



MINUTES
PLANNING COMMISSION
CITY OF LAKEWOOD
12650 DETROIT AVENUE
AUDITORIUM
MAY 7, 2026
6:00 P.M.
RECORDED

<https://www.lakewoodoh.gov/videos-2/>

Pre-review meeting Summary

Ms. Nochta discussed with commissioners the process by which sidewalk outdoor dining (SOD) are being evaluated in light of PROWAG being formally adopted as ordinance. All sidewalk dining proposals are evaluated prior to being permitted to apply for a conditional use to assure a 5 foot PAR can be maintained without obstruction, hazard and with compliant cross slope. The applicant is advised as to where they may have sidewalk dining, or if sidewalk dining cannot be permitted, and applicants must stay within the approved parameters. Ms. Nochta confirmed that Liquor control is still requiring some form of delineation of the sidewalk dining with ropes or barriers, and those must be within the permitted area.

1. ROLL CALL

Members Present

Nicholas LaPointe, Chair
Nicholas Miller
Kyle Reisz
William Sanderson, Vice Chair

Staff Present

Michelle Nochta, Principal Planner

A motion was made by Mr. LaPointe, seconded by Mr. Sanderson to excuse Ms. Hannah Gall from the meeting. All of the members voted yea; the motion passed.

2. APPROVE THE MINUTES OF THE APRIL 2, 2026 MEETING

A motion was made by Mr. Reisz, seconded by Mr. Sanderson to APPROVE the April 2, 2026 meeting minutes. All of the members voted yea; the motion passed.

3. OPENING REMARKS

Ms. Nochta read the Opening Remarks into record.

NEW BUSINESS

CONDITIONAL USE

4. Docket No. 05-13-26 SOD
13715 Madison Ave.
Angelo's Pizza Sidewalk Dining 2026

Thomas Kess, Jr., Angelo's Pizza, applicant requests the review and approval for a conditional use permit to operate seasonal outdoor dining on a public sidewalk, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. (Ord. 33-2022. Passed 11-21-22.) The property is in the C3, Commercial General district.

Karen Hedge, Angelo's Pizza, applicant, was present. Ms. Nochta discussed the reapproval due to the passing of PROWAG, and she recommended that the application be approved as presented, as the applicant's plan is compliant.

A motion was made by Mr. LaPointe, seconded by Mr. Sanderson to APPROVE Docket No. 05-13-26, with the following condition:

- Maintain compliant Pedestrian Access Route (PAR) of 5 feet.

All of the members voted yea; the motion passed.

5. Docket No. 05-14-26 SOD
15027 MADISON AVE
Sunday Bird Sidewalk Dining 2026

Tim Frazee, Sunday Bird, applicant requests the review and approval for a conditional use permit to operate seasonal outdoor dining on a public sidewalk, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. (Ord. 33-2022. Passed 11-21-22.) The property is in the C2, Commercial Retail district.

Tim Frazee, Sunday Bird, applicant was present. Ms. Nochta stated that this was a new application for sidewalk outdoor dining, however, has the same setup as the previous business. She explained that when she came out to inspect, the brick needed to be re-set in order to be compliant. The brick was repaired and is now compliant. Ms. Nochta also discussed the general standards for all conditional uses to ensure applicant is aware of those standards, including adequate illumination, must be kept sanitary, neat, and clean, must be in compliance with ADA, etc.

A motion was made by Mr. LaPointe, seconded by Mr. Reisz to APPROVE Docket No. 05-14-26. With the following condition:

- Maintain compliant Pedestrian Access Route (PAR) of 5 feet.

All of the members voted yea; the motion passed.

6. Docket No. 05-15-26 SOD
14810 MADISON AVE
Red Rose Cafe Sidewalk Dining 2026

Rose Kirschnick, Red Rose Cafe, applicant requests the review and approval for a conditional use permit to operate seasonal outdoor dining on a public sidewalk, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. (Ord. 33-2022. Passed 11-21-22.) The property is in the C2, Commercial Retail district.

Rose Kirschnick, Red Rose Café, was present. Ms. Nochtta discussed the reapproval due to the passing of PROWAG, and she recommended that the application be approved as presented, as the applicant’s plan is compliant with the allowable area shortened (3.8 ft. from building and 15 ft. length).

A motion was made by Mr. LaPointe, seconded by Mr. Reisz to APPROVE Docket No. 05-15-26. With the following condition:

- Maintain compliant Pedestrian Access Route (PAR) of 5 feet.

All of the members voted yea; the motion passed.

7. Docket No. 05-16-26 SOD
12112 MADISON AVE
The Winchester Sidewalk Dining 2026

Shane Motolik, The Winchester, applicant requests the review and approval for a conditional use permit to operate seasonal outdoor dining on a public sidewalk, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. (Ord. 33-2022. Passed 11-21-22.) The property is in the C2, Commercial Retail district.

Keith Myers, co-owner, The Winchester was present. Ms. Nochtta recommended reapproval as no changes are necessary.

A motion was made by Mr. LaPointe, seconded by Mr. Miller to APPROVE Docket No. 05-16-26. With the following condition:

- Maintain compliant Pedestrian Access Route (PAR) of 5 feet.

All of the members voted yea; the motion passed.

8. Docket No. 05-17-26 SOD

13749 Madison Ave
McGinty's Pub Sidewalk Dining 2026

Patrick McGinty, McGinty's Pub, applicant requests the review and approval for a conditional use permit to operate seasonal outdoor dining on a public sidewalk, pursuant to section 1129.13 – supplemental regulations for outdoor/ seasonal dining facility. (Ord. 33-2022. Passed 11-21-22.) The property is in the C2, Commercial Retail district.

Patrick McGinty, McGinty's Pub, was present to discuss his plan. Mr. McGinty had questions about the space, post-construction of the Bunts project. He asked if it was possible to increase the space once the construction Bunts is complete. Mr. McGinty also asked what exactly a cross-slope was as Ms. Nochta was explaining the space and why it was smaller. She mentioned that the cross-slope will not change post construction, however, the applicant can come back post construction to discuss any chance of increasing the west storefront footprint. Mr. McGinty also asked if a railing would be permitted on the west side and if it was permitted, could he put stools under the railing, would it still be compliant. Ms. Nochta stated that the railing and stools would be compliant. Mr. Reisz confirmed that if the conditions change, post-construction, could the applicant come back and Ms. Nochta confirmed that the applicant could come back. Mr. LaPointe encouraged the City and applicant work together after the construction is complete to discuss any changes in the approved footprint.


A motion was made by Mr. LaPointe, seconded by Mr. Reisz to APPROVE Docket No. 05-17-26. With the following condition:

- Maintain compliant Pedestrian Access Route (PAR) of 5 feet.
- The area in front of the west storefront is reduced, see UPDATED site plan.
- Re-evaluate the area in front of the west storefront at the conclusion of the Bunts Road construction.


All of the members voted yea; the motion passed.

ADJOURN

A motion was made by Mr. LaPointe, seconded by Mr. Sanderson to ADJOURN the meeting at 6:24pm. All of the members voted yea; the motion passed.



Signature



Date

"Individuals with disabilities, who require accommodations for participation in meetings, must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 michelle.nochta@lakewoodoh.gov."



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. KAREN HEDGE
- 2. Tim France
- 3. Rose Kerschmull
- 4. Keith Myers
- 5. Patrick McGraw
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____

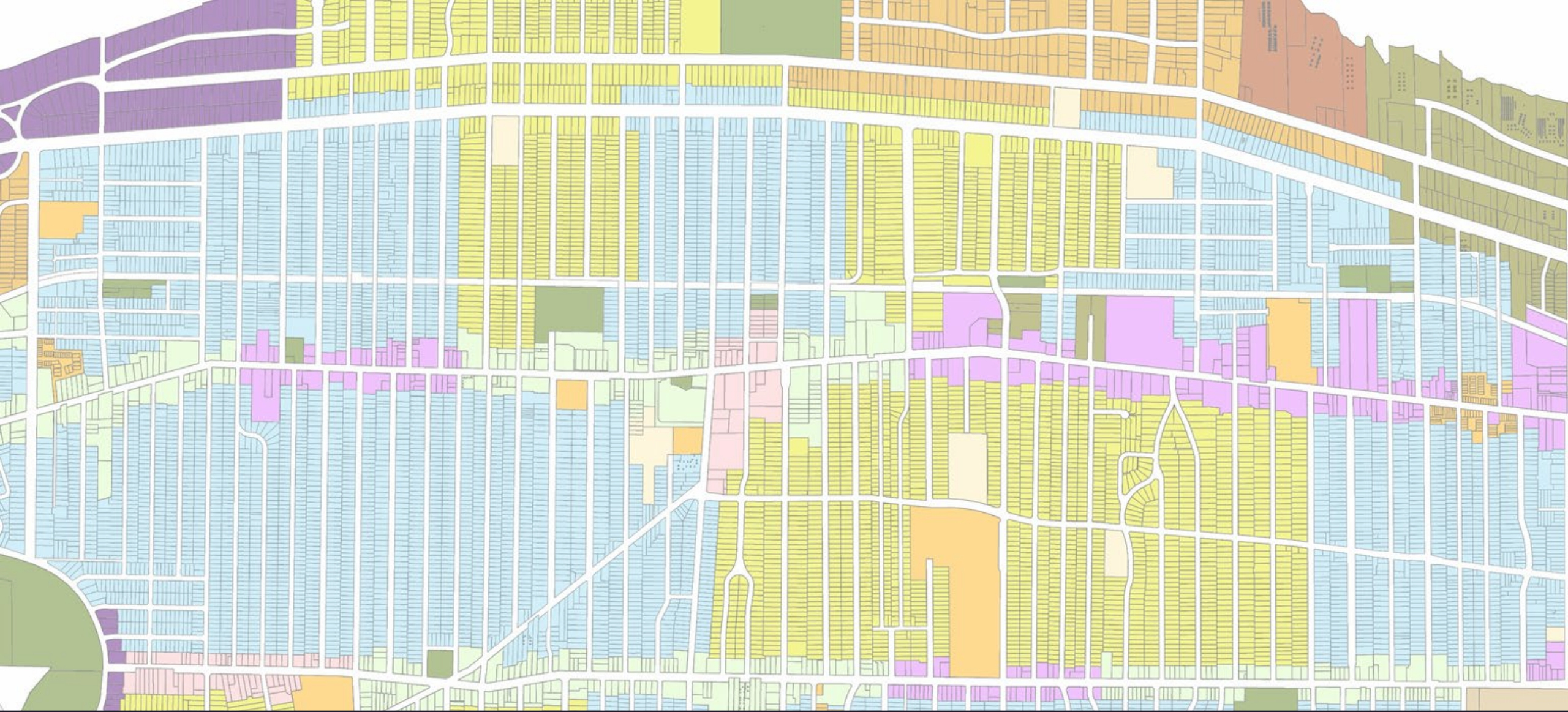
- Karen Hedge
- [Signature]
- Rose K
- [Signature]
- [Signature]
- _____
- _____
- _____
- _____
- _____
- _____

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 7, 2026



Planning Commission

May 7, 2026





Planning Commission
May 7, 2026 Agenda

1. Roll call
2. Adoption of minutes – April 2, 2026 meeting
3. Opening Remarks
4. **05-13-26** SOD Conditional Use, 13715 Madsion Ave(**Angelos's Pizza**; Sidewalk Outdoor Dining – PROWAG)
5. **05-14-26** SOD – Conditional Use, 15027 Madsion Ave(**Sunday Bird**; Sidewalk Outdoor Dining – PROWAG)
6. **05-15-26** SOD – Conditional Use, 14810 Madsion Ave(**Red Rose Cafe**; Sidewalk Outdoor Dining – PROWAG)
7. **05-16-26** SOD – Conditional Use, 12112 Madsion Ave(**The Winchester**; Sidewalk Outdoor Dining – PROWAG)
8. **05-17-26** SOD– Conditional Use, 13749 Madsion Ave(**McGinty's**; Sidewalk Outdoor Dining – PROWAG)
9. Adjourn



PROWAG Re-Approval

Docket 05-13-26 SOD– 13715 MADISON AVE
Conditional Use - Outdoor Dining (Angelo's Pizza)



City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director
(216) 529-6630
planning@lakewoodoh.gov

April 27, 2026

Angelo's Pizza
13715 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 13715 Madison Ave. for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- Width of dining area
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

Michelle Nocht
Senior Planner and ADA Coordinator City of Lakewood, Ohio
Michelle.Nocht@lakewoodoh.gov
(216) 529-5906



An aerial photograph of a city street intersection. The image shows several multi-story brick buildings, some with flat roofs and others with pitched roofs. There are trees scattered throughout the scene, particularly in the foreground and along the streets. A red location pin is visible on one of the buildings. Street names like Hilliard Rd, Mars Ave, and Madison Ave are visible in the background.

Recommendation (05-13-26) Conditional Use (Outdoor Dining)

The review and (re-approval) of **Conditional Use** pursuant to:

- Section 1161.03(t) – Conditional Use/Supplemental Regulations (Outdoor Dining)

Property is in a C3, Commercial (General) District.

13715 Madison Ave



Cuyahoga Safe & Lock Locksmith
SHAPESHIFT Skincare + Haircraft Health and beautyshop
Uncover Vintage Vintage clothing store

13711

Angelo's Pizza

Integrity Windows & Doors
Abc Lettering & Embroidery Embroidery shop

Slife

2016



3D



on Ave

Madison Ave

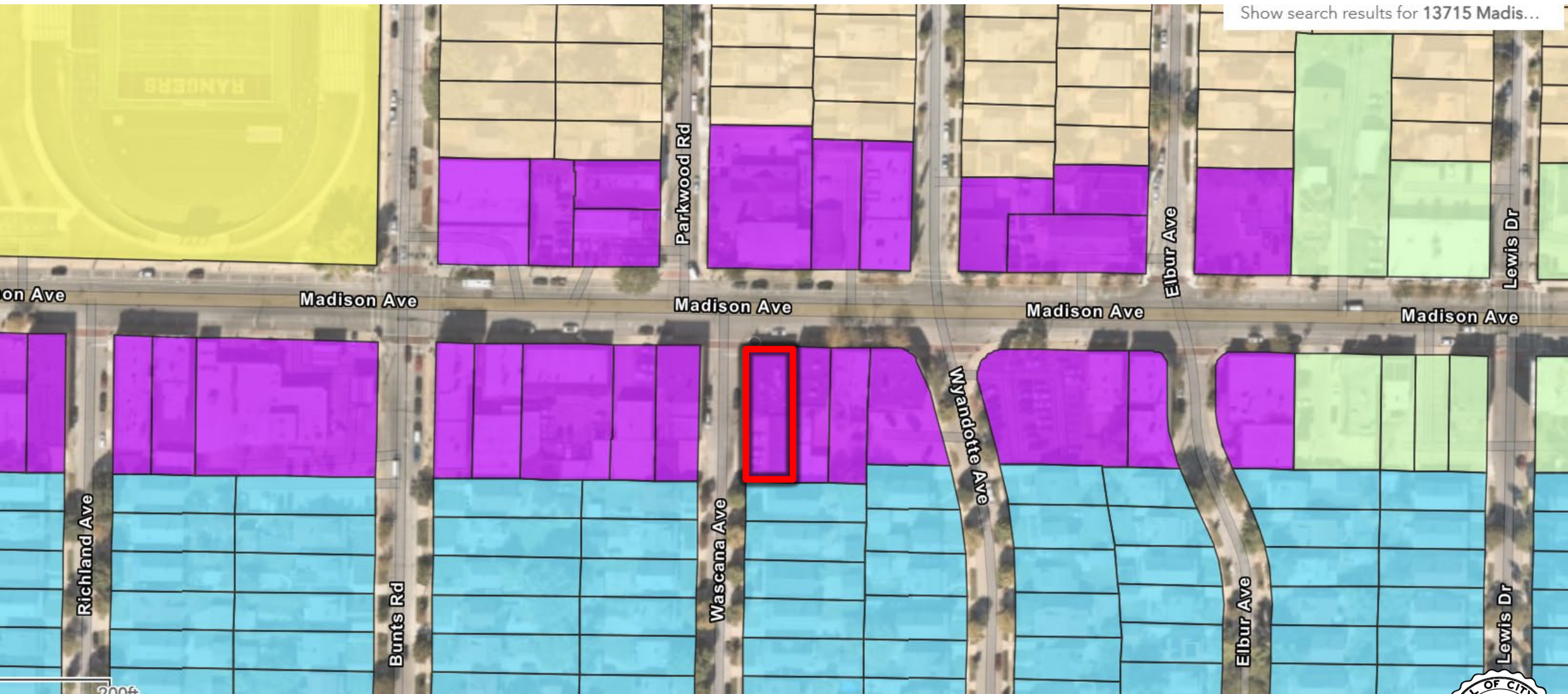
Madison Ave

Google Maps
Madison Ave

Madison Ave

13715 Madison Ave

Show search results for 13715 Madis...



PROWAG Assessment Process (2026)

- ❑ A multi-departmental team is dispatched at the businesses request to assess sidewalk conditions
- ❑ Cross slope must be measured in the proposed Pedestrian Access Route (PAR). If the cross slope on the proposed PAR exceeds the permitted 1:48 or 2% , a SOD is prohibited.
- ❑ Permitted minimum width of compliant PAR is 5 feet.
- ❑ If the SOD proposal meets all compliant PAR criteria, the business owner may apply for a new conditional use permit which must be in the pre-determined area.
- ❑ If approved by PC, business then applies for annual license. The license includes provision of insurance and use agreement.
- ❑ Staff will inspect installation and removal each year.
- ❑ After the initial year, SOD does not need to return to PC – just needs to maintain compliance and renew license each year.



City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director

(216) 529-6630
planning@lakewoodoh.gov

April 27, 2026

Angelo's Pizza
13715 Madison Ave.
Lakewood, OH 44107

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- ❑ Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- ❑ Width of dining area
- ❑ Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Nochta".

Michelle Nochta

Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nochta@lakewoodoh.gov

(216) 529-5906

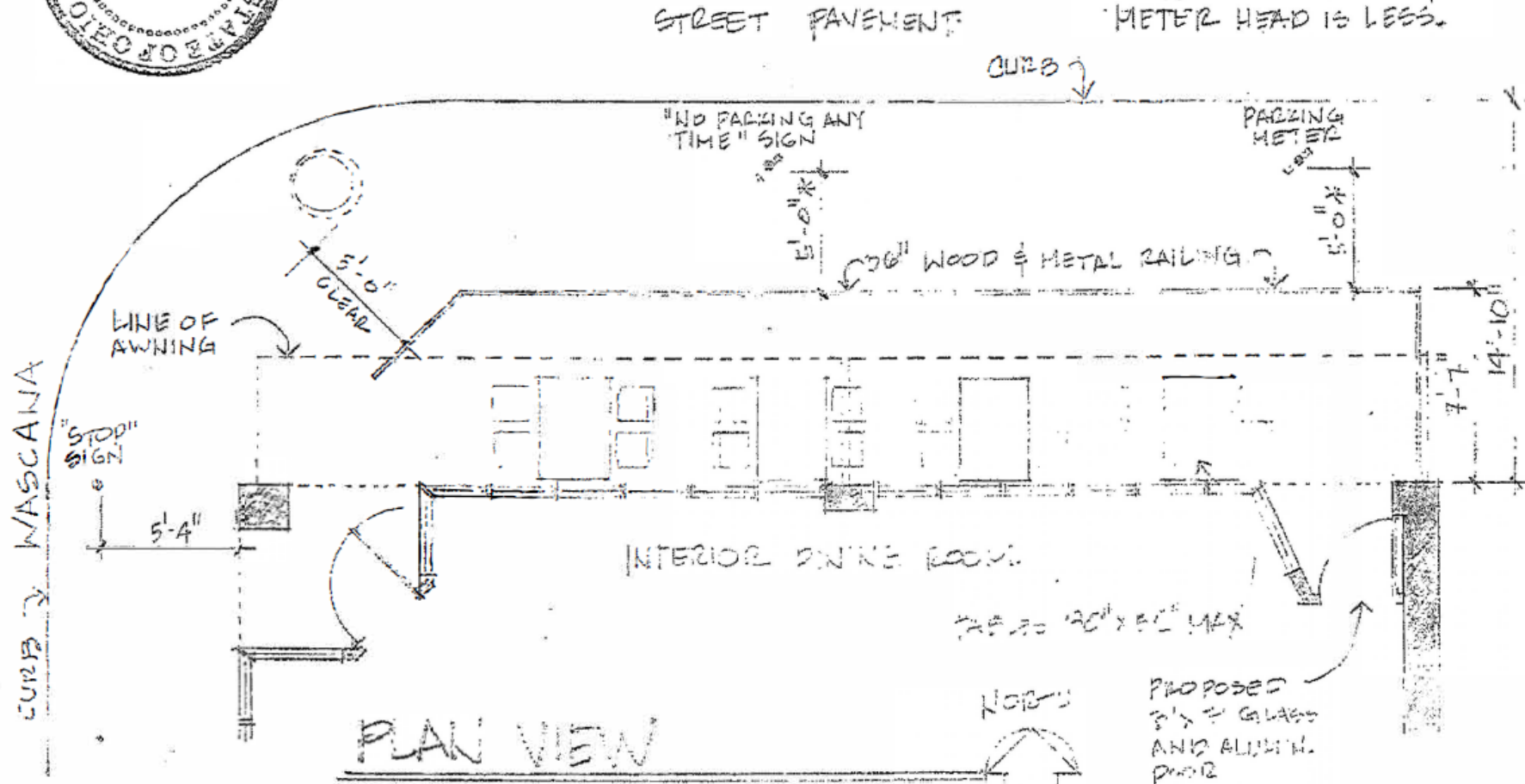
ANGELO'S PIZZA - EXTERIOR DINING. (SEATING CAP. 16)

13715 MADISON AVENUE, LAKEWOOD OHIO



MADISON AVENUE

* DIMENSION IS TO SUPPORT FOOT, DISTANCE TO SIGN/METER HEAD IS LESS.

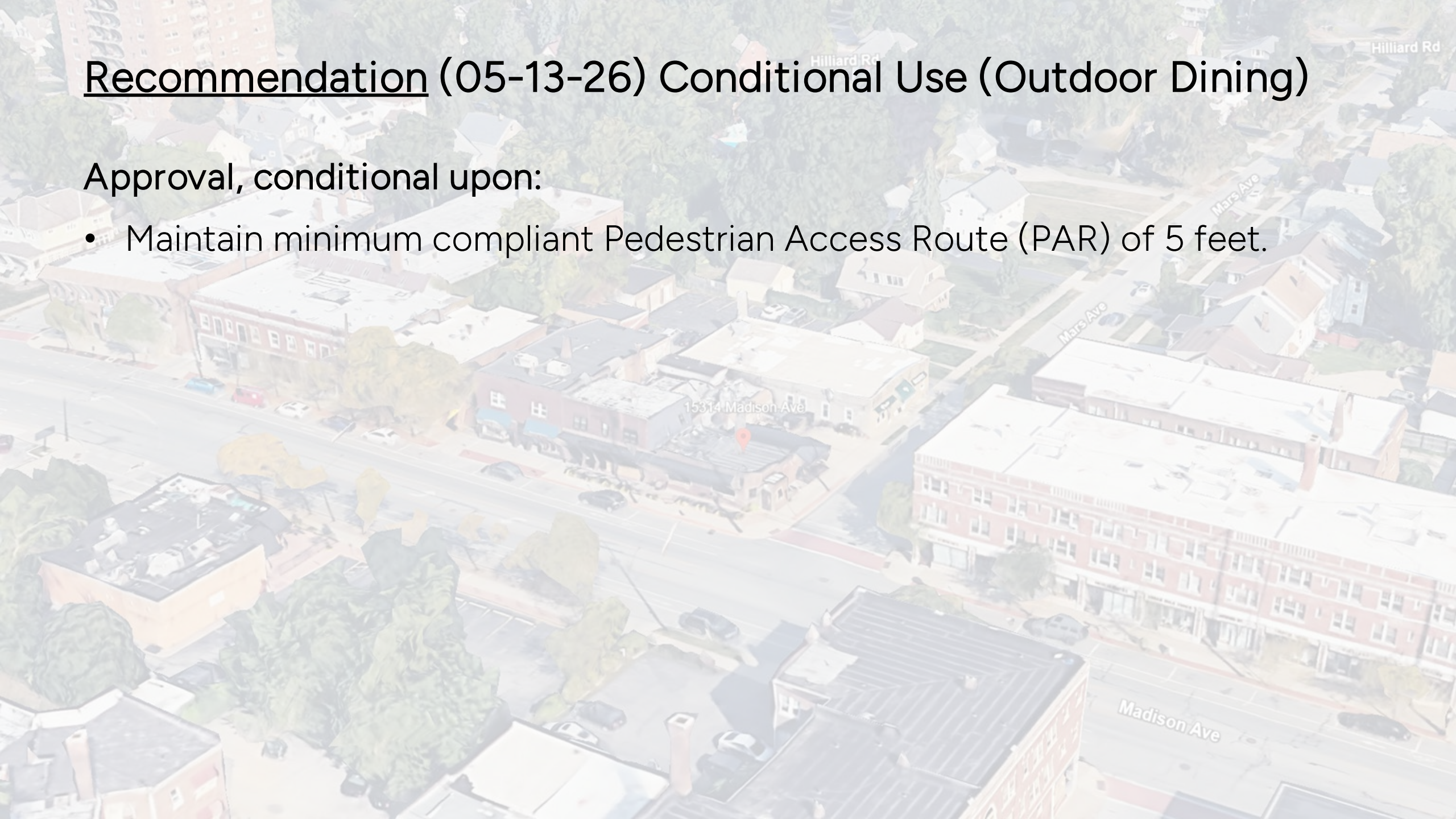


Must maintain 5 foot PAR on compliant sidewalk @all times. 5-7-2026

Recommendation (05-13-26) Conditional Use (Outdoor Dining)

Approval, conditional upon:

- Maintain minimum compliant Pedestrian Access Route (PAR) of 5 feet.





EO Pet and
Working Dog
pet supply store



City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director
(216) 529-6630
planning@lakewoodoh.gov

April 10, 2026

Sunday Bird
15023 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at (applicant address) for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- Width of dining area – see attached site plan. Area in orange is the area permitted, it is 21' 4" wide and 5' from the foundation of building.
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

Michelle Nochts

Michelle Nochts
Senior Planner and ADA Coordinator City of Lakewood, Ohio
Michelle.Nochts@lakewoodoh.gov
(216) 529-5906

SKNLAB

RYCO Sports Lakewood
Sportswear store

Lakewood Electric Tattoo
Tattoo shop



Docket 05-14-26 – 15027 Madison Conditional Use - Outdoor Dining (Sunday Bird)

Recommendation (05-14-26) Conditional Use (Outdoor Dining)

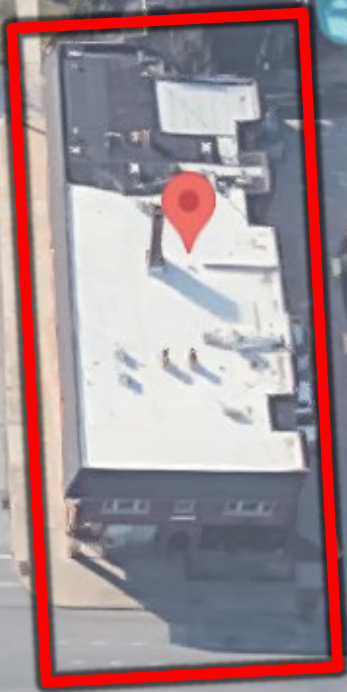
The review and approval of **Conditional Use** pursuant to:

- Section 1161.03(t) – Conditional Use/Supplemental Regulations (Outdoor Dining)

Property is in a C2, Commercial (Retail) District.

15027 Madison

EO Pet and
Working Dog
pet supply store



SKNLAB

RYCO.Sports Lakewood
Sportswear store

Lakewood Electric Tattoo
Tattoo shop



15027 Madison

Mars Ave

Elmwood Ave

Victor

Ave

Madison Ave

Madison Ave

Madison Ave

Arthur Ave

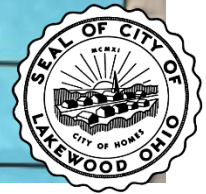
Mars Ave

Elmwood Ave

Beveley Ave

Malley's

Walgreens



PROWAG Assessment Process (2026)

- ❑ A multi-departmental team is dispatched at the businesses request to assess sidewalk conditions
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- ❑ If approved by PC, business then applies for annual license. The license includes provision of insurance and use agreement.
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Department of Planning
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April 10, 2026

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15023 Madison Ave.
Lakewood, OH 44107

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- ❑ Width of dining area – see attached site plan. Area in orange is the area permitted, it is 21' 4" wide and 5' from the foundation of building.
- ❑ Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

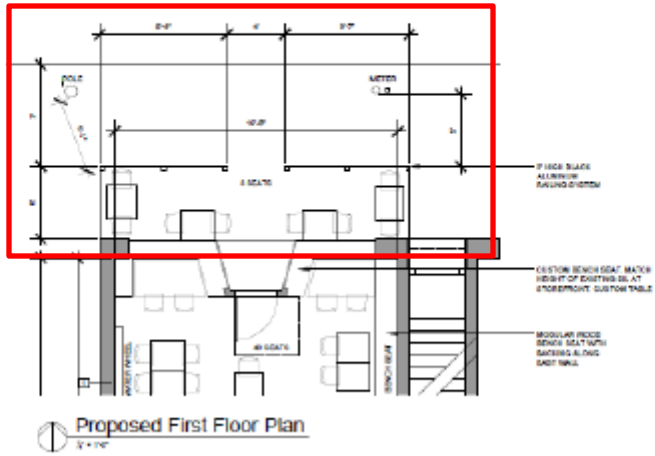
Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle Nochta".

Michelle Nochta
Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nochta@lakewoodoh.gov

(216) 529-5906



Sunday Bird-Sidewalk repairs completed, maintain 5 feet PAR at all times. 5-7-2026



Outdoor Black Metal 24" x 30" Table And Base

Item #: 31817472163349

\$361.11

Shipping is calculated at checkout.
Details about Shipping times.

Quantity

- 1 +

Add to cart

Need bulk pricing or can't find exactly what you are looking for? [Contact us](#)



As low as \$33.40/month with **Credit Key BUSINESS** Pay over time



Beau Outdoor Stackable Armchair in Black

Item #: 42224393289813

\$117.00

Shipping is calculated at checkout.
Details about Shipping times.

Quantity

- 1 +

Add to cart

Need bulk pricing or can't find exactly what you are looking for? [Contact us](#)



As low as \$10.60/month with **Credit Key BUSINESS** Pay over time

4 tables and 8 chairs in layout, same layout as previous tenant 5-7-26

1161.02 GENERAL STANDARDS FOR ALL CONDITIONAL USES.

A conditional use, and uses accessory to such conditional uses, shall be permitted where the use is identified by this Code as a conditionally permitted use, or is found by the Commission to be a substantially similar use, in the zoning district in which the use is located. In addition to any specific regulations required by this Code or the Ordinances, the Commission shall find:

- (a) That the conditional use will be consistent with the **general objectives, or any specific objectives, for the zoning district in which it is located, as set forth in this Code and the Vision.**
- (b) That the conditional use will be designed, constructed, operated and maintained so as not to be detrimental to or endanger the public health, safety, or general welfare.
- (c) That the conditional use **will not change the essential character of the general vicinity** in which it is located.
- (d) That the conditional use **will not be injurious to the uses permitted by right in the immediate vicinity**, nor substantially diminish or impair property values within said vicinity.
- (e) That establishment of the conditional use **will not impede the normal and orderly development of uses** permitted by right in the immediate vicinity.
- (f) That adequate utilities and public facilities and services, such as streets and sewer and water services, are or will be provided; and that establishment of the conditional use will not require expenditures of public funds for such public facilities or services.
- (g) That **adequate measures have been taken to minimize traffic congestion** on public streets.
- (h) That the conditional use will not suffer substantial hardship in the future due to the conditional use being surrounded by uses permitted by right, which are incompatible with the conditional use.
- (i) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located as well as the specific conditions set forth in Section 1161.03.
- (j) A Conditional Use Permit issued pursuant to this Chapter may not be transferred to any other person or address.



(t) Outdoor Dining Facility.

Any person operating a restaurant, bar, tavern, or nightclub use...may be permitted to operate an outdoor dining facility as a conditionally permitted accessory use subject to the following:

(1) (application...)

(2) The outdoor dining facility shall be **located directly adjacent to the lawfully operating restaurant use**. The outdoor dining facility may be located immediately adjacent to the front of the restaurant use, on the side or rear of the restaurant use or as approved by the Planning Commission.

(3) The floor space of the outdoor dining facility and any walkway connecting such facility with the restaurant use and the parking lot or any public or private sidewalk shall be constructed of an approved hard surface material meeting all local, state, and federal requirements, including, where applicable, the current United States Access Board Public Right-of-Way Accessibility Guidelines (PROWAG).

(4) The applicant **must keep the outdoor dining facility sanitary, neat and clean at all times**, free from accumulation of food, litter, snow, ice, and other potentially dangerous or unsanitary matter.

(5) The outdoor dining facility **must be in compliance with the Americans with Disabilities Act**, 42 U.S.C. § 12101 et seq. (as used in this section, the "ADA"), and at a minimum allow for five feet of continuous pedestrian access width along the public sidewalk free from all obstruction and must not create any pedestrian hazards. With the concurrence of the Public Safety Director, Police Chief, Fire Chief, Building Commissioner, Public Works Director, and City Engineer, the Planning Commission may allow a reduced minimum width of continuous pedestrian access to be permitted as allowed by the current PROWAG where the applicant can demonstrate that passing spaces will be available within the public right-of-way and within the frontage of the storefront, at the maximum interval of fifty feet, and have a minimum passing space recommended by the PROWAG that is free of all obstructions.



(t) **Outdoor Dining Facility.**

(6) An applicant whose restaurant use is at an intersection of public streets shall not locate the outdoor dining facility in a manner that will impede vehicular sight distance at that intersection. Setbacks from the intersection for the outdoor dining area will be determined by the Planning Commission on an individual basis specific to individual site conditions after review and recommendation by the Public Safety Director, Police Chief, Fire Chief, Building Commissioner, Public Works Director, and City Engineer.

(7) The maximum number of seats for the outdoor dining facility will be determined by the Planning Commission upon review of the amount of space available, compliance with minimum parking and other requirements of Zoning Code, the PROWAG, Building Code, and other applicable local, state, and federal requirements.

(8) Applicants who serve alcoholic beverages as part of their restaurant use must meet all requirements of the Ohio Department of Commerce, Division of Liquor Control, and the following standards:

A. Where an outdoor dining facility or any portion of an outdoor dining facility is located on public property, the owner of the facility shall sign a use of public property agreement approved by the Director of Law that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the outdoor dining facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the outdoor dining facility conditional use by the Planning Commission, the Director is authorized to enter into the use of public property agreement on behalf of the City.

B. A barrier on some or all sides of the outdoor dining facility may be required. The Planning Commission will make a determination as to the extent and location of a barrier necessary for the outdoor dining facility. Any such barrier shall be in accordance with the Outdoor Dining Design Guidelines, Building Code, Ohio Fire Code, Ohio Department of Commerce, Division of Liquor Control requirements.

C. The entrance to the outdoor dining facility must be easily recognizable and adjacent to or as close to a publicly used door of the restaurant use as is commercially practicable in the Planning Commission's determination and comply with the Ohio Fire Code.

D. Unless authorized by the establishment of a designated outdoor refreshment area in accordance with Ohio Revised Code, no person shall be permitted to carry alcoholic beverages from the outdoor dining facility to any place outside the outdoor dining facility except the adjacent restaurant use, and the facility shall be designed in a way so as to maintain compliance with this provision.



(t) Outdoor Dining Facility.

(9) Applicants who do not serve alcoholic beverages as part of their restaurant use must meet the following standards:

A. Where an outdoor dining facility or any portion of an outdoor dining facility is located on public property, the owner of the facility shall **sign a use of public property agreement approved by the Director of Law** that indemnifies and holds the City harmless from any claims, liability or damages arising from the operation or location of the outdoor dining facility, and shall provide an insurance policy in an amount approved by the Director of Law with the City named as an additional insured. Upon approval of the outdoor dining facility conditional use by the Planning Commission, the Director is authorized to enter into the use of public property agreement on behalf of the City.

B. **A barrier on some or all sides of the outdoor dining facility may be required.** The Planning Commission will make a determination as to extent and location of a barrier necessary for the outdoor dining facility. Any such barrier shall be in accordance with the Outdoor Dining Design Guidelines and the Ohio Fire Code.

(10) The outdoor dining facility must have **adequate illumination during evening hours** in accordance with the Outdoor Dining Design Guidelines. All lighting will be designed to minimize the intrusive effect of glare and illumination upon abutting areas, especially residential properties pursuant to Section 1306.311.

(11) **Buffering with landscaping or fencing of the outdoor dining facility, if the facility is adjacent to residential or sensitive uses, may be required.** Buffering requirements will be determined by the Planning Commission and shall be in accordance with the Outdoor Dining Design Guidelines.

(12) An **outdoor dining facility with a capacity of more than eight seats shall be included in the gross floor area square footage to determine parking space requirements** per Chapter 1143.



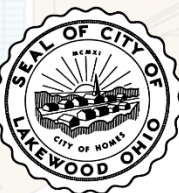
(t) Outdoor Dining Facility.

(13) Furniture and enclosures located within the outdoor dining facility may not be stored on the public right-of-way and must be removed entirely from the right-of-way on or before November 30 through March 31. From December 1 through March 31, and in order to take advantage of unseasonable weather or special events, the Director shall have the authority to allow a single-day use of the public right-of-way in accordance with any approved conditional use permit. All furniture and fixtures used in an outdoor dining facility in the public right-of-way must be readily removable without damage to the surface of the right-of-way. An outdoor dining facility located entirely on private property is permitted year-round with prior approval of the Planning Commission.

(14) An outdoor dining facility shall operate only between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday, 8:00 a.m. Friday to 1:00 a.m. Saturday and 8:00 a.m. Saturday to 1:00 a.m. Sunday. The limitations set forth herein, and any additional limitations placed on hours of operation as may be determined by the Planning Commission, are designed to assure adequate peace, quiet and serenity in the evening and morning hours during which residents of the City are entitled to enjoy a period of rest and relaxation without intrusion from the possibilities of excessive noise and activity in adjacent areas. The Planning Commission may temporarily extend the hours and dates of operation of any outdoor dining facility where the outdoor dining facility is located within the footprint of a special event that is either sponsored by the City or permitted under the Codified Ordinances.

(15) **Outside entertainment**, whether by band, orchestra, instrument, musician, singer, radio, television, loudspeaker, microphone, recital or any other individual, group or mechanical device, shall only be permitted in an outdoor dining facility pursuant to Chapter 515 of the Ordinances of the City. The Planning Commission may prohibit or provide for other restrictions and conditions related to such entertainment as it deems necessary to protect the surrounding neighborhood. All speakers must be facing inward toward the outdoor dining facility. All outdoor entertainment must cease at 10:00 p.m.

(16) Unless otherwise approved by the Architectural Board of Review, signage of any kind is not permitted on tables, umbrellas, chairs, or barriers that are part of the outdoor dining facility.



(t) Outdoor Dining Facility.

(17) The outdoor dining facility **shall comply with the requirements of the state smoking and tobacco use laws.**

(18) The Director may require adjustments, after approval of the Planning Commission, to the layout, dimensions, or distance from the property line of any outdoor dining facility in order to ensure pedestrian safety and maintain shared use of the public right-of-way.

(19) Notwithstanding anything in this chapter or section to the contrary, any outdoor dining facility conditional use permit application shall be heard by the Planning Commission and, if approved, shall expire twelve months from the date of issuance. **Subsequent renewal of the conditional use permit may be made administratively by the Director if no significant modifications to the conditions of the permit have been proposed and no violations of the Code have been determined.** Determination of renewal status is at the discretion of the Director. The conditional use permit for an outdoor dining facility is non-transferable.

(20) Notwithstanding anything in this chapter or section to the contrary, any conditional use permit granted for the outdoor dining facility **may be revoked by the Planning Commission after referral to the Planning Commission by the Director and a public hearing.** Notice of such hearing shall be sent to the applicant and to others pursuant to Section 1173.07(b)(2) of this Code as if a zoning change were requested. The Director shall have the authority to cancel a use of public property agreement upon thirty days' written notice. Once a notice of cancellation of the use of public property agreement has been issued, the owner of the restaurant has five business days to remove any portion of the outdoor dining facility that is in the public right-of-way and restore the public right-of-way to the condition in which it existed prior to the creation of the outdoor dining facility.

(Ord. 33-2022. Passed 11-21-22.)



(t) Outdoor Dining Facility.

Any person operating a restaurant, bar, tavern, or nightclub use...may be permitted to operate an outdoor dining facility as a conditionally permitted accessory use subject to the following:

(1) (application...)

(2) The outdoor dining facility shall be **located directly adjacent to the lawfully operating restaurant use**. The outdoor dining facility may be located immediately adjacent to the front of the restaurant use, on the side or rear of the restaurant use or as approved by the Planning Commission.

(3) The floor space of the outdoor dining facility and any walkway connecting such facility with the restaurant use and the parking lot or any public or private sidewalk shall be constructed of an approved hard surface material meeting all local, state, and federal requirements, including, where applicable, the current United States Access Board Public Right-of-Way Accessibility Guidelines (PROWAG).

(4) The applicant **must keep the outdoor dining facility sanitary, neat and clean at all times**, free from accumulation of food, litter, snow, ice, and other potentially dangerous or unsanitary matter.

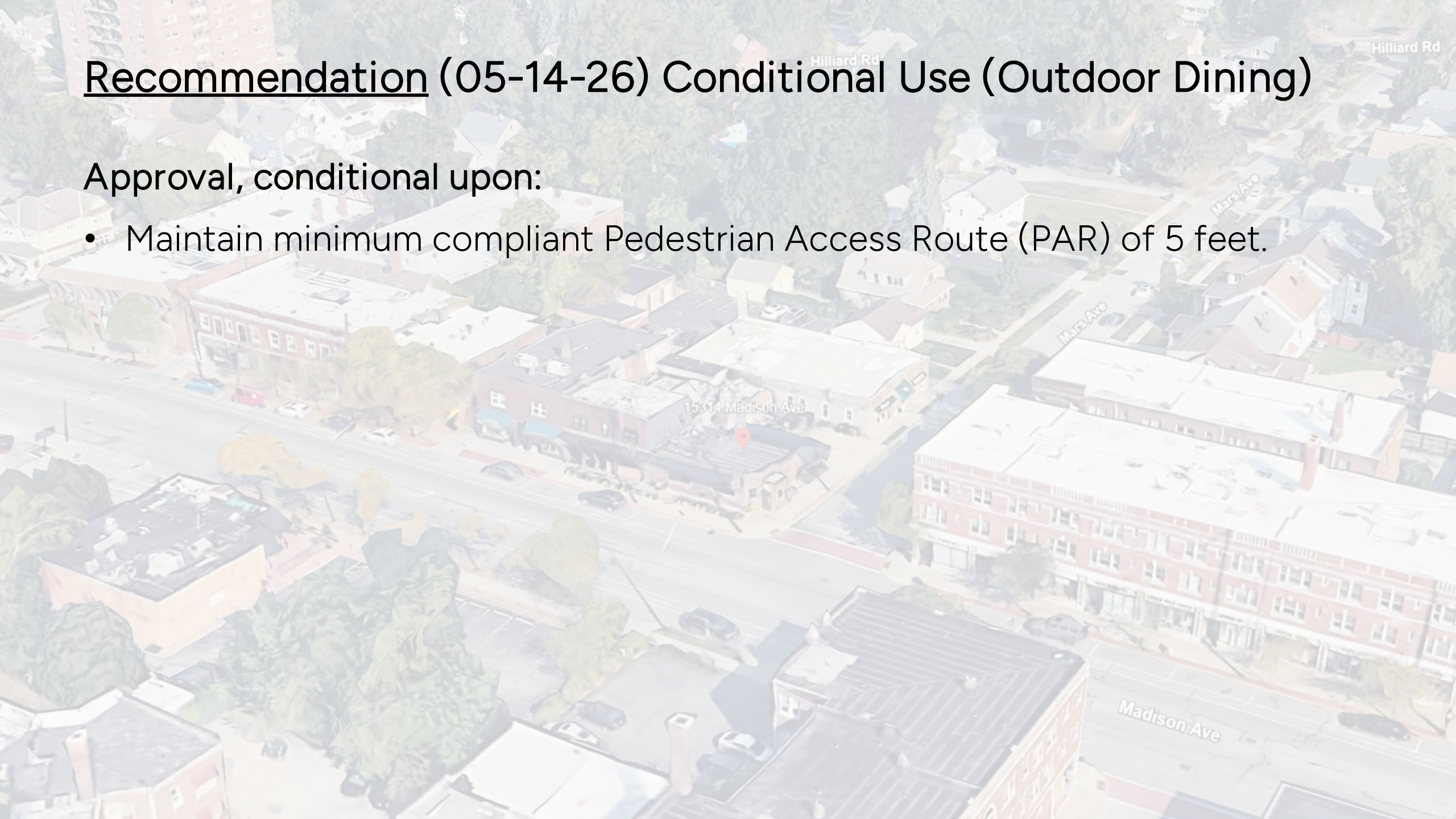
(5) The outdoor dining facility **must be in compliance with the Americans with Disabilities Act**, 42 U.S.C. § 12101 et seq. (as used in this section, the "ADA"), and at a minimum allow for five feet of continuous pedestrian access width along the public sidewalk free from all obstruction and must not create any pedestrian hazards. With the concurrence of the Public Safety Director, Police Chief, Fire Chief, Building Commissioner, Public Works Director, and City Engineer, the Planning Commission may allow a reduced minimum width of continuous pedestrian access to be permitted as allowed by the current PROWAG where the applicant can demonstrate that passing spaces will be available within the public right-of-way and within the frontage of the storefront, at the maximum interval of fifty feet, and have a minimum passing space recommended by the PROWAG that is free of all obstructions.



Recommendation (05-14-26) Conditional Use (Outdoor Dining)

Approval, conditional upon:

- Maintain minimum compliant Pedestrian Access Route (PAR) of 5 feet.





City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director
(216) 529-6630
planning@lakewoodoh.gov

April 2, 2026

The Red Rose Cafe
14810 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 14810 Madison Ave. for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- X Width of dining area- 3.8 feet from the building foundation and 15.5 feet across the front of the building. X
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

Michelle Nocht

Michelle Nocht
Senior Planner and ADA Coordinator City of Lakewood, Ohio
Michelle.Nocht@lakewoodoh.gov
(216) 529-5906

12650 Detroit Ave. Lakewood, OH 44107
www.lakewoodoh.gov

PROWAG Re-Approval

**Docket 05-15-26 SOD – 14810 Madison
Conditional Use - Outdoor Dining (Red Rose Cafe)**

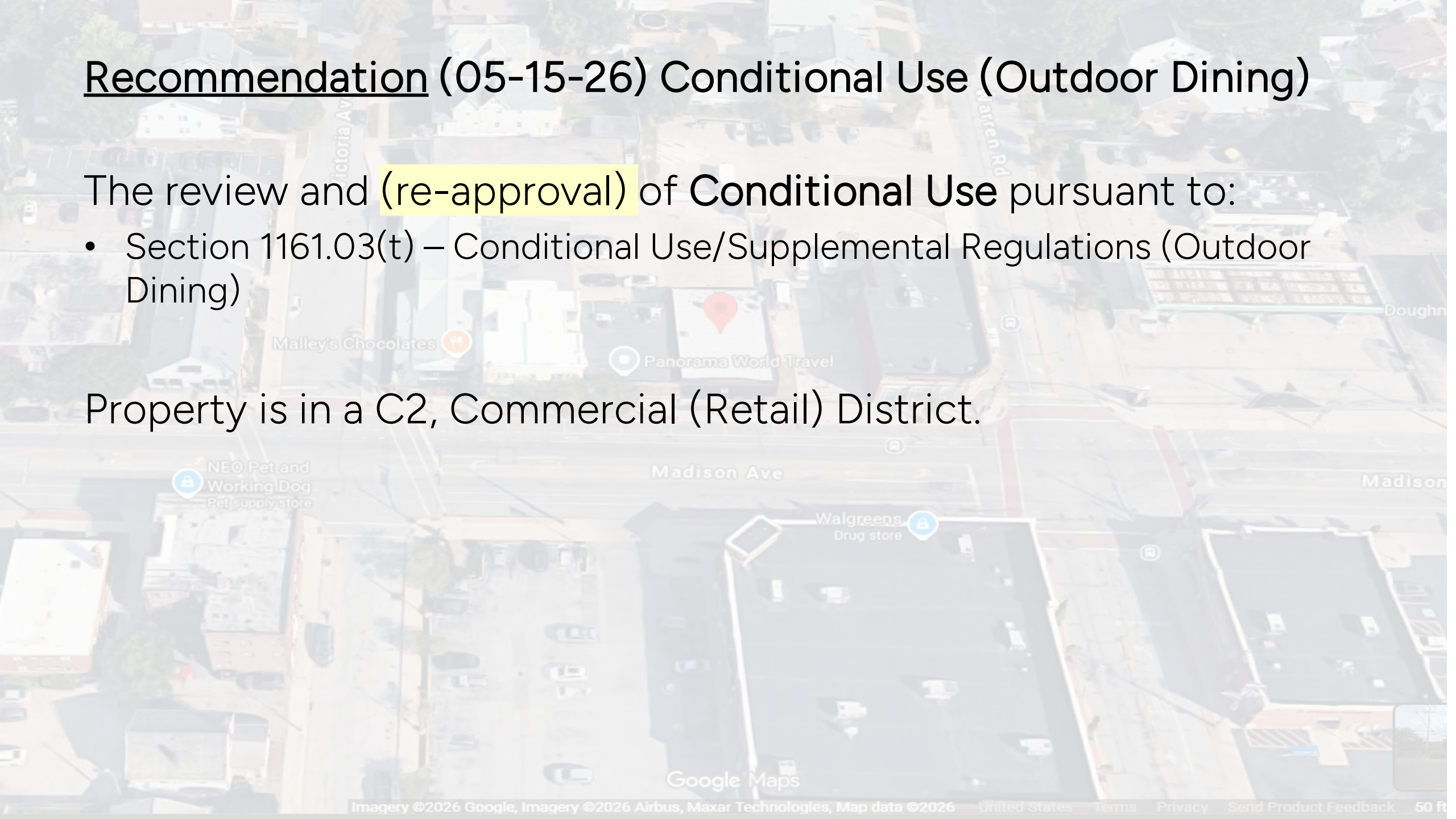


Recommendation (05-15-26) Conditional Use (Outdoor Dining)

The review and (re-approval) of **Conditional Use** pursuant to:

- Section 1161.03(t) – Conditional Use/Supplemental Regulations (Outdoor Dining)

Property is in a C2, Commercial (Retail) District.



14810 Madison



Malley's Chocolates

Panorama World Travel

NEO Pet and WorkingDog
Pet supply store

Walgreens
Drug store

Madison Ave

Warren Rd

Victoria Ave

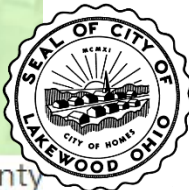
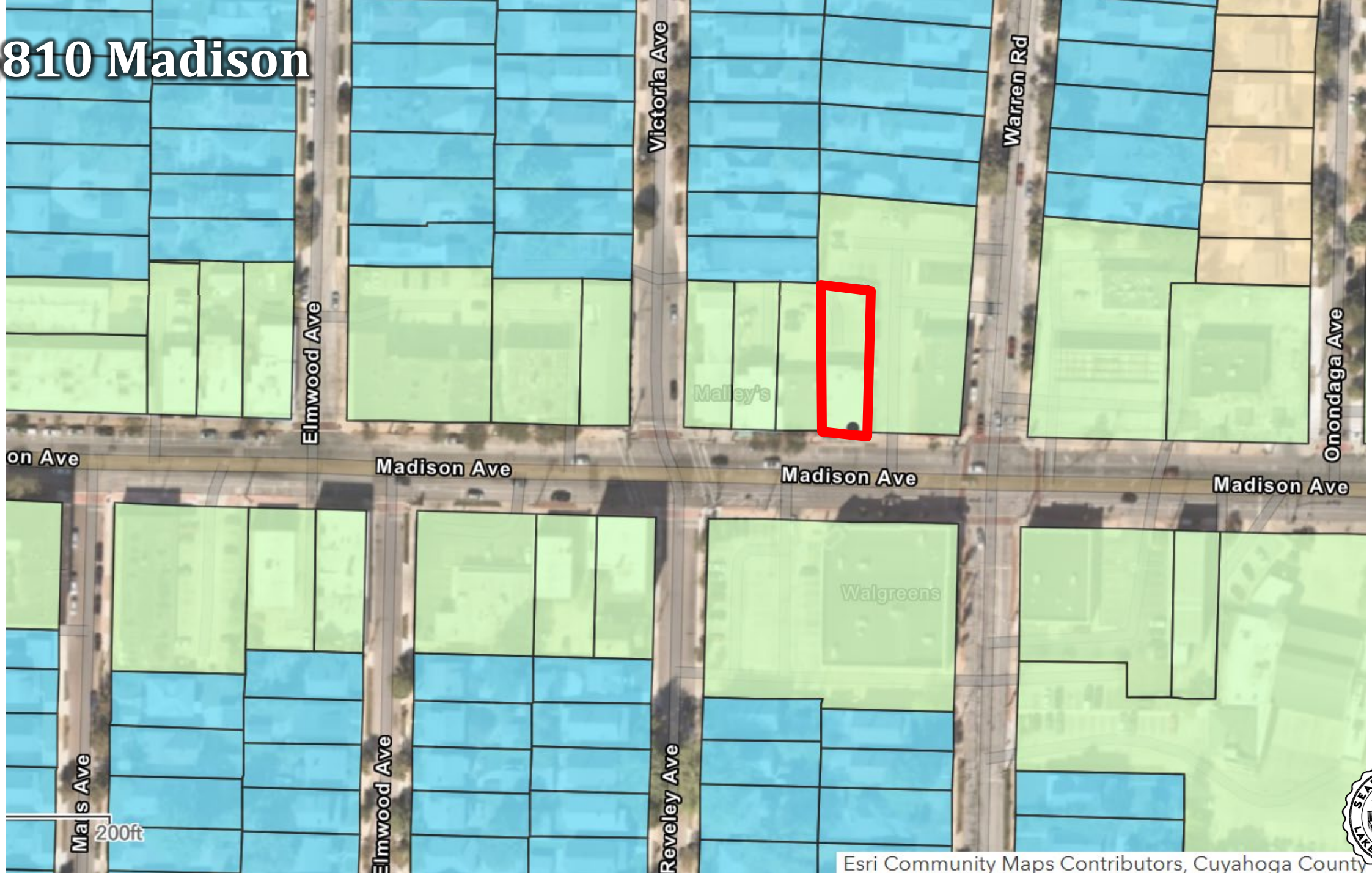
Madison

Doughnut

Google Maps



14810 Madison



PROWAG Assessment Process (2026)

- A multi-departmental team is dispatched at the businesses request to assess sidewalk conditions
- Cross slope must be measured in the proposed Pedestrian Access Route (PAR). If the cross slope on the proposed PAR exceeds the permitted 1:48 or 2% , a SOD is prohibited.
- Permitted minimum width of compliant PAR is 5 feet.
- If the SOD proposal meets all compliant PAR criteria, the business owner may apply for a new conditional use permit which must be in the pre-determined area.
- If approved by PC, business then applies for annual license. The license includes provision of insurance and use agreement.
- Staff will inspect installation and removal each year.
- After the initial year, SOD does not need to return to PC – just needs to maintain compliance and renew license each year.



City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director
(216) 529-6630
planning@lakewoodoh.gov

April 2, 2026

The Red Rose Cafe
14810 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 14810 Madison Ave. for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- X Width of dining area- 3.8 feet from the building foundation and 15.5 feet across the front of the building. X
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

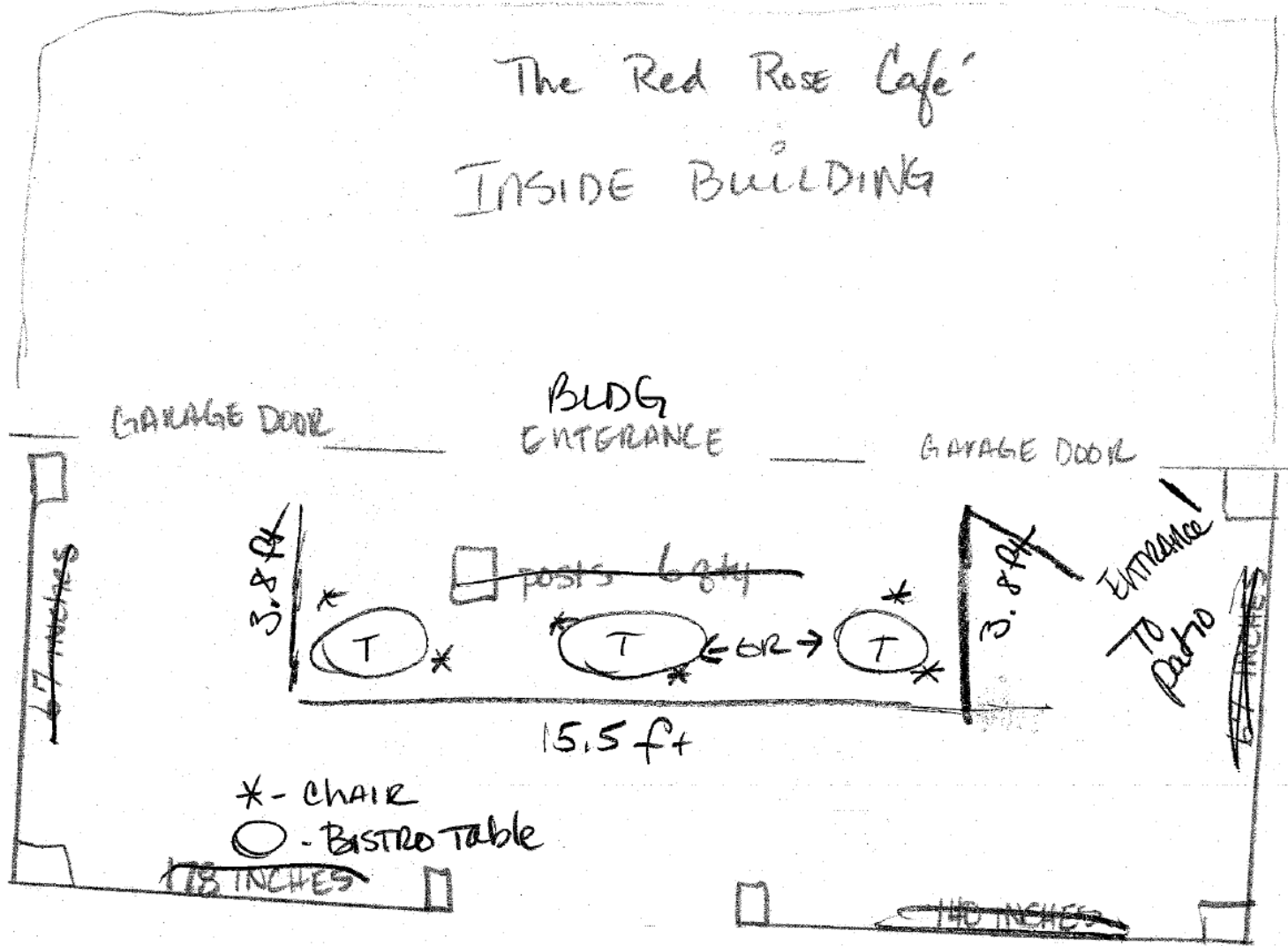
Sincerely,

A handwritten signature in cursive script that reads "Michelle Nohta".

Michelle Nohta
Senior Planner and ADA Coordinator City of Lakewood, Ohio
Michelle.Nohta@lakewoodoh.gov
(216) 529-5906

12650 Detroit Ave. Lakewood, OH 44107
www.lakewoodoh.gov

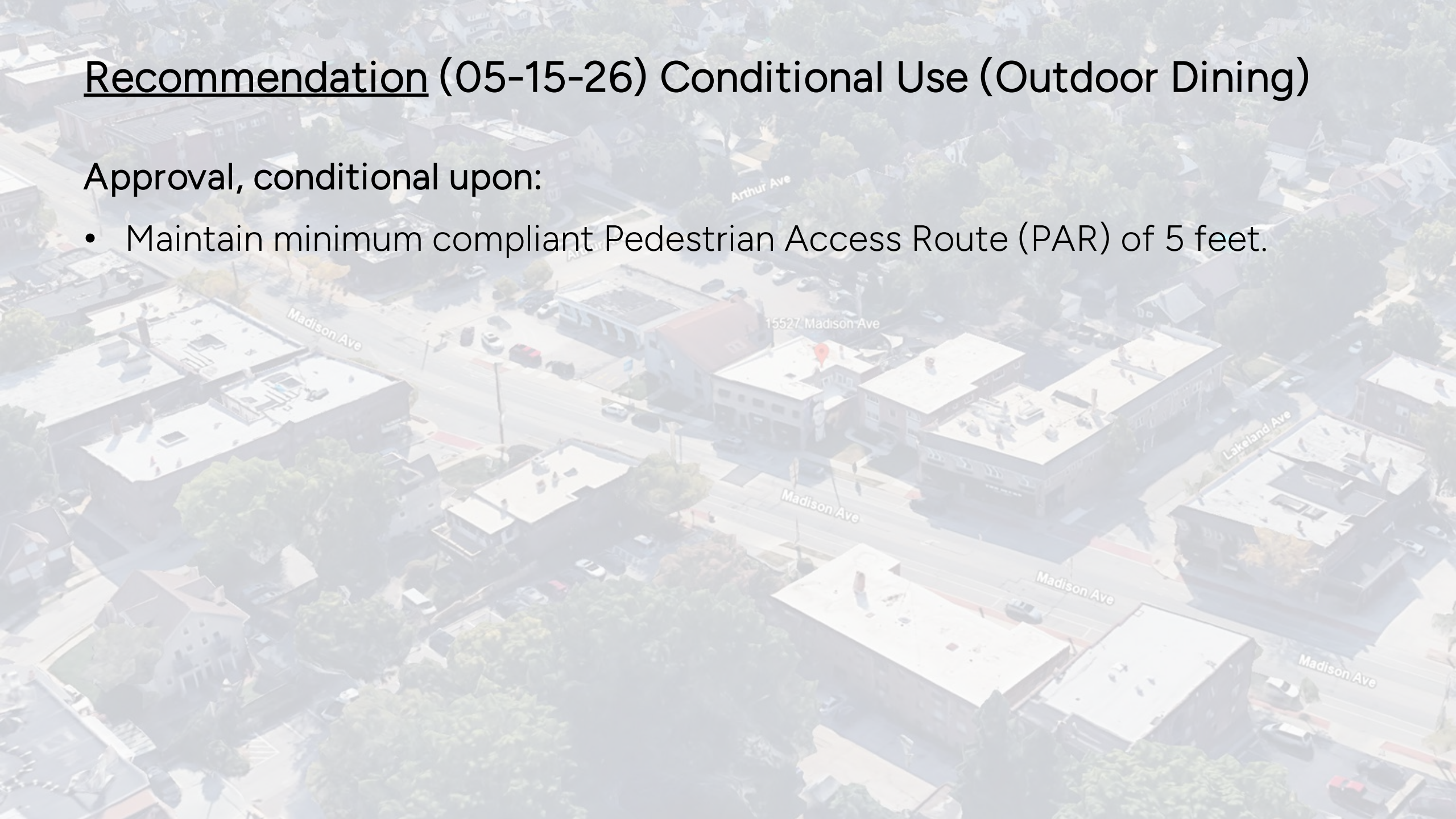
Must maintain 5 foot PAR



Recommendation (05-15-26) Conditional Use (Outdoor Dining)

Approval, conditional upon:

- Maintain minimum compliant Pedestrian Access Route (PAR) of 5 feet.





City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director

(216) 529-6630
planning@lakewoodoh.gov

April 29, 2026

The Winchester
12112 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 12112 Madison Ave. for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- Width of dining area- **Up to 11 feet from the foundation and 24 feet across the foundation.**
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

Michelle Nohta
Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nohta@lakewoodoh.gov
(216) 529-5906

PROWAG Re-Approval

Docket 05-16-26 – 12112 Madison Ave Conditional Use - Outdoor Dining (The Winchester)



Recommendation (04-10-26) Conditional Use (Outdoor Dining)

The review and (re-approval) of **Conditional Use** pursuant to:

- Section 1161.03(t) – Conditional Use/Supplemental Regulations (Outdoor Dining)

Property is in a C2, Commercial (Retail) District.

12112 Madison Ave

Family Dollar
Dollar store

Citizens

Thai Kitchen Restaurant
Thai

Amazonia
Pizza

Amazonia
Pizza

East End Bistro & Pub
Grill

The Flying Rib
Grill

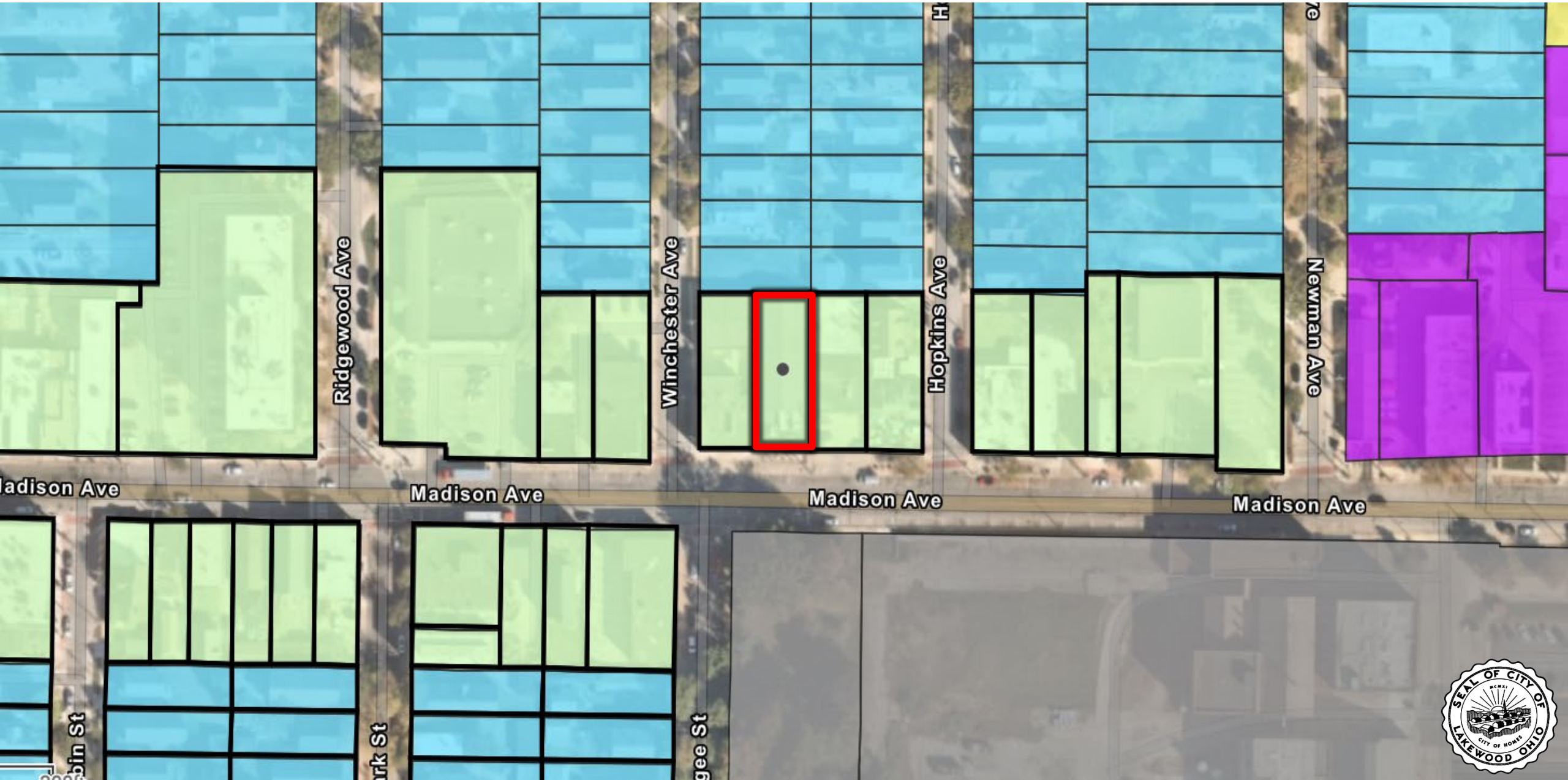
Madison Ave

Madison Ave

Madison Ave

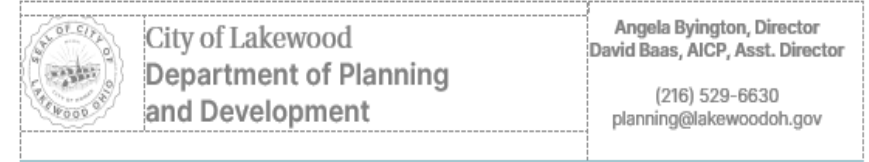


12112 Madison Ave



PROWAG Assessment Process (2026)

- ❑ A multi-departmental team is dispatched at the businesses request to assess sidewalk conditions
- ❑ Cross slope must be measured in the proposed Pedestrian Access Route (PAR). If the cross slope on the proposed PAR exceeds the permitted 1:48 or 2% , a SOD is prohibited.
- ❑ Permitted minimum width of compliant PAR is 5 feet.
- ❑ If the SOD proposal meets all compliant PAR criteria, the business owner may apply for a new conditional use permit which must be in the pre-determined area.
- ❑ If approved by PC, business then applies for annual license. The license includes provision of insurance and use agreement.
- ❑ Staff will inspect installation and removal each year.
- ❑ After the initial year, SOD does not need to return to PC – just needs to maintain compliance and renew license each year.



April 29, 2026

The Winchester
12112 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 12112 Madison Ave. for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- ❑ Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- ❑ Width of dining area- **Up to 11 feet from the foundation and 24 feet across the foundation.**
- ❑ Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

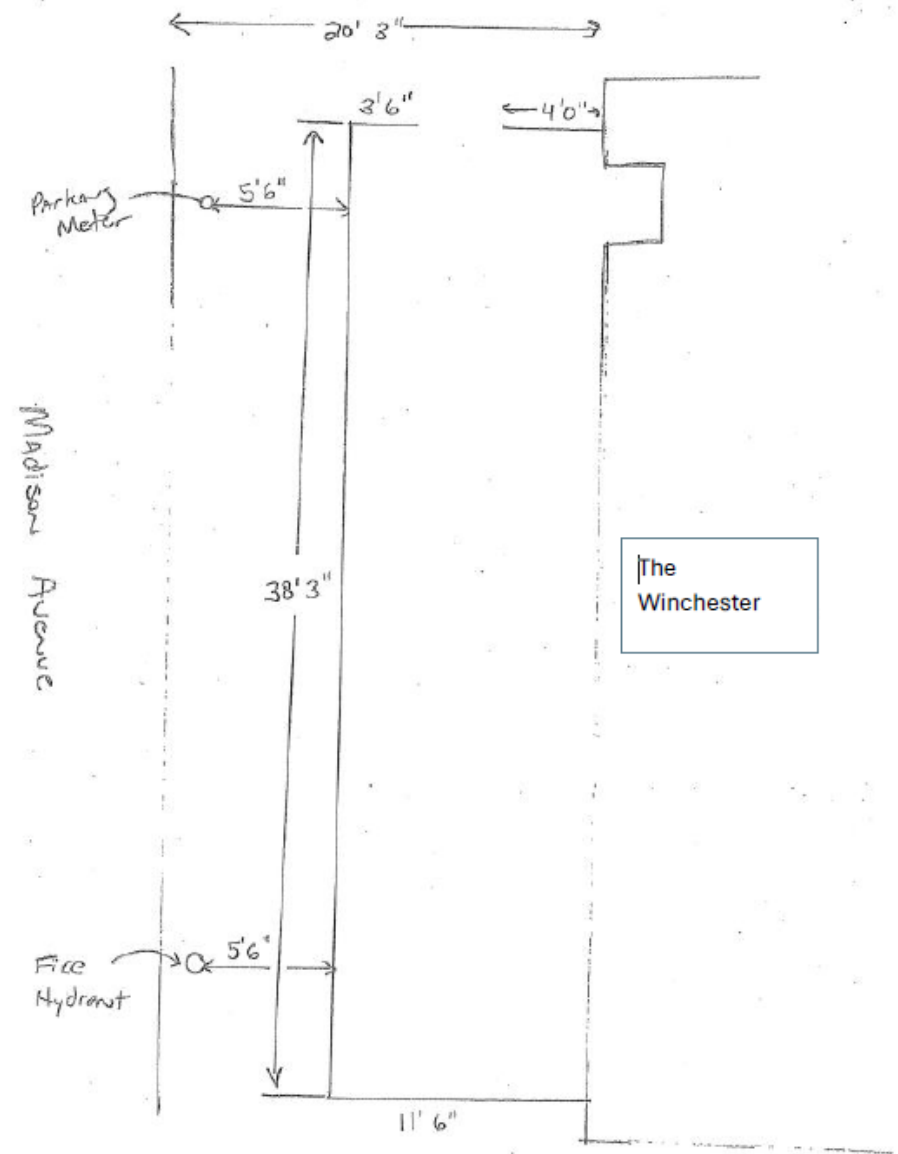
Sincerely,

Michelle Nochta

Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nochta@lakewoodoh.gov

(216) 529-5906

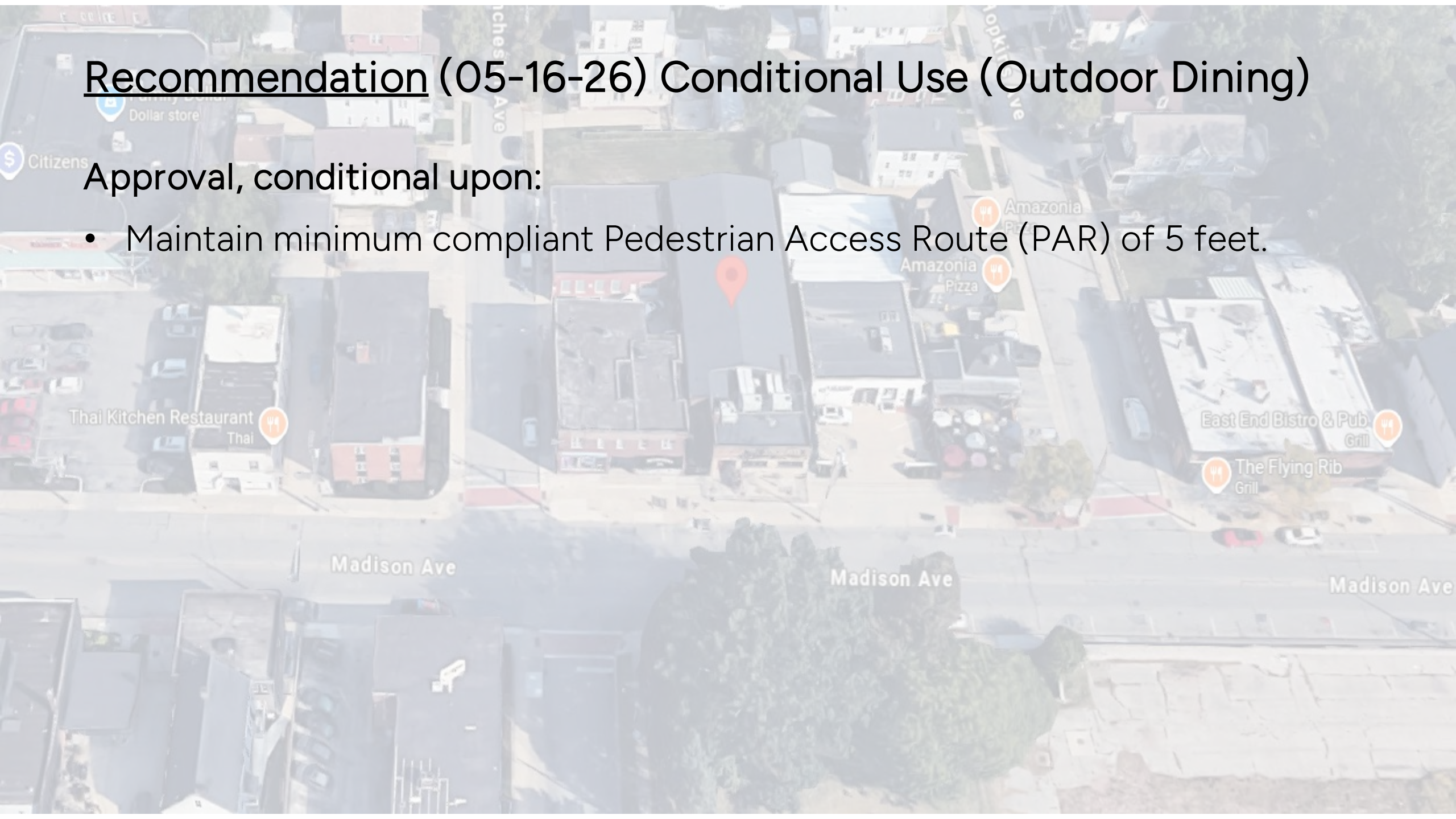


Must maintain 5ft min. PAR at all times. 5-7-2026

Recommendation (05-16-26) Conditional Use (Outdoor Dining)

Approval, conditional upon:

- Maintain minimum compliant Pedestrian Access Route (PAR) of 5 feet.





City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director
(216) 529-6630
planning@lakewoodoh.gov

April 23, 2026

McGinty's Pub
13749 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 13749 Madison for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- Width of dining area – see attached site plan
- Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

Michelle Nochta
Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nochta@lakewoodoh.gov
(216) 529-5906

PROWAG Re-Approval



**Docket 05-17-26 – 13749 Madison
Conditional Use - Outdoor Dining - Sidewalk (McGinty's)**

An aerial photograph of a city street intersection. A red location pin is placed on the street, with the number '13749' next to it. The street is labeled 'Madison Ave' in two locations. There are buildings, trees, and a large circular structure in the lower right corner. The text is overlaid on the image.

Recommendation (05-17-26) Conditional Use (Outdoor Dining)

The review and approval of **Conditional Use** pursuant to:

- Section 1161.03(t) – Conditional Use/Supplemental Regulations (Outdoor Dining)

Property is in a C3, Commercial (General).

13749 Madison



Wascana Ave

Bunts Rd

Bunts Rd

Madison Ave

Madison Ave

Madison Ave

Madison Ave

2016

2025

2015

13749

Doki Doki Anime & Kawaii Shop

McGinty's Pub

Sunoco

Greek Village Grille
Greek

Slife

Angelo's Pizza
Pizza

Calanni Auto Service

13736

13740

1684



13749 Madison

Madison Ave

Madison Ave

Madison Ave

Madison Ave

Parkwood Rd

Richland Ave

Richland Ave

Wascana Ave

Wascana Ave



PROWAG Assessment Process (2026)

- ❑ A multi-departmental team is dispatched at the businesses request to assess sidewalk conditions
- ❑ Cross slope must be measured in the proposed Pedestrian Access Route (PAR). If the cross slope on the proposed PAR exceeds the permitted 1:48 or 2% , a SOD is prohibited.
- ❑ Permitted minimum width of compliant PAR is 5 feet.
- ❑ If the SOD proposal meets all compliant PAR criteria, the business owner may apply for a new conditional use permit which must be in the pre-determined area.
- ❑ If approved by PC, business then applies for annual license. The license includes provision of insurance and use agreement.
- ❑ Staff will inspect installation and removal each year.
- ❑ After the initial year, SOD does not need to return to PC – just needs to maintain compliance and renew license each year.



City of Lakewood
Department of Planning
and Development

Angela Byington, Director
David Baas, AICP, Asst. Director

(216) 529-6630
planning@lakewoodoh.gov

April 23, 2026

McGinty's Pub
13749 Madison Ave.
Lakewood, OH 44107

RE: Outdoor Dining: PROWAG adopted – New regulations impact your conditional use permit for sidewalk dining

Dear Business Owner,

An inspection has been conducted to evaluate the viability of using the public sidewalk in front of your business located at 13749 Madison for seasonal outdoor dining.

The findings show that there is a portion of the sidewalk that is eligible to apply for conditional use for seasonal sidewalk outdoor dining from the Planning Commission, instructions attached.

- ❑ Width of remaining path of travel is measured from the edge of the utility area, it is never permitted to reduce the path of travel from the required 5 feet, stable, level travel surface, free of impediment.
- ❑ Width of dining area – see attached site plan
- ❑ Sidewalk must be maintained in compliant repair at all times or permission for sidewalk dining will be revoked.

Sincerely,

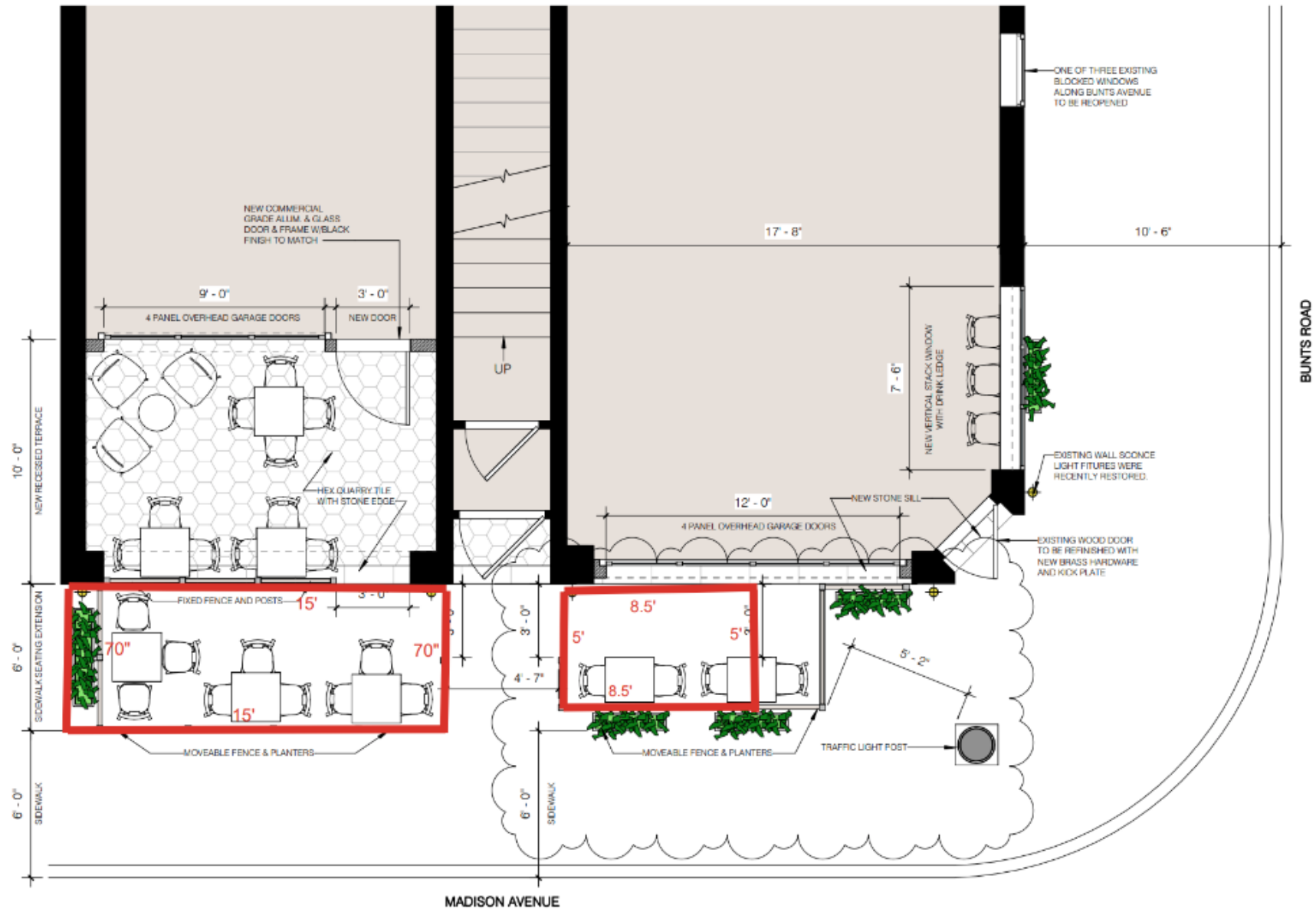
A handwritten signature in cursive script, appearing to read "Michelle Nocht".

Michelle Nocht

Senior Planner and ADA Coordinator City of Lakewood, Ohio

Michelle.Nocht@lakewoodoh.gov

(216) 529-5906



UPDATED SITE PLAN

MMRC PROPERTIES, LLC
 13749 MADISON AVENUE
 LAKEWOOD, OH 44107

MCGINTY'S PUB
 TITLE: FLOOR PLAN
 ISSUE: STOREFRONT RENOVATION DESIGN REVIEW

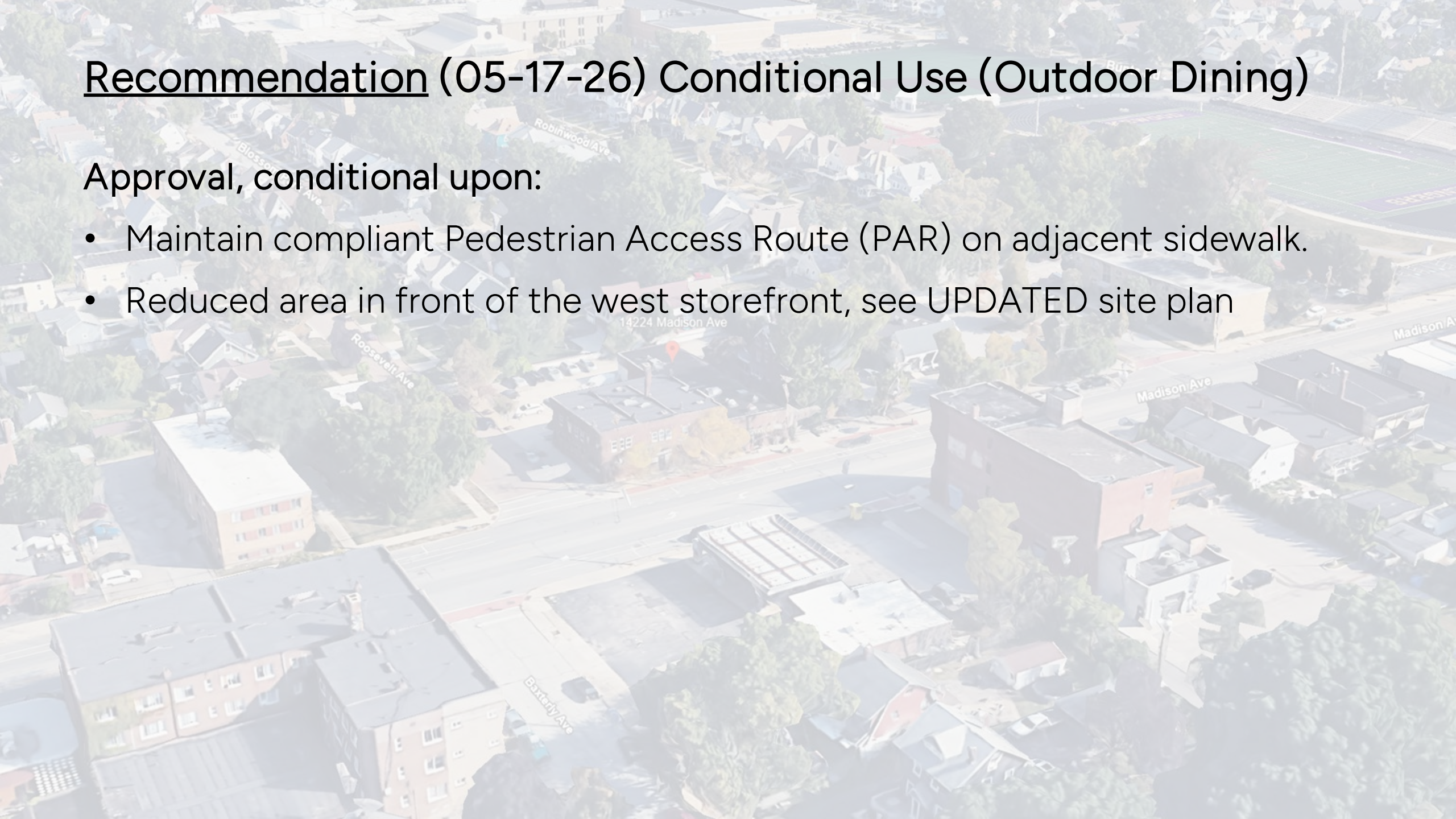
REV 07/06/23

1/4" = 1'-0"
 A-101

Recommendation (05-17-26) Conditional Use (Outdoor Dining)

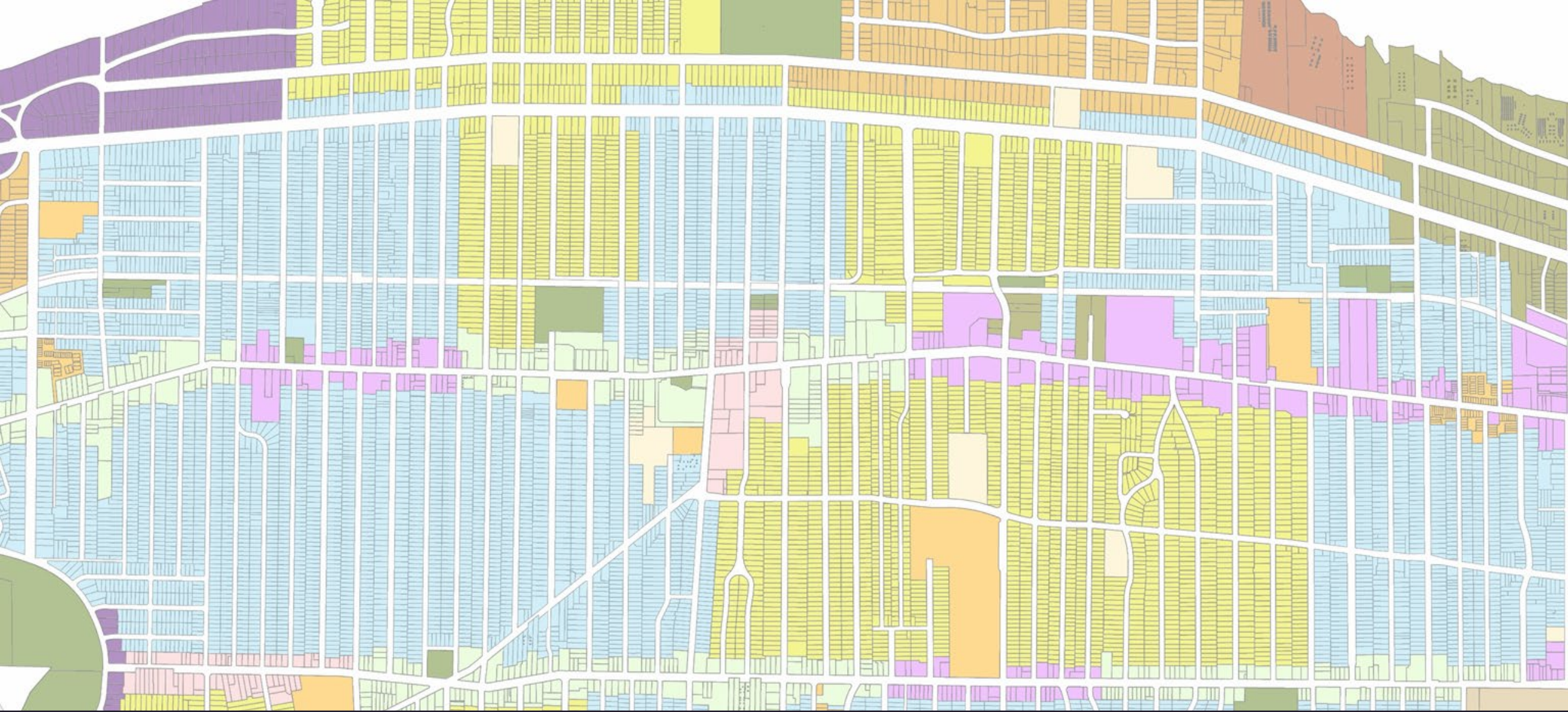
Approval, conditional upon:

- Maintain compliant Pedestrian Access Route (PAR) on adjacent sidewalk.
- Reduced area in front of the west storefront, see UPDATED site plan





Adjourn



Planning Commission

May 7, 2026

