

**MINUTES
PLANNING COMMISSION
CITY OF LAKEWOOD
12650 DETROIT AVENUE
AUDITORIUM
NOVEMBER 2, 2023
6:30 P.M.
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
Sean McDermott, Vice Chair
Kyle Reisz
William Sanderson

Staff Present

Shawn Leininger, P&D Director
David Baas, Assistant Director, P&D
Andrew Fleck, Assistant Prosecutor, Law Department
Mark Papke, City Engineer

A motion was made by Mr. Reisz, seconded by Mr. McDermott to **EXCUSE the absence of Nicholas LaPointe**. All of the members voted yea; the motion passed.

2. APPROVE THE MINUTES OF THE OCTOBER 5, 2023 MEETING

A motion was made by Mr. Krewson, seconded by Mr. McDermott to **APPROVE** the October 5, 2023 meeting minutes. All the members voted yea; the motion passed.

3. OPENING REMARKS

Staff read the Opening Remarks into record.

OLD BUSINESS

Docket No. 10-22-23 and Docket No. 10-23-23 were called together.

CONDITIONAL USE

**4. Docket No. 10-22-23
13741 Madison Ave.
Back Alley Social Club**

David Maddux, The Arcus Group Inc., applicant requests the review and approval for seasonal outdoor dining on the rear property, pursuant to section 1129.13 – supplemental regulations for outdoor seasonal dining facility. Property is in a C3 – Commercial, General Business District. (Page 3)

PARKING PLAN

**5. Docket No. 10-23-23
13741 Madison Ave.
Back Alley Social Club**

David Maddux, The Arcus Group Inc., applicant requests the review and approval for a parking plan, pursuant to section 1143.09 – parking plan review: Planning Commission and section 1143.10 – exceptions to required minimum. Property is in a C3 – Commercial, General Business District. (Page 22)

Rick Benos, The Arcus Group Inc., representative was present to explain the updated request that addressed the issues from the October meeting. Staff presented administrative comments, recommended approval for the outdoor dining, and recommended approval of the parking plan with the condition the parking agreement remained valid. Public comment was closed as no addressed the item. Written communication received prior to the meeting had been distributed to the members (made part of record). Discussion ensued about removal of the sidewalk apron, dedicated parking spaces, prohibition of parking in front of dumpster/enclosure, width of pedestrian passage between building and parking space 5, parking lot striping and signage.

A motion was made by Mr. Krewson, seconded by Mr. Sanderson to **APPROVE Docket No.10-22-23, Outdoor Dining with the following conditions:**

- **At no time shall the occupancy of the combined indoor and outdoor space exceed the capacity established by the Building Commissioner and Fire Marshall.**
- **The tables shall be located in a manner so as not to block any required ingress/egress to the building, and ADA accessibility shall always be maintained.**

All the members voted yea; the motion passed.

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **APPROVE Docket No.10-23-23, Parking Plan with the following five conditions:**

1. **If at any time the shared parking agreement expires, or the parking spaces are not made available for use as depicted in the submitted site plan, this approval shall expire, and a revised parking plan shall be submitted to the Planning Commission.**
2. **The applicant removes the curb ramp along Madison Ave. at the location of the proposed added parking spaces.**
3. **A "No Parking" sign is installed visible from the curb along Bunts Rd. to the rear of the adjacent building in front of the dumpsters.**
4. **Cars are only allowed to be parked in the neighboring Calanni property in the marked parking spaces. The parking agreement be amended to memorialize where cars can be parked, and the site plan will also be updated to reflect the motion.**
5. **Striping be used for those parking spaces with a clearly defined path for pedestrian movement between the parking and the neighboring property.**

All the members voted yea; the motion passed.

NEW BUSINESS

RENEWAL OF CONDITIONAL USE

6. **Docket No. 11-24-23
1384 Hird Ave.
Studio West 117**

Daniel Budish, W 117 Development Phantasy LLC, applicant, requests renewal of a conditional use permit for extended business hours of operation for the patio and roof top outdoor dining area: 9:00 a.m. to 2:30 a.m., Monday through Sunday, pursuant to 1161.03(w) -- Supplemental Regulations for Extended Business Hours of Operation. Property is in a C3 Commercial - General district. (Page 42)

Joe Bass, representative for the applicant was present to explain the request and to provide a progress report of the operations/project along with responses to complaints. Staff explained the noise complaint report as received from the Police Department, provided administrative comments, and recommended approval with conditions. Discussion began about the management's measures to remedy the noise violations. Public comment was taken.

- Establish precedence for distance between establishments and residents.
- Reason for allowing extended hours of operation.

Discussion began about location/angle of the speakers, use of landscaping/shrubbery as buffers, hours of operation for outdoor entertainment, police responses, etc.

A motion was made by Mr. Krewson, seconded by Mr. Reisz to **APPROVE the request with the following four conditions:**

1. **The outdoor dining spaces may be occupied between the hours of 8:00 a.m. and 11:00 p.m. Sunday through Thursday, 8:00 a.m. Friday to 2:30 a.m. Saturday and 8:00 a.m. Saturday to 2:30 a.m. Sunday.**
2. **The understanding the outdoor entertainment would continue until 11:00 p.m. Sunday through Thursday, and Saturday and Sunday until 2:30 a.m.**
3. **Any violation of Chapter 515 Noise Control that results in a citation being issued or a criminal nuisance activity violation being issued shall cause the immediate revocation of the Conditional Use Permit for Extended Hours of Operation. After which the outdoor dining spaces may continue to operate only as expressly authorized by Section 1161.03(t).**
4. **This Conditional Use Permit will expire one day after the July 9, 2024 Planning Commission meeting.**

All of the members voted yea; the motion passed.

COMMUNICATION: PRELIMINARY REVIEW

7. **Docket No. 11-25-23
11818 Madison Ave.
RISE LAKEWOOD**

Jonathan Ziegan, Osborn Engineering, applicant, will offer an informational presentation for the expansion and renovation of Rise Lakewood, pursuant to Chapter 1165 – Medical Marijuana Dispensaries. Property is in a C3 Commercial - General district. (Page 50)

Jonathan Ziegan, Osborn Engineering, applicant, and Chris Dawson, AIA Architects were present to explain the request. Staff stated the request was for preliminary review and comment on the proposed expansion of RISE Lakewood; the only actions requested from the members would be provide comment and to RECEIVE AND FILE the communication. Staff provided an analysis of the proposed project. Written public comments were read into record (made part of record). Public comment was taken. Discussion ensued about crime prevention, State requirements, and security plans. Daniel Shaker, Commercial General Manager for GTI Ohio confirmed that both Lakewood RISE establishments were owned by the same entity and explained the need for extra parking spaces. Discussion continued about traffic data from ITE, ABR guidelines, add greenspace in lieu of parking spaces, provide bicycle parking, storm water runoff, the sally

port gates, number of employee parking spots, an easement would be needed for parking on the public right-of-way. The members maintained it was a large space for just parking.

A motion was made by Mr. Krewson, seconded by Mr. McDermott to **RECEIVE AND FILE the request**. All of the members voted yea; the motion passed.

ADJOURN

A motion was made by Mr. Krewson, seconded by Reisz to **ADJOURN** the meeting at 8:28 p.m. All the members voted yea; the motion passed.



Signature

12/7/23

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. Rick Benson
- 2. Patrick McGinty
- 3. Joe Bass
- 4. RALPH P... ..
- 5. CHRISTINA WARD
- 6. ~~ANTHONY~~ JON AMON
- 7. CALEB DAWSON, AIA
- 8. Janice Brown
- 9. DANIEL SHAKER
- 10. _____
- 11. _____

- 1. *[Signature]*
- 2. *[Signature]*
- 3. *[Signature]*
- 4. *[Signature]*
- 5. Christina Ward
- 6. *[Signature]*
- 7. *[Signature]*
- 8. *[Signature]*
- 9. *[Signature]*
- 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, November 2, 2023

page 1 of 1

PARKING SPACE AGREEMENT

August 23, 2023

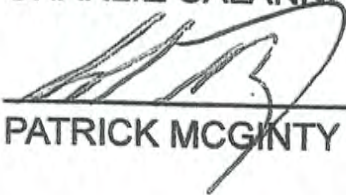
Charlie Calanni
c/o 13728 Madison Ave
Lakewood, Ohio 44107
216-228-6979

Patrick McGinty
13741 Madison Ave.
Lakewood, OH 44107

I, Charlie Calanni, agree to rent four (4) parking spaces to Patrick McGinty monthly. The parking spaces will be located at the rear of 13731-37 Madison Ave. The cost for these four parking spaces will be \$400.00 per month. This agreement will begin on September 1st 2023. Mr. McGinty will be required to maintain these four parking spaces including to keep them free of dirt and debris and manage the snow removal etc.

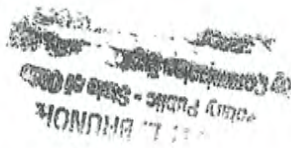


CHARLIE CALANNI



PATRICK MCGINTY

(PARKING SPACE AGREEMENT)
THIS RENTAL AGREEMENT IS TO BE
IN FORCE FOR A PERIOD OF NOT LESS
THAN 12 MONTH'S, AT A COST OF NOT
LESS THAN \$400.00 PER MONTH.



Janet L Brunoe
4-28-2024

Johanna Schwarz

From: Shawn Leininger
Sent: Tuesday, October 31, 2023 11:13 AM
To: Johanna Schwarz
Subject: FW: 10/05 - PC Agenda

Public comment below for PC.

Shawn Leininger, AICP
Director of Planning & Development

City of Lakewood
Department of Planning & Development
12650 Detroit Avenue
Lakewood, Ohio 44107

(216) 529-6630 main
(216) 529-6635 office
shawn.leininger@lakewoodoh.net

www.lakewoodoh.gov
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From: Ian Andrews <iandrews@lakewoodalive.org>
Sent: Tuesday, October 31, 2023 9:37 AM
To: David Baas <David.Baas@lakewoodoh.net>
Subject: FW: 10/05 - ARB Agenda

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

Hi Dave,

Please see below.

Ian

Ian Andrews
Executive Director
LakewoodAlive
216-521-0655

We have moved. New office address is:

12815 Detroit Avenue
Lakewood, OH 44107



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Did you know that you can leave your own Lakewood legacy that will have a lasting impact? Support LakewoodAlive for years to come by making a [planned gift!](#)

Upcoming Events:

12/2 – [Light Up Lakewood](#)



From: Brian Meng <bmeng@bialosky.com>

Sent: Tuesday, October 31, 2023 9:33 AM

To: Ian Andrews <iandrews@lakewoodalive.org>; amyjhane@gmail.com

Subject: RE: 10/05 - ARB Agenda

Resending the below email (Draft Comments) with a link in lieu of an attachment which is too large to get through to Ian.

Link: https://www.lakewoodoh.gov/wp-content/uploads/2023/10/PCAgenda_110223.pdf

BRIAN MENG LEED AP

Associate Principal | Architect

BIALOSKY CLEVELAND

Celebrating 70 Years | 1951-2021

P 216 767 2023

[Always By Design.](#)

From: Brian Meng

Sent: Monday, October 30, 2023 1:59 PM

To: Ian Andrews <iandrews@lakewoodalive.org>; amyjhane@gmail.com

Subject: RE: 10/05 - ARB Agenda

Ian and Amy,

Below is a draft email for the review of the 11/02/2023 PC Agenda. Let me know if you have any other comments or suggested edits. Note, we have provided comments in the past to the Back Alley Social Club project and the Studio West 117 agenda item is Larsen's (JP) project. We Should plan on sending the comments to Amanda and Dave no later than Thursday (11/2) morning.

On behalf of LakewoodAlive we wanted to provide comments and observations to the projects on the current Lakewood Planning Commission agenda for the 11/02/2023 meeting at 6pm.

- Back Alley Social Club (Conditional Use):
 - Can the Applicant provide clarification on how the drainage will work in the exterior seating area, including the draining of the canopy.

- Back Alley Social Club (Parking Plan):
 - Are the two proposed on street spaces intended to be metered public parking spaces?
 - There current on street parking space in front of Addicted is designated as a 15-minute parking zone. Locating additional street parking behind this 15-minute parking may cause longer parking / exiting time for this space.
 - The HC on street space is located close to the busy Bunts intersection (+/- 20'-10"). We recommend the Planning and Engineering staff review the proximity of the space to the intersection, specifically with respect to the parked vehicle's departure vis-à-vis right turning movements from Bunts to east bound Madison.
 - The location of the new on street parking will block a trash receptacle which would necessitate it to be relocated.

- Studio West 117 (Renewal of Conditional Use):
 - No comments.

- Rise Lakewood (Preliminary Review):
 - Are all 53 surface parking spaces allocated for customer parking spaces? Does Rise Lakewood need all this parking?
 - Have landscaping/planting plans been provided at this time.
 - What is the sally port enclosure material and finish? Will this gates be closed all the time or just during use?
 - Since the building expansion will affect the existing electrical meter/disconnect location, how will the future service be provided. I.e. new pole layout through the site or via an underground route and pad mounted transformer?
 - Cant the applicant provide confirmation on the proposed building materials.

We truly appreciate the opportunity to share our thoughts with you on these applications. If you have any questions on our comments, please let us know and we would be happy to discuss further. It is exciting to see so many developments occurring in Lakewood.

Thank you,

BRIAN MENG LEED AP
Associate Principal | Architect

BIALOSKY CLEVELAND
Celebrating 70 Years | 1951-2021

P 216 767 2023

Always By Design.

Johanna Schwarz

From: Planning Dept
Sent: Monday, October 30, 2023 3:16 PM
To: David Baas; Shawn Leininger
Subject: FW: Public Notice 10/25/2023
Attachments: ClockScan20231030135515.pdf

Johanna Schwarz

Administrative Assistant II

City of Lakewood
Department of Planning and Development
12650 Detroit Avenue
Lakewood, Ohio 44107

(216)529-6630 main
(216)529-6631 office

www.lakewoodoh.gov

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From: paul clockelectric.com <paul@clockelectric.com>
Sent: Monday, October 30, 2023 2:23 PM
To: Planning Dept <Planning@lakewoodoh.net>
Cc: janice clockelectric.com <janice@clockelectric.com>; drohman clockelectric.com <drohman@clockelectric.com>
Subject: Public Notice 10/25/2023

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Docket No. 11-12-23
RE:
11818 Madison Ave.
RISE LAKEWOOD
Existing
Project Location: 11818 Madison Ave., RISE LAKEWOOD

As a neighboring property owner/occupant, Clock Electric Inc. of 1624 Coutant Ave. Lakewood, I would like to state that I do not have an issue with RISE LAKEWOOD expanding. However, the building that is slated to be demolished – 11800

Madison Ave. is the barrier to our parking lot and RISE, and with that building gone, it would leave Clock Electric's parking lot exposed and vulnerable to public parking. Our parking lot is for employees and customer parking needs only and I want to stress that our parking spaces are limited as it is. Another concern I have is for our smaller building on our lot located in SW corner of the property and it being exposed to the proposed new parking lot and addition to RISE that is being proposed.

I would like to propose that RISE LAKEWOOD would be mandated to have the parking lot of the new proposed RISE LAKEWOOD addition and new parking lot area:

- Totally fenced all the way from the Southeast corner of the Clock Electric building on Coutant Ave. and down the new parking area in front of the new addition headed toward Madison Ave, and to the corner of the new parking lot and turn South and fill in the then exposed Clock Electric parking area all the way down to the sidewalk on Coutant Ave. beside Clock Electric which would be the exposed/possible shared parking for us. In other words, have the entire back/side of the new parking lot all fenced in on the Clock Electric side, not only for our own employee safety and security, and possible vandalism, but to keep the lots separated.
- Fence could/should aesthetically match the black fence located across Madison Ave (NeoGraff) to maintain the cohesive look of the Birdtown neighborhood.

Since the RISE was opened, it is very busy. We see the amount of traffic that it has with customers in and out of their building daily (all day, every day) and we need our parking lot for our employees and customers and should not be used for a "shortcut" to RISE. If this can be done, then I would not oppose the new addition and parking lot proposed project. I have had to supply and install a new camera system on the building due to the uprise in mail theft, building vandalism, using our building as a public restroom and homeless/drug traffic the neighborhood has turned into over the past few years.

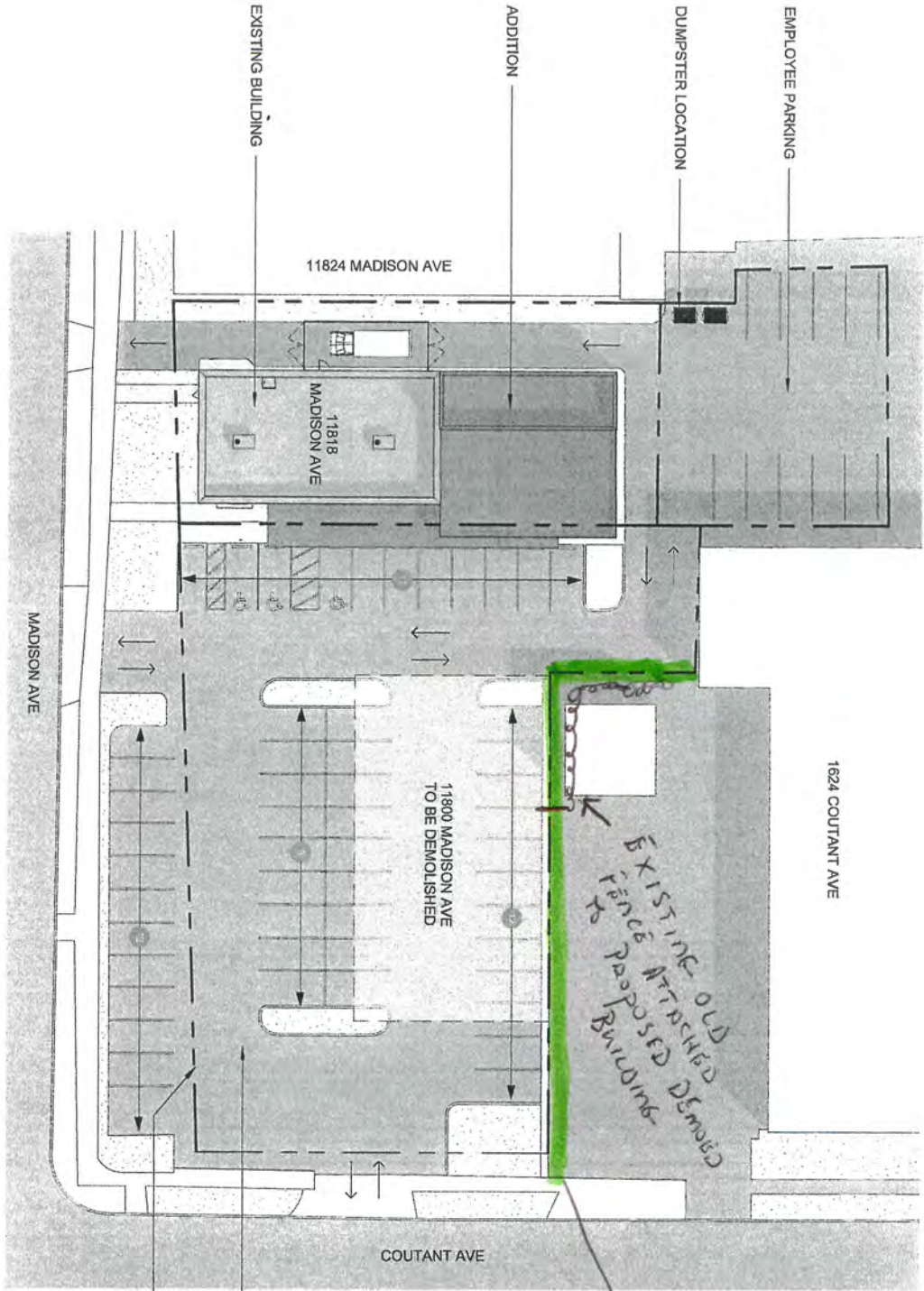
I am attaching a copy of the CDA proposed site plan A-4 dated 10/18/2023, with notes to clarify the proposed fence installation needs.

I am sending this email in today as I will not be able to attend the November 2, 2023, meeting due to short notice of receiving this letter today 10/30/2023, Please advise of your findings and or any correspondence pertaining to this matter, thank you.

Sincerely,



Paul Zietz, CEO
1624 Coutant Ave.
Lakewood Ohio 44107
P: 216-221-1400





Planning Commission

November 2, 2023



Agenda

1. Roll Call
2. Adoption of Minutes – September 7, 2023
3. Opening Remarks
4. Conditional Use Permit – 13741 Madison Avenue: Back Alley Social Club
5. Parking Plan Review – 13741 Madison Avenue: Back Alley Social Club
6. Conditional Use Permit – 1384 Hird Avenue: Fieldhouse at Studio West 117
7. Communication – 11818 Madison Avenue: RISE Lakewood Expansion
8. Adjourn





Docket No. 10-22-23
13741 Madison Avenue

**CONDITIONAL USE PERMIT
BACK ALLEY SOCIAL CLUB
OUTDOOR DINING**

Request

The review and approval of a Conditional Use Permit for an outdoor dining facility, pursuant to Section 1129.13 – Supplemental Regulations for Outdoor Dining Facility. Property is in a C2, Commercial – Retail District.





Docket No. 10-23-23
13741 Madison Avenue

PARKING PLAN REVIEW BACK ALLEY SOCIAL CLUB

Request

The review and approval of a Parking Plan pursuant to Section 1143.09 – Parking Plan Review and Section 1143.10 – Exceptions to Required Minimums. Property is in a C2, Commercial – Retail District.



13741 Madison Avenue



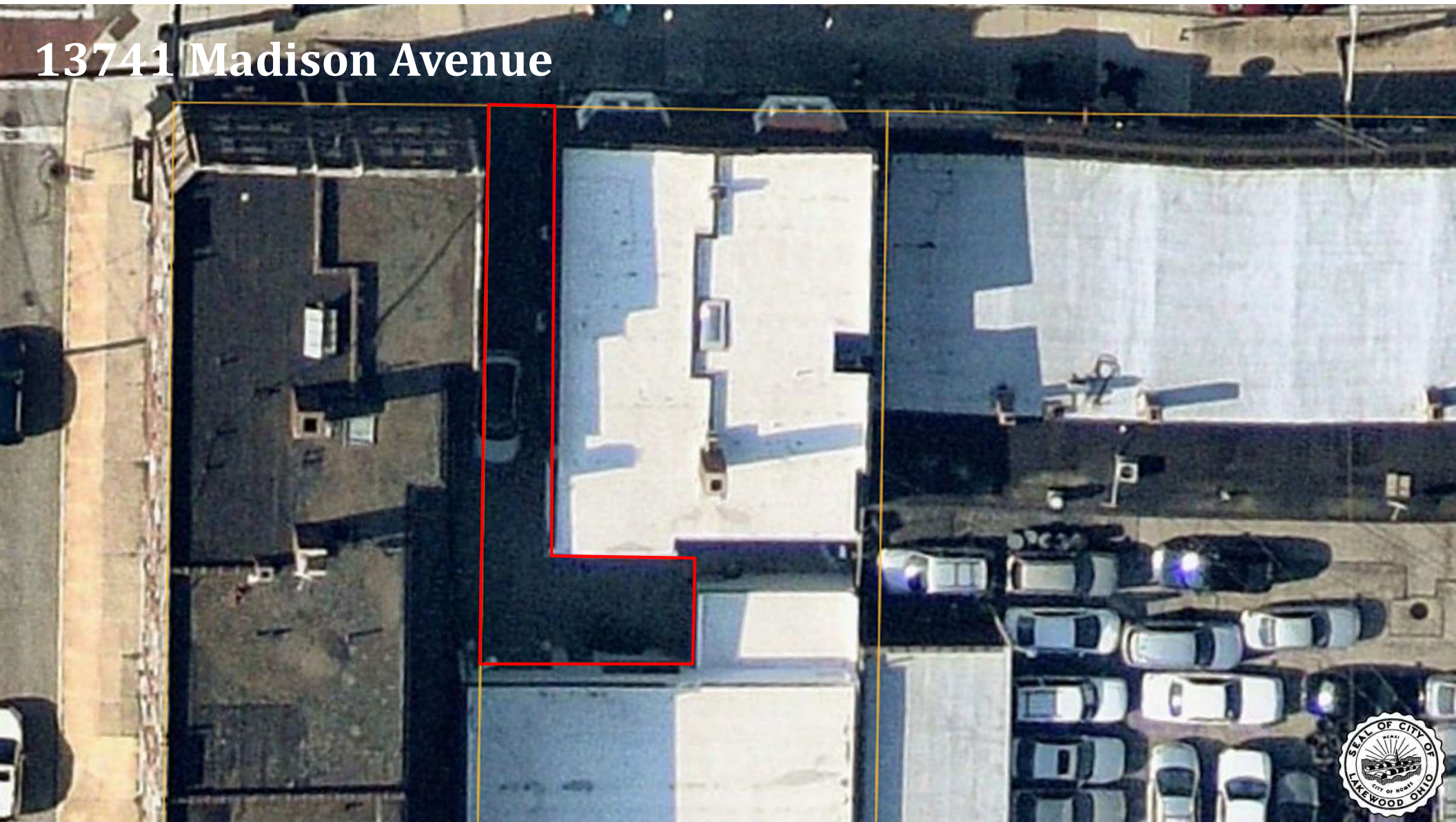
Madison Avenue

Bunts Road

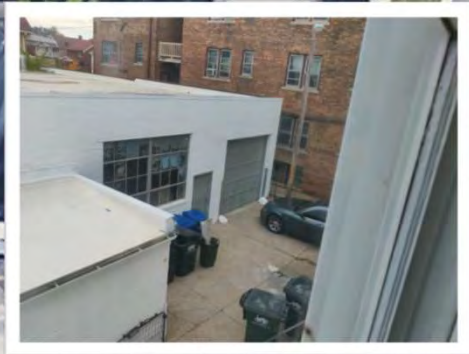
Wascana Avenue



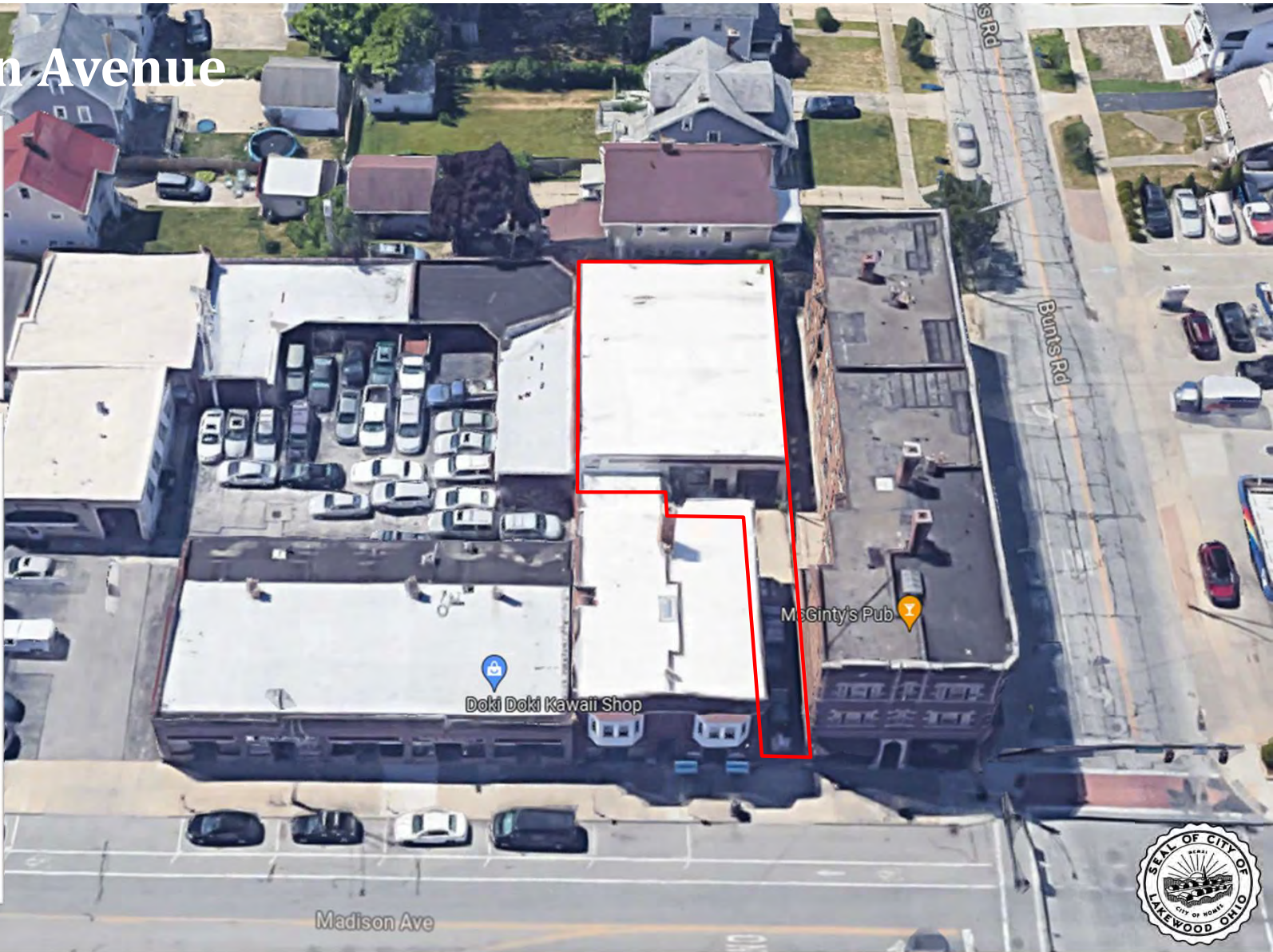
13741 Madison Avenue



13741 Madison Avenue



Madison Ave





Shawn Leininger
City of Lakewood
Department of Planning & Development
12650 Detroit Ave.
Lakewood, OH 44107

Re: Back Alley Social Club Planning Department Submission

Thank you for the opportunity to respond to and clarify our submission for the Back Alley Social Club Planning submission.

Revised drawings have been uploaded to Citizenserve that reflect the following items:

- 1.) The designated Outdoor Dining Area is 800sf.
- 2.) Additional off-site parking is provided to comply with parking requirements for the building and outdoor dining area. The existing alley curb cut is proposed to be removed to allow for (2) additional on street parking -one of which will be designated HC. (4) leased spaces will be provided on the adjacent property . the lease agreement has been submitted.
- 3.) Parking areas are indicated on plan.
- 4.) It was discussed with Planning that the HC on street space would be the most accessible and appropriate location-due to access and grade differences between neighboring properties.
- 5.) The refuse enclosure is indicated on the drawings and is provided in the easement on McGinty property. This is the most accessible location for trash removal.
- 6.) The full height screening for the refuse containers is delineated on the drawings and will be submitted to ARB for administrative review, as was stipulated by the ABR approval.
- 7.) The privacy fence on the west side of the property will not have gate access. The privacy fence on the east side will have a gate to allow access to the leased parking lot. The curb will be modified to allow access and steps will be provided to account for the small grade change. Since we are using the newly created street parking to accommodate our HC requirement, an accessible path will not be required for this access.
- 8.) There was a discussion regarding noise impact on the neighboring McGinty property and getting a letter of support from the property owner. Mr. McGinty will be leasing the renovated building and property for the establishment of Back Alley Social Club and by this is giving his consent and acknowledgment of the noise impact. The establishment will follow all Lakewood prescriptive noise ordinances.

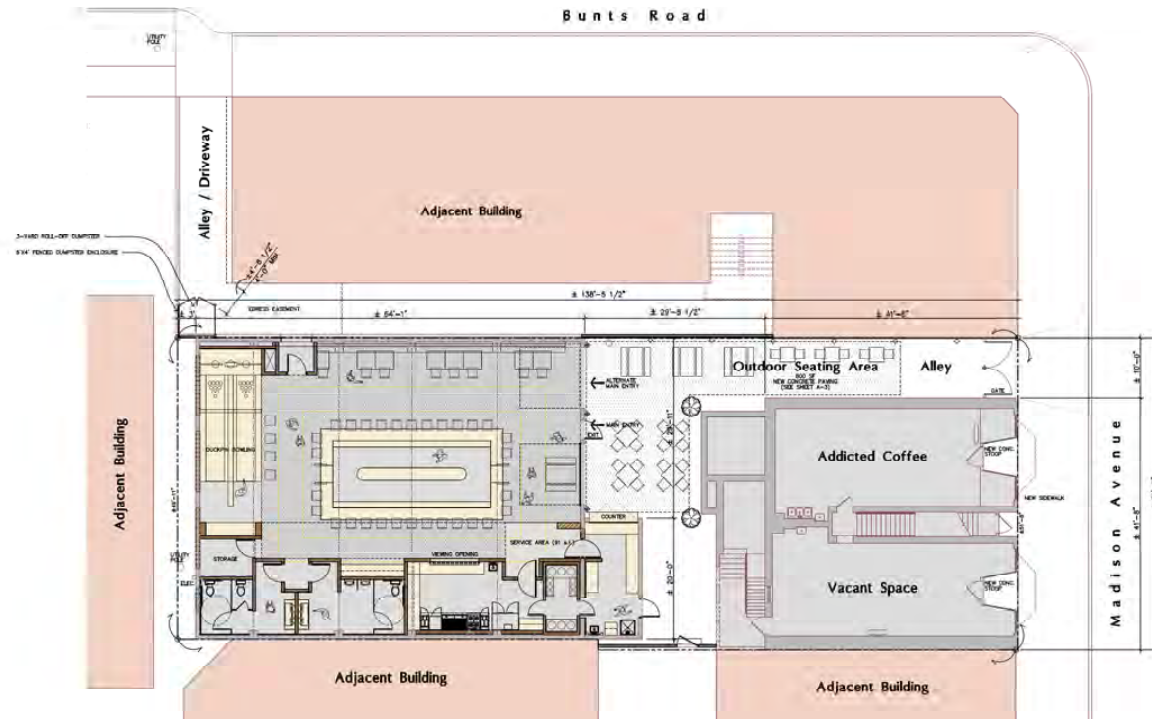
Response to Prior Comments



Parking Calculation

Building Area	3,430 sf
Outdoor Dining	800 sf
TOTAL	4,230 sf

1 space per 1,000 sf = 4.23 spaces
 Round to Higher Number = 5 spaces



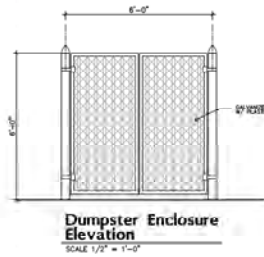
Site / First Floor Plan
 SCALE 1/8" = 1'-0"



3,390 G.S.F. MAIN LEVEL			
1,200 S.F.	MAN LEVEL SEATING	(16 S.F./OCCUPANT)	86 OCCUPANTS
300 S.F.	STOCK/MISC.	(300 S.F./OCCUPANT)	1 OCCUPANTS
1,450 S.F.	KITCHEN/BAR	(200 S.F./OCCUPANT)	8 OCCUPANTS
200 S.F.	DUCKPIN BOWLING		4 OCCUPANTS
			99 OCCUPANTS



Required Parking



PARKING SPACE AGREEMENT

August 23, 2023

Charlie Calanni
c/o 13728 Madison Ave
Lakewood, Ohio 44107
216-228-6979

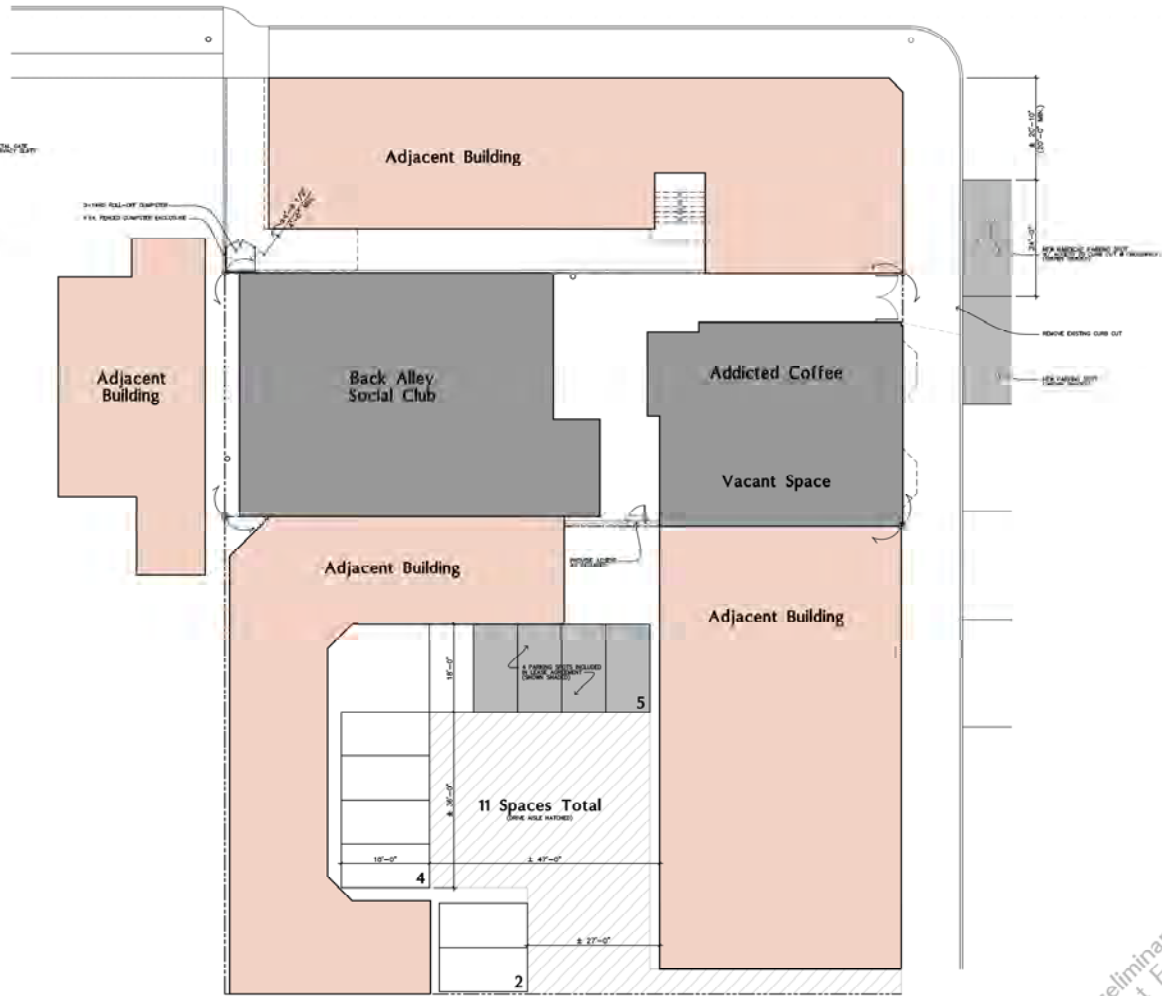
Patrick McGinty
13741 Madison Ave.
Lakewood, OH 44107

I, Charlie Calanni, agree to rent four (4) parking spaces to Patrick McGinty monthly. The parking spaces will be located at the rear of 13731-37 Madison Ave. The cost for these four parking spaces will be \$400.00 per month. This agreement will begin on September 1st 2023. Mr. McGinty will be required to maintain these four parking spaces including to keep them free of dirt and debris and manage the snow removal etc.

[Signature]
CHARLIE CALANNI

[Signature]
PATRICK MCGINTY

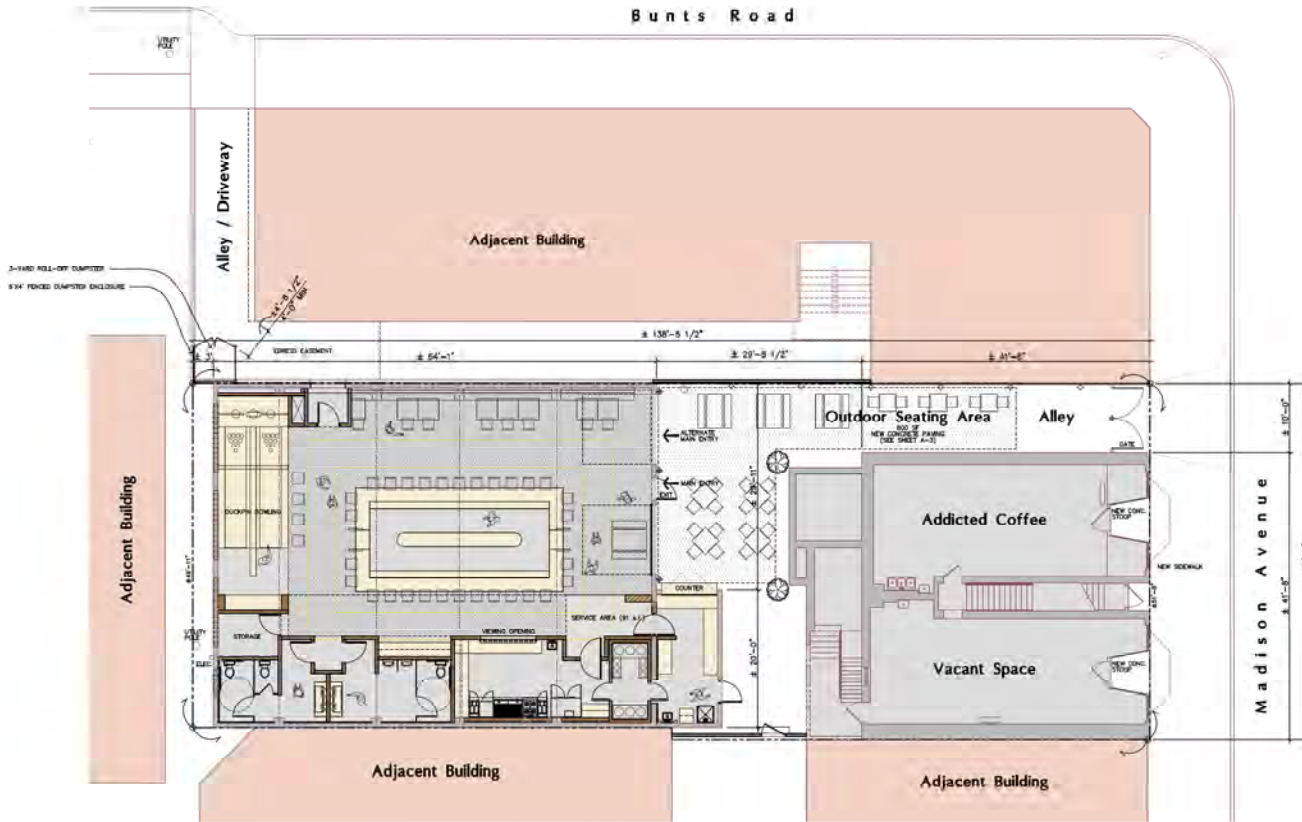
Just # Review
4-23-2024



Preliminary
Not For
Construction



Site Plan



Site / First Floor Plan

SCALE 1/8" = 1'-0"

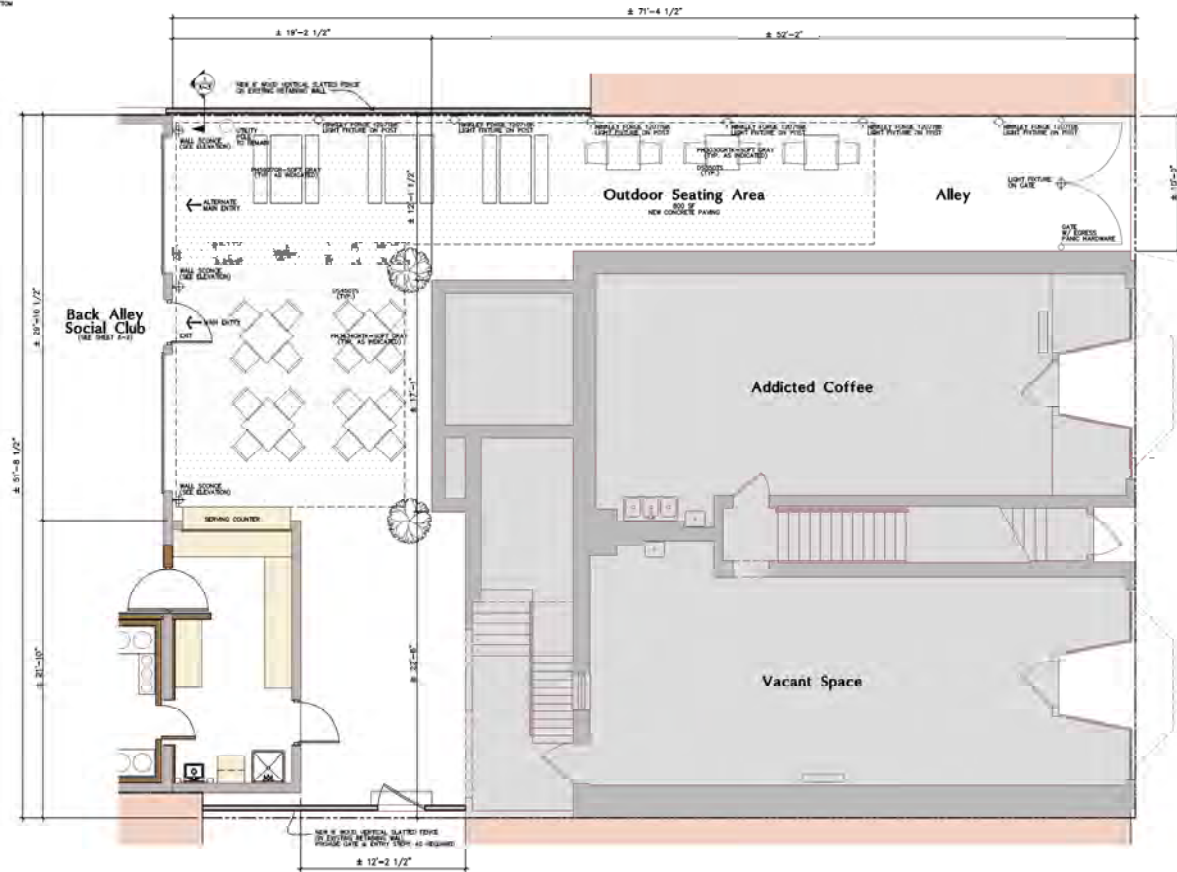
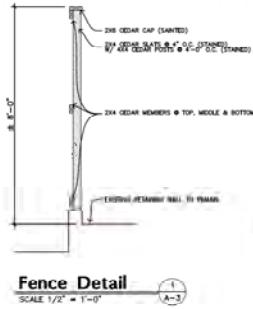


3,390 G.S.F. MAIN LEVEL

1,290	S.F.	MAIN LEVEL SEATING	(15 S.F./OCCUPANT)	86	OCCUPANTS
300	S.F.	STOCK/MISC.	(300 S.F./OCCUPANT)	1	OCCUPANTS
1,490	S.F.	KITCHEN/BAR	(200 S.F./OCCUPANT)	8	OCCUPANTS
300	S.F.	DOCKPIN BOWLING		4	OCCUPANTS
				99	OCCUPANTS

Floor Plan





Enlarged Outdoor Dining Plan

SCALE 1/4" = 1'-0"



Floor Plan



Alley Approach



Main Entry



Entry Gate

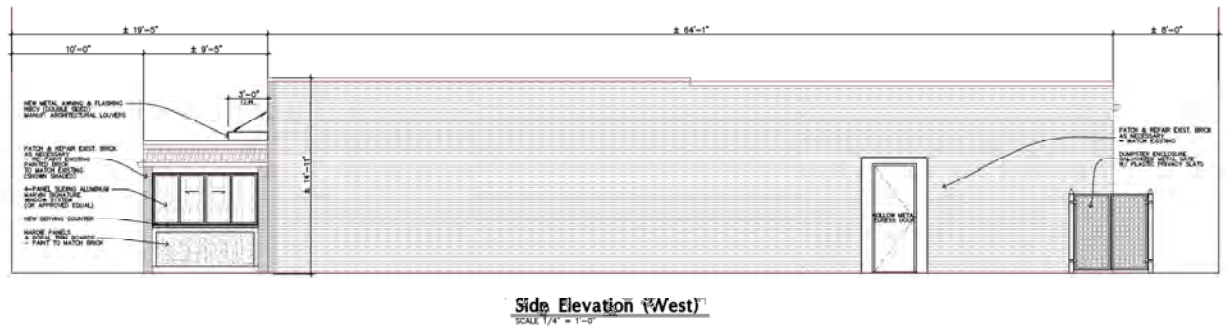
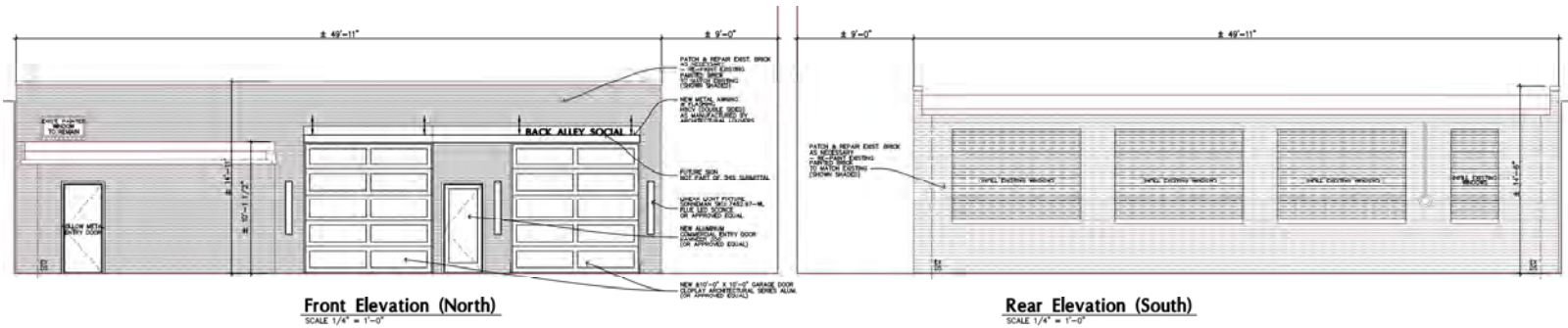


Front Elevation (Madison Avenue)
SCALE 1/4" = 1'-0"

Preliminary
Not For
Construction



Elevations / Renderings



View From Back Alley Social Club



Entry to Back Alley Social Club



View from Serving Counter

Preliminary
Not For
Construction

Elevations / Renderings

1161.02 GENERAL STANDARDS FOR ALL CONDITIONAL USES.

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.



1161.03(t) SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

In addition to the general standards established in Section 1161.02, the following specific conditions shall apply to each use or class of uses listed in this Section 1161.03. Nothing in this Section shall prohibit the Commission from prescribing supplementary conditions and safeguards in addition to these requirements, or where no specific conditions are stated:

https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-74832



Recommendation

City Staff have determined the requirements for approval of an outdoor dining facility, pursuant to Section 1129.13 – Supplemental Regulations for Outdoor Dining Facilities, have been met and recommend approval with the following conditions:

1. At no time shall the occupancy of the combined indoor and outdoor space exceed the capacity established by the Building Commissioner and Fire Marshall.
2. The tables shall be located in a manner so as not to block any required ingress/egress to the building and ADA accessibility shall always be maintained.

1143.09 PARKING PLAN REVIEW: PLANNING COMMISSION.

- (a) The Commission shall review applications for parking plans that do not meet the set schedule in 1143.05. In addition to Section 1143.09 and Section 1143.10, the Commission may consider the following when reviewing an application:
- (1) Impact on central character of residential neighborhoods taking on overflow parking;
 - (2) Available surface parking lots in the neighborhood that could be used for shared parking;
 - (3) Similarly scaled projects throughout the City to compare parking footprint;
 - (4) When a restaurant use is proposed, the total number of tables to parking spaces;
 - (5) Total number of employees;
 - (6) Alternative forms of transportation available in the neighborhood;
 - (7) Implementation of bicycle facilities, including but not limited to, bicycle racks, covered bicycle parking, and shower facilities for employees;
 - (8) Peak demand for parking spaces from all uses compared to the total supply of spaces;
 - (9) Traffic impact analysis and/or a traffic demand study;
 - (10) For uses defined as Institutional or Public Assembly in Schedule 1143.05, the following guidelines:
 - A. One space for each 80 square feet of all auditoria and public assembly rooms: and
 - B. One space for each employee.



1143.10 EXCEPTIONS TO REQUIRED MINIMUMS.

The number of parking spaces required may be reduced in accordance with the following credits as determined by the Commission when reviewing an application for a reduction to the minimum number of parking spaces required per Schedule 1143.05.

- (a) For uses defined as Commercial in Section 1143.04, the Commission may consider the following:
 - (1) One space credit for each off-site parking space which is owned or rented by the property or business owner for the purpose of providing parking to the subject property. Such off-site spaces shall be located within 1,000 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking space or lot to the main public entrance of the use served.
 - (2) One space credit for each off-site parking space provided by valet parking service. The property or business owner shall submit to the department written documentation of permission to use an off-site parking for valet parking. The Director may request a review of the agreement as often as annually to ensure compliance.
 - (3) One space credit for each space in a parking lot or parking structure provided for public use located within 1,000 feet, as measured by using the shortest pedestrian route from the nearest corner of the parking lot or structure to the main public entrance of the use served.
 - (4) A determination by the Director is made that there is no change in use and the same parking facilities are in place.



Recommendation

City Staff have determined the requirements for approval of a parking plan not meeting minimum number of spaces have been pursuant to Section 1143.09(a) – Parking Plan Review: Planning Commission and Section 1143.10(a) – Exceptions to Required Minimums, have been met and recommend approval with the following condition:

1. If at any time the shared parking agreement expires, or the parking spaces are not made available for use as depicted in the submitted site plan, this approval shall expire and a revised parking plan shall be submitted to the Planning Commission.



Docket No. 11-24-23
1384 Hird Avenue

**CONDITIONAL USE PERMIT
FIELDHOUSE AT STUDIO WEST 117
OUTDOOR DINING EXTENDED HOURS**

Request

The review and approval of a Conditional Use Permit for extended hours of operation of an outdoor dining facility, pursuant to Section 1161.03(w) – Supplemental Regulations for Extended Hours of Operation. Property is in a C3, Commercial – General District.



1384 Hird Avenue

Hird Avenue

Madison Avenue




1384 Hird Avenue



The Fieldhouse @Studio West 117



 The Fieldhouse @ Studio West 117 - Adjacent Properties
Scale: Not to scale
NORTH

- A Highland Manor Apartments**
11821 & 11825 Detroit Avenue, Lakewood, OH 44107
Approx. 270' from nearest point of patio.
These apartments exist above existing retail.
Site lines & sound obscured by the Phantasy Complex.
- B Steyer Building Apartments**
11822 Detroit Avenue, Lakewood, OH 44107
Approx. 198' from nearest point of roof deck.
These apartments exist above Ohio Inn.
Site lines & sound partially obscured by adjacent building.
- C Cichowicz Building Apartments**
11906 Detroit Avenue, Lakewood, OH 44107
Approx. 440' from nearest point of roof deck.
These apartments exist above 5 O'Clock Lounge.
Site lines & sound obscured by Value World.
- D Rockport Townhomes**
1379-1391 Fry Avenue, Lakewood, OH 44107
Approx. 438' from nearest point of roof deck.
Site lines & sound obscured by Value World & Fieldhouse Complex
- E Lakewood Club Apartments**
11838- 11850 South Lane Drive, Lakewood, OH 44107
Approx. 269' from nearest point of roof deck.
Site lines & sound obscured by Fieldhouse Complex.
- F Lakewood Club Apartments**
1336-1342 South Lane Drive, Lakewood, OH 44107
Approx. 260' from nearest point of roof deck.
Site lines & sound obscured by Fieldhouse Complex.



SW STUDIO WEST 117



Site Plan



Outdoor Space Photos



POLICE DEPARTMENT EVENT REPORTS

No.	Date	Time	Reason
1.	Saturday, August 19, 2023	10:50PM	Bass Loud
2.	Sunday, August 27, 2023	10:30PM	Loud Music
3.	Friday, September 15, 2023	8:29PM	Loud Music
4.	Saturday, September 23, 2023	10:37PM	Loud Music
5.	Sunday, September 23, 2023	11:44PM	Loud Music *
6.	Thursday, September 28, 2023	7:20PM	Police Department Meeting with Management
7.	Sunday, October 1, 2023	12:07AM	Loud Music

* Decibel reading taken and determined to be within allowable limits. Later determined incorrect limits were utilized. It is unclear from report if correct limit would have resulted in a violation.

Noise Complaints



1161.03(t) SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

In addition to the general standards established in Section 1161.02, the following specific conditions shall apply to each use or class of uses listed in this Section 1161.03. Nothing in this Section shall prohibit the Commission from prescribing supplementary conditions and safeguards in addition to these requirements, or where no specific conditions are stated:

- (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.



1161.02 GENERAL STANDARDS FOR ALL CONDITIONAL USES.

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.



1161.03(w) SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

In addition to the general standards established in Section 1161.02, the following specific conditions shall apply to each use or class of uses listed in this Section 1161.03. Nothing in this Section shall prohibit the Commission from prescribing supplementary conditions and safeguards in addition to these requirements, or where no specific conditions are stated:

https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-74832



Recommendation

City Staff have determined the requirements for approval of an extended hours of operation pursuant to Section 1161.03(w) – Supplemental Regulations for Extended Hours of Operation, can be met and recommend temporary approval with the following conditions:

1. The outdoor dining spaces may be occupied between the hours of 8:00 a.m. and 11:00 p.m. Sunday through Thursday, 8:00 a.m. Friday to 2:30 a.m. Saturday and 8:00 a.m. Saturday to 2:30 a.m. Sunday.
2. Outdoor entertainment as defined by Section 1161.03(t)(15) is permitted during these hours.
3. Any violation of Chapter 515 Noise Control that results in a citation being issued shall cause the immediate revocation of the Conditional Use Permit for Extended Hours of Operation. After which the outdoor dining spaces may continue to operate only as expressly authorized by Section 1161.03(t).
4. This Conditional Use Permit will expire on May 31, 2024, and may only be renewed by review and approval of the Planning Commission.



Docket No. 11-25-23
11818 Madison Avenue

**COMMUNICATION
RISE LAKEWOOD
PRELIMINARY REVIEW**

Request

Preliminary review and comment on the proposed expansion of RISE Lakewood at 11818 Madison Avenue to advise the Applicant of next steps. Property is in a C3, Commercial – General District.



11818 Madison Avenue

Newman Avenue

Coutant Avenue

Madison Avenue



Lakewood Mini Park Buffer

Newman Avenue

Coutant Avenue

Madison Avenue

W 117th Street

r600ft



11818 Madison Avenue



11818 Madison Avenue



RISE LAKEWOOD - MADISON DISPENSARY RENOVATION

11818 MADISON AVE., LAKEWOOD, OHIO 44107

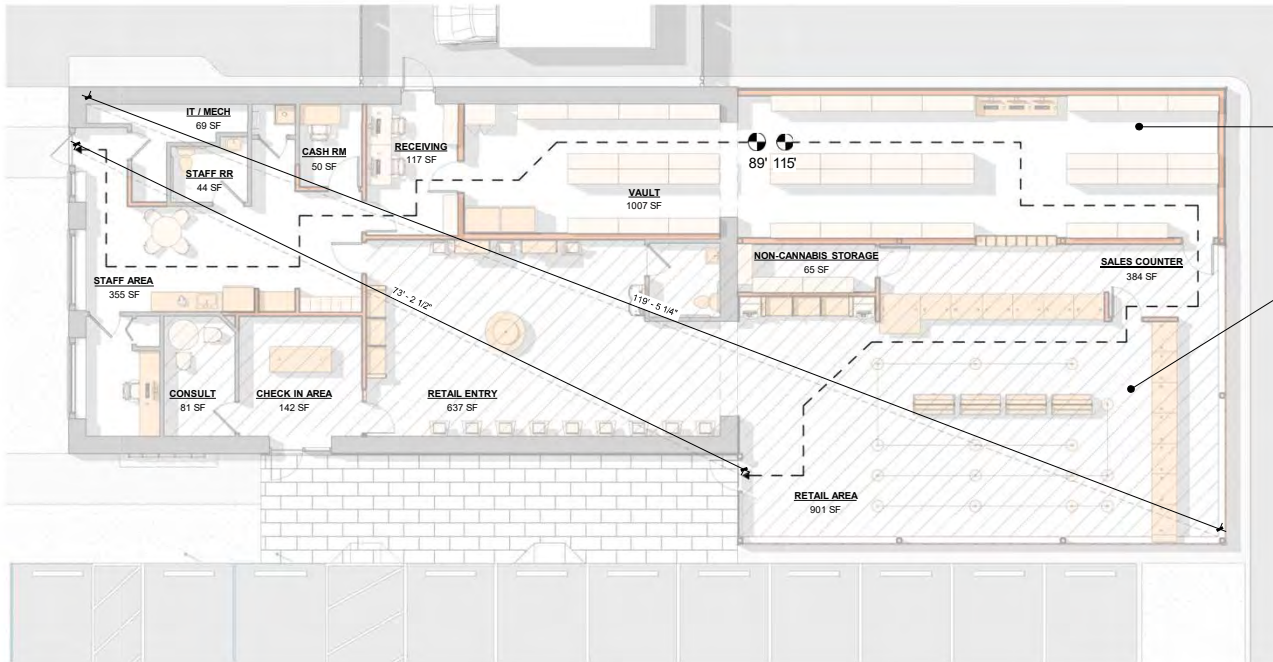


DRAWING INDEX - CONCEPT SET

CS	COVER SHEET
LS-1	CODE ANALYSIS PLAN
A-1	LOCATION MAP
A-2	EXISTING PHOTOS
A-3	EXISTING FLOOR PLAN
A-4	PROPOSED SITE PLAN
A-5	PROPOSED FLOOR PLAN
A-6	EXTERIOR RENDERING
A-7	EXTERIOR RENDERING
A-8	EXTERIOR RENDERING
A-9	EXTERIOR RENDERING
A-10	EXTERIOR RENDERING
A-11	EXTERIOR RENDERING
A-12	PARTIAL AXON
A-13	OVERALL AXON

PROJECT DESCRIPTION

CDA has been engaged to expand the existing Rise dispensary located at 11818 Madison Avenue. The expansion will consist of two volumes added to the rear of the building expanding both the sales floor and the back of house space. The final building square footage will be approximately 4,551 square feet. The front of house volume is proposed to be clad in polycarbonate which allows extensive daylighting into the space while fully obscuring views into the sales floor from the exterior. The interior of the existing space will be fully renovated with minor upgrades to the exterior of the existing building. A drive through will be added to the West facade of the building and parking will be expanded on site.



STORAGE, STOCK & SHIPPING
 1,780 S.F. @ 300 GROSS OCCUPANTS
 = 6 OCCUPANTS (TABLE 1004.5)

MERCANTILE
 2,300 S.F. @ 60 GROSS OCCUPANTS
 = 38 OCCUPANTS (TABLE 1004.5)
 DESIGN OCCUPANT LOAD = 49 OCCUPANTS

CODE SUMMARY NOTES - 2018 IBC

PROJECT TYPE:	RENOVATION / ADDITION TENANT FIT-OUT (LEVEL 3 ALTERATION)
LOCATION:	LAKWOOD, OH
OCCUPANCIES:	MERCANTILE (M)
MAX. OCCUPANT LOAD:	44
CONSTRUCTION:	TYPE VB CONSTRUCTION (UNPROTECTED WOOD FRAME)
EXISTING FIRE RESISTANCE:	NON-SPRINKLERED
MAX. TRAVEL DISTANCE:	200'-0" AS PER TABLE 1017.2
TOTAL SF=	GROUND FLOOR: 4,160 SF (INTERIOR GROSS S.F.) (MAX. 9,000 SF 0 TABLE 506.2)
NUMBER OF STORIES:	1 STORY (MAX. 1 STORY - TABLE 504.4)
HEIGHT=	+/- 28' 7" (MAX. 40' 0" - TABLE 504.3)

OHIO CODES IN FORCE

OHIO BUILDING CODE 2017
 OHIO FIRE CODE 2017
 OHIO PLUMBING CODE 2017
 OHIO MECHANICAL CODE 2017
 OHIO FUEL GAS CODE 2015
 OHIO ENERGY CODE 2017
 OHIO ACCESSIBILITY CODE 2009
 ADA STANDARDS 2010
 OHIO ELECTRICAL CODE 2017
 LIFE SAFETY CODE OF CMS
 OHIO FIRE ALARM CODE 2016

PLUMBING

PLUMBING PER IBC TABLE 2902.1

1 WATER CLOSET PER 500 OCC.	1 REQ'D / 2 PROVIDED
1 LAVATORY PER 750 OCC.	1 REQ'D / 2 PROVIDED
1 WATER FOUNTAIN PER 1000 OCC.	1 REQ'D / 1 PROVIDED
1 JANITOR CLOSET	1 REQ'D / 1 PROVIDED

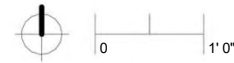


11818 MADISON AVE
LAKEWOOD, OH

CDA
CHRIS
DAWSON
ARCHITECT

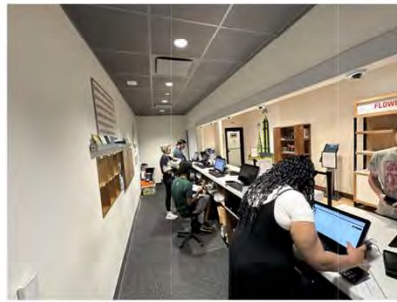
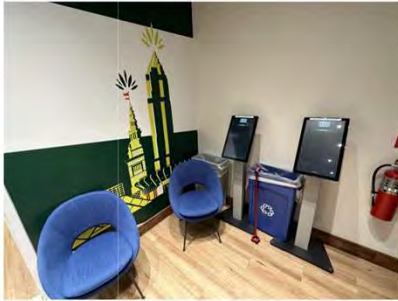
RISE LAKEWOOD - MADISON DISPENSARY RENOVATION

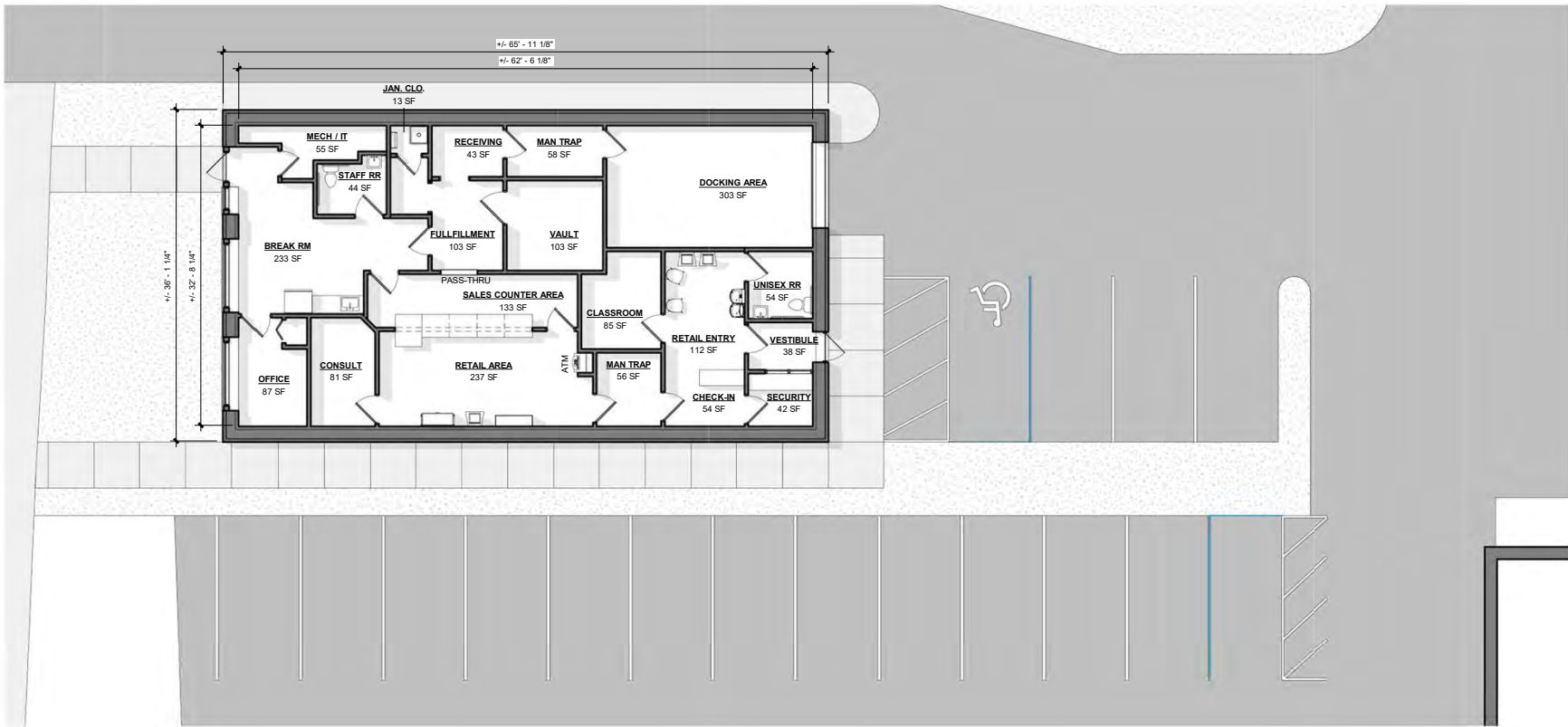
EXISTING

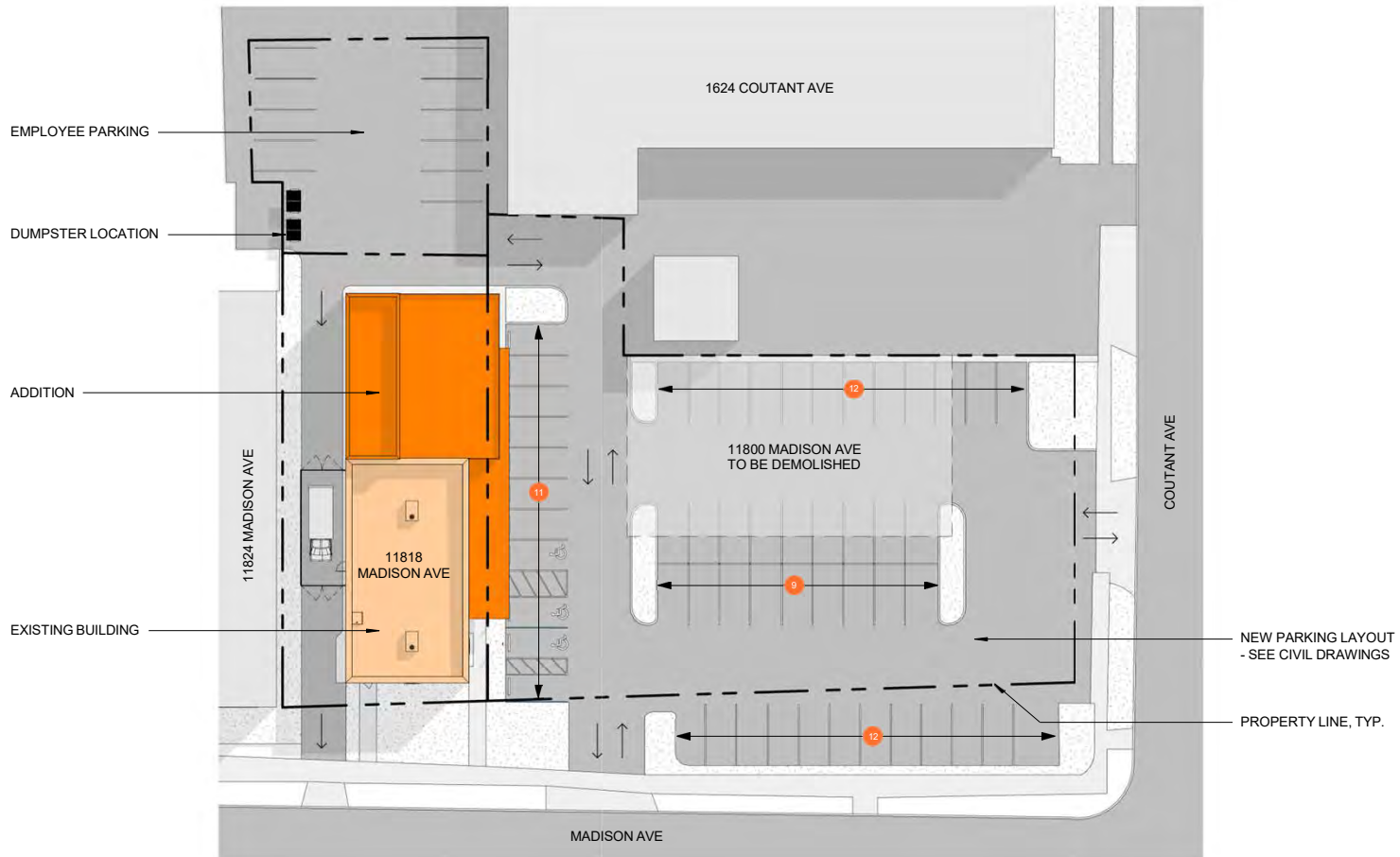


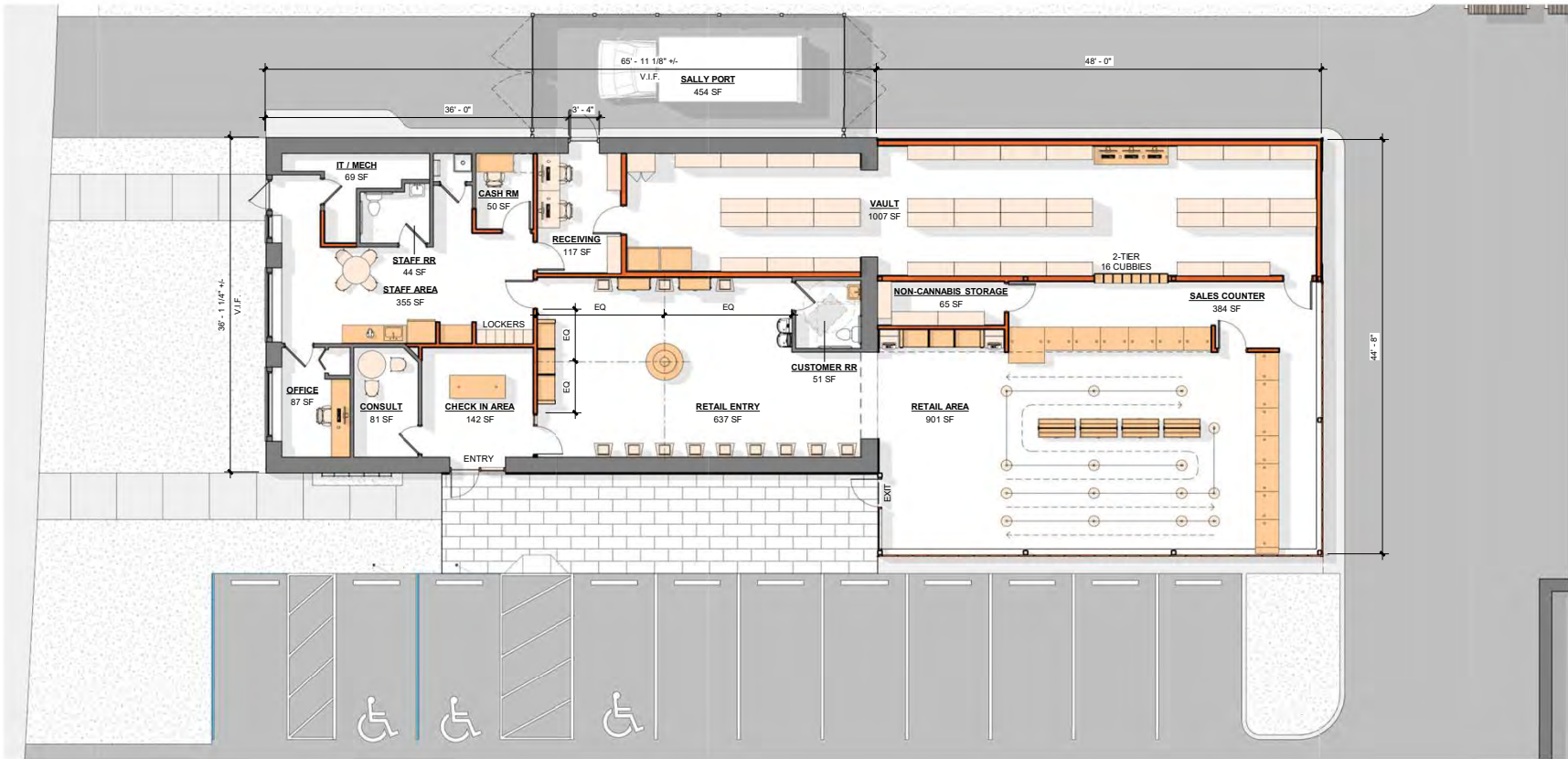
LOCATION MAP
10/18/2023 NFC

A-1









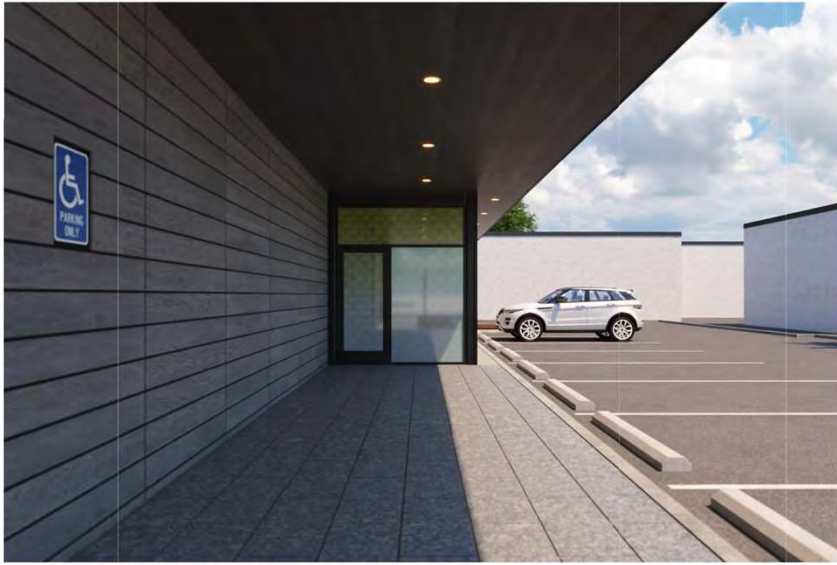


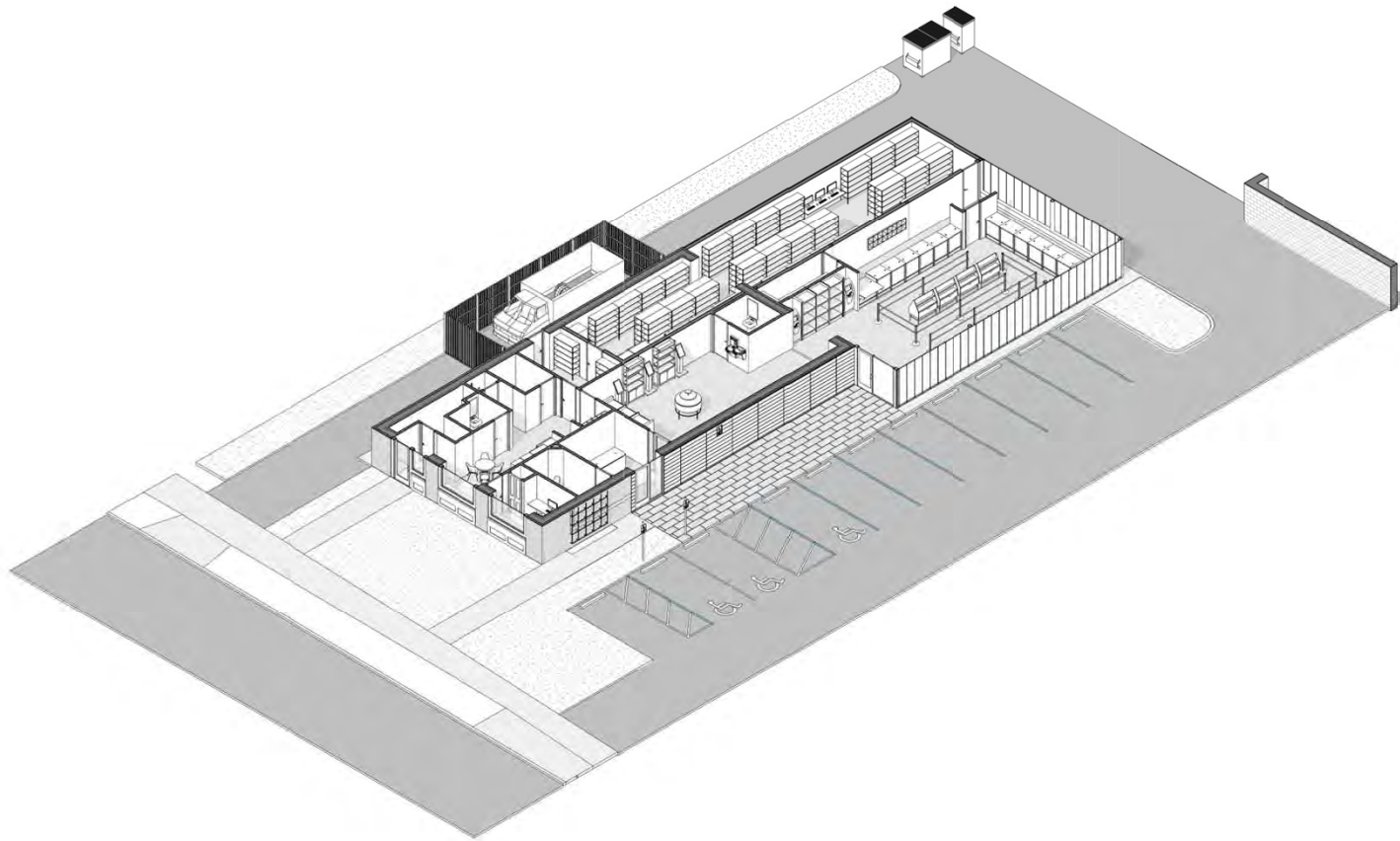


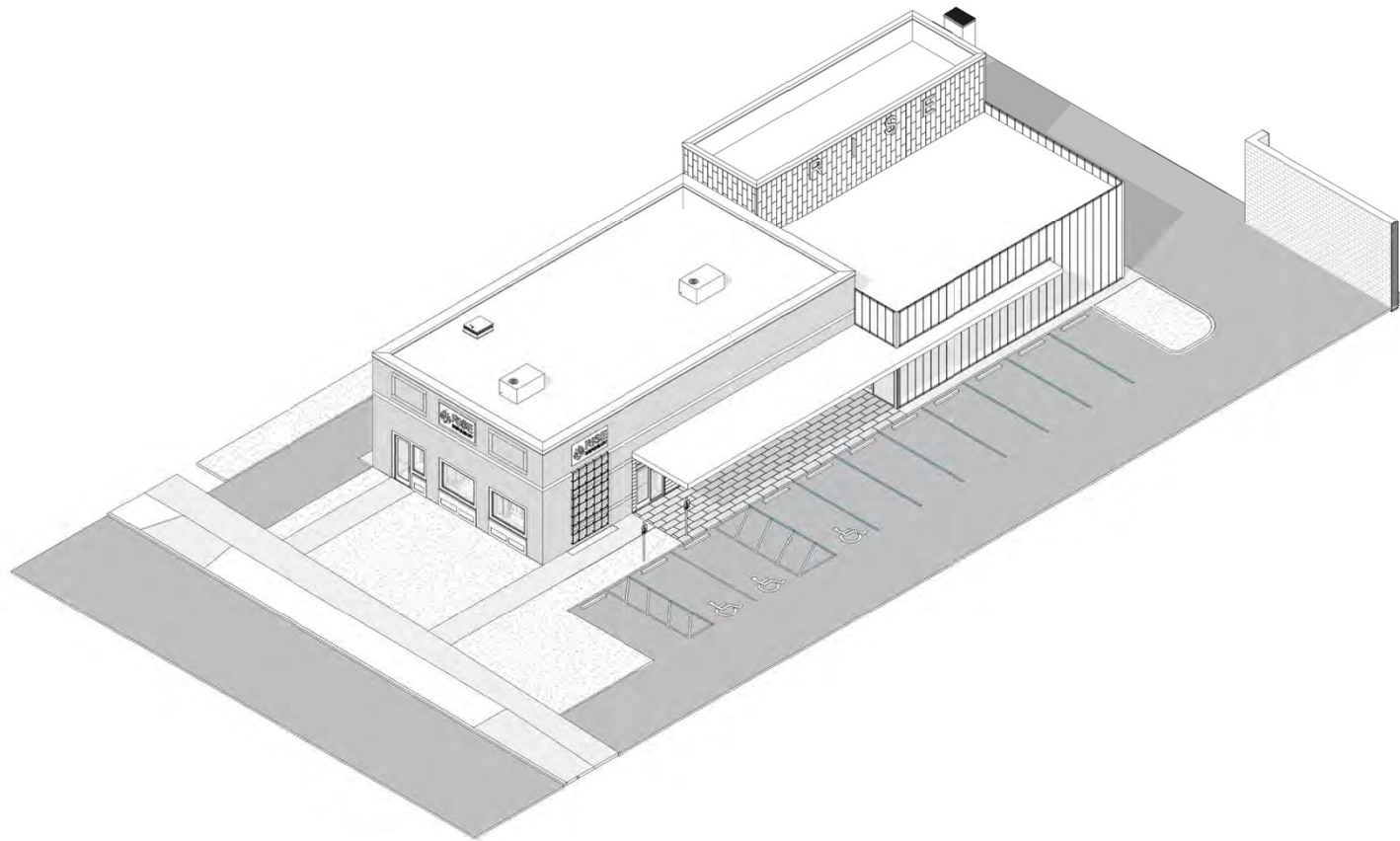












Recommendation

Motion to receive and file. City Staff has provided these initial comments to the Applicant:

1. Parking must be removed from the City public right-of-way along Madison.
2. The building expansion requires a Conditional Use Permit for Medical Marijuana Dispensaries.
3. A lot consolidation will be required for the building addition. This lot consolidation needs to include the non-conforming employee parking property that does not have frontage.
4. The Applicant needs to provide a justification for the increased parking above the maximum limits of the Zoning Code.
5. If the justification is substantiated, either in whole or in part, there must be an offset for the exceedance as required by [Section 1143.11](#).
6. The edges of the parking area abutting public streets must be enhanced with landscaping, decorative fencing, and other appropriate measures (see examples in Lakewood).
7. Pending resolution of the above items, consideration should be given to setting aside a future building site at the corner of Madison and Coutant Avenues.



Planning Commission

November 2, 2023

