

**MINUTES
PLANNING COMMISSION MEETING
APRIL 4, 2013
LAKEWOOD CITY HALL
7:00 P.M.
AUDITORIUM
(Audio Recording Available)**

Meeting called to order at 7:00 P.M.

1. Roll Call

MEMBERS PRESENT

Hannah Belsito
William Gaydos
Robert Greytak
Tamara Karel
Mark Stockman, Chairman

OTHERS PRESENT

Dru Siley, Commission Secretary, Dir. of P&D
Jen Mladek, Assistant Law Director
Bryce Sylvester, Planning & Development

A motion was made by Ms. Karel, seconded by Ms. Belsito, to **EXCUSE** the absences of Ms. Cierebiej and Mr. Metzger. All of the members voting yea, the motion passed.

2. Approve the Minutes of the February 7, 2013 Meeting

A motion was made by Ms. Karel, seconded by Mr. Gaydos, to **APPROVE** the minutes of the February 7, 2013 meeting as amended. All of the members voting yea, the motion passed.

3. Approve the Minutes of the March 7, 2013 Meeting

Mr. Siley requested that the approval be deferred until the meeting of May 2, 2013 until it was determined who made the motions and the seconds on two of the items.

4. Opening Remarks

The Opening Remarks were not read.

NEW BUSINESS

5. Docket 04-07-13 1625 Westwood Avenue

Elena Marculescu, applicant and property owner, requests a Conditional Use Permit for a home bakery with no employees, pursuant to Code Section 1145.01(a) – Type A Home Occupation. The property is located in an R2, Single and Two Family Residential district. (Page 4)

Elena Marculescu, applicant and property owner was present to explain the request. Alex Marculescu spoke on behalf of the applicant, his mother. He resided at 1425 Westwood in the second floor unit. His parents lived in the first floor unit. The baking would be done in the second floor unit. This would be a part-time business on the weekends with customers coming to get the product by appointment two or three times a week, or the product would be delivered.

Mr. Siley said the City supported the request because this type of home business is why the ordinance was written and adopted. There would be no adverse effect on the neighborhood from vehicular or pedestrian traffic. The only condition was if the Health Department required certification, the certification was provided to the City prior to operation of the business.

There was no public comment.

A motion was made by Mr. Gaydos, seconded by Ms. Karel, to **GRANT with the stipulation any required certification is provided to the City.** All of the members voting yea, the motion passed.

6. **Docket 04-08-13** **14018 Detroit Avenue**
Winking Lizard

James Callan, owner and applicant, requests a Conditional Use Permit for an outdoor dining facility, pursuant to Sections 1129.03 – Accessory Uses, 1161.03(t) – Outdoor/Seasonal Dining Facility, and 1173.02 – Conditional Use Permit. The plan is to expand the existing patio on the SE corner of the building. The property is located in a C3, Commercial and General Business district. (Page 10)

Jim Callan, owner and applicant, was present to explain the request. Using the PowerPoint presentation, he showed the proposed expansion. There would be landscaping as a buffer, wrought iron fencing, and an extended access ramp. The entrance to the patio would be from the porch, and there would be an emergency gate. He planned to add 12 tables; total seating for 80 to 100. The current total number of the indoor seating was 393. The area would remain uncovered, and there would be no additional lighting. Mr. Siley said that based on indoor capacity, the number of allowable outdoor seating was 98.

There was no comment from the public. Mr. Siley said this was in a significant location and agreed with Mr. Gaydos there were no neighboring residential properties. Police reports from the past 12 months indicated no noise issues or incidents requiring police intervention. However, he noted that one of the drawings indicated an indoor seating capacity of 265, not 393. The indoor seating capacity needed confirmation, and then the drawing would need to be corrected. The Architectural Board of Review ("ABR") would see the proposal next week at its meeting to discuss tables, chairs, railings, landscaping and all other pertinent issues.

A motion was made by Mr. Gaydos, seconded by Ms. Karel, to **GRANT with the stipulation the proposal was approved by ABR.** All of the members voting yea, the motion passed.

7. Docket 04-09-13

**Communication from Mary Louise Madigan, Councilwoman
Ward IV: Request for Clarification on the Decisions Made in
August 2012 (Docket 06-09-12)**

Mary Louise Madigan, Councilwoman Ward IV, requests clarification on the decisions made by the Planning Commission at its meeting of August 2, 2012 regarding the obligations of Discount Drug Mart ("DDM") and the construction of the store at 13123 Detroit Avenue; the Conditional Use granted for parking at the NE corner of 1425 Grace Avenue and the renovation of the house at 1425 Grace Avenue. The property is located in a C3, Commercial and General Business district and in an R1H, Single Family and High Density Residential district. (Page 15)

Mary Louise Madigan, Councilwoman, Ward IV, was present. The residents wanted a specific definition of the rehab and a timeline.

Tim Moran, Discount Drug Mart ("DDM"), stated that over the course of the past two or three months, they were negotiating with a contractor who specialized in the home restorations. The contractor knew Lakewood and was known to the City. He was not able to share the name of the contractor as they were still in negotiations. Currently, the purchase and sale (between the Seller and the Buyer; the potential Buyer was also the contractor) of the home was contingent upon a scope of work in excess of the required amount of work. He believed the scope of work was presented by the 25 item document prepared by Lakewood's Division of Housing and Building ("H&B"), and the contract between DDM and the contractor would exceed that list. Again, as they were in negotiations, he could disclose nothing. Mr. Stockman asked for a time frame; Mr. Moran said they expected the sale to close within two months with work to begin afterwards and would take approximately six months to renovate fully. Ms. Belsito asked if the repairs could be part of the contract negotiation; Mr. Moran replied yes. Mr. Gaydos was familiar with this type of negotiations and confidentiality; he felt the rehab work would do justice to Lakewood and was comfortable with their process. Asked by the Commission as to who would fix the code violations, Mr. Moran said it would be the Buyer/contractor.

Tom McConnell, DDM, said the code violations would be corrected, and other improvements would be made above and beyond the required. DDM was obligated to uphold its commitments to the City.

Mr. Siley said this discussion was appropriate because of the time gap between the beginning and finish of the rehab. At the time the Conditional Use was granted, the terms and timing of the renovation were not defined. DDM was obligated to renovate the house regardless of the number of times the house was sold. As a result, the Commission had the right to limit the Conditional Use based upon non-conformance after information provided at the upcoming updates from DDM. Interior and exterior inspections were done. When the violations were completed, the renovation obligation would be fulfilled per the City. The completion date was the standard 30 days and could be extended by the inspector, if efforts were exhibited. The date on the correction notice and the completion date from the Commissioners would be the date to which the City would adhere.

Mr. Moran said they did not hire a consultant when the new store was being designed because DDM did not own the white house until November 14, 2012. Admitting their priority was the completion of

their new store, they would concentrate on the house afterwards. The last phase of the project was rehabbing of the house. The winter months were not the time to work on the exterior of a residential home and rehabbing was not their expertise. Finding a buyer/contractor was taking time, and they asked for patience.

Mr. Greytak said their attitude changed between getting the Conditional Use in August 2012 and now. He wanted to know if options were available to the Planning Commission ("PC") to suspend it.

Mr. Siley explained a couple of scenarios whereby the parking was disallowed and/or revoked. Mr. Siley said the Commission was silent on specific conditions and unclear about expectations at the August 2012 meeting. Now was the opportunity to establish timelines and expectations. Then after monitoring the situation, if progress was not being made, then suspension or revocation of the Conditional Use could be ruled by the Commission.

Mr. Stockman was comfortable with a date of September 2013. Ms. Karel was willing to wait for the completion of the store so concentration would be on the rehab being done right. Mr. Greytak wanted to see plans/proposal at next month's PC meeting. Ms. Belsito asked for the completion date of the store, and the date they expected to begin rehabbing. Mr. Moran expected contract negotiations on the home to be done in two months, and DDM hoped to open in May. Ms. Karel wondered why it was taking so long between getting possession of the house and finalizing negotiations. Mr. Gaydos said he was involved in this type of work, and this timeline was not unusual. He was confident the renovation would be to everyone's satisfaction. Mr. Stockman said the months ahead would be conducive to exterior work and expressed the desire to hear from the buyer/contractor as soon as negotiations would allow. Mr. Greytak still sought a definition regarding the scope of work; he wanted them to return next month and provide details. Mr. Moran suggested they return in September to which Mr. Stockman said that would be too late. Mr. Greytak said there needed to be a definition of renovation, and DDM owed it to the community to provide a clear work plan. Ms. Belsito was troubled that nothing would be done to the home until after the DDM store was open. Mr. McConnell wanted to clarify they had been actively working on getting the house ready for rehabbing since the time they were granted ownership.

Mary Louise Madigan said the concerns of the neighbors were legitimate and taking too long. There needed to be a clear timeline with specifics and contractor contact information.

Colleen Cotter, 1437 Grace Avenue, referred to the memo that was sent to Dru Siley for distribution to the Commissioners (made part of record) that addressed their concerns. DDM had not upheld their promises regarding no construction trucks on Grace Avenue and no workers beginning their jobs before 8:00 a.m. In December, there was a broken window in the white house that took a month to replace. She requested that DDM be held accountable.

Kevin McDonough, 1422 Grace Avenue, asked for DDM to be held accountable. He was concerned that leverage would be lost once DDM opens the doors of the new store.

Colleen Cotter handed a petition signed by residents to Mr. Siley.

Michael Ciccarello, 1519 Grace Avenue, suggested that the swale at the property line and fence be leveled and wanted to be sure the garage was included in any plans.

Terri Kress, 1426 Cohasset Avenue, said her property abutted DDM's, and if the swale at the white house were leveled, as suggested by Mr. Ciccarello, then the same should be continued along her property line at no cost to her. She had retained a professional landscaper to do her yard once construction was done.

Denise Evert, 1435 Cohasset Avenue, felt that the Cohasset Avenue residents were not given the same consideration as Grace Avenue residents. If an issue was addressed to the Grace Avenue side, it also needed to be addressed on the Cohasset Avenue side because the project was for the entire Cohasset Avenue and Grace Avenue location.

Mr. Siley said that different aspects of the project were discussed and decided over a few meetings; the Cohasset Avenue side was decided at a different time from the Grace Avenue side.

Mr. Stockman closed public comment. Mr. Siley responded to the comments.

He agreed the accountability piece was essential. He was concerned about some of the Commissioners' comments; they might be overstepping their authority legally. They could have approved the conditional use without the white house. In August, the Commission's approval included the white house, but no base line was established. It then defaulted to what was the standard under the law. He gave the steps to occupancy for a home in need of repairs. A six month time line was appropriate. Having the applicant return in May might be too short of a time. They were obligated to renovate the white house; if not done, the violations would be criminal charges.

Ms. Mladek added the PC had the authority to place any reasonable conditions upon an approval. If PC wanted DDM to be held to a certain standard of renovation that needed to be established when approval was granted as a condition at the August 1012 meeting. As it is now, they needed to bring the home into building compliance code. The Commission could revoke the conditional use permit if DDM did not comply with a time line. Ms. Mladek agreed it was not unreasonable to ask for a definition of their plan, but it was not enforceable.

Mr. Siley said this was a learning curve; no standards were set when it determined DDM was to renovate the white house. They had to follow the mandates of the law.

Ms. Karel asked if the granting in August had included a one year clause. Mr. Siley said it was discussed but no vote was made or definition defined. Mr. Siley reiterated that DDM was obligated to renovate the home. The Commission had oversight of DDM. Mr. Greytak made a good point, DDM needed to provide additional information. A contract to purchase the home was expected to be completed in two months, and progress would be reported at that time. The second date would be in September for DDM to report on further progress. Mr. Siley felt these dates were not unreasonable. Ms. Karel said it was possible that in sixty days there would be no contract.

season as they received their conditional use permits late in 2012 and have not completed one season for review; they will be instituted into the 2014 cycle for renewal. He read the above addresses into record and removed the property 16204 Madison Avenue; O'Donnell's Pub because they did not install a patio and had no plans for one.

The administration reviewed police reports from the past 12 months looking for trends and noise issues resulting in violations; there were none for the eight properties named. For those using the public right-of way, such as menchie's and Angel's Pizza, the businesses updated their Use of Public Property Agreements, provided updated proof of insurance, and maintained the space in accordance with design standards mandated by the Commission. Mr. Siley asked the Commission Receive and File the updates and accept the administrative approval of those patios.

Mr. Stockman asked for public comment.

Ismail Muhammad, 1633 Hopkins Avenue, lived one vacant lot from the Flying Rib, 11926 Madison Avenue. A home between his home and the business was demolished by the LandBank as a nuisance property. As a result, the noise (music and people) from was loud enough that he made two police reports/complaints in the past year. The noise prevented his daughter from sleeping. His wife said there seemed to be additional problems with parking, people coming onto the property, and blocking their vehicle.

The Commission asked about fencing. Using the PowerPoint, the fence was explained (the entire area had not been photographed). Asked if the shed roof was over the patio, it was explained that was for apartments. The patio was between the shed roof and the fence, about twenty feet wide. The PowerPoint aerial was displayed to further define the area between the patio and the home at 1633 Hopkins Avenue. Mr. Siley said the patio was approved pre-2009, and demolition of the house by the LandBank occurred after patio approval; the house was in deplorable condition and was deemed to be a nuisance property. The noise complaints were registered, but there were no trends or chronic issues attributed to the Flying Rib; no citations were issued to the Flying Rib.

John DiMassa, owner of the Flying Rib, said there was another tavern adjacent to his, the Shamrock, and it was possible the noise was coming from there. He did not allow music on the patio, the Shamrock did, and he addressed the fencing he installed. He stated he talked to Mr. Siley about the area between his business and the neighboring house. Mr. Siley said he would talk with Mr. DiMassa about additional sound barriers and would do some investigation into the Shamrock situation. Mr. Siley said the administration would contact Mr. and Mrs. Muhammad about the noise issues.

Asking the administration to pay attention to the reports, the Planning Commission decided to **RECEIVE** and **FILE** the updates as presented. Mr. Siley said the administration would contact Mr. and Mrs. Muhammad and see what could be done about the noise issues.

REVIEW

9. **Docket 09-21-12**

**13603 Madison Avenue
Bonnie and Clyde's, LLC**

Mr. Siley said the patio had been around for over fifteen years, pre-dating the code. Approved for Conditional Use in 2007 was for doors of the expansion space that opened onto the patio.

Ryan Krivosh and Michael ("Mickey") Krivosh were present. Ryan Krivosh read a statement into record (made part of record). This was the first time in 28 years they were asked to appear for review, a result of a couple of citations in 2012. They had never had any problems until last year when two neighbors on Mathews Avenue started to complain. They had done everything possible to make the neighbors happy including offering to purchase fans and air conditioning units for their homes. Since then, they removed the Karaoke and DJ from the patio, and sales had dropped 17%. They hired off-duty sheriff's deputies for security and to monitor the noise. They ordered a decibel meter to take readings from Mathews Avenue hourly, would close the doors at midnight during the week and 2:00 a.m. on the weekends, and instruct the bands and DJ to keep volumes within "reasonable" levels.

Dan Comerford, Cuyahoga County Sheriff Department said they were proactive in quelling problems and guide the patrons as they leave at closing and into the parking lot. He and other security personnel monitored the areas around the establishment and parking lot.

Mathew O'Donnell, 1375 Mathews Avenue said his family resided in a two-family home that was used as a single for his wife and five children. He disagreed with the deputy sheriff's statements because he and his family had to deal with the noise. They did not have a problem with Around the Corner ("ATC") until the business was expanded into the warehouse. When the doors were open, an echo was created that bounced into the neighboring houses, and it was very loud. It had been a problem for over one and a half years. He said he never saw the sheriff's deputy walk around the area. Nor had he seen any law enforcement patrol the parking lot. He asked if the sheriff's deputy monitored Lakewood's police calls because the volume would decrease within minutes of calls to the police about the noise. The noise was a problem. They were not problem people, and if the situation continued, the neighborhood would be unsuitable for people. He spoke of an incident whereby Ryan Krivosh and the Lakewood Police were arguing while standing in his yard; the police were telling Mr. Krivosh to decrease the volume, and Mr. Krivosh argued it was not that loud, that in fact it was much louder at other times. The noise in his home was all hours of the evening and early morning and was a serious issue. If allowed to continue, the neighborhood would not be conducive for raising families.

Johanna Schwarz, 1367 Mathews Avenue gave handout to the Commissioners (an aerial and two photos from windows of two rear bedrooms reflecting the view into Hafermalz Court site in relationship to her yard). Dru Siley said he wanted it noted for the record that Ms. Schwarz was an employee with the City of Lakewood and worked in the Department of Planning and Development; she was at the meeting as a resident and in no way represented the City. Ms. Schwarz stated the noise issue began in 2008 and continued to now. When the doors were open, one could clearly hear the DJ, music and very loud patrons. With her windows closed, there was a continuous thumping, pulsing beat going through her home. She then described a few instances in the time period from May through July 2012 when she called the tavern and police with complaints. In August, there was a meeting with City staff, Ward I Councilman Anderson, Mickey and Ryan Krivosh, Paula O'Donnell and herself. At that meeting, it was agreed that Ms. O'Donnell and Ms. Schwarz would call the bar/bar owners with complaints, and they were given four different telephone numbers to call. After making a number of calls with no

decrease in volume, she stopped calling. During the warmer months, the level of noise coming from the patio was Wednesday through Saturday. During the past winter's months, it was every Friday and Saturday, and occasionally it was during the week such as Wednesday before Thanksgiving and Fat Tuesday. This was a problem because she rose most mornings at 6:00 a.m. She said the patio was open seven days a week 12 months of the year until 2:00 p.m. Because heat was provided on the patio during the winter months, it had become an outdoor party room. Often, she was awakened after midnight and unable to get to sleep until bar closing. She said the situation was having an adverse effect on her quality of life and health. She concluded by asking that the doors and windows between the patio and party room were kept closed after 9:00 p.m., the outdoor patio speaker was turned off by 9:00 p.m., and the patrons were kept quiet and respectful of the neighbors. She asked that the owners be required to comply with the City's noise ordinances

Paula O'Donnell, 1375 Mathews Avenue said her husband had summarized the situation well. She added that at the request of the Ryan, they tried to remedy the situation on their own. After Ryan Krivosh's court hearing last May, he gave her four telephone numbers to call. The first call to Ryan resulted in the volume decreasing. The second time she called, she received a text telling her to contact the manager. The third call she made was around 1:30 a.m.; he texted her to say the band would stop in about 45 minutes. Her husband worked a lot of double shifts, she arose each morning at around 5:30, and the bedrooms of her five children were on the second floor. They usually have to camp on the first floor and were deprived of a proper sleep. During the majority of the summer, because they don't have air conditioning, the entire family sleeps on the floor in the living room due to the loud noise. She said they were tax payers, had no problems until about three years ago, and wanted someone to listen to them. Because Mickey (Krivosh) brings money into the City, she felt no one listened.

Mr. Stockman confirmed the only issue before the Commission was the doors and the hours of them being open, not the patio. Mr. Siley concurred. When the patio was approved, there were no codes in place to address the patio use issue. Ms. Mladek said the hours of operation were governed by their liquor permit. Ms. Karel said the application read rolling doors were to be installed, but the pictures showed French doors. Mr. Stockman said the doors open onto the patio, and that bands and DJs set-up in the warehouse.

Mickey Krivosh approached the podium to answer questions about the bar. He said they owned the adjacent building that remained vacant most of the time. They decided to expand into that space and had received approval. He said the two neighbors on Mathews Avenue made his life miserable. He walked the area and heard nothing. Mr. Stockman asked if the open doors had any effect on the business. The reason the rolling doors were not installed was because they would have to be open or closed fully. Now, rather than keeping all four doors open, they were only opening two in order to reduce the noise. Ms. Karel wanted to know what changed. Mr. Krivosh said he did not know; they wanted to put him out of business.

Ms. O'Donnell said they did not want to put them out of business. All she wanted was for them to comply with the City's noise ordinances. She asked that the doors be shut. The Commission asked if the opening of the doors was the issue, and Ms. O'Donnell said it was. When the doors were open, the

sound echoed, and it became really loud around 1:30 to 2:00 a.m. She understood the business, but people lived there. They did not like to create problems, but the current situation was affecting her family's and neighbors' lives. Other neighbors were bothered about it, but they did not want to complain.

Mr. Stockman said the uptake in noise complaints coincided with the opening of the doors. He was willing to do an experiment with keeping the doors closed. Ms. Karel said they would not ask them to remove the doors. Mr. Stockman commented that if the doors remained closed, people would still be allowed to pass through them. Ms. Belsito noted it would be different if the approved rolling doors had been installed. Mr. Gaydos said that normal ingress/egress was necessary. He asked if a buffering vestibule had been considered. Mr. Krivosh's reply was unclear.

Matthew O'Donnell read from the Public Notice of December 2007. He maintained the warehouse was to be for private parties and for patrons to go during inclement weather. He said that was not the case. It was a party warehouse. Mr. Siley explained the only item before the Commission at that time was the rolling doors.

Ryan Krivosh said the warehouse was used for fund raiser every Friday and Saturday in addition to many other functions. If it weren't for the warehouse, they would be out of business. When the warehouse started to be used was when the doors were installed. He asked his security to try to keep the doors shut, but it became an issue when the room was packed.

John Forgetta, 18421 Clifton Road was at the meeting for another issue but he felt the need to speak on the issue. He and his mother were patrons of Georgetown Restaurant. He had been to Around the Corner many times and wanted to give an accurate picture of what happens. The warehouse was an extension of the bar. The doors were always open, never was there an attempt to close them, and the music was very loud. He said that audio speakers from the bands inside the warehouse were placed on the patio. He was disappointed in how the Krivosh family was responding to the neighbors' issues. If the only issue before the Planning Commission was the doors, he felt it was the responsibility of the Commission to require the doors to be kept shut. He was familiar with the area; it was pretty and well maintained, and he felt very sorry for the residents.

Solvita McMillan, 17904 Lake Road was there for another issue but felt she needed to speak on the issue. She agreed with John Forgetta. She felt the bar owners trivialized the neighbors' complaints, being characterized as a couple of chronic complainers. They were families with children, they deserved peace and quiet, and should not have to live under those conditions. She was hoping the Commission would have a solution.

Mr. Stockman said the Commission had approved the doors.

Mickey and Ryan said they had gone over and beyond what was expected to try to fix the situation. They did not know what else to do.

Ms. Karel said what the business owners were proposing to do was exceptional, was sensitive to the home owners, and was hoping to come to a middle ground. She proposed having the doors closed for

a period of time with set hours. Mr. Greytak read the conditions as set forth at the December 2007 meeting and concluded the doors were to be closed. Ms. Belsito asked why the item was not revisited in 2008 as per the Commission's ruling. Mr. Siley those conditions were not tracked in the same way as today. The evening's review was because of the number of citations and violation issued to Around the Corner. Mr. Greytak asked if there were the allowable decibels as per the city's noise ordinances. Ms. Mladek said there were acceptable levels for residential lot lines with certain set hours. Ms. Karel said she would like to hear from any neutral party to gain more insight.

Paula O'Donnell said she was having a hard time with this. She said they'd tried to work it peacefully. She got tired of calling and texting four different numbers during the night. She could not understand why the bar owners did not follow the noise code.

Ms. Belsito asked about the decibels and set hours. Ms. Mladek said there were, and she would look for them. While she looked, discussion ensued about conducting an experiment whereby the doors would be kept closed during set hours for a period of no less than 30 days. If it was quieter, that could be the solution. If not, then the issue was not the doors being open. The doors would still be operable for safety issues. Weekends were Friday and Saturday, and weekdays were Sunday through Thursday. If the review in July revealed that closing the doors during the set period solved the noise issue, then the hours would have to be maintained. If the problem was not solved with the doors being closed, then it would not be under the purview of the Planning Commission; it would be a noise issue. Mr. Siley agreed with Mr. Stockman that the open doors and windows might not be the issue.

Ms. Mladek read from the noise ordinance regarding the receiving land use that stated that between the hours of 8:00 a.m. and 9:00 p.m., 60 was the number of allowable decibels in a residential district. Between the hours of 9:00 p.m. and 8:00 a.m., 50 was the number of allowable decibels in a residential district. Mr. Greytak said the decibel level was very quiet; driving in a car with the windows shut and not radio, the decibel range was between 50 and 60. If the sound was coming from a commercial district into a residential district, it would be the receiving district that established the allowable decibels. Asked what the decibels were at the present meeting, it was reported to be 70.

Further discussion ensued about would be the possible outcome of the doors being closed and a review in 30 days.

Ms. O'Donnell suggested that the review be conducted after more than 30 days. She reiterated that Mickey had offered to buy window air conditioners for her house; she said she would need eight units and asked who would pay her electric bill. She said that they had tried all of the solutions suggested. She said that closed doors might not be the answer, but the bar owners had not tried that. Again she stated she contacted them four times by leaving messages and text messages at 1:30 in the morning. She stopped calling/texting them; they did not honor what they said they would do.

The Chairman closed public comment.

Mr. Siley suggested that 30 days was too short of a period to get a good analysis of the implementation of the new policies regarding the hours. The Commission should establish very clear hours of door

closings on weekdays and weekends. Mr. Stockman wondered if June would be long enough to which Ms. Karel said Ms. Schwarz's first call was on May 4, 2012 so it was early in the season. Mr. Siley said the City would monitor police activity in the area and report to the Commission.

A motion was made by Mr. Stockman, seconded by Ms. Belsito to **GRANT** with the following stipulations:

1. The patio doors are closed at 9:00 p.m. Sunday through Thursday,
2. The patio doors are closed at 10:00 p.m. on Friday and Saturday, and
3. The applicant returns for review of the Conditional Use at the July 3, 2013 Planning Commission meeting.

All of the members voting yea, the motion passed.

11. **Docket 05-10-11** **17900 Detroit Avenue**
Eddy and Iggy's Bar & Grille

Review of conditional use compliance. In May 2011, Tom Corrigan, owner of Eddy + Iggy's Bar and Grille, requested Conditional Use approval for an Outdoor/Seasonal Dining Facility, pursuant to Sections 1129.02 – Principal and Conditional Permitted Uses, 1129.13 – Supplemental Uses for Outdoor/Seasonal Dining Facility, 1161.03(t) – Supplemental Regulations for Specific Uses, and 1173.02 – Conditional Use Permit. The proposed outdoor dining would be located on the east side of the restaurant. The Commission decided to grant with stipulation of entry into the appropriate and necessary agreements. The applicant did not have the required insurance or enter into the appropriate and necessary agreement in 2012. The property is located in a C2, Commercial and Retail district. (Page 32)

Tom Corrigan, owner of Eddy + Iggy's Bar and Grille, was present. He said they had been trying to negotiate a land swap with the City for ease of parking access which caused a delay in 2012. They decided to go forward with the approval of conditional use for their patio in 2013.

Mr. Siley stated that regardless of property ownership, the patio would still need conditional use approval. Currently, the patio was situated on 2/3 public private property and 1/3 public property. Last year, the administration spent a significant amount of time trying to get a completed Use of Public Property Agreement with the updated insurance, it did not happen. The updated information was not received until September 27, 2012. There had not been noise violations but there were 20 complaints. The furniture was required to be removed seasonally, but it remained there all year. The issues were resolvable but felt the commission needed to be aware of them.

Mr. Corrigan said he did not receive notice until September via an e-mail from Assistant Building Commissioner Apanasewicz. There was a mail problem at the bar that had since been resolved. Mr. Stockman said the patio could not be used until the proper agreement was in place. The furniture was to be removed at the end of the season; if it recurred, then they would not be allowed to have the patio in 2014. Mr. Siley said although there were complaints about noise, no citations were issued. The majority of the calls were from one person, and he would like to find a solution working with that person.

He said the pictures on the PowerPoint did not reflect the current condition of the patio as it was pristine.

The Chairman closed public comment as there was none.

Ms. Karel said she trusted the applicant would keep in contact with the City and check the mail. He asked that everything be mailed to his Westlake office. Mr. Siley said the last noise complaint was at the end of December. He said the photos on the screen were taken that past Tuesday, April 2nd. He was looking forward and recommended that they were under the Use of Public Property Agreement by May 1st, the patio was not used until the agreement and insurance were in place, that management did its best to manage any situation and kept the noise to a minimum (the complaints were not from a single source), the Commission revisit the application at the end of October, and the City would report any activity. Mr. Stockman added if the furniture was not stored at the end of the season, then no conditional use permit would be granted in 2014.

A motion was made by Mr. Gaydos, seconded by Ms. Karel, to **GRANT the Conditional Use with the following stipulations:**

- **The Planning Commission will revisit the Conditional Use at the end of October, November 7, 2013 meeting,**
- **If the patio furniture is used off-season, there will be no renewal in 2014, and**
- **The Use of Public Property Agreement is in place by May 1, 2013.**

All of the members voting yea, the motion passed.

At this point in the meeting, Mr. Siley noted that Docket 04-11-13 would be next for discussion, moving it forward one item. Additionally, he requested a five to ten minute break.

ADD-ON:

13. **Docket 04-11-13 Referral from City Council to the Planning Commission**

Andrew Brickman and Abode Living request to rezone the parcels at 18828 Sloane Avenue (PPN#s 311-14-017 and 311-14-018) from R2 (Single and Two Family) to MH (Multiple-Family High Density) for the development of new townhomes. (Page 35)

A motion was made by Mr. Gaydos, seconded by Ms. Karel, to **RECOMMEND to City Council approval of the rezoning with the condition that Architectural Board of Review and Board of Zoning Appeals approve of the design.** All of the members voting yea, the motion passed.

OLD BUSINESS

12. **Docket 02-05-13 Introduction from P&D Director Dru Siley:
Draft of 2012 Community Vision**

As requested by City Council in early 2012 the Planning Commission and the Department of Planning and Development began a year-long process to develop an update to the 1993 Vision. From May through December 2012 approximately 20 community workshops were held to develop an updated vision for Lakewood. Staff will present the working draft of the vision update

to Commission for review and discussion. Staff requests approval of the draft and a recommendation to City Council for adoption. This item was deferred from the meeting held on March 7, 2013. (Page 34)

Mr. Siley said there were minor revisions to the process for annual and five year reviews. He was asking PC to recommend adoption of the Community Vision to City Council. As there were be a number of City Council hearings prior to adoption on the matter, PC members still had time for additional revisions.

A motion was made by Mr. Gaydos, seconded by Ms. Belsito, to **RECOMMEND** to City Council adoption of the 2012 Community Vision. All of the members voting yea, the motion passed.

14. **ADJOURN.**

A motion was made by , seconded by, to **ADJOURN** the meeting at 12:12 a.m. All of the members voting yea, the motion passed.



Signature

5-2-2013

Date



Oath

I, the undersigned, hereby agree 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. Elena & Alex Marantesca	Elena Marantesca
2. Jim Gauran	JAG
3. [Signature]	
4. [Signature]	TIM Moran
5. Tom McCoull	[Signature]
6. Colleen Cuthr	
7. Kevin W. [Signature]	1420 [Signature]
8. Michael Ciccarallo	1519 Grace Ave
9. Terri Kress	
10. Denise Dunt	Lynn Whessett
11. Ismail Muhammad	
Bonnie Lwandowski	13603 Madison

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

FOR CITY USE ONLY

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

Date of Proceeding: Thursday, April 4, 2013



Oath

I, the undersigned, hereby agree 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. Padra Lyach
- 2. Johnny DiMassa
- 3. Ryan K... [unclear]
- 4. [unclear]
- 5. [unclear]
- 6. [unclear]
- 7. Johanna Schwarz
- 8. Paula O'Donnell
- 9. John Foreman
- 10. Solvita McMillan
- 11. _____

- 1. [unclear]
- 2. [unclear]
- 3. [unclear]
- 4. Michael J. Krivosh
- 5. [unclear]
- 6. [unclear]
- 7. [unclear]
- 8. Paula
- 9. [unclear]
- 10. Solvita McMillan
- 11. _____

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

FOR CITY USE ONLY

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

Date of Proceeding: Thursday, April 4, 2013



Oath

I, the undersigned, hereby agree 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. Tom Corrigan

[Handwritten signature]

2. Tim Corrigan

[Handwritten signature]

3. SCOTT PIMIT

[Handwritten signature]

4. Andre Bruckner

[Handwritten signature]

5. Bruce Schuster

[Handwritten signature]

6. Don Rubin

[Handwritten signature]

7. Mark Reinhold

[Handwritten signature]

8. Robt Bau

[Handwritten signature]

9. _____

10. _____

11. _____

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

FOR CITY USE ONLY

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

Date of Proceeding: Thursday, April 4, 2013



Oath

I, the undersigned, hereby agree 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. CHONDA LOVE

Chonda

2. Bob Thomas

3. JOHN FORGETTA

John For

4. Sam Groth

Sam E. Groth

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

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

FOR CITY USE ONLY

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

Date of Proceeding: Thursday, April 4, 2013

OHIO DEPARTMENT OF AGRICULTURE
Division of Food Safety
8995 East Main Street
Reynoldsburg, OH 43068
(614) 728-6150

Date: *Apr 19, 2013*
Facility Name: *MARCOLESCU, ELENA*
Facility ID Number:
Address: *1625 WESTWOOD AVE*
City, State, Zip: *LAKEWOOD, OH 44107-*

NOTIFICATION

This is a visual inspection meant to regulate compliance with applicable laws of the day and time of this inspection. This inspection is not intended to cover areas of food safety not listed on this inspection form. The food processing establishment remains responsible under Ohio and Federal laws for maintaining a safe and sanitary environment and product. Any 'N.Obs.' box checked means that the inspector did not observe that process and cannot evaluate whether the food processing establishment is in compliance with the procedure.

The food processing establishment is required to abide by all applicable codes, standards, and rules and provide necessary equipment and documents, which include but are not limited to:

Ohio Revised Code	Chapters 911; 913; 915; 925; 3715
Ohio Administrative Code (Sanitary Regulations)	Chapters 901:3-1; 901:3-3; 901:3-5; 901:3-6; 901:3-7; 901:3-8; 901:3-23; 901:3-46; 901:3-62
Labeling Requirements	OAC Chapter 901:3-1-11; 21 C.F.R Part 101
Maintain Documents and Records	OAC Chapter 901:3

A signature certifies that the food processing establishment has read the Notification above and agrees to fully comply with all statutory requirements listed thereon.

Marculescu Elena

Food Processing Establishment
Representative

[Signature]
Specialist

OHIO DEPARTMENT OF AGRICULTURE
 DIVISION OF FOOD SAFETY
 6505 EAST MAIN STREET
 REYNOLDSBURGH, OH 43068
 (614) 721-4250

**GOOD MANUFACTURING PRACTICES
 INSPECTION REPORT**

Authority: Chapter 3715 Ohio Revised Code

ID NUMBER: 18157
 DATE INSPECTED: 4/16/2019
 INSPECTION TYPE: ODA
 SPECIALIST: Brian Doolittle
 STATUS: Routine
 INTERVAL: 600000

Facility Name: MARCOLESCU, ELENA

Address: 1625 WESTWOOD AVE, LAKEWOOD, OH 44107-

Phone: (216) 221-8967

Email: amarculescu@gmail.com

Fax:

Inspection Conducted With: ELENA MARCOLESCU

Title: OWNER

Yes No NA N.Obs

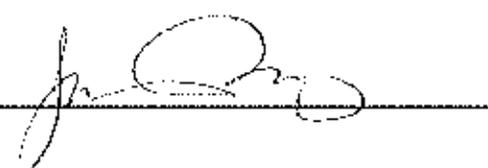
Personnel

1	Disease Control: Is personnel with sores, infections, etc., restricted from handling food product?	:	:	:	:	X
2	Do employees wear effective hair restraints and remove contaminated jewelry?	:	:	:	:	X
3	Do employees refrain from eating or drinking food, chewing gum, and are personal items stored appropriately?	:	:	:	:	X
4	Do employees maintain proper neatness, wash hands as necessary and wear clean outer garments?	:	:	:	:	X

Plants and Grounds

5	Do garbage receptacles, bulkwagons and/or handling places, etc., present?	:	:	X	:	:
6	Are roads, yards and parking lots maintained, and is drainage adequate to avoid contamination of the facility and products?	:	:	X	:	:
7	Is there sufficient space for equipment and storage to maintain a sanitary operation?	:	:	X	:	:
8	Is the potential of contamination reduced by separation of operations, SOPs and/or operating procedures?	:	:	X	:	:
9	Are walls, floors and ceilings designed to be effectively cleaned and kept in good repair?	X	:	:	:	:
10	Are food and food contact surfaces protected from contamination?	:	:	X	:	:
11	Is the lighting adequate for the operation being performed?	:	:	X	:	:
12	Are exposed food products protected from contamination from leakage of light bulbs or other glass fixtures?	:	:	X	:	:
13	Are air quality and ventilation adequate to prevent contamination by dust and other airborne substances?	:	:	X	:	:
14	Are openings effectively screened or protected against entry by pests?	:	:	X	:	:

Specialist: _____



**GOOD MANUFACTURING PRACTICES
INSPECTION REPORT**

FACILITY NAME: MANOUR ESCO, ELESA

DATE INSPECTED: 4/5/2011

Yes No NA N.Obs

Sanitary Operations

15	Are physical facilities in good repair and maintained in a sanitary condition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16	Are toxic materials used in a safe and effective manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17	Are toxic materials stored and labeled properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18	Are animal and pest control measures in place?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	Are all food-contact surfaces cleaned and sanitized?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sanitary Facilities and Controls

20	Is the water supply safe and from an adequate source, at suitable temperature and sufficient pressure as needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Is the potable water system sampled annually, are the test results retained on file?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22	Is the non-potable water supply ideal for?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23	Is there evidence of cross-contamination plumbing and sewage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24	Are toilet facilities accessible, in good repair, and with a self-cleaning door?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Are handwashing facilities conveniently located and with running water at a suitable temperature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Are disposable hand towels or drying device, waste receptacles and hand soap provided? Are suitable handwashing signs posted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
27	Are there proper refuse receptacles for handling and disposal of refuse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Equipment and Utensils

28	Are equipment and utensils easily cleanable and maintained?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
29	Does equipment and utensils used preclude the adulteration of food?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
30	Are tubing, conveyors and manufacturing systems maintained in an appropriate sanitary condition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31	Are food measuring instruments and controls accurate, maintained and correctly labeled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32	Are gases used in food or on equipment used for food?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**GOOD MANUFACTURING PRACTICES
INSPECTION REPORT**

FACILITY NAME: MARCULESCU, ELENA

DATE INSPECTED: 4/15/2013

Yes No NA N. Obs

Controls

33	Do plant operating procedures conform to the GMPs?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
34	Are plant sanitation responsibilities assigned to a supervisor?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
35	Are production and testing procedures in place?			<input checked="" type="checkbox"/>	<input type="checkbox"/>

Raw Materials and Other Ingredients

36	Are raw materials inspected and stored to protect them from contamination?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Manufacturing Operations

37	Are equipment, utensils and containers properly maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38	Are conditions and controls in place to minimize contamination of food and packaging?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39	Are food equipment, utensils, and containers protected against contamination?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
40	Are there measures in place for exclusion of metal or other extraneous matter?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
41	Are all finished foods and raw materials handled properly?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
42	Are filling, assembling, packaging operations protected against contamination?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
43	Is water activity controlled and monitored when applicable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
44	Is pH controlled and monitored when applicable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
45	Is ice used in contact with food from an approved source?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Warehousing and Distribution

46	Are storage conditions adequate as to protect product against contamination?			<input checked="" type="checkbox"/>	<input type="checkbox"/>
47	Are transportation conditions adequate as to protect against product contamination?			<input checked="" type="checkbox"/>	<input type="checkbox"/>

Food Labeling

48	Does labeling comply with 21 CFR Part 101 Food Labeling?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--	-------------------------------------	--------------------------	--------------------------	--------------------------

OTHER INSPECTIONS:
JUICE:
SEAFOOD:
SHELLFISH:
ACIDIFIED CANNING:
LOW ACID CANNING:

ADR 1554 (Rev. 05/2011)

GOOD MANUFACTURING PRACTICES
INSPECTION REPORT

FACILITY NAME: MARCULESCU, ELENA

DATE INSPECTED: 4/19/2013

Petition

We, the undersigned, request that the Planning Commission require that Drug Mart: renovate the house at 1425 Grace Avenue (more than bring it up to code) to comply with their promises; complete the renovation in a specific time frame by October 1, 2013; submit regular reports to the Planning Commission on its progress; and suspend Drug Mart's conditional use of the residential property if it fails to substantially comply with these requirements.

Name	Address	Signature
Don Tollett	1431 Grace Ave	<i>Don Tollett</i>
Anne Caswell	1431 Grace Ave	<i>Anne Caswell</i>
Mary Grodek	1441 Grace	<i>Mary Grodek</i>
<i>Shirley McDonough</i>	1422 Grace	<i>Shirley McDonough</i>
STEPHAN CHIPS	1441 GRACE 14107	<i>Stephan Chips</i>
MARLENE ENTLE	1445 Grace Ave	<i>Marlene Entle</i>
ANGELA C. LUK	1409 GRACE AVE	<i>Angela C. Luk</i>
MARK BUCKWITT	1457 GRACE AVE	<i>Mark Buckwitt</i>
COLLEEN COCHR	1437 Grace Ave	<i>Colleen Cochran</i>
JESSICA ROJOFF	1438 Grace Ave	<i>Jessica Rojoff</i>
HEATHER O'MALLEY	1422 Grace Ave	<i>Heather O'Malley</i>
SANDY McLELLAN	1422 GRACE	<i>Sandy McLellan</i>
MARSHALL COCHRAN	1457 Grace Ave.	<i>Marshall Cochran</i>
STEPHAN YUKES	1487 Grace Ave	<i>Stephan Yukes</i>

Petition

We, the undersigned, request that the Planning Commission require that Drug Mart: renovate the house at 1425 Grace Avenue (more than bring it up to code) to comply with their promises; complete the renovation in a specific time frame by October 1, 2013; submit regular reports to the Planning Commission on its progress; and suspend Drug Mart's conditional use of the white house's former backyard if it fails to substantially comply with these requirements.

Name	Address	Signature
David W. Bliss	1504 Grace	David W. Bliss
Joan Groth	1504 Grace	Joan Groth
Jeremie Zibbel	1510 Grace	Jeremie
James Nusser	1510 Grace	James Nusser
Alan Tucker	1511 Grace	Al Fuller
Mary Fuller	1511 Grace	Mary Fuller
Nancy Groff	1511 Grace	Nancy Groff
Tammi G.S. Hanson	1501 Grace	Tammi G.S. Hanson
Jeff Hanson	1501 Grace	Jeff Hanson
William Burt	1515 Grace Ave	William Burt
Catherine Burt	" "	Catherine Burt
Mary A Malloy	1524 Grace Ave	Mary A Malloy
MICHAEL J. MALLOY	1524 GRACE AVE	Michael J. Malloy
Kazuyo Ciccarello	1519 GRACE AVE	Kazuyo Ciccarello
MICHAEL CICCARIELLO	1519 GRACE AVE	Michael Ciccarello

Petition

We, the undersigned, request that the Planning Commission require that Drug Mart: renovate the house at 1425 Grace Avenue (more than bring it up to code) to comply with their promises; complete the renovation in a specific time frame by October 1, 2013; submit regular reports to the Planning Commission on its progress; and suspend Drug Mart's conditional use of the white house's former backyard if it fails to substantially comply with these requirements.

Name	Address	Signature
Loze Keim	1499 GRACE AVE.	Loze Keim
CAROL WUKER	1486 Grace Ave.	Carol Wuker
BAR WUKER	1486 Grace Ave.	Bar Wuker
JANEY KURT	1466 Grace Ave.	NATHY BENO
COLLEEN SCHMID	1451 GRACE AVE	Colleen Schmid
Anthony Neuhoff	1500 GRACE AVE	Anthony L. Neuhoff
LARRY CORRIDONI	1507 Grace Ave	Larry Corridoni
KATHERINE M. CORRIDONI	1507 GRACE AVE.	Katherine M. Corridoni
JANET KODY	1531 Grace Ave	Janet Kody
PAUL KODY	1531 GRACE AVE.	Paul Kody
APRIL GEORGIUS	1520 GRACE AVE.	April Georgius
DARREN C. GAKING	1488 GRACE AVE.	Darren C. Gaking
GABRINA MISKEWITZ	1481 GRACE AVE.	D. Miskewitz
KEVIN RAMJIT	1481 Grace Ave.	Kevin Ramjit
RONALD THORPE	1490 GRACE	Ron Thorpe

Gina Smith
2004 Elbur Ave #6
Lakewood, Ohio 44107

April 2, 2013

Lakewood Planning & Development Board
Lakewood City Hall
12650 Detroit Avenue
Lakewood, Ohio 44107

Dear Lakewood Planning & Development Board,

This letter is regarding the requested permit for the usage of Bonnie & Clyde's bar back patio. My Landlord and I attended the initial meeting when the Permit was first requested last summer. We informed the Board of the nuisance that the patio causes the apartment occupants, and a few surrounding residences, due to the patio being located so close to our building. The distance between the patio and the apartment building is about 10 feet give or take. At the initial permit meeting the bar owner kept reiterating to the Board in her defense that her customer's aren't rowdy or out of control while using her patio. That is not the issue that we're bringing to the table. The issue is that the patio is so close to our residence that it doesn't matter if there are 10 people out there speaking quietly it's still loud. Then you can imagine the noise level when you have their baseball team back there and are speaking loudly, or a large crowd on the weekend. It's so loud that myself and other tenants aren't able to keep their bedroom windows open when during the summer. Even with a fan and an air conditioner going the noise is still intolerable. And even with the windows closed it's still very loud.

The 2004 Elbur Avenue Tenants are asking the Board to either deny the request for the permit, and usage of the patio or tighten up the ordinances that the patio must adhere too. As of right now since the bar has no permit, and per the Lakewood Police, they are not able to enforce any type of misconduct on the bar's behalf. I'm not sure why the patio is even allowed to be used without having an approved permit. That doesn't make any sense especially where alcohol is involved. At the initial review meeting back in August (I believe that's when it was) the Board laid down ground rules stating that the bar must close the patio on weeknights at 11:00 and 1:30 on weekends. There have been times since then that those rules weren't followed and the Lakewood Police had to be

called, sometimes even twice on one night. I've checked the Lakewood Police logs going back to April/2012 and just about every time the Police were called to the bar it was stated on the report that it was quiet on arrival. There were only a few times where it was mentioned that it was loud, and the bar was advised to keep it under control. This is not the case at all. I know a few people that frequent Bonnie & Clydes and they've informed me that the owner and her husband are affiliated with the police and that they have "pull" as it was directly said. Also that it is a "cop" bar. I believe this is why the nuisance calls are being swept under the rug. My Father is friends with a Lakewood Officer and has spoken to the Officer about this situation. The Officer stated that it's very common for that to happen.

Another issue that we tenants wanted to bring to your attention is the smoking on the patio. On the City of Lakewood website under the ordinances, it stats that any establishment that serves food and has a patio must adhere to the no smoking rule. This is another annoying issue. Depending on the direction of the wind, and the amount of people out there smoking, the cigarette smoke comes right up in through our windows and permeates our apartments. There have also been numerous times when bar patrons and even some employees smoke pot on the back patio. This is also very common.

If the permit for the patio is granted please consider closing it down at a more reasonable time during the week. Around 9:00pm or so would be much more tolerable, especially for the tenants that have children. Please take this information into consideration when deciding whether to grant this permit or not. It is not fair for us Taxpayers to have to live with this type of nuisance. I'm sure any other type of nuisance would not be tolerated by the city of Lakewood. It is also not fair to our Landlord to loose tenants due to this issue. Thank you for taking the time to read this letter and for your consideration. Have a great day.

Sincerely,

Cina Smith & the Tenants of 2004 Elbur Avenue

Around the Corner has been in Lakewood since 1974...38 years. We've invested our livelihood into this west end area. We now employ over 100 people in the City of Lakewood with Around The Corner, Georgetown and Vosh. We recently made a million and half dollar investment in the west end neighborhood with Georgetown and Vosh because we believe in the area.

With new restaurants opening in downtown Lakewood and the poor economy in recent years... have made maintaining our business more difficult. The increased popularity of outdoor dining over the same period, has helped to attract new customers because of our patio, which has been essential to us to remain competitive.

The patio at Around the Corner was put on 28 years ago. For most of that time we've been successful in peacefully coexisting with the other businesses and our residential neighbors. This is the first time in 28 years that we've been asked to appear before the Board for review. It's our understanding our appearance is due, in part to a couple of noise issues resulting in citations last year.

We believe Around The Corner has taken every reasonable initiative to correct any noise issues made aware to us.

We've researched public records regarding noise related issues attributed to Around the Corner for last four years and found only 4 calls in 2009 & when the police came out they found that the noise was not loud. In 2010 there were no calls. In 2011 there were 9 calls & 3 of the calls were related to the Rally In The Alley which was a fundraiser for St. Malachi Charities which was held during the day between 1- 8PM. This event was conducted and approved by the mayor, chief of police, and the Director of Public Works. It was unfortunate that we received the citation for noise since this was collaboration with other businesses and approved by the city.

Here are some steps we have taken to address the noise level issues as they have arisen:

Around the Corner removed karaoke and a DJ off the patio to reduce noise in response to complaints and a citation we received for this activity. Because of this, we sacrificed business which resulted in a drop in sales of 17%.

In 2012, it appears that 20 of the 27 recorded noise complaints were from two individuals. These two neighbors, residing on Mathews Ave., (Johanna Schwartz and Paula O'Donnell) were given owner Mickey Krivosh and manager Ryan Krivosh's cell numbers to call at anytime if noise was a problem.....so that the problem could be corrected immediately. Also out of these 27 calls....2 of them were for the 2nd Rally In the Alley which benefited the Caring Continues Fund at the Cancer Center of Fairview Hospital and Trinity Lakewood Community Church. And out of those calls in 2012... 15 were found to be not loud by the police.

In addition, we hired off duty sheriff's deputies for security on weekends and to help monitor the noise by walking over to Mathews every hour to check on the level of noise.

We believe our efforts have helped to keep us incident free for the past six months.

Other actions we will take starting this weekend:

We will have the Sheriff check decibel levels from Mathew Avenue every hour from 9pm to 2 am and to report back to management if levels are high and to take immediate action.

Doors on the patio will be closed at midnight each night during the weekdays and 2 am on weekends.

We will instruct bands and entertainment to keep volumes within "reasonable" levels.

Owner also purchased a decibel tester to be delivered between April 8 –April 11. (See attached Order Form) for testing noise levels.

We would also be happy to meet with neighbors to look at other alternatives for mitigating excess noise in the neighborhood. We are also open to purchasing a window air conditioner/fan for any neighbor if that would help. Or any type of sound machine.

Over the 38 years we've been in business, we have been very active in the community and have hosted numerous fundraisers to help out local Lakewood organizations. We have done everything in our power to reach out and work with the neighbors and to try and solve any problems, promptly and peacefully and will continue to do so.

Sincerely,

Mickey and Ryan Krivosh

Subj: Your Order with Amazon.com
Date: 4/2/2013 8:10:36 P.M. Eastern Daylight Time
From: auto-confirm@amazon.com
To: [REDACTED]

amazon.com

 [VIEW CART](#) | [WISH LIST](#) | [YOUR ACCOUNT](#) | [HELP](#)

Thanks for your order, **Pat Krivoch!**

Want to manage your order online?

If you need to check the status of your order or make changes, please visit our home page at Amazon.com and click on Your Account at the top of any page.

Purchasing Information:

Email Address: [REDACTED]@aol.com

Billing address

Pat Krivoch
[REDACTED]
Lakewood, OH 44107-2211
United States

Shipping Address:

Pat Krivoch
[REDACTED]
Lakewood, OH 44107-2211
United States

Order grand total: \$31.70

Get the [Amazon.com Rewards Visa Card](#) and get **\$30 instantly** as an Amazon.com Gift Card.

Order Summary:

Shipping Details : CE Compass

Order #:	<u>110-5057334-4215459</u>
Shipping Method:	Standard
Items:	\$28.23
Shipping & handling:	\$3.47

Total before tax:	\$31.70
Estimated tax to be collected:*	\$0.00

Order total:	\$31.70

Delivery estimate: Apr. 8, 2013 - Apr. 11, 2013

1 "CE Compass Digital Sound Pressure Noise Level Meter Decibel Tester"

\$28.23

In Stock

Sold by: [CE Compass](#)

Amazon.com Gift Cards
Designs for any occasion



Great
First of your
feedback
One-Day Shipping

See more gift cards

Proceeds will benefit the Caring Continues Fund and Trinity Lakewood Community Outreach

2pm-8pm

Sunday July 29

on Halfermalz Street

(behind Around the Corner & Dewey's Pizza)

2nd Annual

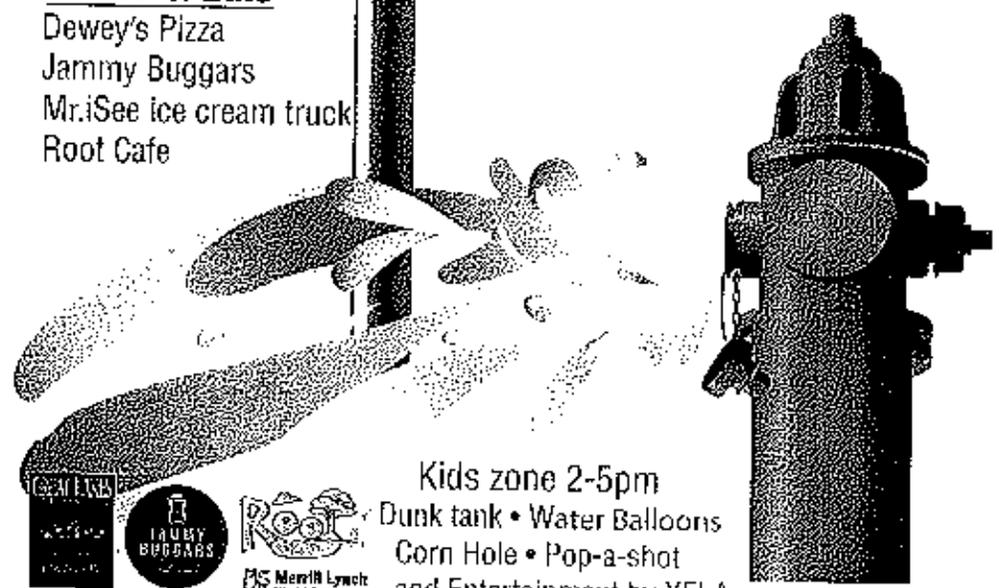
RALLY IN THE ALLEY

Free and open to the public

Live Music with
Pop Rocks
Tricky Dick

First 100 get a free t-shirt

Treats & Eats
Dewey's Pizza
Jammy Buggars
Mr. iSee ice cream truck
Root Cafe



Kids zone 2-5pm
Dunk tank • Water Balloons
Corn Hole • Pop-a-shot
and Entertainment by XELA



**AROUND THE CORNER
SALOON & CAFE
LAKWOOD, OHIO**

Lakewood Planning Commission Meeting, April 4, 2013, 7:00 p.m., Auditorium
Re: Renewal of Conditional Use Compliance
Docket 12-17-07; 18616 Detroit Avenue; Around the Corner ("ATC")

My husband and I bought our home in 1994. We chose the west end area because of its close proximity to the Metro Park, taverns/restaurants, lake, and stores. Our rear yard abuts and is open to the parking lot of Dewey's Pizza located off Hafemaiz Court.

The noise issues started in 2008. There was and continues to be a constant thumping of the bass drum and bass guitar, loud music (live band or electronic), the DJ, and loud patrons. A thumping, pulsing beat travels through the walls and closed windows of my home, much the same as a car passing one's home with a loud radio playing.

In the beginning, I did not call the police or ATC because I did not want problems. Some of my immediate neighbors told me it would do no good to contact the authorities because the tavern owner was a major businessman in the City and was friends with the police and administration.

The noise coming from ATC's patio exacerbated greatly in 2011 and continues into 2013. In April 2012, my neighbor, Paula O'Donnell and I decided to do what we could to stop the late night loud music and patron noise coming from the patio. From May 4th to July 24th, I called the police 19 times with noise complaints. From May 2nd to September 15th, I called ATC, Mickey Krivosh and Ryan Krivosh nine times. The following is not a complete log of my calls but the results of five of them given as examples.

My first call was to ATC on Wednesday, May 2nd with the request to quiet the noise; there was no change. On Friday, May 4th, I called the bar at midnight to request that the noise be stopped; the noise level did not decrease. On Saturday, May 19th at 10:00 pm, I called the police; it remained loud until 2:00 am. At 11:00 pm on Wednesday May 23rd, I called ATC and spoke with Ryan about the Karaoke on the patio; a male was singing along an AC/DC song. When I said the singer was awful, Ryan laughed and asked if the sound level could be reduced instead. I agreed reluctantly, and it decreased a bit. After about 20 minutes, the volume level and patrons became even louder. I decided that in the future, I would not bother calling ATC and would call the police instead.

On Tuesday, July 24th at approximately 10:55 pm, I called the police because of the loud music, drums, and crashing cymbals. About fifteen minutes later, two patrolmen came to my home and asked to come inside. One of them said they heard nothing from

my backyard and could barely hear anything in my home. He said they would ask ATC to end the music. He also said it was unfortunate about that type of business being so close to homes. After midnight, the volume increased. That was the last time I called the police because I felt I was being labeled a chronic complainer.

On August 1, 2012, there was a meeting with P&D Director Dru Siley, Law Director Kevin Butler, Captain Hassing, a second patrolman (do not remember the name), Councilman Dave Anderson; Ward I, Mickey Krivosh, Ryan Krivosh, my neighbor Paula O'Donnell and myself. During the meeting, Ryan admitted the doors were left open and said he relied on the patrons' bodies to block the sound from leaving the bar. Mickey wanted to know what he could do to help. I told him I wanted them to comply with noise ordinances so that I could sleep. The meeting concluded with Paula and me agreeing to contact Mickey and Ryan with future complaints in lieu of calling the police. We were given four different telephone numbers to call. I made a total of six calls with no results in the decrease of noise levels. I stopped calling altogether.

During the warmer months of April through October 2012, I was kept awake by the loud noise coming from the patio four nights a week, customarily Wednesday through Saturday. One week, the noise was loud six consecutive days, Wednesday through Monday. Because I rise at 6:00 a.m. six days a week, I got less than 30 hours of sleep in that time period.

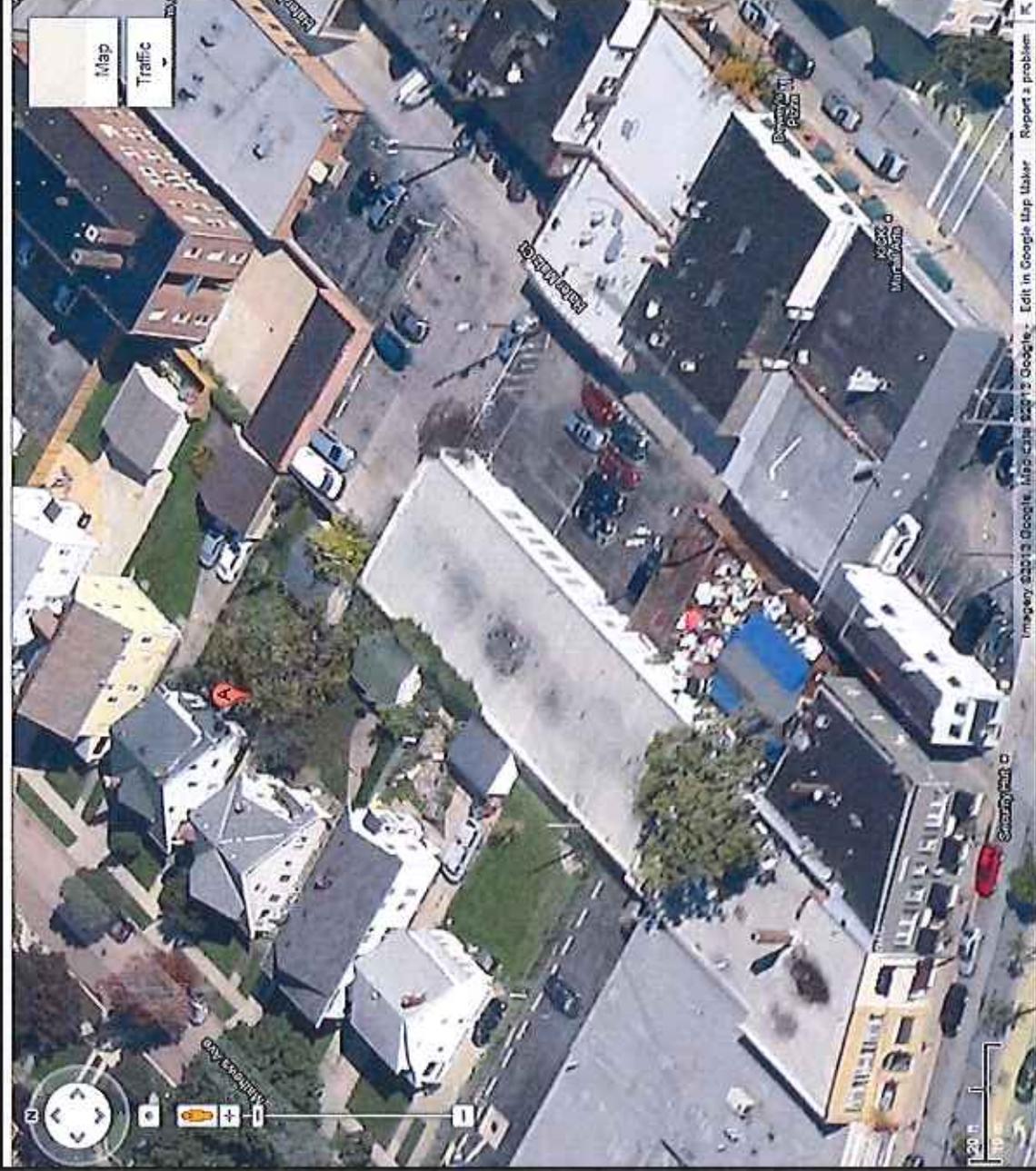
During the 2012/2013 winter months, every Friday and Saturday evening, the music starts at 10:00 pm and continues until at least 2:00 am. An example of other dates with very loud noise is Wednesday, November 21st (Thanksgiving Eve) and February 12th, Fat Tuesday.

The patio is open seven days a week until 2:00 am, twelve months of the year with heat provided during the cold Cleveland season. It is used as an outdoor party room. Several times after midnight, I have been awakened from a deep sleep because of the noise and am unable to get to sleep again until after bar closing.

The number of calls I made does not reflect the number of nights with loud noise; that number is much greater. Many times, I feel defeated and am troubled to think that as long as I remain in my home, I will be subjected to the noise disturbances. I cannot sleep with my windows open when the weather is nice because of the screaming, yelling patrons and the loud music. It has and continues to have an adverse effect on my quality of life and health.

I respectfully request that the doors and windows between the patio and the party room are kept closed after 9:00 p.m., the outdoor patio speaker and/or speakers are turned off by 9:00 p.m., and the patrons are quiet and respectful of the neighbors. I expect the establishment, Around the Corner, to be required to comply with the City of Lakewood's noise ordinances.

Johanna Schwarz
1367 Mathews Avenue



1367 Mathews Avenue and 18616 Detroit Avenue



1367 Mathews Avenue - view from 2nd floor bedroom



1367 Mathews Avenue – view from 2nd floor bedroom

Schwarz, Johanna

From: Michael Lawless <kidlawless@hotmail.com>
Sent: Friday, March 29, 2013 3:12 PM
To: Planning Dept
Subject: Docket 05-10-11

To the Planning Commission, City of Lakewood, Ohio:

Re: Eddy & Iggy's Bar and Grille, Outdoor/Seasonal Dining Facility

My wife and I manage the apartment building just East of Eddy & Iggy's and, for the most part, have had very few reasons to argue against their patio area. And only a few tenants have made any complaints about noise or other problems. However, early this year, a new tenant of our building heard loud voices coming from the parking area outside the patio late one evening. He noticed a few people, possibly patrons of the bar, challenging each other to throw snowballs at this tenants apartment windows on the West end of our building. They did succeed in breaking a couple storm windows. The next week, we replaced the window glass. There was no police report made at the time. I called a manager at Eddy & Iggy's to make him aware of the problem and he seemed very sincere, saying they would do their best to make sure it doesn't happen again.

Again, we are not arguing against the patio, we just want you to be aware of this issue.

Thanks for Your Consideration,

Michael Lawless
1394 Webb Road #1
Lakewood, OH 44107
(216) 221-5046
kidlawless@hotmail.com

Lakewood Community Vision Update Working Draft

Revised March 28, 2013

Revised February 25, 2013

January 25, 2013

All Are Welcome



The Department of Planning and Development
12650 Detroit Avenue
Lakewood, Ohio
planning@lakewoodoh.net
216.529.6630
www.onelakewood.com

Acknowledgements

Thank you to the more than 130 residents who regularly participated in the update process from May through December 2012. The ideas, goals and hopes outlined in this draft are a result of all of their contributions and hard work.

Please continue to share ideas and comments by using the contact information on the cover page. To see a more detailed review of the 2012 workshop process please visit the City of Lakewood website – www.onelakewood.com and click on the Community Vision icon.

Mayor Michael P. Summers

Lakewood City Council

Brian Powers, At-large, President
Mary Louise Madigan, Ward 4, Vice-President
David Anderson, Ward 1
Tom Bullock, Ward 2
Shawn Juris, Ward 3
Monique Smith, At-large
Ryan Nowlin, At-large

Planning Commission

Mark Stockman, Chair
Mary Cierebiej, Vice-chair
Hannah Belsito
William Gaydos
Robert Greytak, City Engineer
Tamara Karel
Patrick Metzger

Planning and Development

Dru Siley, Director
Bryce Sylvester, City Planner
Cary White, Intern Planner

A Process for Managing the Living Document

In 1993 when the original Community Vision document was prepared by the community in partnership with the Planning Commission and adopted by City Council the plan did not offer guidance on how and how often the Vision should be updated. This may have contributed, among other factors, to nearly 20 years of use without an update to reflect the ever changing world and the evolution of Lakewood.

The Planning Commission has recommend the following guidelines that outline a process and methodology for regularly updating the Vision so it functions more effectively as a living document and a timely reflection of our community goals and aspirations.

Annual Review and Update

The Commission will review the previous year's progress, projects and initiatives against the goals and objects outlined in the Vision by the end of first quarter of the following year.

- At that time, the Secretary to the Commission will provide a revised draft of the Vision updating the data in the "Where we are today" introduction to each chapter of the document.
- The previous year's data will be added to an appendix at the back of the Vision each year creating a timeline of results, achievements and trends.
- During the annual review process the Secretary and the Commission will make recommendations to City Council regarding any modifications to the Zoning Code that may be beneficial to achieving the goals set forth in the Vision.

Five year Review and Update

The Commission will outline during the fifth annual review a calendar of community workshops to re-evaluate the Vision.

- The initial workshop will provide an overview of the purpose of the Vision, progress in the community over the previous five years, and any trends shown through the five years of data updates.
- Following that initial workshop and with feedback from the community, the Commission at its next regular meeting will determine if additional community workshops should be held to explore revisions and address necessary modifications to the language in the Vision.
- As with the annual review, during the Five year review process the Secretary and the Commission will make recommendations to City Council regarding any modifications to the Vision or the Zoning Code.

Statement of Purpose

The Lakewood Community Vision is an expression of where we stand as a community and where we hope to be in the future. It is motivated by the idea that if we articulate where we are trying to go and then write it down, the likelihood of success increases significantly.

As a living document, it is to be used and updated frequently by all members of our community including, but not limited to, residents, local government, non-profits, institutions and businesses.

A number of other documents and plans have been previously adopted by City Council as supplements to the Community Vision and provide direction and recommend specific actions to meet our community goals and objectives.

These documents are available on the City's website www.onelakewood.com

The Detroit Avenue Streetscape Plan, The Park System Master Plan, The Bicycle Master Plan, The Birdtown Action Plan, The Madison East Plan

Planning Commission and the Community Vision

Article XII: Charter of the City of Lakewood

SECTION 3. POWERS AND DUTIES.

The Planning Commission shall make and adopt a general Plan for the development and improvement of the City, and for any area outside of the City that, in the judgment of the Commission, bears relation to the planning of the City. No general plan or portions thereof or amendments thereto shall be adopted by the Commission until after a public hearing thereon. So much of the general plan as may be established or from time to time amended by ordinance shall constitute the official map of the City. The Commission shall also make plans and proposals for specific improvements and projects that it deems desirable for the City and its surrounding area and recommend them to the appropriate authority. These plans and proposals shall not become a part of the general plan until adopted as such. The Commission may call upon officers and employees of other departments and divisions of the City for assistance in City planning. Each year, the Commission shall, if and to the extent requested by the Mayor, assist the Mayor in the preparation of a capital improvement budget and a comprehensive five-year capital improvement program. The Commission shall take the initiative in planning for the City and surrounding area. It may make such investigations, maps and studies relating to the planning of the community as it may deem desirable. The Planning Commission may recommend to the appropriate public authorities or private agencies programs for the development and improvement of the community, for the enactment of legislation pertaining thereto, for the building of public structures and improvements and for the financing thereof. The Commission, subject to the approval of Council, may enter into agreement with other governmental or private agencies necessary or desirable for carrying forward any of its purposes. In addition to those powers and functions as provided in this Charter, the Planning Commission shall have such other powers and functions as may be provided by Council. The Planning Commission may establish rules and regulations for its own procedure not inconsistent with this Section or any Ordinances of the City.

Document Structure

The updated Community Vision is organized into six (6) focus areas or themes based on resident input that began at the community meeting in May 2012. For each focus area there is a vision statement which illustrates a desired future for Lakewood. Below each vision statement are three goals to achieve that vision. While more focused than the vision statement, the goals express the long term aims of the community. Objectives are actionable items which will help to achieve these goals. The objectives are organized in five (5) categories that appeared in each of the focus areas:

Six Focus Areas:

Commercial Development	– retention, attraction, redevelopment
Community Wellness	– environment, health, activity
Education & Culture	– access, facilities, technology
Housing	– stewardship, options, quality
Mobility	– options, ease of movement, services
Safety	– safety forces, feeling safe, crime

Objective Categories Defined:

Strike a Balance - Balancing competing interests and limited resources is negotiated on a daily basis. We consider the things that we value most and work to understand how to navigate. What are the benefits? What are the costs? How do we share? What is expected? As a community we commit to openly discuss a range of views and possibilities in the context of understanding the whole.

Build Connections – Community is not static. Community is a multitude of changing layers and a web of connections among members. Connections develop as the flow of people and ideas tangle and interweave with a place. Places that invite daily activity and the community cohesion that occurs when we interact will see payoffs measured by things like safer streets, stronger neighborhood, and healthier people.

Create Places for People - Vibrant cities promote and develop places that always put people first by being safe, comfortable, varied, attractive and fun. We understand the link between well-being and the quality of the physical and social environment where we live.

Enhance Existing Assets - Build upon and maintain current assets by focusing on three main themes: 1. Quality of life; 2. Economic and community development potential; 3. Efficiency.

Think about Tomorrow – Continue to grow as a community that invest boldly for the benefit of the future residents by strengthening civic resilience and building up the local capacity for innovation, adaptation and cultural change.

Lakewood Today

Incorporated in 1911, Lakewood is a densely populated city of more than 50,000 residents and is known for its neighborhoods, beautiful architecture and walkable commercial corridors. We are an engaged community that values education in all forms, from our excellent public and private schools, to our libraries, and cultural institutions. In 2012 we welcomed a satellite campus of the University of Akron to our downtown district.

Since we are called The City of Homes, our community is proud of our diverse housing stock, which ranges from century old wood frame houses to modern condominiums. In 2011 the Division of Housing and Building adopted a proactive code enforcement strategy, Housing Forward, which began with comprehensive survey of all 12,661 one and two family homes in Lakewood. With the survey we found that about 86% of our housing stock was in good shape with almost no exterior violations. By focusing on the other 14% we were able to reduce the number of challenged properties by almost 50% in one year. (900 remain as of January 2013). Since that time we have seen a rise in the number of residential building permits issued and appreciate owners working hard to make sure their homes are ready for the next century.

In addition to striving to be good stewards of our exceptional housing, we place a high value on the health of our community including individual health of our residents and the health of our environment. We encourage active lifestyles through the maintenance of our parks and by enhancing our transportation network. As an example, we are working to become more bike and pedestrian friendly in accordance with our 2012 Bike Master Plan.

Located on the shores of Lake Erie and the Rocky River we are constantly aware of the health quality of our waterways; everyone has a role to play. Everything from homeowners being encouraged to disconnect their downspouts and think about using rain barrels to major infrastructure improvements to our sewer system to requiring new commercial development projects to have on site storm detention. Protecting the lake and the river is important to the future of Lakewood.

In recent years our commercial districts has seen significant revitalization with more \$18 million in private investment during 2012 alone. Our success comes from collaboration with all sectors and working with new development to be of the highest quality possible. Most importantly, Lakewood fosters an entrepreneurial spirit that supports local small business and encourages others to grow, improve or relocate in our city.

Lakewood is one of the finest communities in the country because we work together and we work hard to achieve our goals. As you read this community vision document some things you may already know, some things may be new to you, but as those of us who live here understand, in Lakewood there is something for everybody and all are welcome.

Lakewood's Community Vision

The Lakewood Community Vision is a picture of the desired future for the City of Lakewood in terms of broad goals in the six areas of Commercial Development, Community Wellness, Education & Culture, Housing, Mobility, and Safety. To this end:

1. We envision a community that is a great place to live; a community that cares about the environment; a community that:
 - Maintains a high-quality of development
 - Has regular community events such as fairs and festivals and other diverse cultural entertainment facilities;
 - Has efficient and efficient multimodal transportation network;
 - Enables commercial and residential land uses to successfully coexist.
 - Supports diversity.
2. We envision a housing market that is stable and provides for moderate growth in housing values.
3. We envision adequate housing opportunities for the City's economically and culturally diverse residents.
4. We envision a high-quality housing stock that is diverse in style and is well-maintained through proactive code enforcement, and community home improvement programs.
5. We envision a providing the finest variety of educational choices, resources and opportunities
6. We envision a growing and diverse business sector which provides residents with a wide range of products and competitive services.
7. We envision a vibrant and attractive business environment that focuses on the community's accessibility, the availability of business support services, and which has a well-trained work force.
8. We envision a long range economic development strategy that encourages economic growth and supports small businesses.
9. We envision a community which has cooperative, progressive, and responsive, leadership; which provides a high level of service to residents.

Commercial Development – retention, attraction, redevelopment

Vision Statement

Achieve sustainable development practices to ensure long term viability of our commercial corridors

Where we are today:

Lakewood is a robust place to do business, with over 1,900 employers and a labor force of 33,000 people. The top occupation categories include (1) *Educational services, healthcare and social assistance*, (2) *Sales and office occupations*, and (3) *Service occupations*.¹ Lakewood has seen over \$65 million invested on Detroit and Madison Avenues from 2007-2012, with one-third of the investment being in the downtown core and over twenty five (25) businesses participating.² The city's popular [Storefront Renovation Program](#) helped more than fifteen (15) Lakewood businesses make façade and building improvements in 2012. The Architectural Board of Review, which considers architectural proposals for commercial and residential properties, reviewed 275 applications in the past two (2) years. Investment from both the private and public sectors, paired with an actively engaged business community, have helped Lakewood realize 91% occupancy along Detroit Avenue and 85% along Madison Avenue.

In 2014, the city will begin infrastructure improvements on Madison Avenue to make a more multi-modal corridor. The improvement will include resurfacing the road, installing new traffic signals and improving sidewalk conditions.

Commercial Development Goals

- Goal 1: **Encourage a mix of development that meets community employment, shopping, and service needs**
- Goal 2: **Require high quality design for all rehab and redevelopment projects**
- Goal 3: **Support local business growth and entrepreneurship**

¹ per the 2010 American Community Survey

Commercial Development Objectives

Building Connections:

- Promote sharing of resources and information amongst local businesses
- Improve public knowledge of development trends and processes
- Provide business plan mentoring and support to all business owners
- Strengthen communication concerning commercial development in Lakewood

Enhancing Existing Assets:

- Repurpose obsolete first floor retail space
- Explore the benefits of a downtown special improvement district
- Build on proactive code enforcement for commercial districts
- Market Lakewood effectively to attract high quality development projects

Creating Places for People:

- Provide architectural design recommendations to small business owners
- Add more public art in commercial districts
- Educate property owners on best practices for commercial building rehabilitation
- Promote mixed uses on upper floors of commercial buildings
- Advocate for building design which fits within the scale of our commercial district

Striking a Balance:

- Enhance requirements for buffers between commercial corridor and neighborhoods
- Minimize the impact of late night commercial activity

Thinking about Tomorrow:

- Preserve and respect historic context in commercial development projects
- Promote the use of storm water management techniques such as bio-swales, rain gardens, and pervious pavements in commercial districts
- Support environmentally sustainable development practices such as energy efficiency
- Strengthen economic development efforts to further support Madison Avenue
- Design and develop commercial districts to provide for a safe and inviting pedestrian experience

Community Wellness – environment, health, activity

Vision Statement

Support healthy living and create a more ecologically sustainable city

Where we are today:

The health of our community is maintained in a number of ways. Lakewood Hospital, supported by the Cleveland Clinic provides world class care in Downtown Lakewood. We are also well served with regard to food access with six (6) grocery stores and two (2) farmers markets. In 2012, the city offered 220 community meals, and two (2) community church's hosted summer lunch programs.

We support active living with 15 dedicated parks totaling approximately 75 acres of greenspace. These include Community Parks (3 or more acres), Neighborhood Parks (up to 3 acres), or Pocket Parks (less than 1 acre). In addition to city greenspace, Lakewood has direct access to the Rocky River Metroparks Reservation, which includes five (5) ball fields, two (2) boat launches, nine (9) designated fishing areas, three (3) golf courses, ten (10) picnic areas, and twenty three (23) trails. Lakewood's Recreation Department takes full advantage of the city's park space by administering twenty two (22) youth summer camps.

With regard to the ecological health of our city, Lakewood was ranked twelfth (12th) of sixty nine (69) Cuyahoga County communities in 2011 with a residential recycling rate of 50%, and a waste reduction rate of 44%. In 2013 the city will begin distributing 18,000 plastic recycling containers to streamline recycling collection, save money over the long run and improve recycling rates.

Below the city lie 166 miles of storm and sanitary sewer mains, with treatment capacity of 40 million gallons per day. In 2012, 85 recorded instances of sewer system overflow occurred, releasing untreated sewage to Lake Erie and the Rocky River.

Community Wellness Goals

- Goal 1: Provide great facilities and programs for active living**
- Goal 2: Advocate for quality healthcare for all residents**
- Goal 3: Adopt environmental best practices**

Community Wellness Objectives

Building Connections:

- Educate about the responsibility of maintaining sewers citywide
- Provide information to residents looking to make “green” renovations
- Provide opportunities for residents to become more health literate

Enhancing Existing Assets:

- Enhance infrastructure to support active lifestyles including sidewalks, bikeways, open space, and parks
- Ensure that Lakewood hospital continues to be an asset in our community
- Build on recreational programming to address community needs
- Ensure that all residents have convenient access to healthy, affordable food

Creating Places for People:

- Expand available green space
- Improve usefulness of parks as year round assets
- Consider small scale community based solutions to help alleviate storm runoff including the use of rain barrels, bio-swales, storm water retention, and permeable pavements

Striking a Balance:

- Provide policy support, such as inclusion in the zoning code, for urban agriculture
- Become a regional leader regarding storm water management
- Understand and proactively address the effects of changing healthcare delivery on community health

Thinking about Tomorrow:

- Grow our strong recycling program by exploring new strategies to improve compliance including container pick-up or fees for refuse collection by volume
- Educate residents on energy efficient options such as compact fluorescent light bulbs, and appropriate home insulation
- Encourage employers to offer health promotion programs to their employees
- Reduce obesity rates by promoting active lifestyles and ensuring that nutritious food options are readily available
- Develop a culture which promotes a sense of personal responsibility for community health & wellness

Education & Culture – access, facilities, technology

Vision Statement

Provide life-long educational opportunities for our residents and promote a community identity rooted in our cultural heritage

Where we are today:

Lakewood Public Schools, with student enrollment totaling 5,800, realized a 91.4% (83.5% “on-time”) graduation rate in the 2009-2010 academic year. The district, designated as Excellent in 2012 by the State, consists of seven K-5 elementary schools, two middle schools one high school and one alternative school.

In addition to excellent public schools, Lakewood is home to a number of private and parochial schools such as Lakewood Catholic Academy and St. Edward High School, a private International Baccalaureate school. With 830 students, a 17:1 student/teacher ratio, St. Ed’s has been recognized by the U.S. Department of Education as a Blue Ribbon School of Excellence.

Other community partners offering educational opportunities include:

- University of Akron Lakewood offers degree options in Organization Supervision, Nursing, Social Work and Business Administration
- Beck Center for the Arts serves 50,000 annually through professional theatrical productions, Creative Arts Therapies, and comprehensive curriculum-based arts education in dance, music, theater, visual arts
- Lakewood Recreation offers adult courses in basic computing, personal finance, homecare, arts and languages
- Lakewood Public Library – Main and Madison Branch

From major festivals to block parties, community gatherings are an important part of local culture. The city offers eight (8) Summer Festivals, which include Meet the Trucks, Bike Rodeo, 4th of July Parade and Celebration, Lakewood Street Party, Lakewood Arts Festival, Lakewood Car Culture Show, Lakewood Community Festival. Beyond these city sponsored events, LakewoodAlive hosts a number of downtown gatherings such as the Summer Meltdown, Light Up Lakewood, and the Spooky Pooch Parade.

Education & Culture Goals

- Goal 1: Support a culture of lifelong learning**
- Goal 2: Preserve our cultural institutions and assets**
- Goal 3: Continue to encourage civic engagement**

Education & Culture Objectives

Building Connections:

- Capture and share local history
- Provide high quality education for K-12 students through excellent schools

Enhancing Existing Assets:

- Continue to offer a broad range of community events and festivals
- Preserve and grow the Beck Center
- Understand market and social drivers of Education and Culture, and use those findings to guide decision making
- Leverage existing resources in schools to meet community needs such as access to technology and community meeting spaces

Creating Places for People:

- Promote cultural identity in neighborhoods through design
- Develop spaces for artists to live and work

Striking a Balance:

- Leverage local and regional cultural assets to direct programming in Lakewood
- Work with University of Akron Lakewood to meet local needs in higher education
- Provide great facilities and learning environments that allow access to educational technologies and resources including access to computers in schools and libraries

Thinking about Tomorrow:

- Offer workforce development opportunities in industries that are growing in Northeast Ohio
- Support the libraries

Housing – stewardship, options, quality

Vision Statement

Protect and enhance the quality and character of our residential neighborhoods

Where we are today:

Lakewood has a total of 32,000 housing units citywide including 12,700 one (1) or two (2) family homes. Through research and a comprehensive housing survey, the 2012 Housing Forward initiative has provided the city with more data on these 12,700 homes than ever before. For instance:

- The mean age of Lakewood homes is 94
- 85% of homes are in good exterior condition (meet” or “almost meet” code)
- The average home value is \$143,500
- 182 homes were in active foreclosure in 2012
- 54% of homes are owner occupied
- 125 residential properties are vacant

By using good data in the Building Department, and sharing that data with homeowners, Lakewood has seen the number of residential building permits increase since 2010.

The city has 63 Neighborhood Block Clubs, resident driven entities helping neighbors work with police and other city departments to ensure safety and security in our community. Block Clubs are most active in Wards 1 & 3.

Housing Goals

- Goal 1: **Support a variety of housing options that meet the needs of our diverse community**
- Goal 2: **Proactively maintain and improve our housing stock**
- Goal 3: **Develop a culture of informed and responsible action by all property owners and tenants**

Housing Objectives

Building Connections:

- Educate all landlords through existing training seminars
- Promote the importance and financial benefits of quality repairs and renovations
- Work with Relators to market Lakewood effectively to potential homeowners
- Promote energy efficiency upgrades including the installation of new furnaces, adequate insulation, and energy star appliances

Enhancing Existing Assets:

- Improve lighting in neighborhoods through the use of porch lights
- Educate residents on how to better access services provided by local financial institutions
- Enhance the role of Block Clubs as a social and informational resource

Creating Places for People:

- Provide a variety of housing types that meet the needs of the whole community including seniors, low-moderate income families, and special needs households
- Encourage new and infill development which is complementary to the scale and character of surrounding residential uses

Striking a Balance

- Explore the benefits of point of sale inspections
- Promote development of affordable housing for low - moderate income and special needs households
- Preserve housing quality through proactive code enforcement of residential property including multi-family homes

Thinking about Tomorrow

- Maintain existing trees on residential streets and manage our urban forest
- Preserve the historic character of residential neighborhoods through education and support of quality design
- Manage vacant and abandoned properties using the property maintenance code to ensure that properties are safe, secured, and weatherized
- Seek new funding sources to support middle class households which are ineligible for federally funded housing programs

Mobility – options, ease of movements, services

Vision Statement

Provide safe, convenient, and integrated transportation options throughout the community

Where we are today:

With over 180 miles of sidewalks and 90 miles of streets, Lakewood is recognized as Ohio's most walkable city based on the nationally recognized ranking system *Walk Score*. An estimated 77% of Lakewood residents commute to work by car, while a combined 10% walk or use public transportation. Based on a 2010 traffic analysis, approximately 1,100 pedestrians and 225 cyclists pass through downtown in a typical six (6) hour period.

The city is served by six (6) bus lines (25, 26, 43, 55, 78, and 83), as well as two (2) rapid rail stations (W 117th and Triskett). In 2013 two of these bus routes (55 Clifton, and 25 Madison) are scheduled to receive significant investment in the form of enhanced transit waiting environments.

Lakewood's Bicycle Master Plan was adopted by City Council in 2012 and has led to several significant milestones such as the installation of sixteen (16) bicycle signs, and more than fifty (50) new bicycle racks citywide, including the region's first on-street bicycle corral. Funds have also been allocated to introduce shared lane markings or "sharrows" on Detroit and Madison Avenues by the end of 2014.

Mobility Goals

- Goal 1: Continue to invest in infrastructure improvements to achieve a balanced multimodal transportation network
- Goal 2: Promote transportation safety through education, enforcement, and design
- Goal 3: Increase the number of miles travelled using means other than a car

Mobility Objectives

Building Connections:

- Ensure all streets are well lit
- Encourage employers to develop incentives for employees to use alternative transportation
- Educate motorists and cyclists on rules of the road
- Develop systematic sidewalk replacement program

Enhancing Existing Assets:

- Control Litter and Snow on Sidewalks
- Enhance and expand bike routes citywide
- Increase availability of bicycle parking in commercial districts to meet demand
- Obtain bronze medal designation from League of American Cyclists

Creating Places for People

- Improve consistency of traffic signage to reflect what has already been added on Detroit Ave. and Clifton Blvd.
- Minimize impact of cars and parking in commercial districts
- Expand ADA compliance in public spaces including sidewalks, parks, and facilities
- Enhance transit waiting environments city wide through the addition of shelters, benches, and other necessary amenities
- Establish a consistent approach to providing attractive and functionally well placed pedestrian amenities

Striking a Balance:

- Focus traffic enforcement around schools and destinations
- Explore traffic calming to achieve speeds appropriate to family neighborhoods
- Work with RTA to improve timing of bus routes
- Improve access to public transit facilities
- Pursue creative solutions to meet parking demands

Thinking about Tomorrow:

- Educate resident on ways to reduce carbon emissions
- Explore new transportation options to fill the service gap left in the absence of the Circulator
- Consider multi-use path along train tracks
- Offer downtown pedi-cab service

Safety – safety forces, feeling safe, crime

Vision Statement

Maintain the highest degree of community safety by providing excellent safety services, promoting resident participation, and expanding effective communication

Where we are today:

Lakewood’s safety forces include the Police, Fire, and Public Works Departments, as well as the Division of Housing & Building. Our safety services include (94) ninety-four Police Officers, ## Dispatchers, (75) seventy-five firefighters, (12) paramedics, and (10) ten building inspectors.

In 2011, the Police Department fielded 27,000 phone dispatches, made 15,042 arrests and realized an average response time of 3:20 for crimes in progress. In the same year, the Fire Department responded to 1,386 fire class, 5,399 emergency medical calls and had 20 large-loss fires, while Building Inspectors issued 2,473 permits.

By the numbers, excellent safety services, along with engaged participation from residents and neighborhood block clubs (63 in total) have led to Lakewood becoming a safer place in the last 5 years. Since 2007 Lakewood has seen a 42% decrease in crimes of violence, a 14% decrease in burglaries, a 455 decrease in auto thefts and 47% decrease in robberies since 2007³

Safety Goals

- Goal 1: Preserve the rapid response time of safety forces**
- Goal 2: Work with neighborhoods and business owners to improve our physical environment**
- Goal 3: Decrease the number of crimes of opportunity**

³ Crimes of violence (07': 341, 11':198); Burglary (07': 211, 11':182); Auto Theft (07': 163, 11':89); Robbery (07': 64, 11':34)

Safety Objectives

Building Connections:

- Develop opportunities for neighbors to connect
- Use social media to expand communication citywide including police to residents, and block clubs to businesses
- Raise the level of neighborhood safety through additional trainings for block clubs and residents
- Improve the sharing of alerts, crime data, and information
- Provide crime prevention “best practices” to residents
- Encourage emergency preparedness for all citizens

Enhancing Existing Assets:

- Maintain sufficient professional safety forces
- Promote and enhance bicycle safety through Bike Lakewood, improved signage and infrastructure, and community outreach events such as the Bike Rodeo
- Expand the number of private and city owned cameras
- Leverage advancements in technology to improve effectiveness of policing

Creating Places for People:

- Improve the application of the Safe Routes to School program
- Improve lighting in the neighborhoods, parks and business districts
- Design public spaces that are beautiful, functional, and safe

Striking a Balance:

- Minimize the impact of late night commercial activity such as bars closing
- Ensure linked communication between safety forces

Thinking about Tomorrow:

- Understand emerging trends in public safety in order to respond to those trends effectively
- Have more frequent community beautification events

ALL ARE WELCOME – The Vision Update Process 2012

Updating the 1993 Vision

On April 6, 1993 the Lakewood Community Vision was published. This report was the result of 400 hours of work contributed by members of the Planning Commission, city officials and 80 community volunteers. While it is still relevant and many of the principals are unchanged, the strategies and action items are in need of updating. Many of the priorities are as important today as they were in 1993. In addition to the 1993 Community Vision, the 2005 Grow Lakewood Report holds many observations about Lakewood that are as true today as they were 6 years ago.

In January 2012, City Council requested that the Planning Commission and the Department of Planning and Development begin to evaluate the Community Vision. Through public hearings of the Commission in February and March it was determined that the Vision still has valid content but is due for an update. The Planning Department began developing a community engagement plan in February to begin that work.

While the history of Lakewood, our zoning, our proximity to the Lake, Downtown and the airport, and in many ways the characteristics of our residents have remained the same, the ways that we access information, purchase goods and do business has changed significantly. Lakewood is well positioned to succeed over our next 100 years and to do so we must take stock of where we are today, what we have accomplished to this point, and detail what we need to do to reach our collective goals.

2012 Vision Update Process

138 residents participated in the 2012 Community Vision Update over the course of eight (8) months and twenty (20) community meetings.

May

The first public event was held May 14, 2012 with seventy (70) residents and city officials in attendance. At the first event participants broke into groups to respond to three (3) questions:

1. What do you love about Lakewood?
2. What worries you about Lakewood?
3. What do you hope for Lakewood's future?

In cataloguing those responses it was found that what residents love, worry about and hope all fit into the same general categories: commercial development, community wellness, education and culture, housing, and safety. These categories became the focus areas for each of six sub-committees.

June

The sub-committees met for the first time in June. This meeting was an opportunity for participants to get to know each other and develop a basic understanding about their focus areas through an informed dialogue.

Housing (University of Akron Lakewood - June 27th 2012) - The Housing Subcommittee discussed several of Lakewood's unique qualities that factor in to the city's housing, such as the close proximity of our commercial and residential districts, the concentration of first-time home buyers, and the number of rental properties. Fostering good stewardship among homeowners was determined as essential to maintaining the city's housing stock, including encouraging quality renovations and repairs that will both look better and last longer. The subcommittee identified the need for housing options such as one-floor properties for an aging population. Lastly, the group sees an opportunity to use education and outreach to proactively address housing, by informing homeowners on how to care for old homes, and providing resources to do so.

Mobility (Lakewood Library – June 27th 2012) - Transportation, particularly cycling, is a hot topic in Lakewood right now. The Mobility Subcommittee had a frank discussion on the state of transportation in Lakewood beginning with an exhaustive list of the many ways people move through Lakewood. From this discussion it became apparent that the four most significant themes in mobility are access, options, safety and convenience. Drawing from this the subcommittee crafted the following draft vision statement: "To provide safe convenient passage to all people through a variety of options." Over the coming months the subcommittee will focus on polishing their vision statement and identifying specific goals.

Safety (University of Akron Lakewood - June 27th 2012) - The Safety Subcommittee, joined by representatives of the police and fire departments, discussed the perception and reality of crime in Lakewood and ways to make the city feel safer. The subcommittee was very positive about the responsiveness and visibility of the Lakewood Police, and the presence of neighborhood offices. By using information and education, such as the city-run Citizens' Academy and programs in public schools, the group believes we can increase our emergency preparedness and prevent crimes of opportunity. The physical environment was also identified as an important determinant of perceptions of safety, and building design, lighting, and property maintenance should reflect this.

Education and Culture (Lakewood Library – June 27th 2012) - The subcommittee discussed a range of cultural and educational opportunities available in Lakewood from k-12 schools to arts venues and job readiness training. The group seeks to better understand what cultural and educational resources exist, how those resources are being used, and how we as a community can build on those existing resources. The subcommittee also discussed the role of the Community Vision broadly as well as the value of education. At

the end of the first session the subcommittee has put forth the following draft vision statement: "Enhancing accessibility to community based educational opportunities and cultural activities that provide lifelong learning."

Community Wellness (University of Akron Lakewood - June 25th 2012) - The Community Wellness Subcommittee seeks to address the health of the community as a whole incorporating physical health, recreation opportunities, and environmental concerns. Many draft vision statements were proposed but the discussion centered on ensuring equitable access to healthy living to all residents. This includes food access, encouragement of active lifestyles and support of community based solutions to environmental challenges. Moving forward the committee is interested to learn about more about the ongoing Lakewood Human Services Summit.

Commercial Development (University of Akron Lakewood - June 25th 2012) - Commercial Development began as the largest subcommittee with thirty two (32) residents in attendance at the first meeting. Two key talking points came out of that meeting. First is concern for the diversity of services offered in Lakewood. A healthy balance of businesses is necessary to meet resident needs and ensure economic sustainability in our community. Second, Lakewood should be proactive in the area of commercial development through resident engagement, and high standards to support quality development.

August

In August 2012 a handful of Community Vision Participants were asked to participate in the Lakewood Look Book by sharing a glimpse of Lakewood in one (1) photo and less than 100 words. These brief snapshots of daily life informed the community vision process by providing insight on daily life. Some of the initial entries included a ride along with a police officer, a walk to the grocery store, being a first time homebuyer, and taking a class at University of Akron – Lakewood.

September

At the September meetings a guest speaker was invited to each sub-committee meeting to share an outside perspective on conditions in Lakewood. These presenters informed the discussion

Community Wellness (Lakewood Library – September 27, 2012) - Louis L. McMahon shared his extensive experience with environmental issues relating to water law, and brownfield redevelopment at the September Community Wellness meeting. Two points were critical to the discussion. First, that brownfield is not necessarily a bad term, merely something that the next developer will have to deal with. Second, that there is a need for greater education about what types of alternative stormwater management strategies are available to homeowners in Lakewood.

Housing (University of Akron Lakewood – September 26, 2012) - Residential rehabber and Lakewoodite of 7 years Jen Morrow spoke to the Housing Committee in September. Morrow explained the strategy for renovating and selling some of Lakewood's worst homes in just three months. Morrow says the reason her properties move so quickly is because she meets the needs of young professionals by providing houses with modern amenities and historic charm.

Mobility (University of Akron Lakewood – September 25, 2012) - The Mobility Committee sat down with Mike Schipper of the Greater Cleveland Regional Transit Authority in September to share his insight on public transportation in Lakewood. The discussion began with an overview of RTA's funding, decision making process, and upcoming projects. The conversation went on to cover a broad range of mobility related topics from ways to incentivize transit use to specific recommendations for Lakewood. Schipper urged the group to remember that "multi-modal is not every mode on every route – it is a couple of modes on each route."

Education & Culture (University of Akron Lakewood – September 19, 2012) - Nelson Beckford joined the Education and Culture Committee last month to lend his perspective on educational and cultural opportunities in the region based on his ongoing work at the Cleveland Foundation. Themes to come out of the evening included the need to build on existing assets, engage diverse partners, and better understand where Lakewood fits in the region with regard to educational offerings.

Commercial Development (University of Akron Lakewood – September 18, 2012) - Mark and Kelley Jablonski of Centermark Development came to the September Commercial Development meeting to share their insights on commercial activity in Lakewood. The Jablonskis walked through their observations and predictions for each of the city's commercial corridors. They recommended that an emphasis be placed on the Madison Corridor as well as the preservation of independent shops along Detroit Ave.

Safety (Lakewood Library – September 12, 2012) - At the September meeting of the Safety Committee Jeff Verespej of Ohio City Inc spoke on the three components of Ohio City's safety strategy including: vibrancy, the special improvement district, and Ohio City Shines (a canvassing effort by residents and the Cleveland Building Department). The question period which followed emphasized the importance of communication between residents and safety forces as well as the benefits of knowing one's neighbors

October

In October, the community vision sub-committees paired off for three sessions at University of Akron Lakewood. Together the combined committees began to give shape to the Vision Update. For each subject area 2-3 dozen statements from previous meetings were categorized into five objective categories:

1. Building Connections - Communicate effectively
2. Enhancing Existing Assets - Grow what we have
3. Creating Places for People - Use good design
4. Striking a Balance - Manage limited resources
5. Thinking about Tomorrow - Support sustainable practices

Once organized, edited and amended these objectives formed the living outline which forms the heart of this document.

December

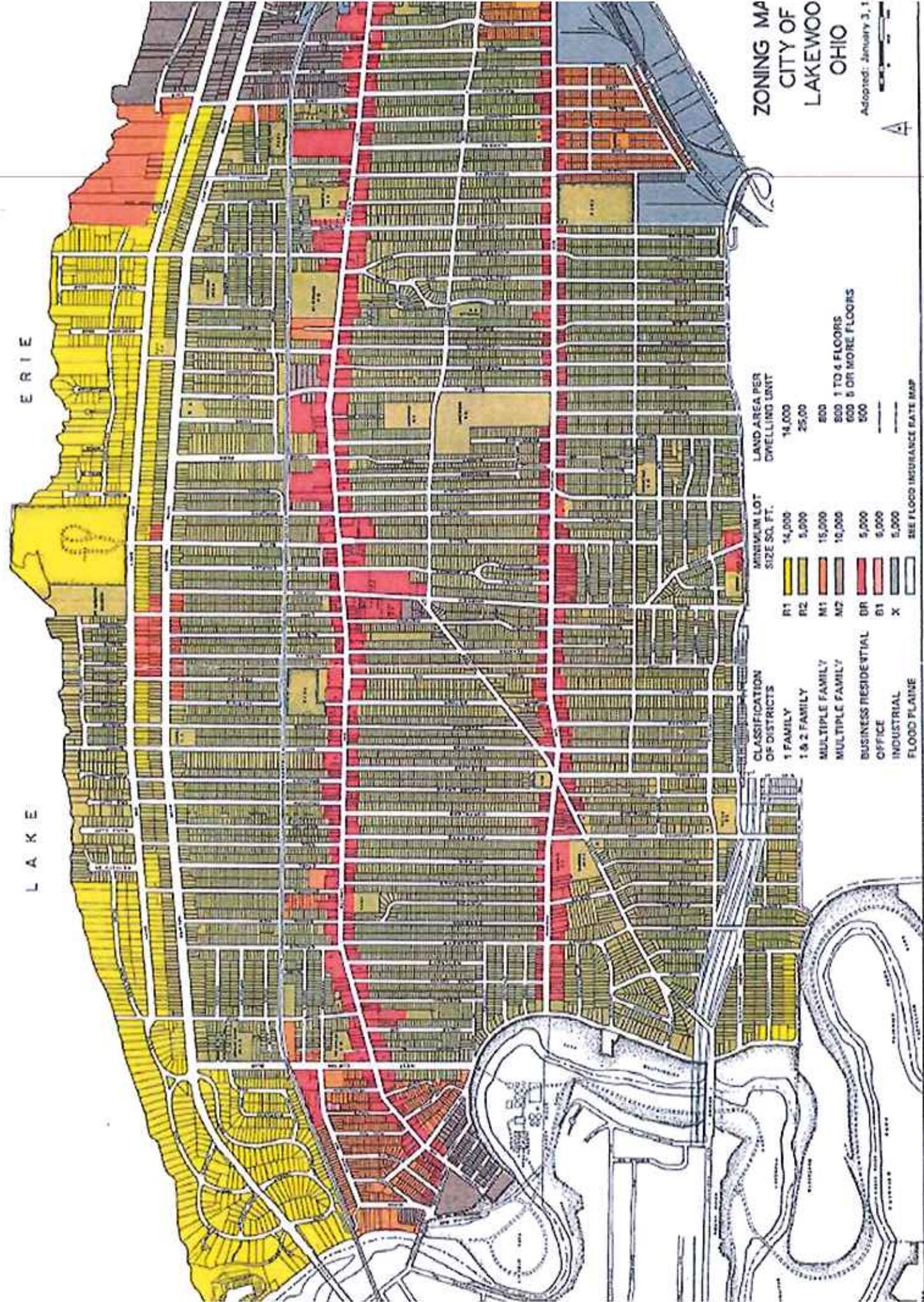
At the December 12th Community Vision meeting representatives of all six (6) committees presented the first draft of the Community Vision Update including vision statements, goals, and objectives in each subject area. The presentation was followed by a lively discussion on the visioning process.

L A K E

E R I E

ZONING MAP CITY OF LAKEWOOD OHIO

Adopted: January 3, 1986

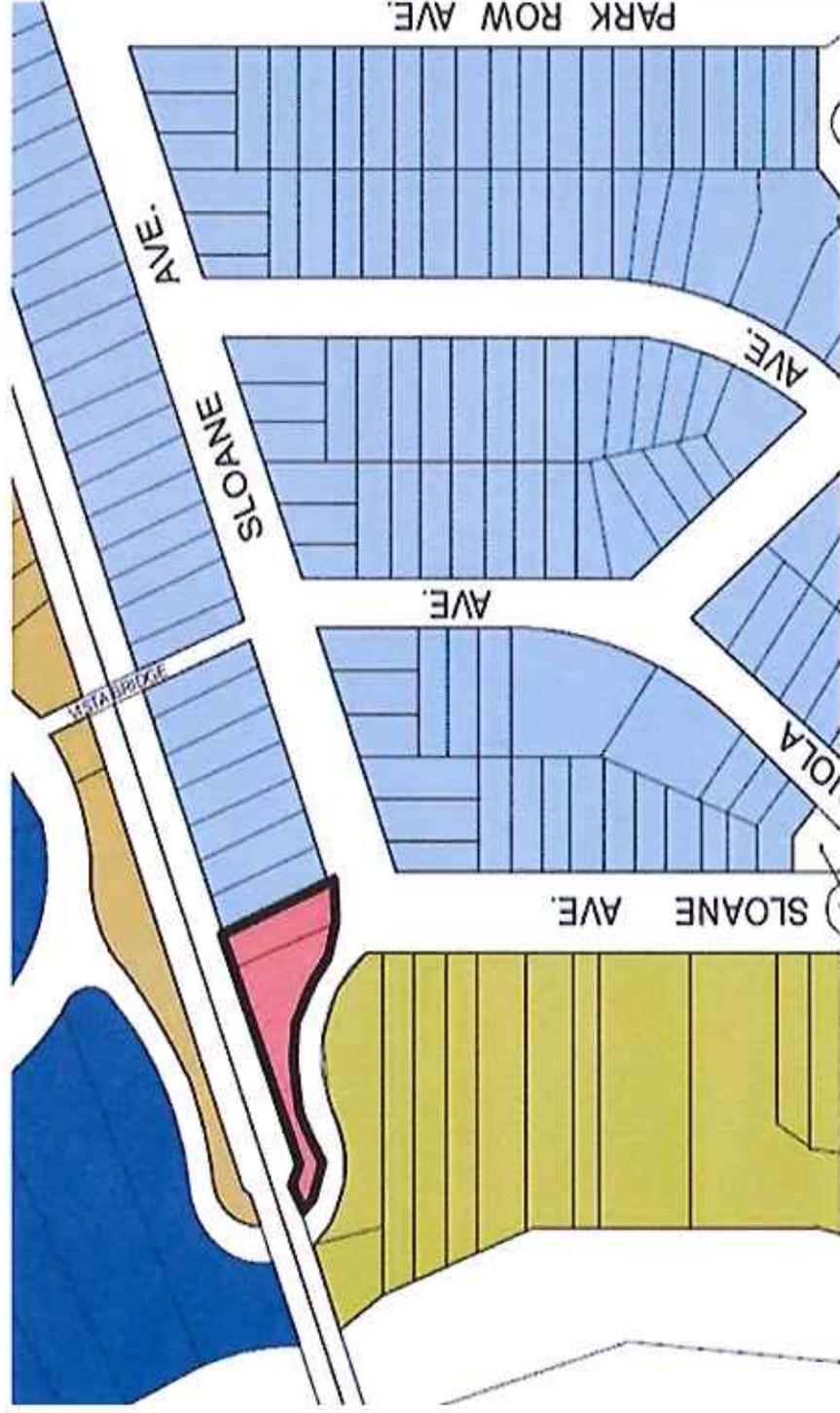


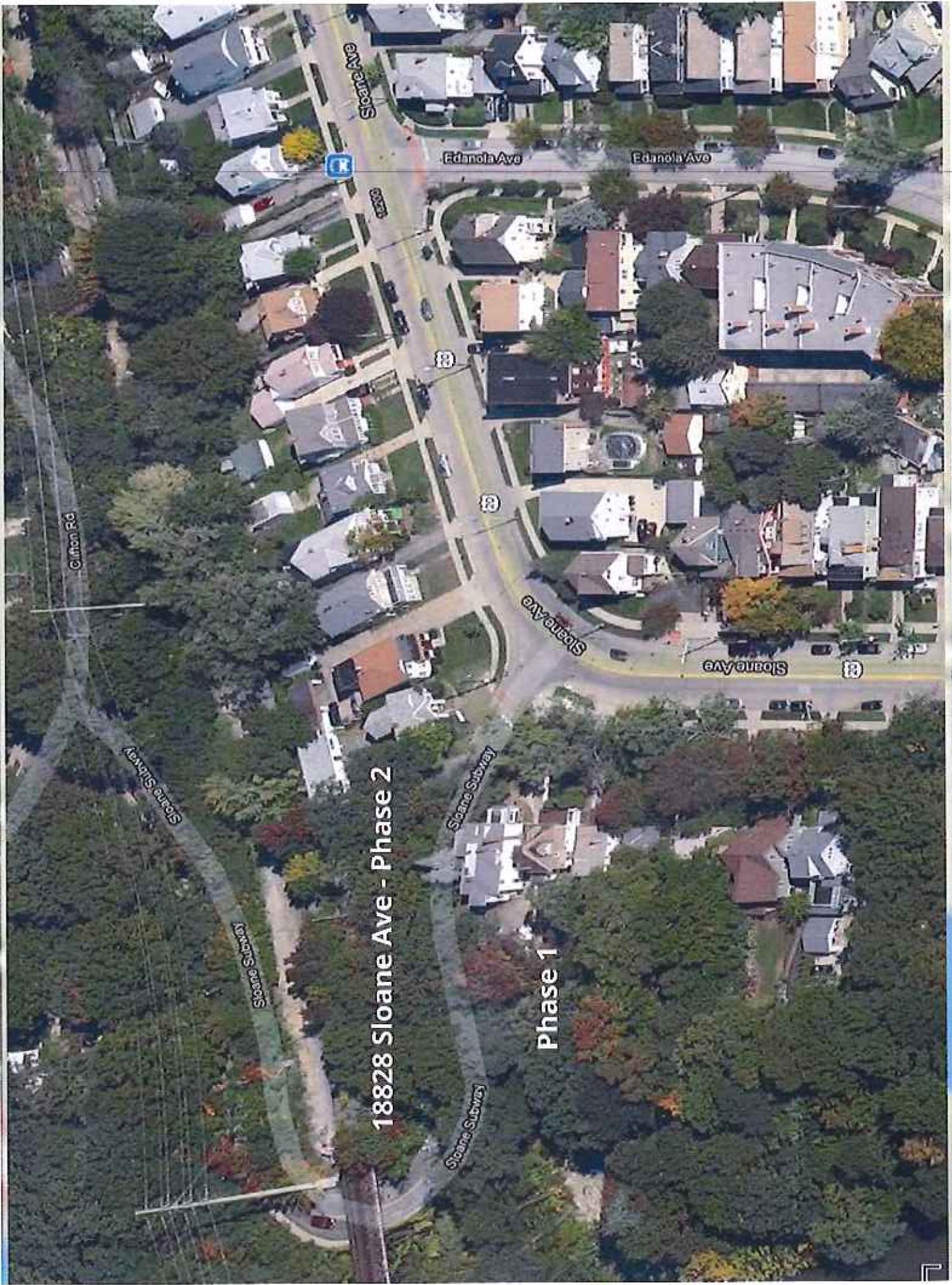
CLASSIFICATION OF DISTRICTS	MINIMUM LOT SIZE SQ. FT.	LAND AREA PER DWELLING UNIT
R1	14,000	14,000
R2	5,000	25,000
M1	15,000	800
M2	10,000	800 1 TO 4 FLOORS 600 5 OR MORE FLOORS
DR	5,000	500
O1	5,000	
O2	5,000	
I		
X		

SEE FLOOD INSURANCE RATE MAP

The Proposal

Re-zone the parcels at 18828 Sloane Avenue (PPN#s 311-14-017 and 311-14-018) from R2 (Single and Two Family) to MH (Multiple-Family High Density) for the development of Phase II of Clifton Pointe Townhomes.





18828 Sloane Ave - Phase 2

Phase 1

Current Site Photos



18828 Sloane Avenue

Clifton Pointe Phase 1



Photo Credit: Colin McEwen



Clinton Rd

Stone Ave

Edanola Ave

Edanola Ave

Stone Ave

Stone Ave

Stone Ave

Stone Ave

1828 Stone Ave - Phase 2

Phase 1

MH District: Multiple-Family, High Density

Permitted Uses - A medium density multiple-family residential building, a low density multiple-family residential building, a single- or two-family dwelling, adult family home, adult group home, or cluster house development

R2: Single and Two Family

Permitted Uses - A single-family dwelling, two-family dwelling, adult family home, a cluster house development

Zoning Code Comparison: R2 and MH

<u>Regulation</u>	<u>R2</u>	<u>MH Multiple Family</u>
Front Yard Depth	Building Line Map	Building Line Map
Rear Yard Depth	40 feet	75% of height of building
Side Yard Depth	5 feet	75% of height of building
Max Lot Area Coverage	25% of lot area	25% of lot area
Height Regulation	Not to exceed 35 feet	Controlled by side yards
Minimum Lot Area	5,000 square feet	10,000 square feet

*All permitted accessory uses are same

History of Zoning

1926 - H1 Apartment/House-1,250 sq ft/ family

1930 - H1 Apartment/House-800 sq ft/ family

1983 - M1 Multi-Family - 800 sq ft/ family

1996 - R2 Single and Two Family

Despite zoning changes, 18828 Sloane has been a non-conforming use since 1923.

History of Land Use

- 1918 - House Constructed (approx.)
- 1919 - Garage Constructed
- 1923 - Greenhouse constructed and operated as a business
- Pre-1986 - Marian Flowers
- 1986 - The Garden House
- 1990 - Irish Cottage
- 2008 - Property left vacant

Maps, Maps, and More Maps.....

1938



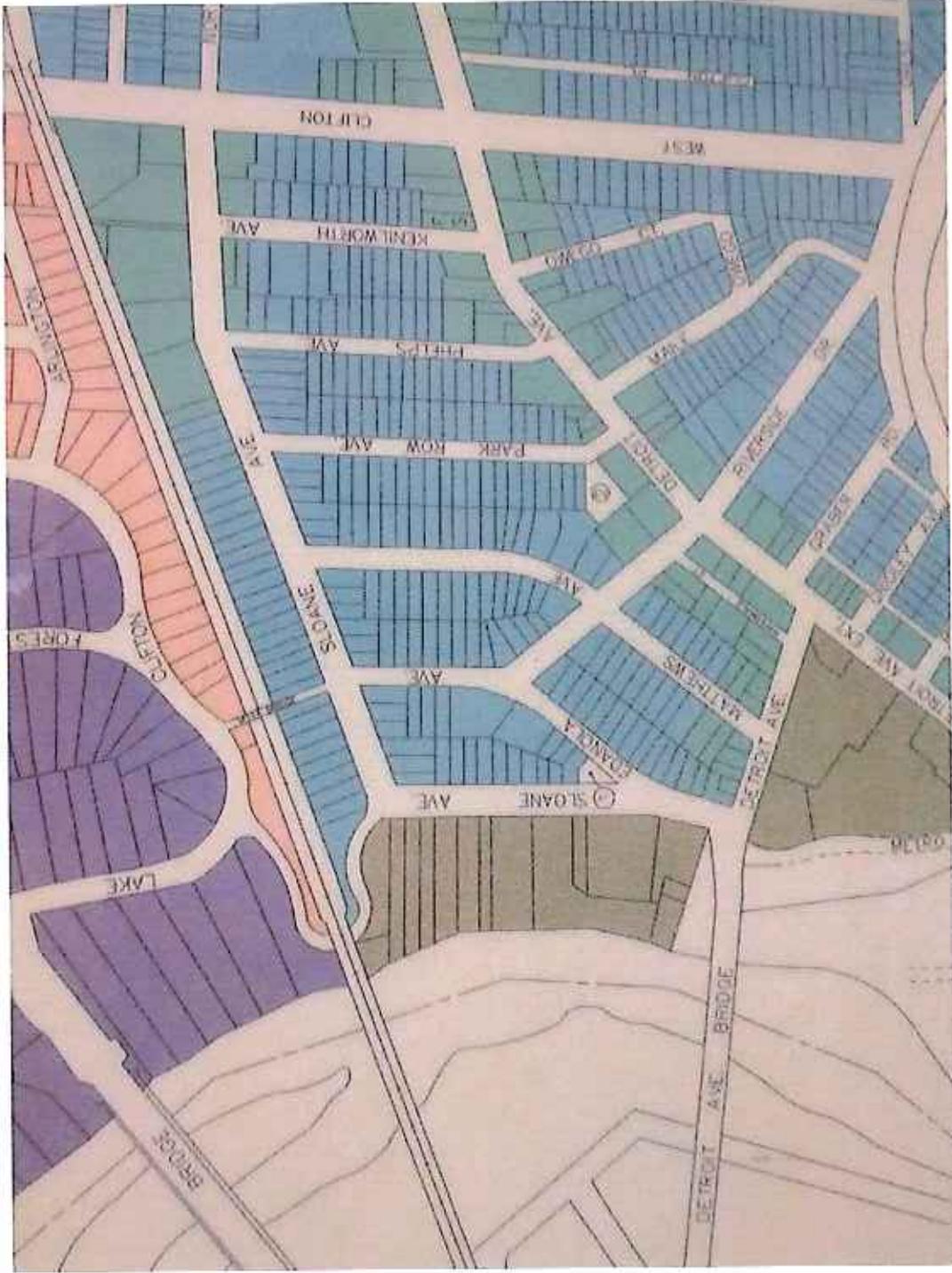
H1 Apartment/House - 800 sq ft per family

1983



M1 Multi-Family - 800 sq ft per family

1999



R2 Single and Two Family

2008



R2 Single and Two Family

Re-Zoning in Lakewood

- 1991 - Marc's - 1418 Victoria Avenue
(R2 Single - Two Family Residential to BR Business Residential)
- 2006 - Rockport - 12201 Detroit Avenue
(C3 General Business to PD Planned Development)
- 2007 - Horace Mann - 1234 Webb Road
(R2 Single - Two Family Residential to C4, Commercial)
- 2008 - Lakewood High - 14100 Franklin
(C4 and R2 to PD Planned Development)

Best Practices in Re-Zoning

1. Requested rezoning should be consistent with long range land use plans adopted by the appropriate governing body
2. To rectify an error or oversight in the original zoning of the property
3. To reflect a change of conditions in the vicinity of the property which prevent the reasonable use of the property as currently zoned

Spot Zoning

“ (...) the process of singling out a small parcel of land for a use classification different and inconsistent with that of the surrounding area, for the benefit of the owner of such property and to the detriment of the rights of other property owners.”

- Burkett v. City of Texarkana: Texas Sixth District Court of Appeals

2008



R2 Single and Two Family

Low - Mod Census Map

City of Lakewood FY 2013 Geographic Distribution of Selected CDBG Activities

- 2012 LISA or 2041 Resolving Point
- Residential, Single-Family, Complete
- Commercial, Target Zone
- 2012 Low-Mid Areas
- 2012 CDBG STREETS
- Family Leases Program Target Zone
- LISC Public Service Provider
- HOME Basic Loan Program
- HOME First-Time Homebuyer Assistance
- Community Priority Area, Revitalization Program
- Demolition
- Priority Rehabilitation Program Project
- EDF Loan Program
- Low-Income Loan Program



CITY OF LAKEWOOD
Geographic Information System
March, 2012



Department of Planning and Development
Prepared by: [Name]
Date: March 2012
Source: Public Works Dept. GIS
Owner: [Name]

Summary

- 18828 Sloane was zoned Multi-Family from 1923-1996, abutting properties still zoned for Multi-Family
- It has been a non-conforming use since 1923
- Property has been vacant since approx. 2008
- Market rate redevelopment in a low-mod census tract

Redevelopment reflects 2012 Community Vision objectives of:

- Fostering a housing market that is stable and provides for moderate growth in housing values.
- Providing adequate housing opportunities for the City's economically and culturally diverse residents.
- Creating a high-quality housing stock that is diverse in style

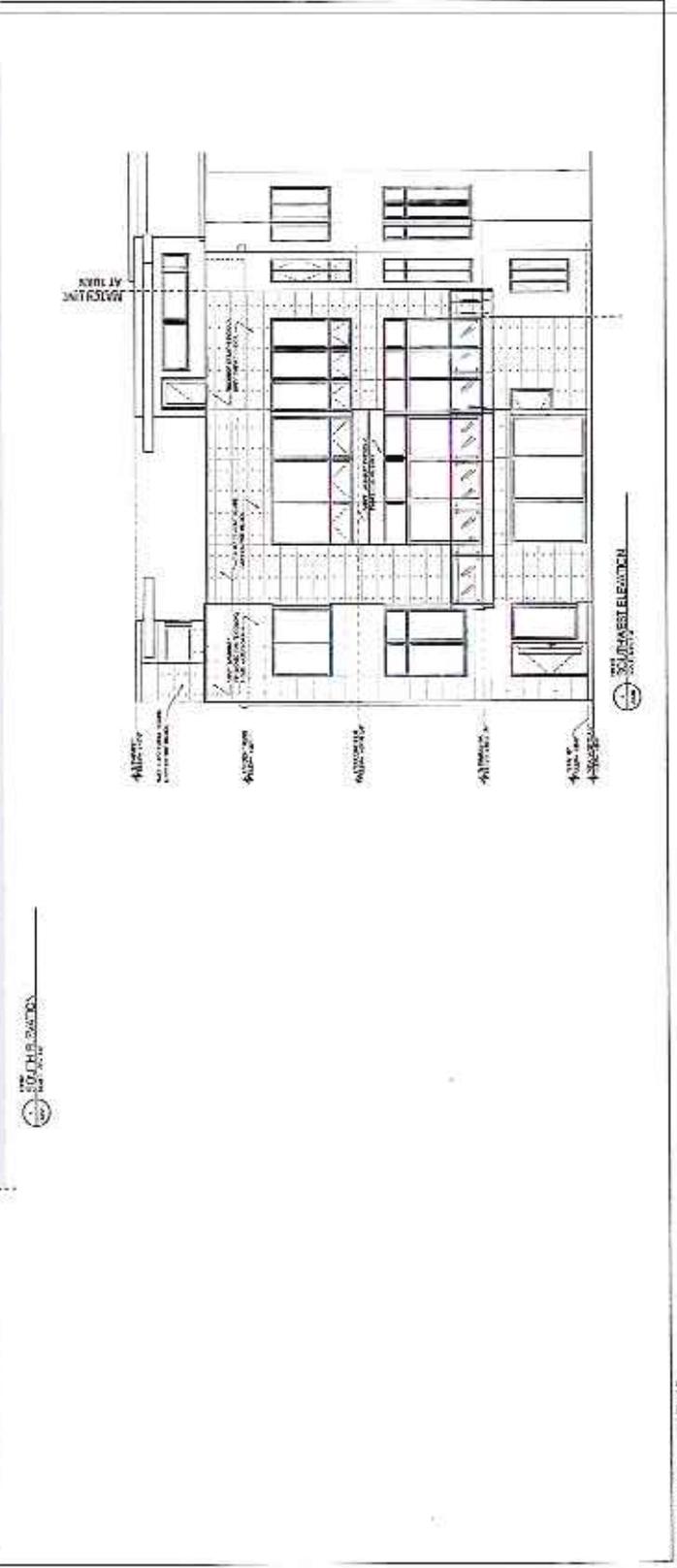
Process

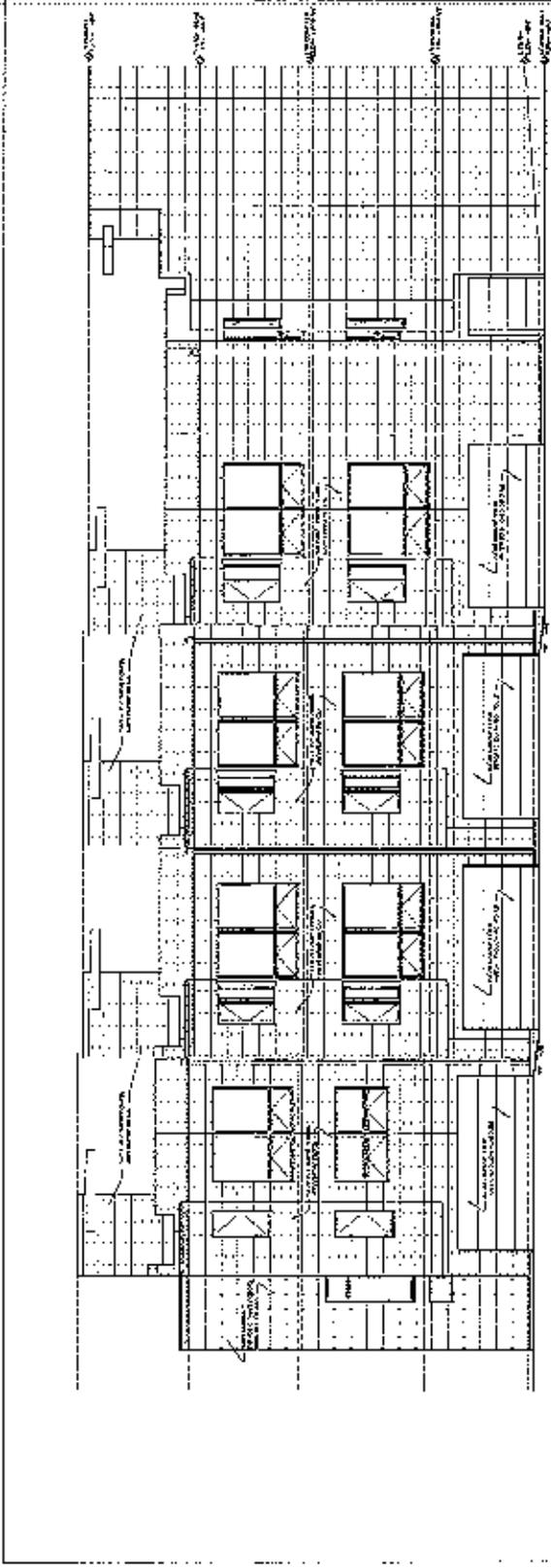
March 18th - City Council introduces legislation and refers to Planning Commission for review

April 4th - Planning Commission reviews and evaluates rezoning request

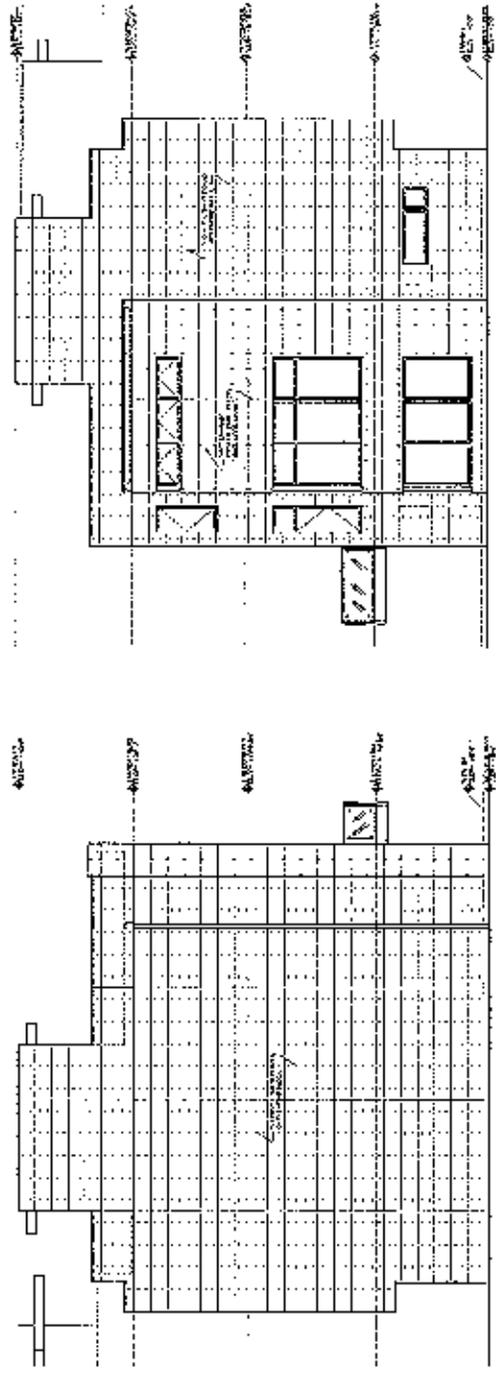
April 22nd - Third reading of revising the CRA to include two parcels on 18828 Sloane, and re-zoning from R2 to MH.

If rezoning approved by City Council, construction, design, and site drawings would have to be reviewed and approved by the Building Department, Architectural Board of Review, and Board of Zoning Appeals, respectively.





SECTION EAVENING



SECTION B EAVENING

SECTION C EAVENING



Clifton Pointe Eco-Homes - Phase 2
Sloane Subdivsy - Lakewood, Ohio

Perspective From South East

Abode
Modern Lifestyle Developers

dimitarchitects, llc
April 4, 2012



Clifton Pointe Eco-Homes - Phase 2

Sloane Subdrainy - Lakewood, Ohio

Perspective From South West

Abode
Modern Lifestyle Developers

dimin architects, llc
April 2008

Kevin & Amy Brown
17908 Lake Road
Lakewood, OH 44107



April 1, 2013

David Anderson
Councilman, Ward 1
Lakewood City Hall
12650 Detroit Avenue
Lakewood, OH 44107

RE: Ordinance 8-13, Proposed Redevelopment of 18828 Sloane Avenue

Dear Mr. Anderson:

We have great concerns over the Abode proposal to redevelop the former Irish Cottage site at 18828 Sloane Avenue. We own and reside at 17908 Lake Road directly north of the subject property and will be negatively impacted by the development as currently proposed.

We have reviewed the site plan submitted to the City as part of Council Ordinance 8-13 for the proposed rezoning of 18828 Sloane Avenue from R2, Single and Two-Family to MH, Multiple-Family High Density. The site plan shows five new units of housing at the subject property. The five units are attached townhomes with one unit on the northern property line. While the proposed site plan doesn't state a height for each unit, a discussion with the developer and a review of the developer's website indicates each will be four stories at a height of approximately 45'.

We understand that several actions will be required by City Boards, Committees, Commissions and elected officials to allow this project to move forward as proposed. While each of these groups may be reviewing a narrow set of criteria effecting this proposal, we hope that someone or some group will be considering the cumulative effect of this development on the surrounding neighborhood including Clifton Park. We don't oppose the proposed use of the site as multifamily housing, as housing is the highest and best use of that site. New "high end" housing would be an improvement over the current vacant house and defunct commercial use that exists there now.

Sensitivity to Existing Context

Our greatest concerns with this proposal are eventual height, massing, and setback of these buildings. These issues need to be better addressed when transitioning from a high density multifamily district to a low density single family neighborhood. The homes of the surrounding neighborhood are all detached single family structures up to two stories with a partially finished third floor/attic. The proposal needs to be more sensitive to this existing context than a 125' long 45' tall structure. A change in zoning could be the first step towards allowing an inappropriate structure adjacent to Clifton Park.

Creating a Dangerous Traffic Situation

Sloane Subway is a steep problematic street under-passing a train trestle. The subway has a 180 degree blind curve with a narrow high sidewalk on only one side of the street. The view from the subway encourages some to park on this narrow street blocking traffic occasionally. Railroad maintenance personnel and utility companies have parked on this narrow street occasionally blocking traffic. Large trucks realizing they can't clear the train trestle have backed out of the street blocking traffic. The catch basin at the low end of the street has backed up or been blocked during storms resulting in flooding and closure of the street. In winter time the street regularly ices over causing drivers to slide into the high

Kevin & Amy Brown
17908 Lake Road
Lakewood, OH 44107

narrow sidewalk or get stuck on the steep grade. We have had to personally push cars up the hill on multiple occasions due to snow and ice. At least one day each winter the street is closed due to weather issues.

Moving the access drive to this site (as shown on the proposed site plan) and increasing the traffic to the property will create a dangerous situation. This issue must be addressed before the City can approve this development proposal. We recommend the City converts Sloane Subway to a pedestrian and bicycle pathway eliminating vehicular traffic. This change in use would eliminate any traffic problems created by build-out of multifamily housing at 18828 Sloane Avenue.

The Need for Tax Abatement

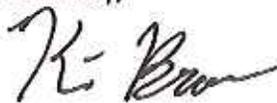
We understand the developer is pursuing the rezoning of the property to the MH zoning district to take advantage of potential tax abatement. Tax abatement is an important tool in the redevelopment of our community, especially in lower income areas. It can be the necessary incentive to attract new housing development and homebuyers to a neighborhood that has received little investment. Abode utilized a 10 year / 100% tax abatement to market and sell the first 17 units of the Clifton Pointe development. This development has been a great success, selling out in about a year. Given this great success and the dire need for tax revenue by Lakewood City Schools, we request that only 50% abatement be awarded to this new phase. The City can decide to forgo the increased tax revenue, but we believe that the Lakewood City School District should receive its full share of the increased tax revenue.

Untenable Variances

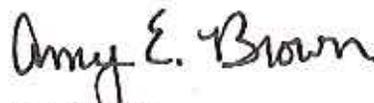
The proposal does not meet the setback and height requirements of the MH zoning district. The minimum MH district rear yard setback is 50', while the proposal has a rear yard setback of 0'. The allowable height of a structure in the MH district is controlled by its side yard. The zoning code states that the minimum side shall be 75% of the building height. Applied to the proposal, which states a side yard setback of 22'-5", the maximum allowable building height is 29'-11". This maximum allowable height is two thirds of the proposed building height of 45'. The current zoning allows for a building height of 35' and this should be the limit of any building constructed at this site.

We do not believe that this development is appropriate for this site as currently proposed. We request the members of City Council and all Commissions, Boards & Committees to reject this current proposal and direct Abode to develop a proposal that responds to the issues discussed herein. A contextually sensitive and appropriate plan must be developed to preserve the character and integrity of Clifton Park and our Sloane Avenue neighbors.

Sincerely,

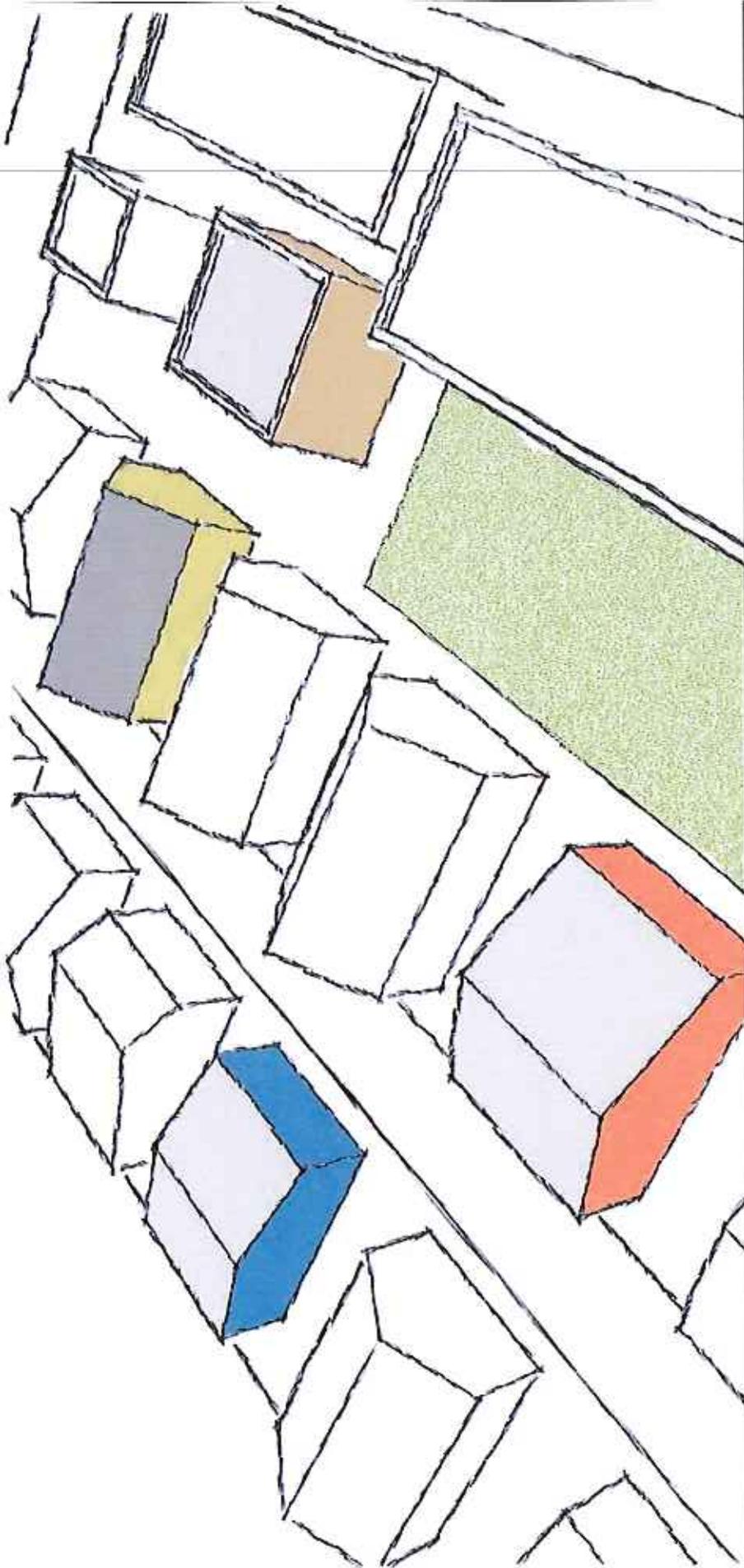


Kevin Brown



Amy Brown

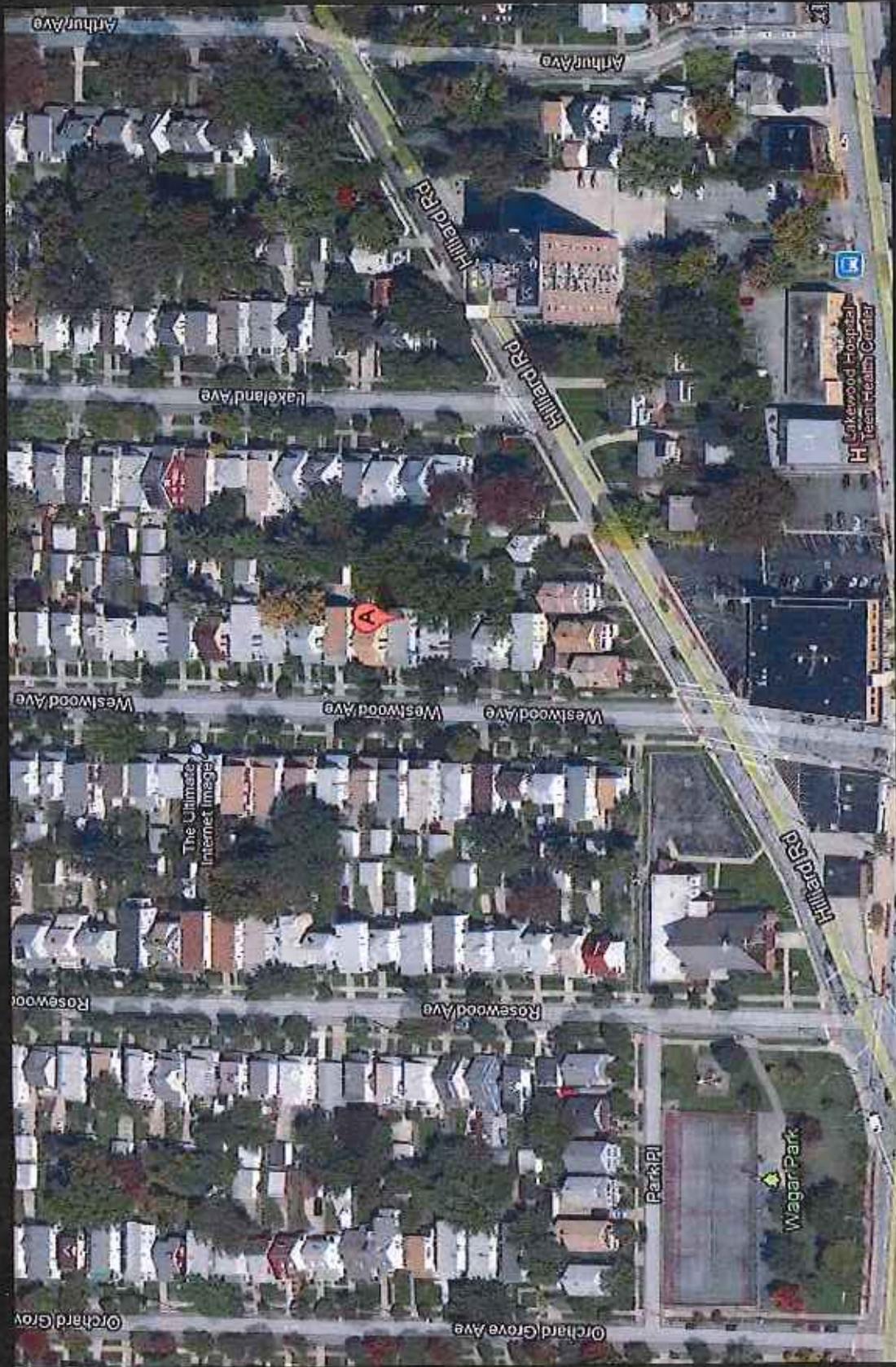
cc: **Dru Siley, Director of Planning & Development**
Mark Stockman, Chairman, Planning Commission
Michael Molinski, Chairman, Architectural Board of Review
James Nagy, Chairman, Board of Zoning Appeals
Connie Mansell, President, Clifton Beach Improvement Association



Planning Commission

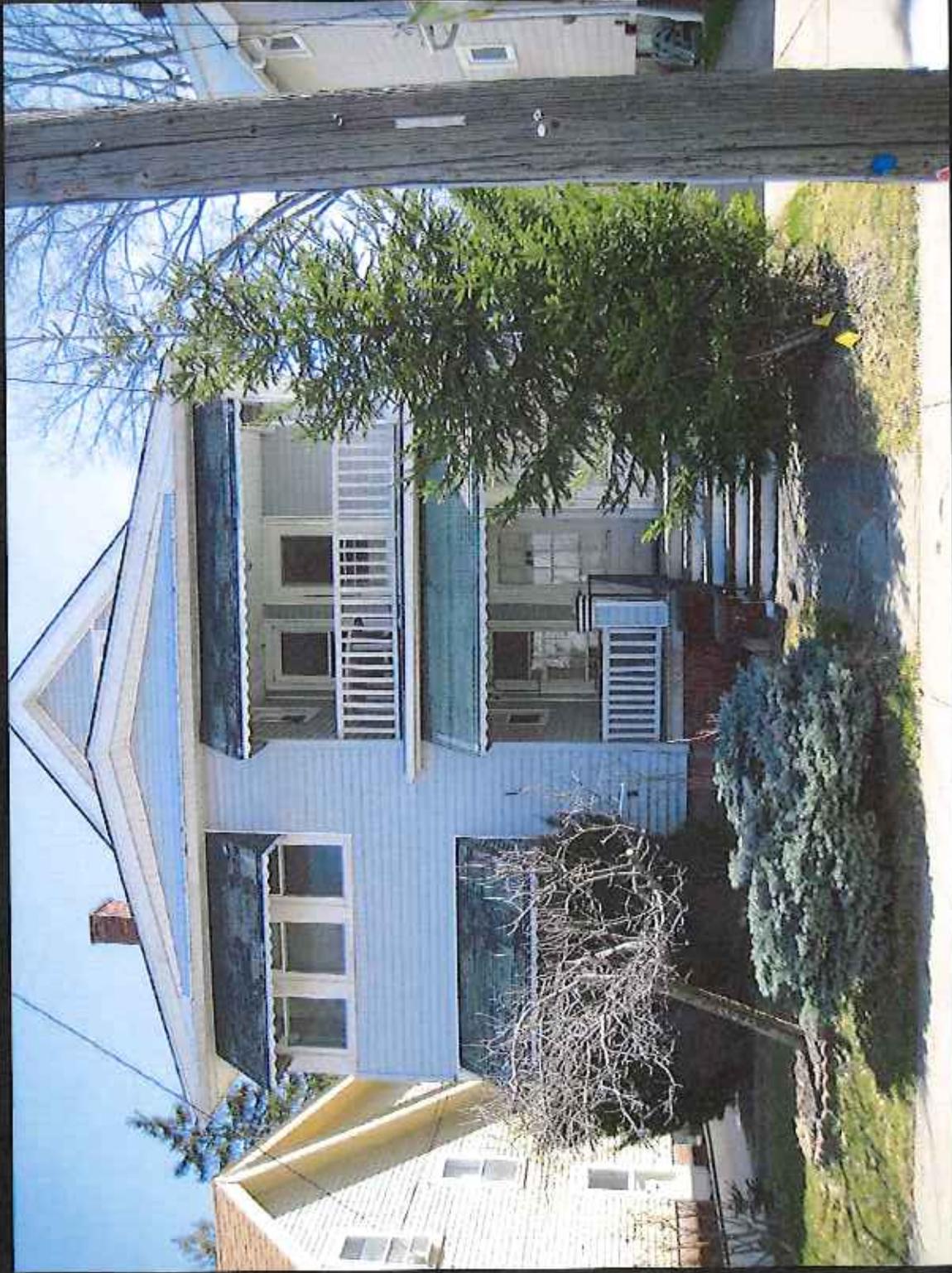
April 2013

Planning Commission
April 2013



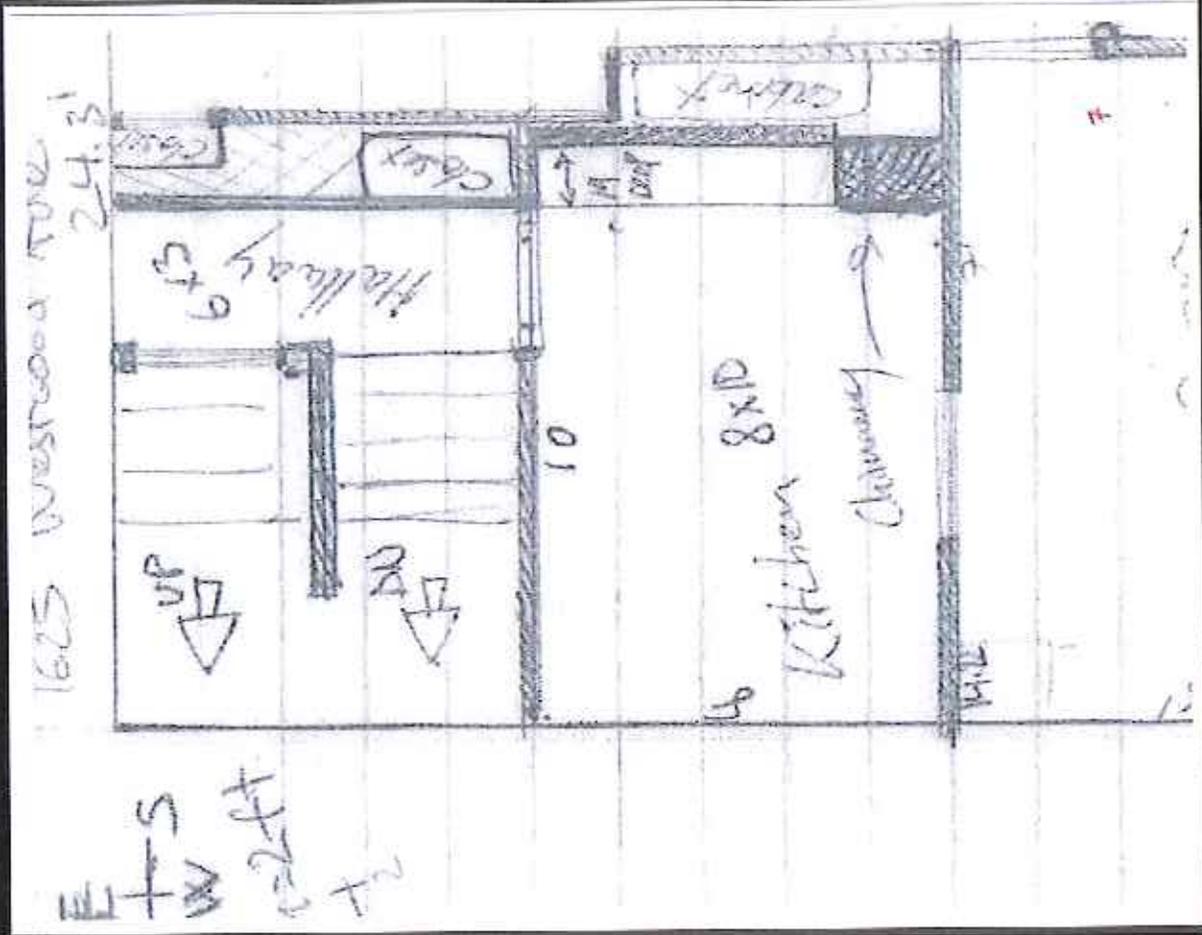
1625 Westwood Avenue

Planning Commission
April, 2013



1625 Westwood Avenue

Planning Commission
April 2013



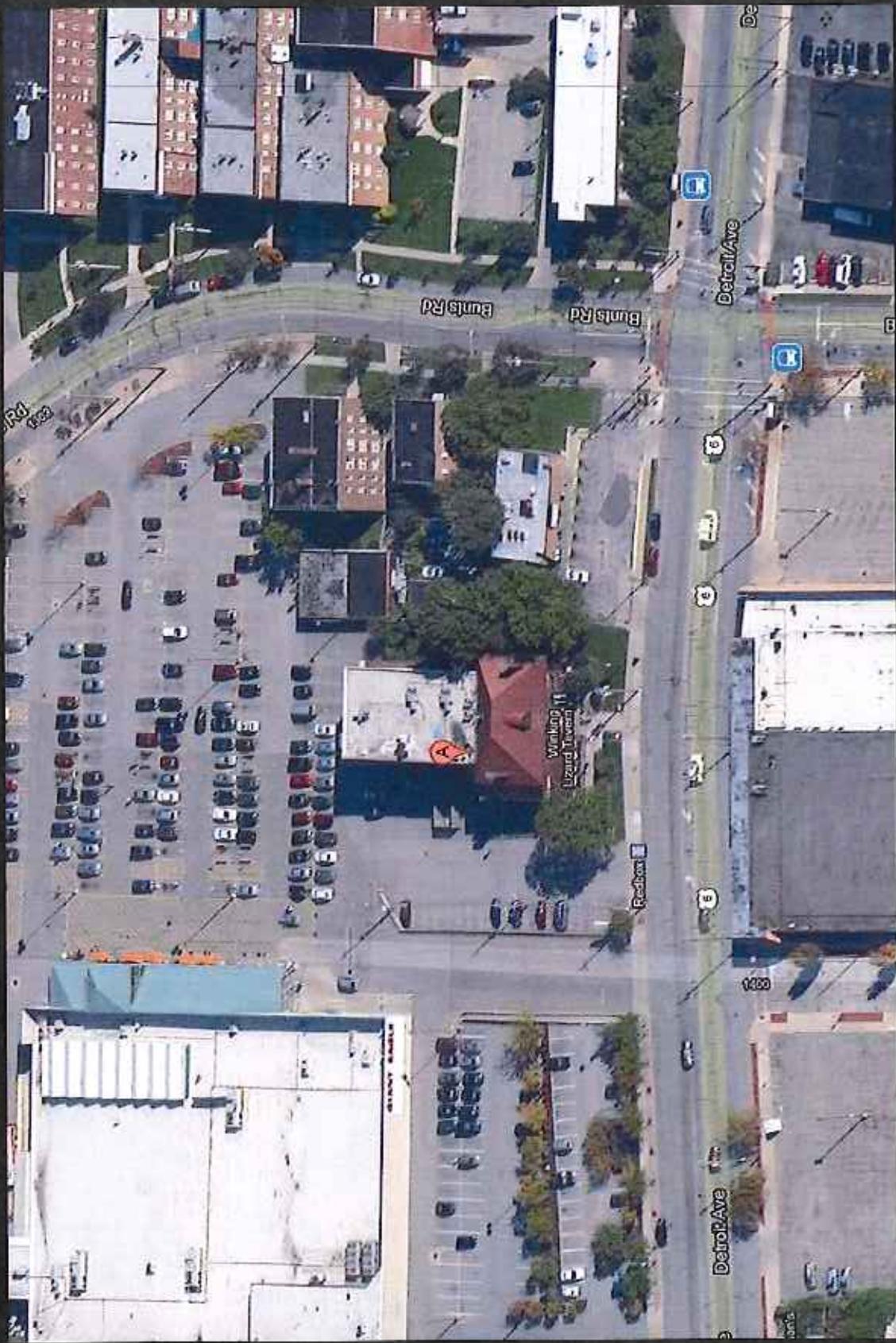
1625 Westwood Avenue

Planning Commission
April 2013



1625 Westwood Avenue

Planning Commission
April 2013



14018 Detroit Avenue Winking Lizard

Planning Commission
April 2013



14018 Detroit Avenue Winking Lizard

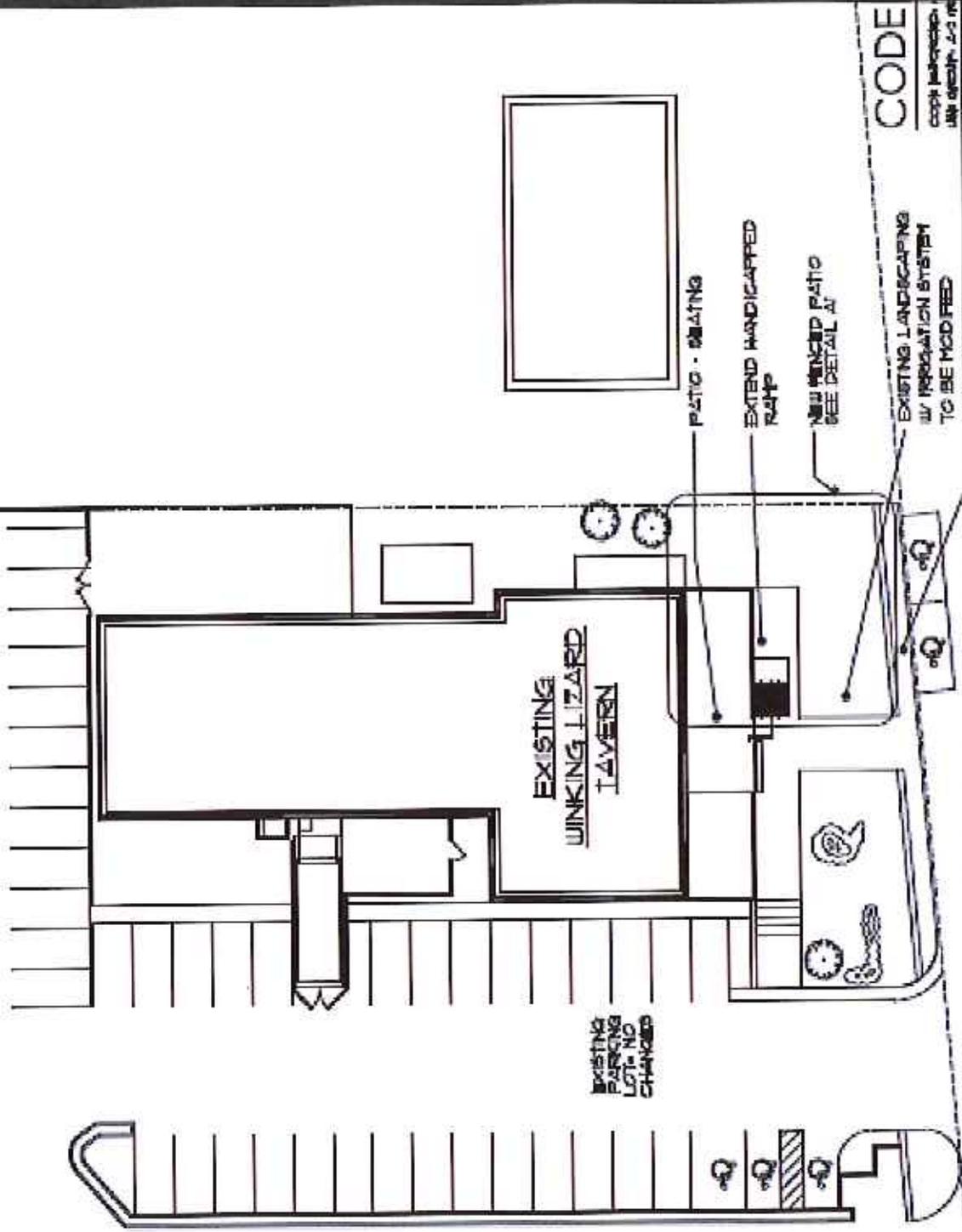
Planning Commission
April 2013



14018 Detroit Avenue Winking Lizard

Planning Commission
April 2013

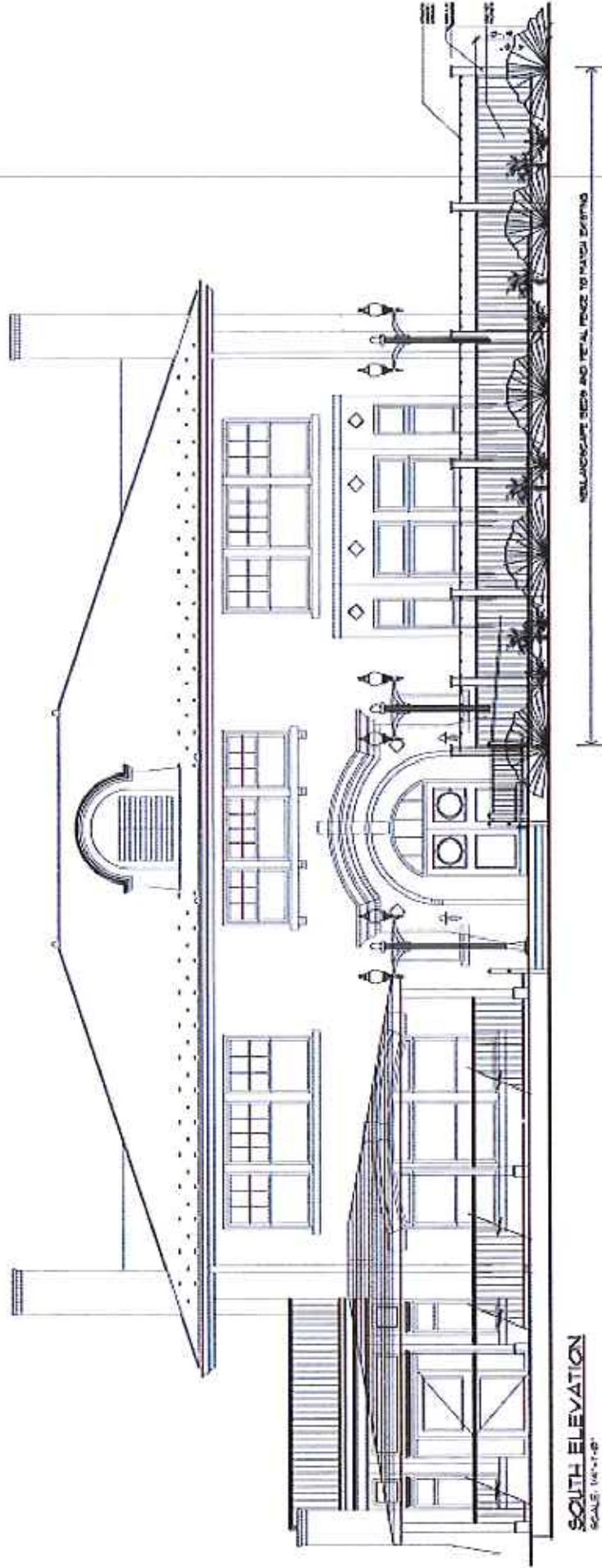
EXISTING COMMON PARKING LOT



14018 Detroit Avenue

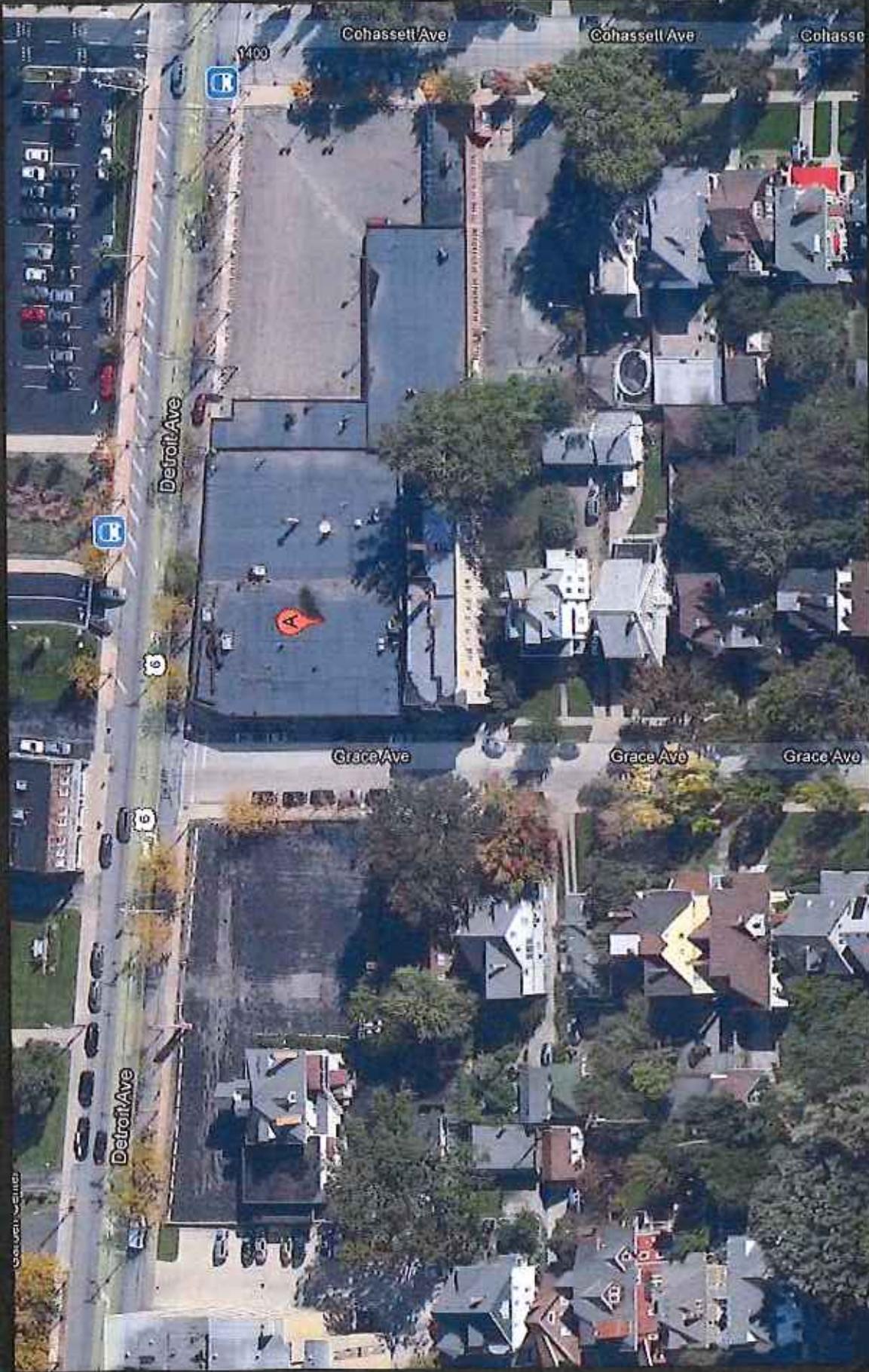
Winking Lizard

Planning Commission
April 2013



14018 Detroit Avenue Winking Lizard

Planning Commission
April 2013



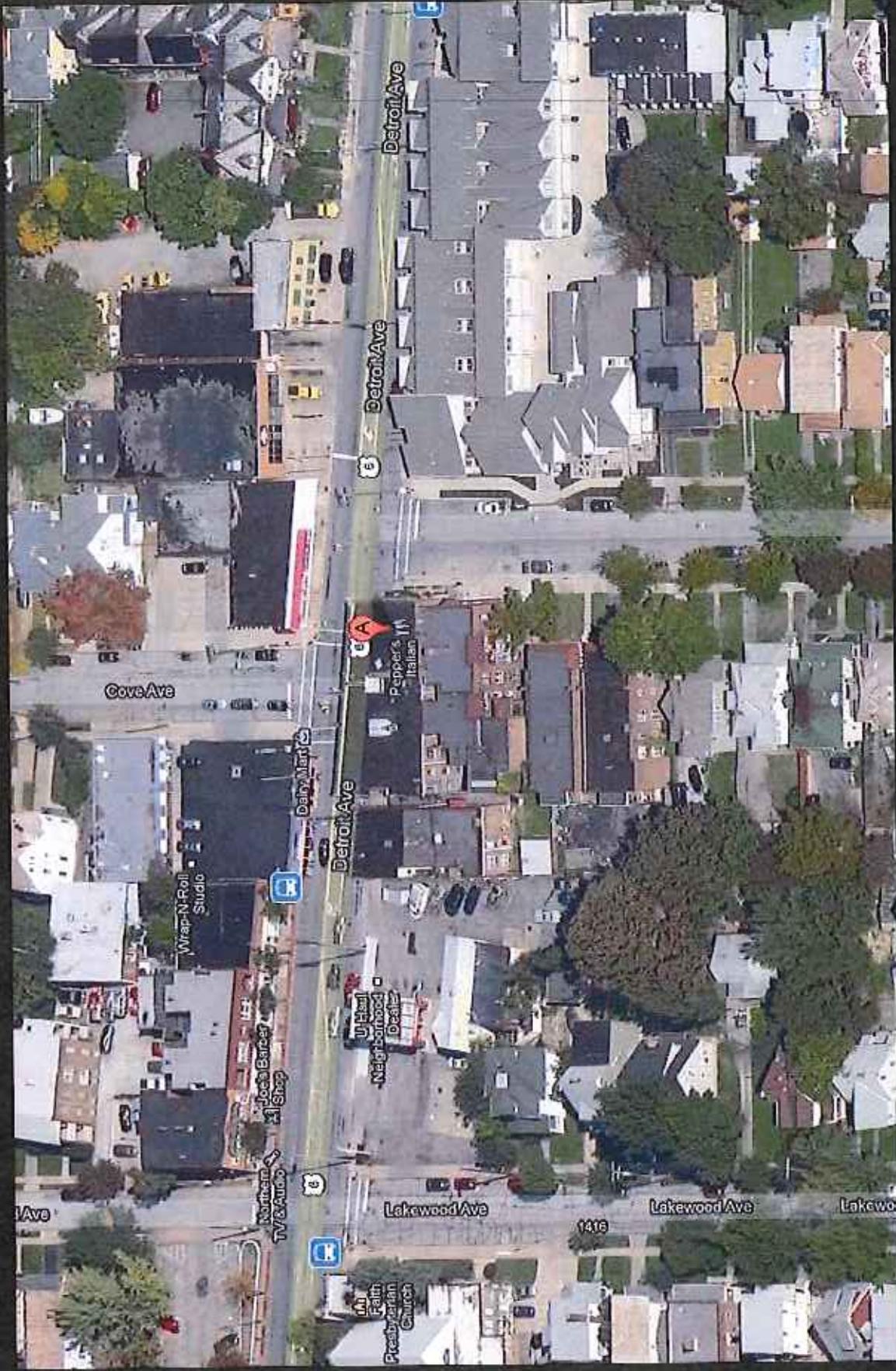
13123 Detroit Avenue Discount Drug Mart

Planning Commission
April 2013



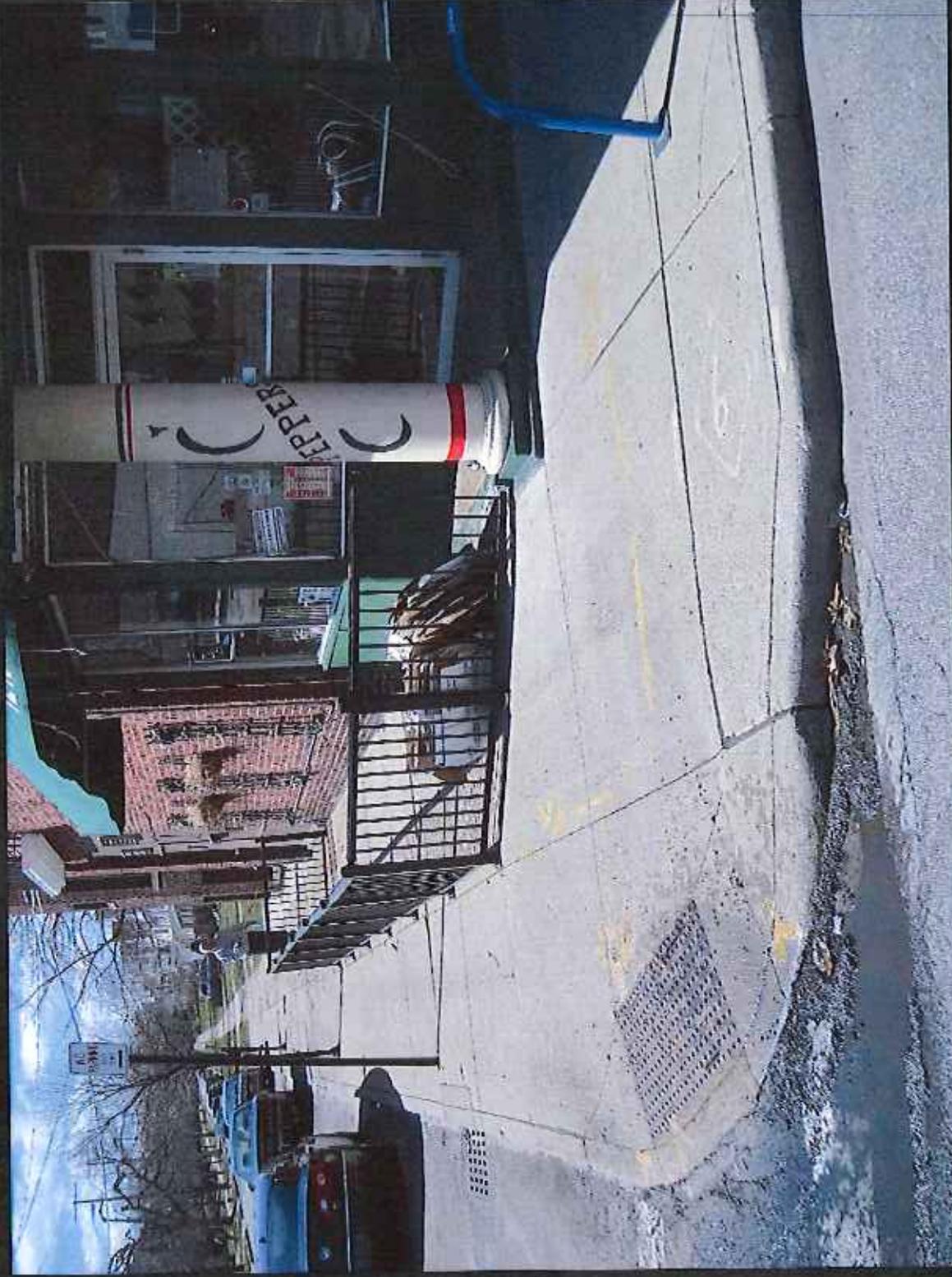
13123 Detroit Avenue Discount Drug Mart

Planning Commission
April 2013



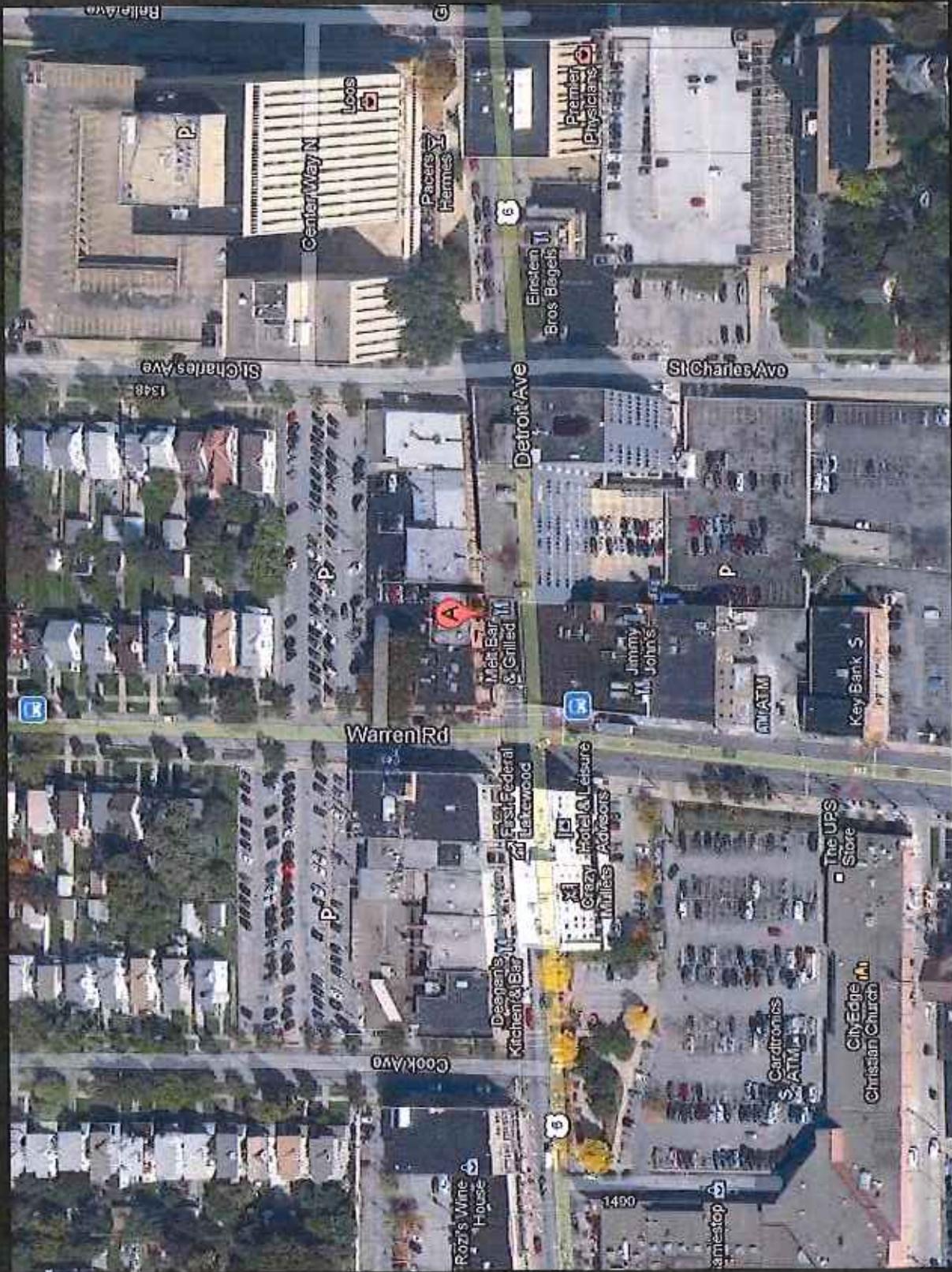
12401 Detroit Avenue Pepper's Italian Restaurant

Planning Commission
April 2015



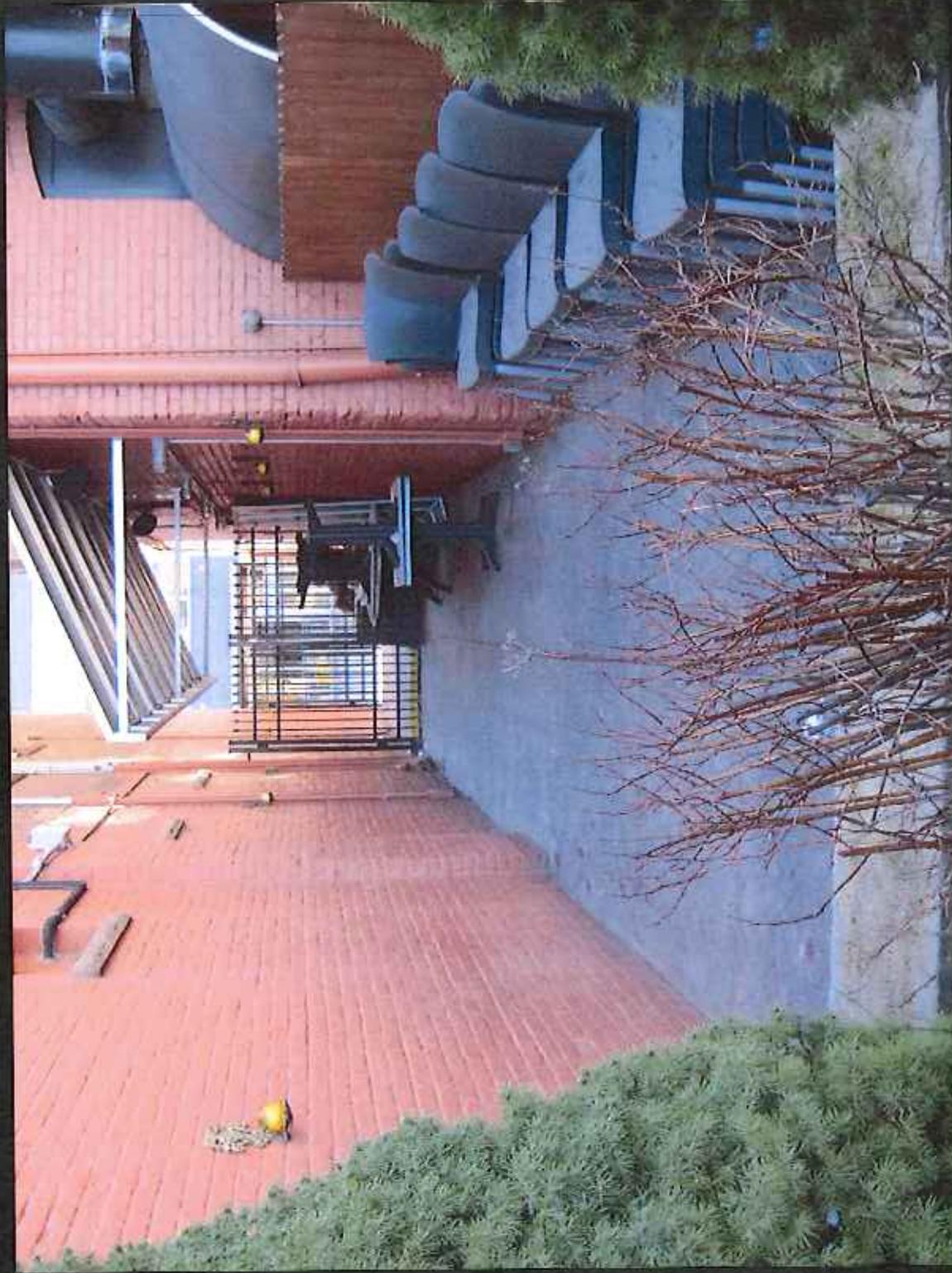
12401 Detroit Avenue Pepper's Italian Restaurant

Planning Commission
April 2013



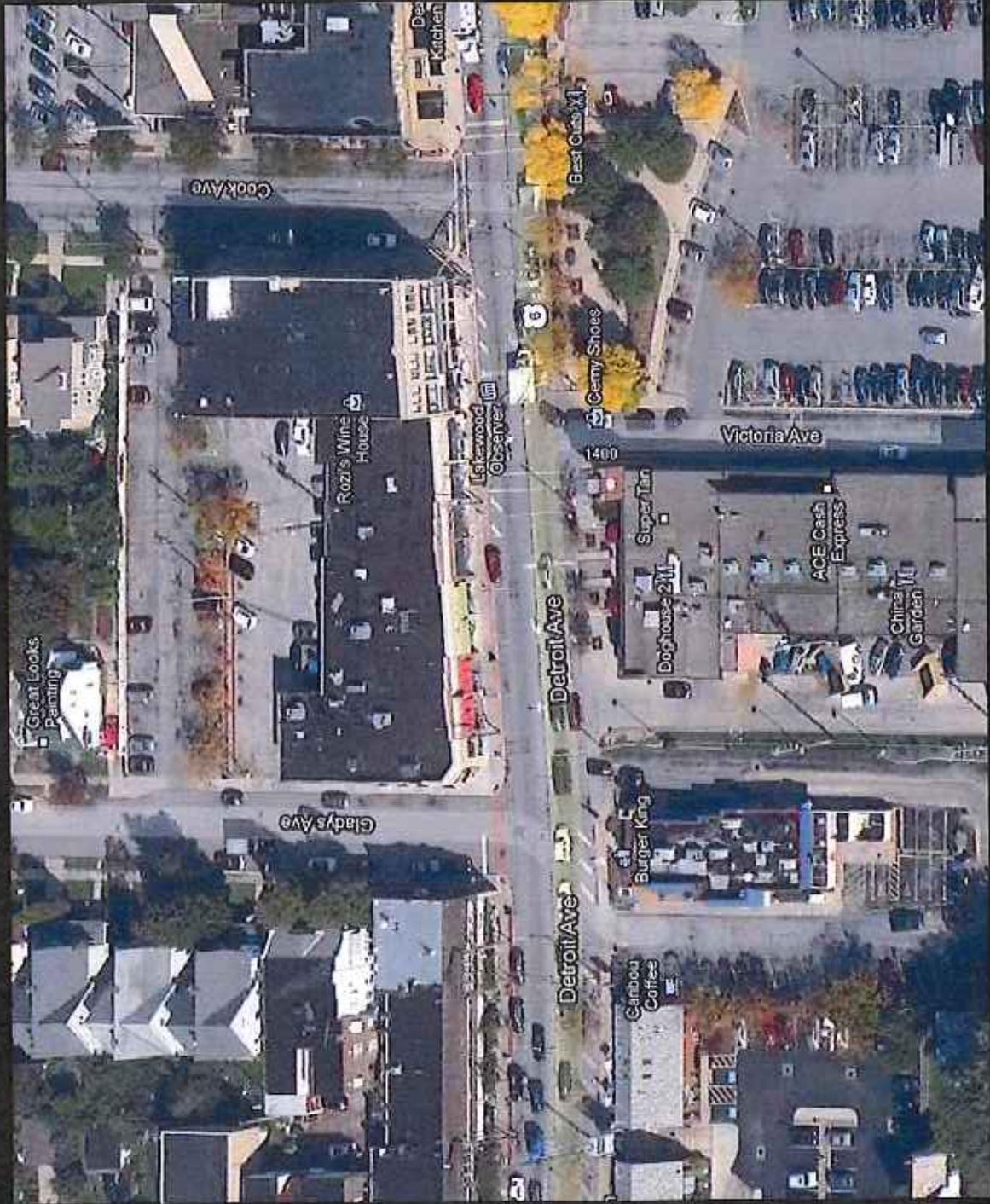
14718 Detroit Avenue Melt Bar and Grilled

Planning Commission
April 2013



14718 Detroit Avenue Melt Bar and Grilled

Planning Commission
April 2013



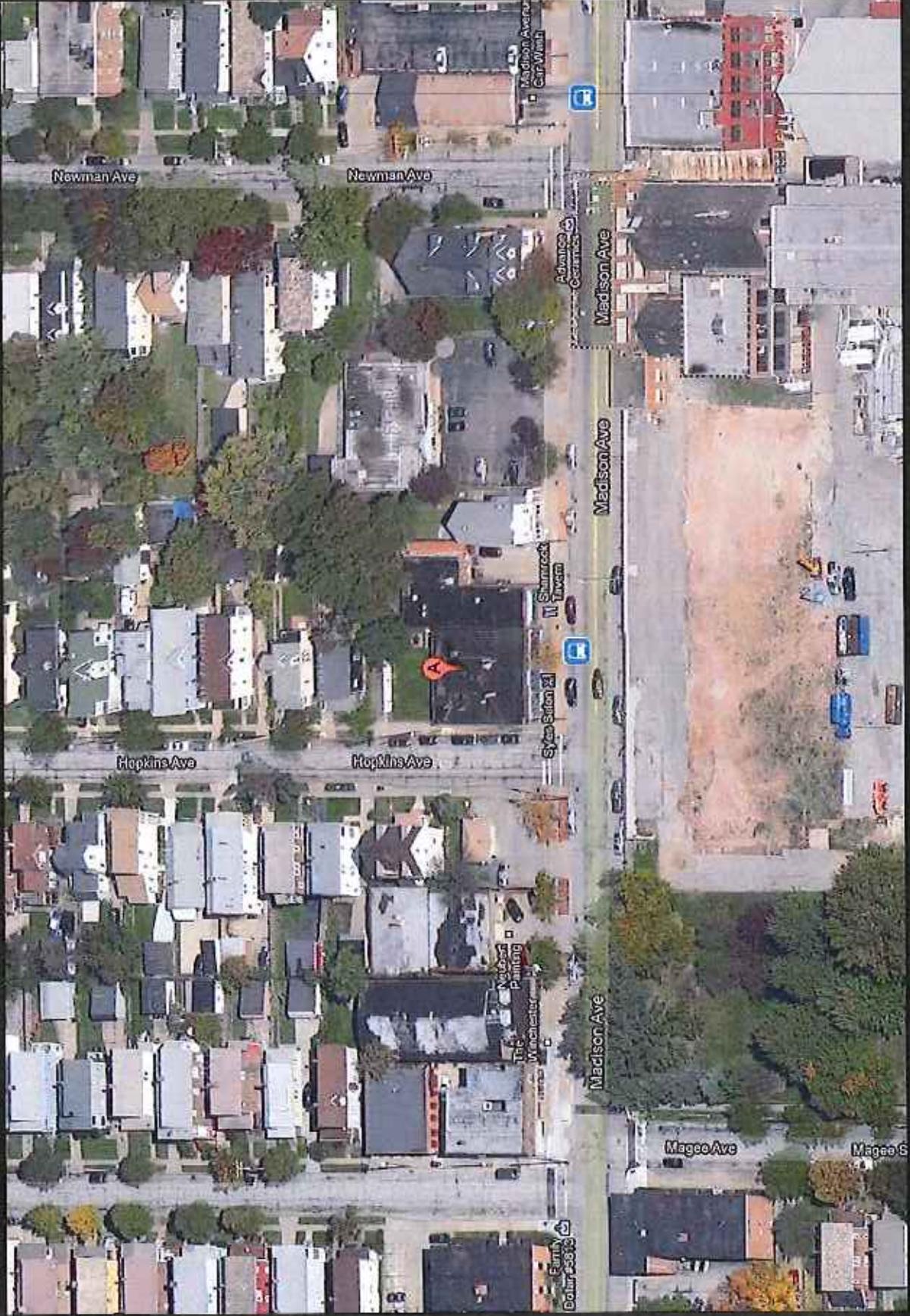
15010 Detroit Avenue Yogurt Treats, LLC (Menchies)

Planning Commission
April 2013



**15010 Detroit Avenue
Yogurt Treats, LLC (Menchies)**

Planning Commission
April, 2013



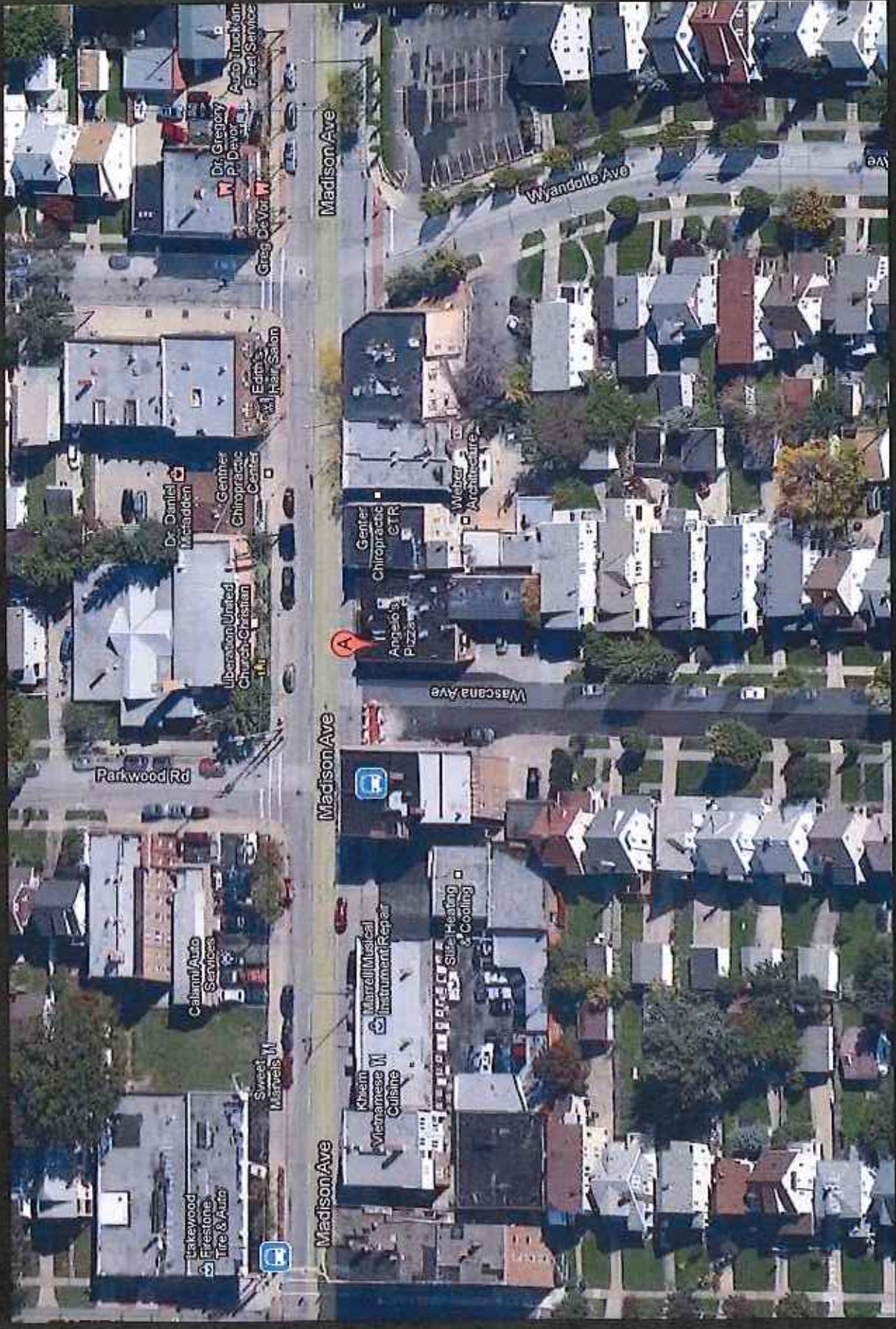
11926 Madison Avenue The Flying Rib

Planning Commission
April 2013



11926 Madison Avenue The Flying Rib

Planning Commission
April 2013



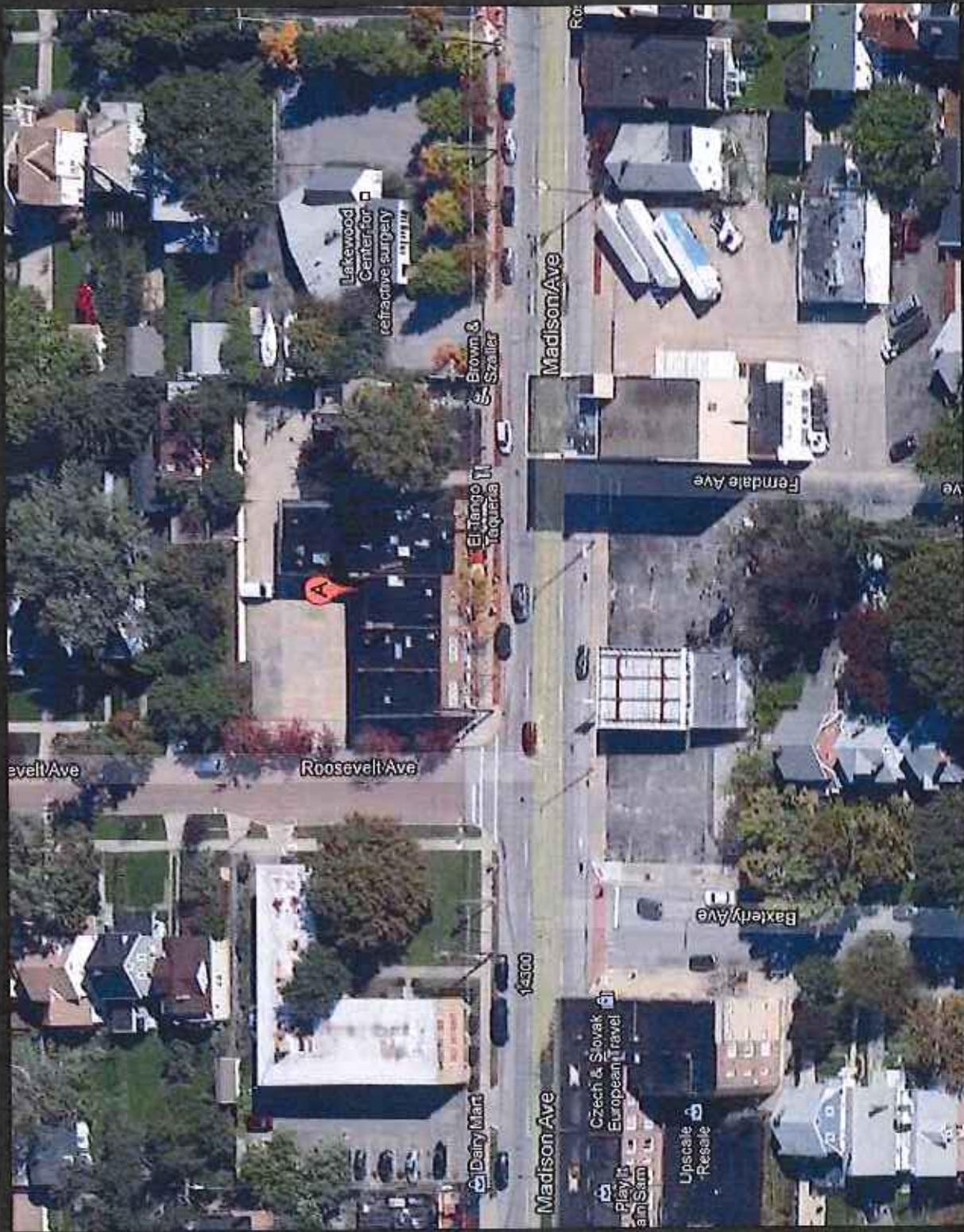
13715 Madison Avenue Angelo's Pizza

Planning Commission
April 2013



13715 Madison Avenue
Angelo's Pizza

Planning Commission
April 2013



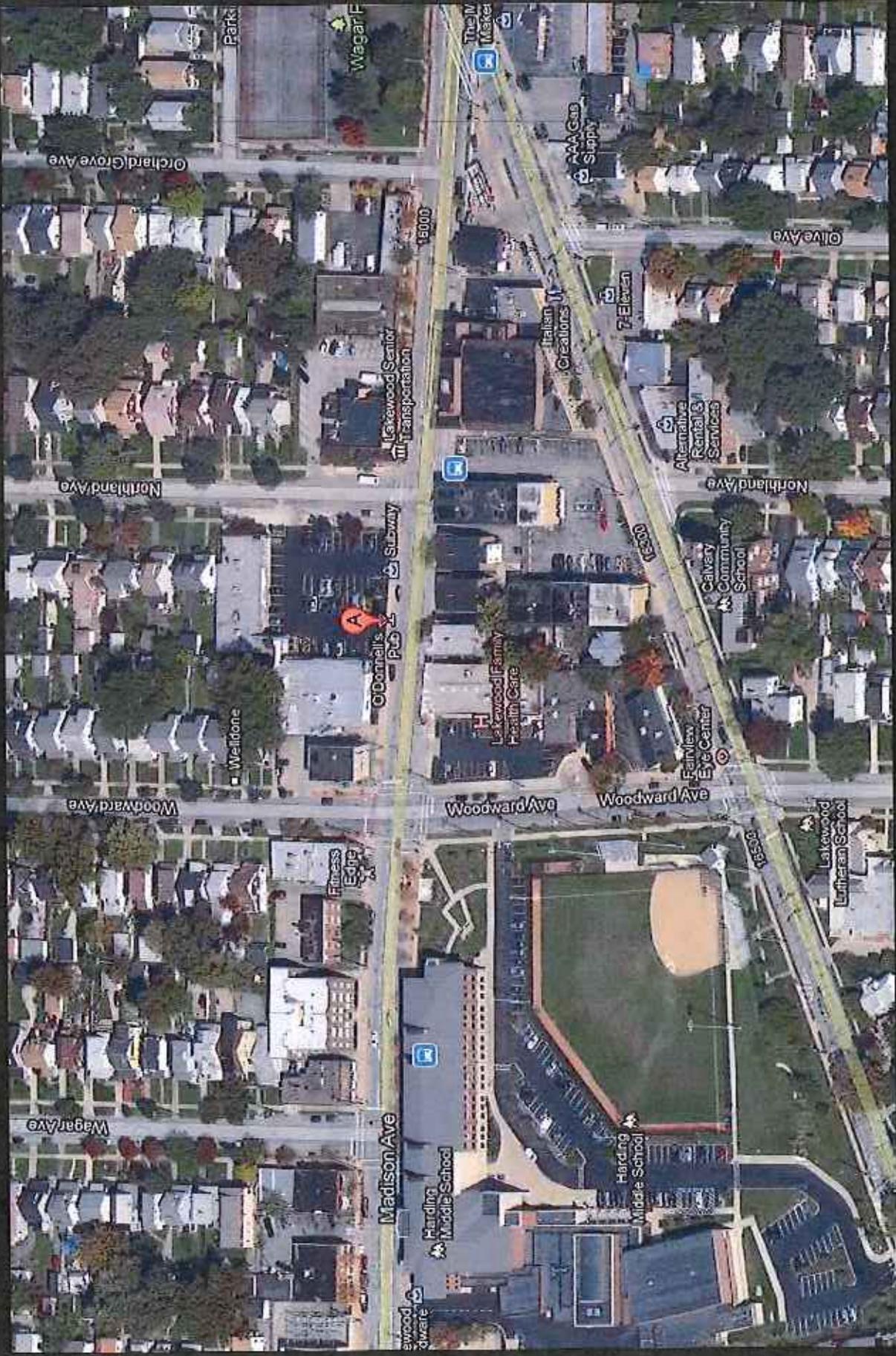
14224 Madison Avenue El Tango

Planning Commission
April 2013



14224 Madison Avenue
El Tango

Planning Commission
April 2013



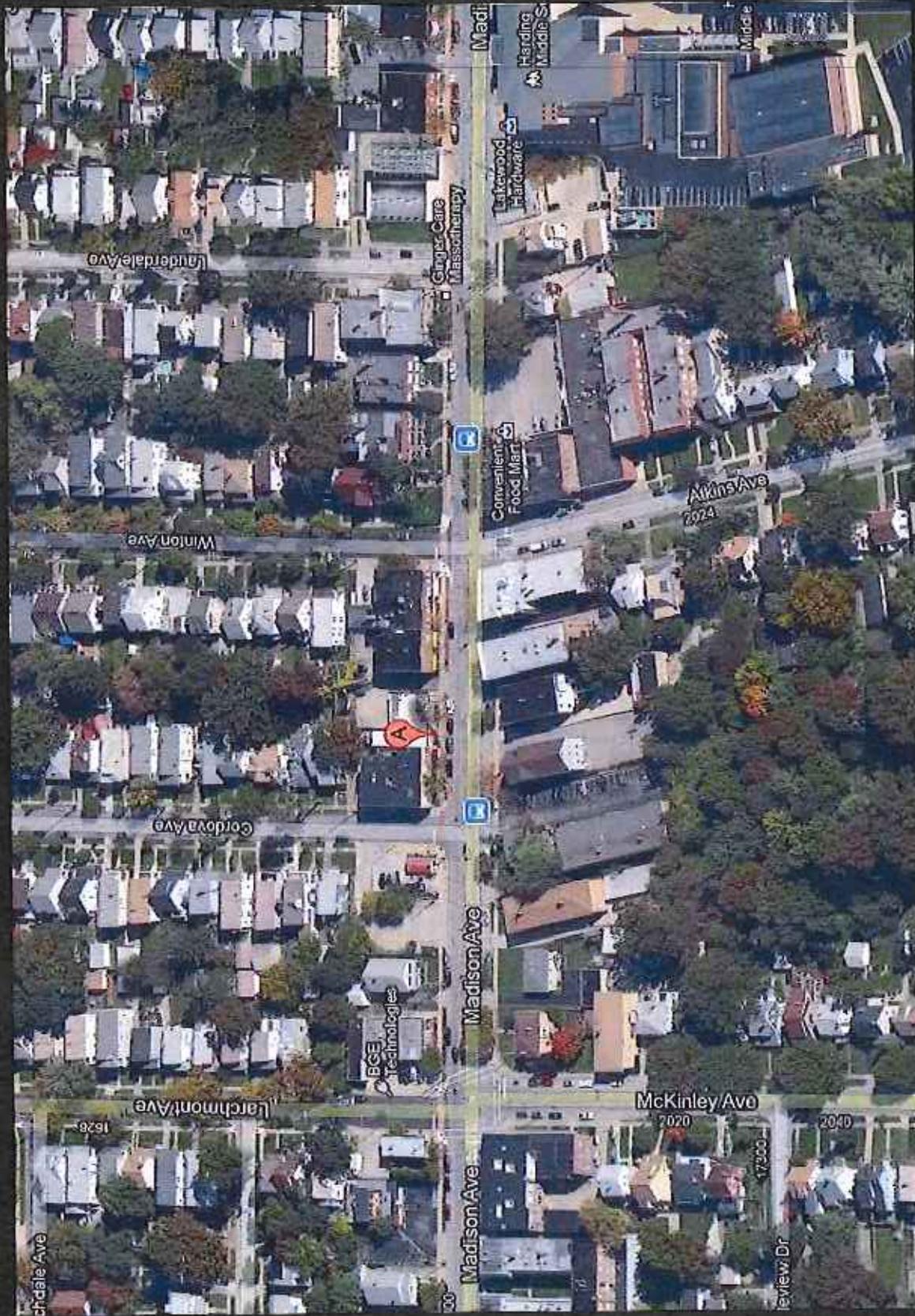
16204 Madison Avenue O'Donnell's Pub

Planning Commission
April 2013



16204 Madison Avenue
O'Donnell's Pub

Planning Commission
April 2013



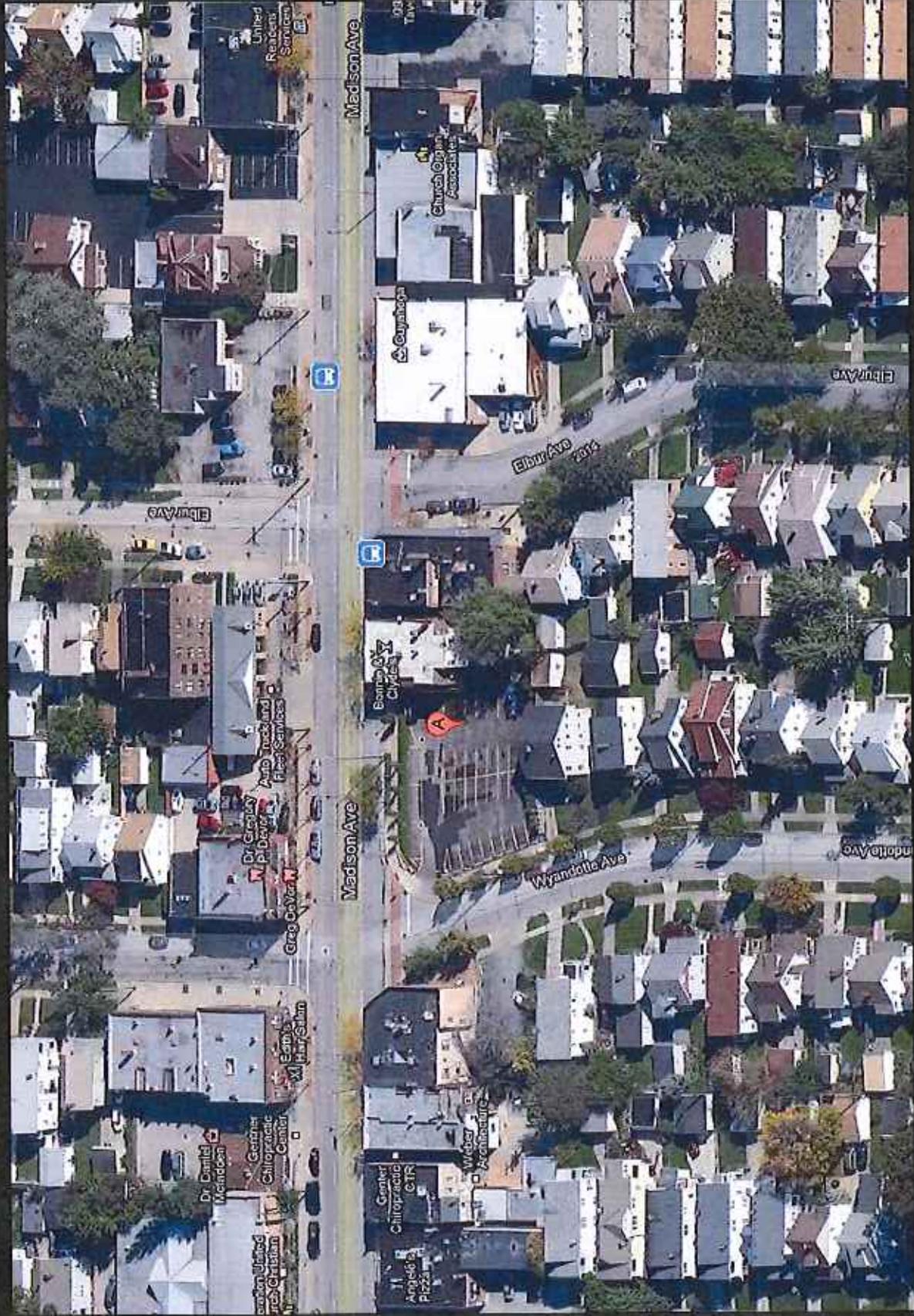
17014 Madison Avenue Mullen's

Planning Commission
April 2013



17014 Madison Avenue
Mullen's

Planning Commission
April, 2013



13603 Madison Avenue Bonnie and Clyde's

Planning Commission
April 2013



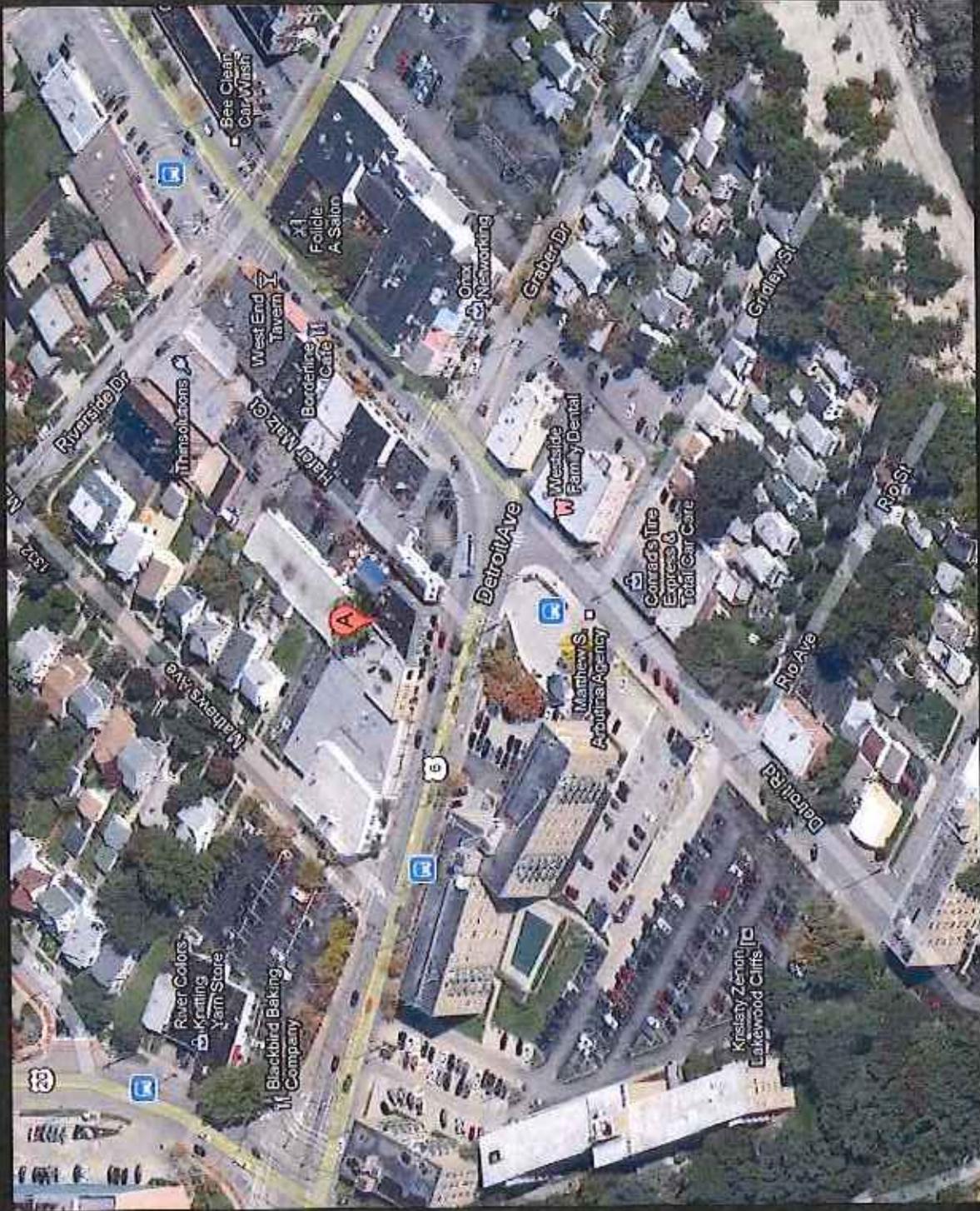
13603 Madison Avenue
Bonnie and Clyde's

Planning Commission
April 2013



13603 Madison Avenue Bonnie and Clyde's

Planning Commission
April 2013



18616 Detroit Avenue Around the Corner

Planning Commission
April 2013



18616 Detroit Avenue Around the Corner

Panning Commission
April 2013



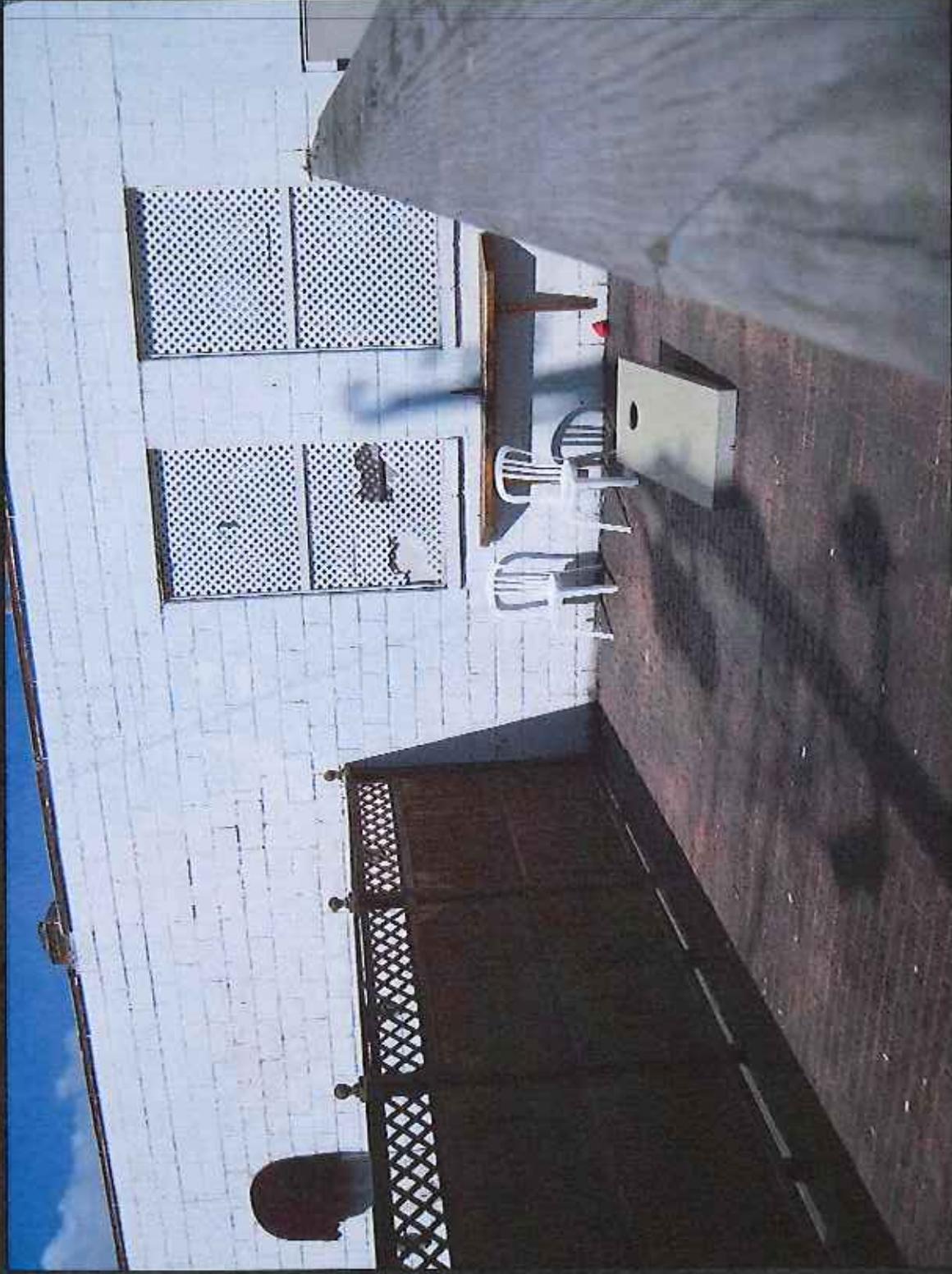
18616 Detroit Avenue Around the Corner

Planning Commission
April 2013



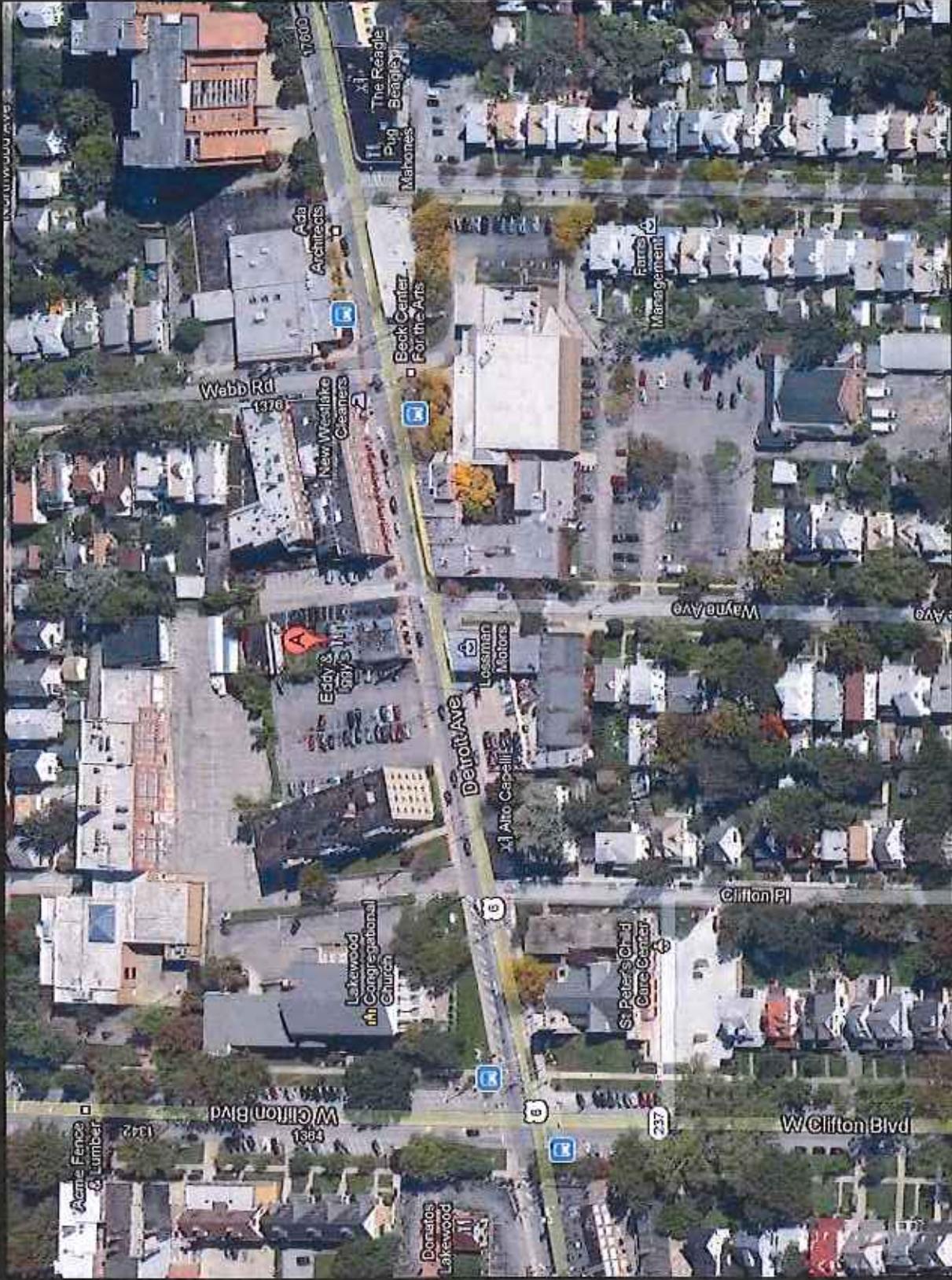
18616 Detroit Avenue Around the Corner

Planning Commission
April 2013



18616 Detroit Avenue Around the Corner

Planning Commission
April 2013



17900 Detroit Avenue Eddy and Iggy's Bar

Planning Commission
April 2015



17900 Detroit Avenue Eddy and Iggy's Bar

Planning Commission
April 2013



17900 Detroit Avenue Eddy and Iggy's Bar

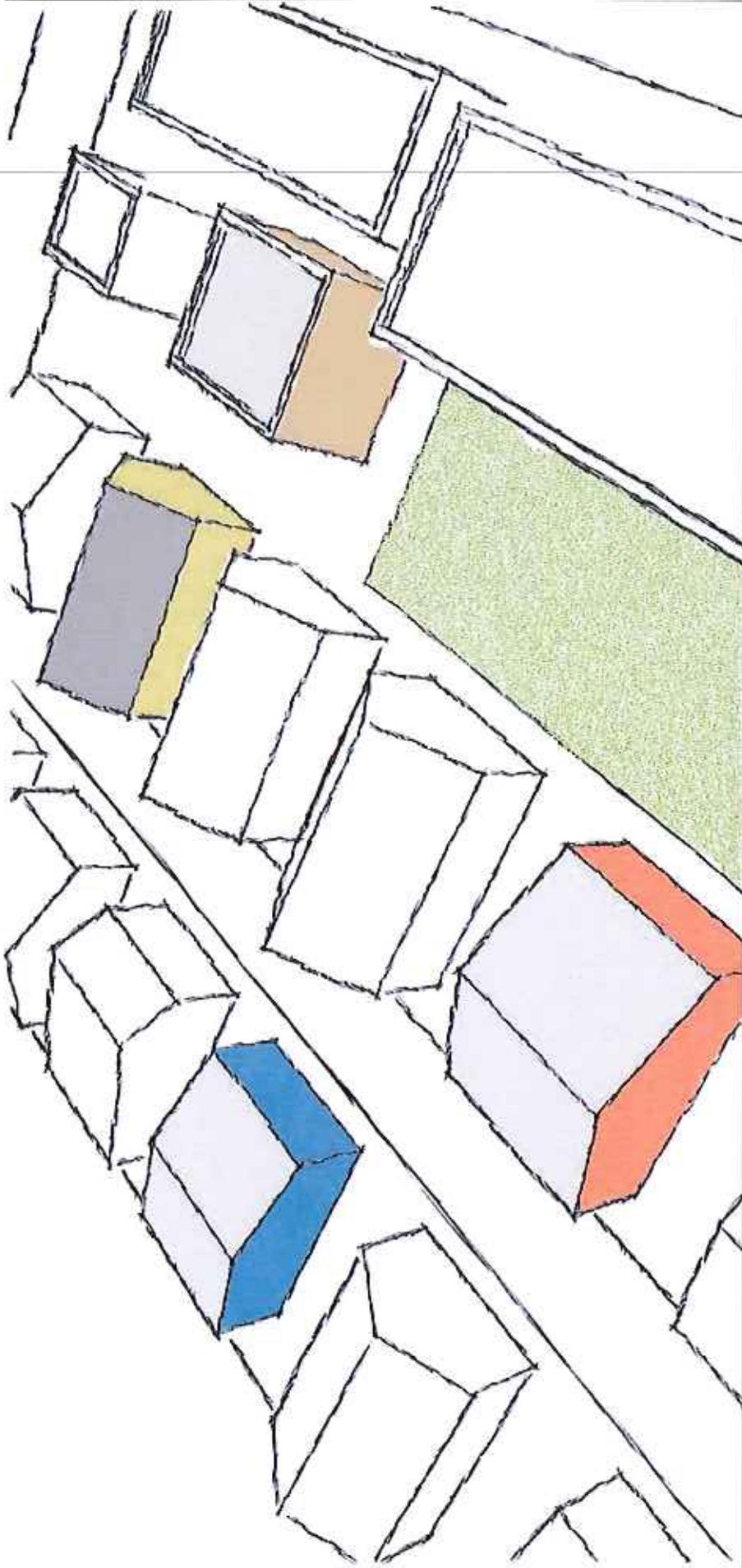
Planning Commission
April 2013

Draft of 2012 Community Vision

Planning Commission
April 2013

18828 Sloane
Rezone Request

Planning Commission
April 2013



Planning Commission

April 2013

Planning Commission
April 2013