McDermott, seconded by Mr. LaPointe to **APPROVE** the request with the following condition:

- The administration confirms that no variance was needed for lot coverage.

All the members voting yea, the motion passed.

6. Docket No. 05-12-22

18120 Sloane Ave.

Immigrant Son Brewery

Andrew Revy, Immigrant Son Brewery, requests a conditional use for outdoor dining. Pursuant to Section 1161.03 (t) – Conditional Use for Outdoor/Seasonal Dining. The property is in a C2, Commercial – Retail district. (Page 48)

Jessie Eizenber, builder and representative was present to explain the request. Staff provided an analysis of the proposal. Written public comments had been distributed to the members prior to the meeting (made part of record). Public comment was taken. There was discussion about the ADA compliance related to the parking spaces and table seating. The location of the parking bollards/signs inside the patio was also a concern with the potential for cars to roll over the curb stops into diners. Applicant should look into moving bollards/signs outside the fence. The plan as shown appeared to encroach on CEI property for daily operation and egress, and discussion occurred about if the use of this space was approved. There was discussion about the possible installation of another fence on applicant's property, patio egress, and the liquor control board requirements. The Division of Housing and Building had to be consulted on specifics for ADA. The Planning Commission did not feel comfortable with approval with so much of the plan components up in the air.

A motion was made by Mr. Krewson, seconded by Mr. McDermott to **DEFER** the request. All the members voting yea, the motion passed.

7. Docket No. 05-13-22

11801 Detroit Ave.

Studio West 117

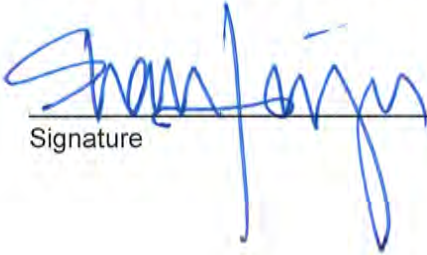
Kenneth Esry, Larsen Architects requests approval of a conditional use for accessory parking. Pursuant to Section 1161.03 (a) – Accessory Parking. The property is in a C3, Commercial – General Business. (Page 56)

Staff received communication from the applicant requesting a deferral.

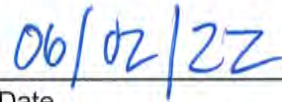
A motion was made by Mr. Krewson, seconded by Mr. Sanderson to **DEFER** the request until June 2, 2022. All the members voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **ADJOURN** the meeting at 7:51 p.m. All the members voting yea, the motion passed.

A handwritten signature in blue ink, appearing to be "Stanford", written over a horizontal line.

Signature

A handwritten date in blue ink, "06/02/22", written over a horizontal line.

Date



Oath

(You need not give an oath if you object. If you object to giving an oath, please notify the hearing officer or secretary before signing below.)

I, the undersigned, hereby solemnly swear that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

1. Scott Heasley, Esq

Scott Heasley

2. Travis Logsdon

Travis Logsdon

3. John Lutz

John Lutz

4. JEFF EIZENBERG

Jeff Eizenberg

5. Donna Camp

Donna Camp

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ABR/BBS Citizens Advisory Civil Svc. Dangerous Dog Income Tax Appeals Loan Approval Nuisance Abatement Appeals Parking Planning Zoning Appeals Other:

Date of Proceeding: Thursday, May 5, 2022



Planning Commission
May 5, 2022

Agenda

- **Chase Bank** – Deferral Requested
 - Parking Plan Review
 - Conditional Use-Banking Drive-thru
- **Outdoor Dining Review**
 - Lakewood Truck Park
 - O’Toole’s
- **North Coast Baptist - Expansion of a Non-Conforming Use**
- **Immigrant Son Outdoor Dining**
- **Conditional Use, Accessory Parking - Withdrawn**



Planning Commission
May 5, 2022



DOCKET NO. 04-06-22

CHASE BANK-14615 DETROIT

DEFERENTIAL REQUESTED



DOCKET NO.

OUTDOOR DINING REVIEW

LAKEWOOD TRUCK PARK

Request

The review of the conditional use for outdoor dining pursuant to section 1161.03. The property is in a C3, General Business and an R2, Single and Two-Family district. The Planning Commission has requested a review of the conditional use as a result of noise complaints that occurred over the past year.



An aerial map of a city street grid, likely Detroit, Michigan, with various street names and house numbers visible. The map is overlaid with text. The text is white and black, and the map itself is a light blue and grey color.

Conditions Summary:

No live music on patio past 8 PM

Outdoor bar closes at 10 PM on weekdays



DOCKET NO.

OUTDOOR DINING REVIEW

O'TOOLE'S PUB

Request

The review of the conditional use for temporary outdoor dining pursuant to section 1161.03. The property is in a C3 Commercial - General Business district. The Planning Commission has requested a review of the conditional use as a result of right-of-way complaints/concerns.





DOCKET NO.

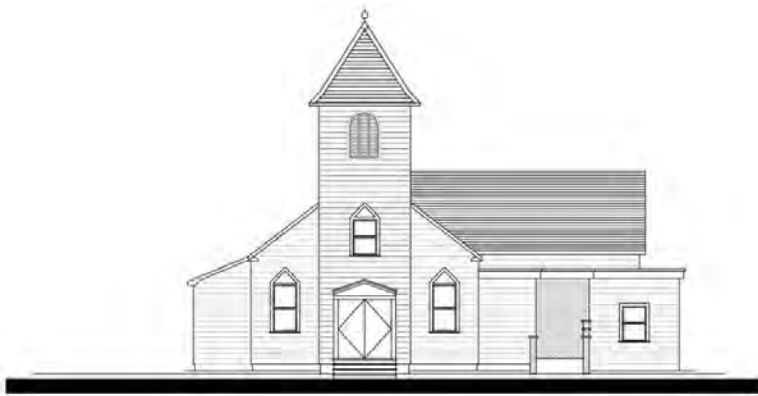
NORTH COAST BAPTIST

EXPANSION OF A NON-CONFORMING USE

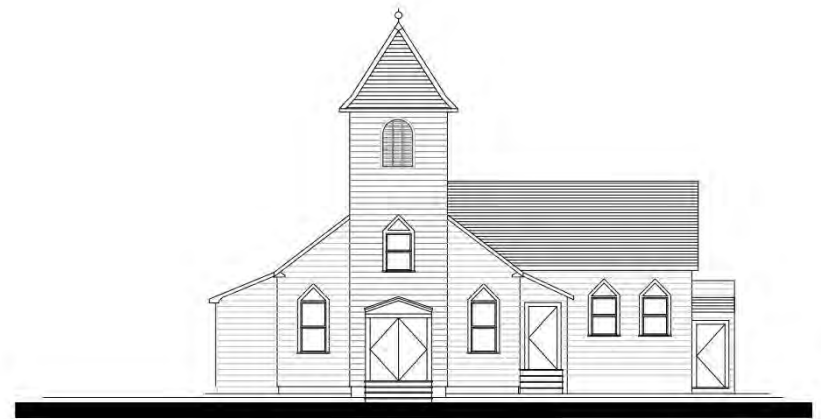


Request

The review and approval for the expansion of a non-conforming structure. Pursuant to Section 1149.03 – Non-conforming use of structures. The applicant received a side yard setback variance from Board of Zoning Appeals at their meeting on April 21, 2022. Property is in an R2, Single-and Two-Family district.



Proposed Side Elevation
1/8" = 1'-0"



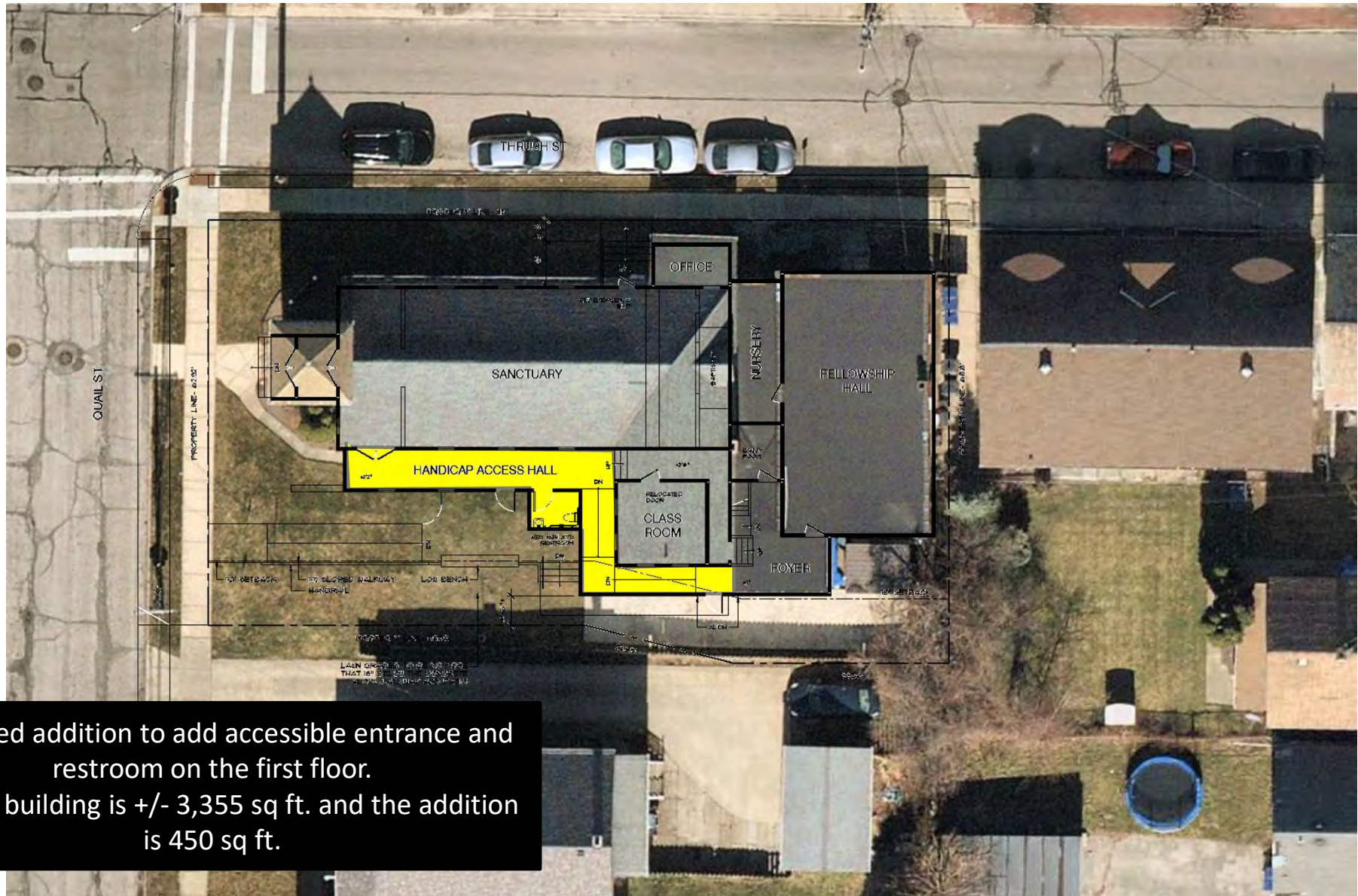
Existing Side Elevation
1/8" = 1'-0"



1149.03 NON-CONFORMING USE OF STRUCTURES OR STRUCTURES AND LAND IN COMBINATION.

- The Commission may authorize the expansion of a non-conforming structure or use a maximum of 2,000 square feet **Addition of 450 sq. ft.**
- Side and rear yards a minimum of ten (10) feet wide/deep will be maintained along lot lines abutting conforming uses; **BZA granted variance for side yard setback at their meeting on 4/21**
- That expansion of the non-conforming use will not have a substantial negative impact on the surrounding area; the Commission may consider:
 - A. Traffic patterns and generation, including on-site loading and unloading areas; **Proposed addition does not add capacity**
 - B. Parking; **Proposed addition does not add capacity**
 - C. Lighting;
 - D. Whether there will be a substantial increase in the generation of noise, vibrations, or fumes; and **None**
 - E. Existing public services. **No concern**



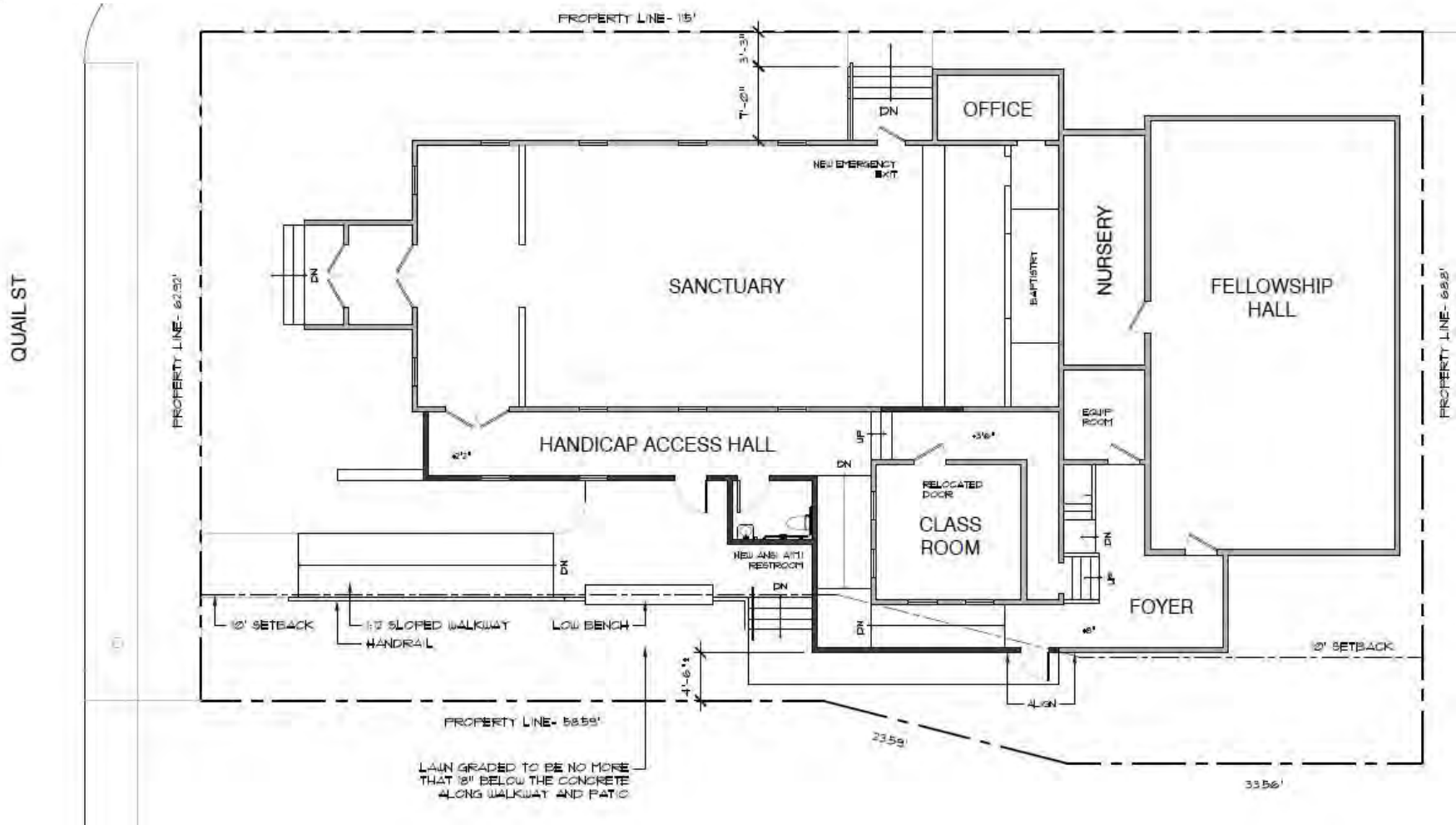


Proposed addition to add accessible entrance and restroom on the first floor. Existing building is +/- 3,355 sq ft. and the addition is 450 sq ft.

Administrative Comments

- Existing church is a non-conforming structure in the R-2 District
- The ADA does not require the church to make accessibility changes, the church is compelled to make the changes to meet the needs of the congregation

THRUSH ST





Request

The review and approval for the expansion of a non-conforming structure. Pursuant to Section 1149.03 – Non-conforming use of structures. The applicant received a side yard setback variance from Board of Zoning Appeals at their meeting on April 21, 2022. Property is in an R2, Single-and Two-Family district.



DOCKET NO.

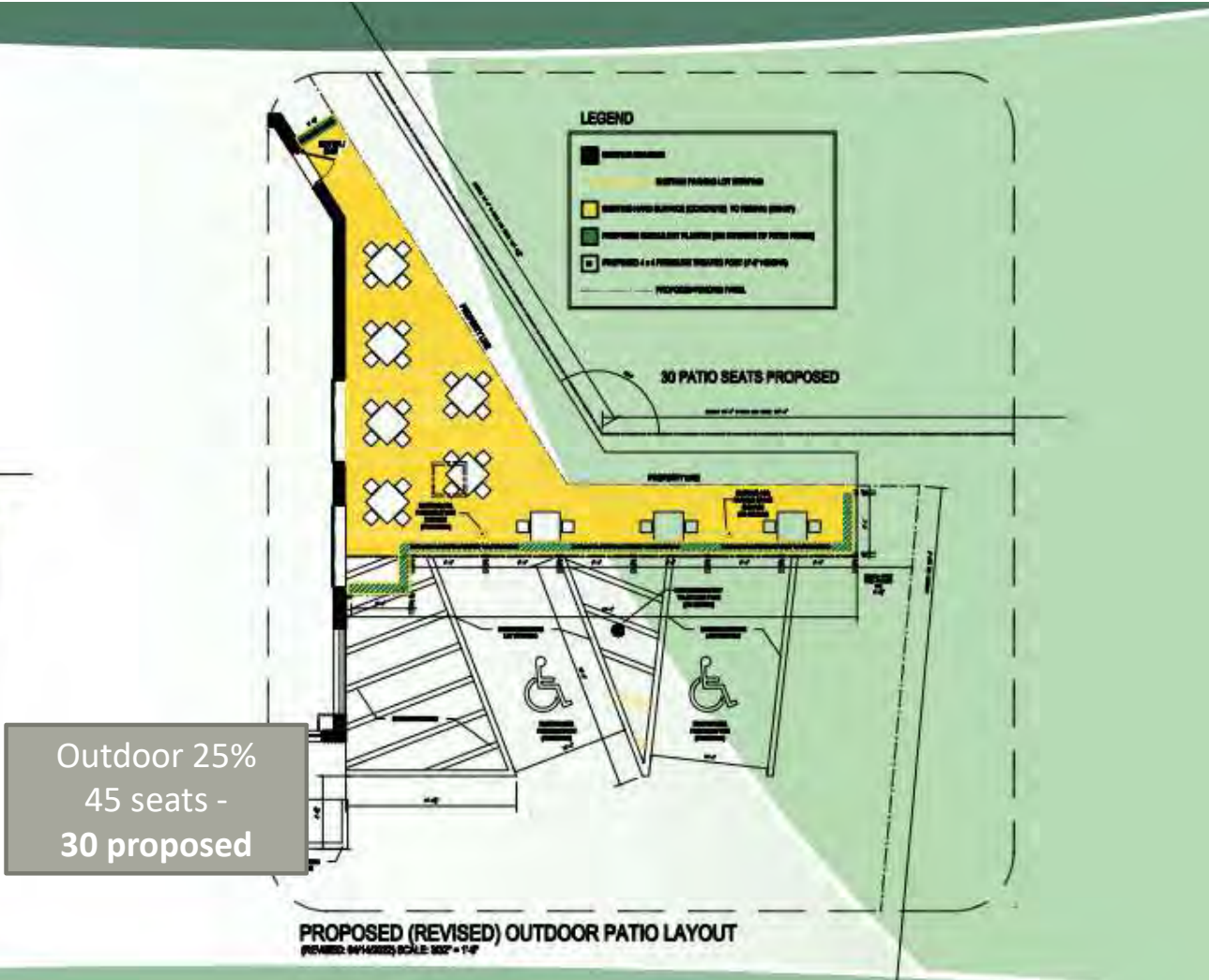
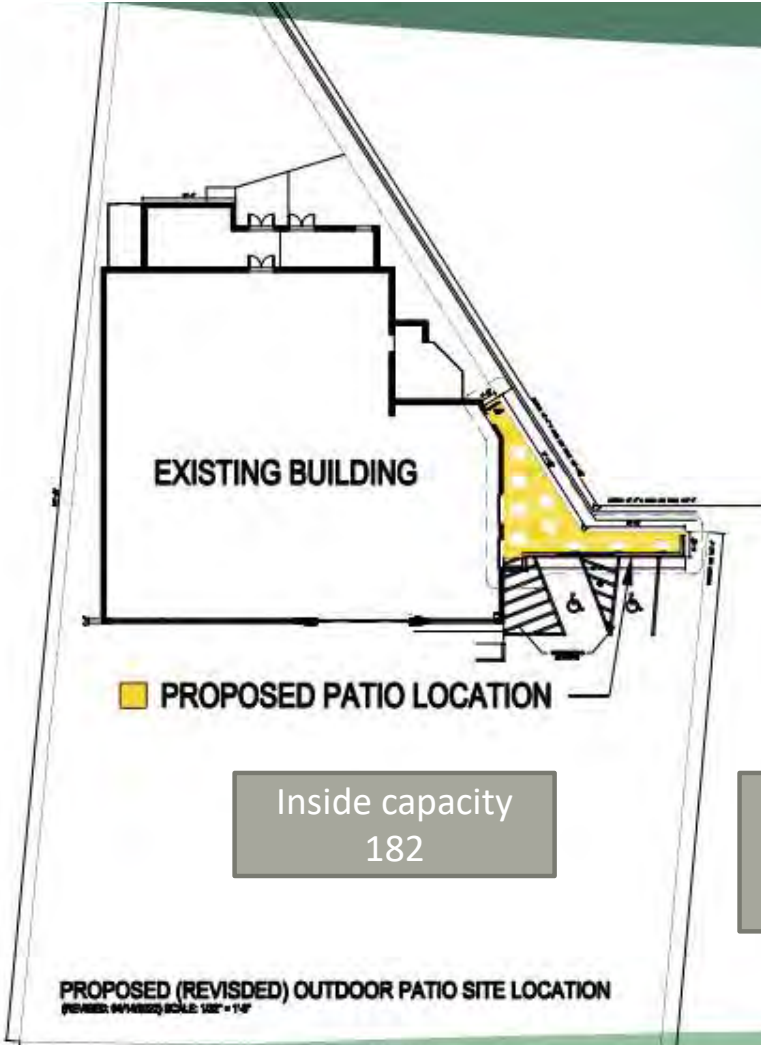
OUTDOOR DINING

IMMIGRANT SON BREWERY



Request

The review and approval of a conditional use for outdoor dining. Pursuant to Section 1161.03 (t) – Conditional Use for Outdoor/Seasonal Dining. The property is in a C2, Commercial – Retail district.



Existing Parking 41 spaces

Building Square Footage: 9,943 sq.ft.

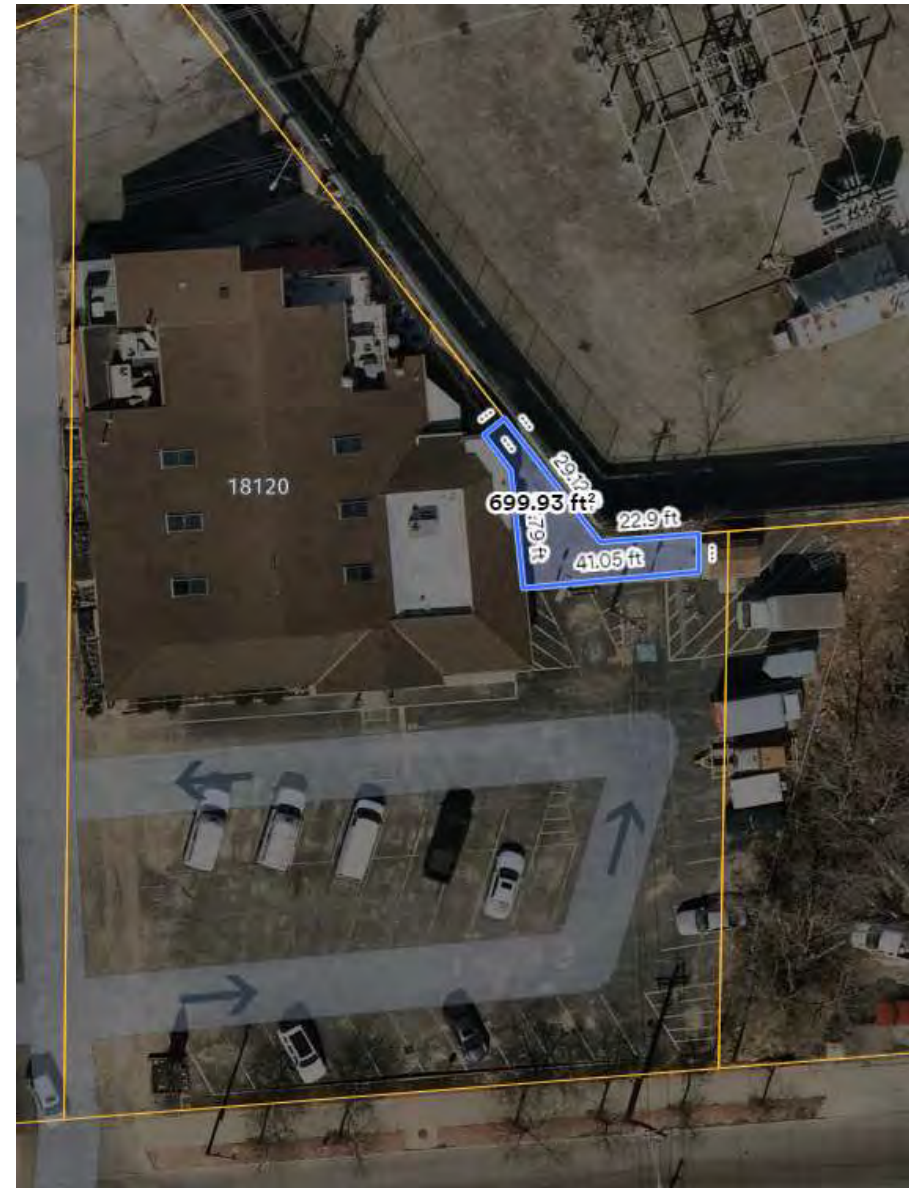
Parking required: Minimum 10 spaces, Maximum 24 spaces

Outdoor Dining area: approx. 700 sq.ft.

Due to seasonal nature, outdoor/seasonal dining need not require additional off-street parking, unless PC determines otherwise - 1161.03(t)(12)

1161.03

(12) An Outdoor/Seasonal Dining Facility need not require additional off-street parking unless the Planning Commission determines otherwise, or unless the Outdoor/Seasonal Dining Facility creates an overflow parking problem on adjacent public streets. Should a parking problem arise due to the Outdoor/Seasonal Dining Facility, the Director shall require the Applicant to make provisions for sufficient off-street parking on nearby non-residential properties.



An aerial, slightly blurred photograph of a city street. The street is paved and has a streetcar (trolley) in the middle. Buildings line both sides of the street, and there are some trees and utility poles visible. The overall tone is muted and slightly desaturated.

Additional Review

- Building Department will review for ADA compliance, lighting, egress, etc.
- ABR will review for design.







RESERVED
PARKING
♿
NO
MULTIPLE
\$250 FINE

⚠ DANGER
Keep Out!

Request

The review and approval of a conditional use for outdoor dining. Pursuant to Section 1161.03 (t) – Conditional Use for Outdoor/Seasonal Dining. The property is in a C2, Commercial – Retail district.

Condition used previously: The maximum seats per 1161 are permitted permanently. The number of seats will be XX temporarily through 2022.



DOCKET NO.

CONDITIONAL USE ACCESSORY

PARKING

STUDIO WEST 117



Planning Commission
May 5, 2022