

Adam Stein, 1430 Bunts Road moved with his family from Columbus three months ago and was fully aware of urban living. He was opposed to the extended hours.

Dennis Pehotsky, 1430 Parkhaven Row reiterated previous statements and was opposed to the extended hours.

Linda Cattani, 1440 Parkhaven Row said the increase in traffic and noise was due to all of the businesses in the area. She was concerned about declining property values. GetGo representatives addressed an issue she had within 24 hours of her reporting it. She was opposed to extending the hours.

Tom Bullock, 1306 Cook Avenue, Ward II Councilman spoke in support of the residents and encouraged business leaders to actively seek solutions to the commercial/residential issues.

Renee Giannoulis, 1466 Parkhaven Row expressed concerns about headlights shining into homes, potential crime and other issues; she was opposed to the request.

Matt Herberger, 1448 Bunts Road reiterated a lot of the former statements; he was in opposition of the request.

Kim McDonald, 1460 Bunts Road agreed with previous comments and was opposed to the extended hours of operation.

Mr. Avolio clarified that a lot of the existing plantings (arborvitae) were severely damaged due to massive, wet snow fall in October 2012. Plans were made to replace trees and other landscaping plants. GetGo worked within the criteria of the City's codes and ordinances. Traffic studies were done; inherently Bunts Road was a heavily traveled road.

Dennis Pehotsky said that diesel engines were difficult to start in the cold weather, and the Police were going to find it difficult to get the truck drivers to comply with the no idling ordinance.

The Chairman closed public comment as there was no one else to speak on the matter.

Mr. Gaydos stated the Lakewood Planning Commission members were volunteers and were not beholden to anyone or anything but the City's laws and ordinances. They were highly educated with a diversity of knowledge. He was a fan of the redevelopment of Detroit Avenue yet held the opinion of the citizens in high regard. He was opposed to extending the hours of operation.

Ms. Betsito said that the business had not complied with all of its obligations to the citizens, and an extension of the business hours was not warranted. She was offended by comments that the Commission did not listen to the concerns of the citizens.

Ms. Cierebiej asked if additional traffic studies were to be done. Mr. Siley answered that was not one of the conditions granted prior to construction of GetGo.

Mr. Siley cited extended hours for other businesses within the City. Each one was granted on a one-on-one basis. He stated that Mr. Herberger was correct when he said it was not to the standard of the

Lakewood's Community Vision Plan. He said if an extension were granted, it would be to 1:00 a.m. only.

A motion was made by Mr. Gaydos, seconded by Mr. Metzger to **DENY** the request. All of the members voting yea, the motion passed.

7. **Docket No. 11-31-13** **1430 West 117th Street**
McDonald's

Andy Kaiser, Larsen Architects applicant requests approval of business hours; to extend the drive-thru to 24 hours, pursuant to Section 1173.02 – Conditional Use Permits. The property is located in a C3, Commercial and General Business district. (Page 25)

Jim "JP" Ptacek, Larsen Architects was present to explain the request. Citing the various businesses between Lake and Madison Avenues and their respective hours, he made the argument that McDonald's needed to expand its hours of operation (a handout displaying the aforementioned made part of record). The lobby hours would remain; open at 6:00 a.m. and close at 10:00 p.m. The drive-thru opened at 5:00 a.m. currently. The approval granted for a second drive-thru was designed with the residential properties in mind; the intrusion would be nominal, if any.

The Chairman closed public comment as there was no one else to speak on the matter.

Mr. Russell reiterated the hours of the other operating drive-thru businesses in Lakewood. Mr. Siley stated the Planning Commission had the opportunity to establish a precedence regarding the hours. The Commission was opposed to a drive-thru business being open 24 hours.

A motion was made by Mr. Gaydos, seconded by Mr. Metzger to **GRANT** the request with the following stipulations:

1. **The store would close at 1:00 a.m. Sunday through Thursday, and**
2. **The store would close at 2:00 a.m. Friday and Saturday.**

All of the members voting yea, the motion passed.

COMMUNICATION

8. **Docket No. 11-32-13** **Lakewood Park Waterfront Plan – Presentation to**
Director Siley, Planning & Development and Lakewood
Planning Commission

The City has engaged Environmental Design Group to provide conceptual drawings for improvements to the waterfront of Lakewood Park. The improvements shall primarily focus on the unfinished portions of the waterfront based on the last master plan for Lakewood Park. The consultant has been hard at work studying the park for feasibility is presenting concepts for public review and comment from the Planning Commission. (Page 28)

Jeff Kerr, Environmental Design Group gave the presentation utilizing a PowerPoint Presentation (made part of record).

A motion was made by Mr. Gaydos, seconded by Ms. Belsito to **RECEIVE AND FILE** the item. All of the members voting yea, the motion passed.

9. **ADJOURN**

A motion was made by Ms. Cierebiej, seconded by Mr. Papke, to **ADJOURN** the meeting at 9:50 p.m. All of the members voting yea, the motion passed.


Signature

12/5/13
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. RICHARD STCHA
2. PASQUALE AVOLTO
3. Tasha Becker
4. Amy Herberger
5. CHARLES PIEPER
6. FAZAL M. SHAMS
7. Jeffrey M Duda
8. Adam Sfirer
9. DENNIS BIZHOJSKY
10. [Signature]
11. [Signature]

- [Signature] WAB
- [Signature]
- LINDA CATTANI
- 1306 Oak Ave

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, November 7, 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. Renee Giannoulis

Renee Giannoulis

2. Matt Horvath

Matt Horvath

3. Kim McDonald

Kim McDonald

4. Jim "JP" Pracek

Jim Pracek

5. Jeff Kerr

Jeff Kerr

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, November 7, 2013

Schwarz, Johanna

From: Andy Kaiser <akaiser@larsenarchitects.com>
Sent: Wednesday, October 30, 2013 1:58 PM
To: Planning Dept
Cc: Fillar, Jeff; James Ptacek
Subject: Planning Commission Meeting - November

Hi Jason,

Regarding Docket No. 11-31-13 (West 117th Street McDonald's), James "JP" Ptacek from our office will be the representative at the meeting.

I owe a few pieces of information to Jeff Fillar, and hope to send the information he requested in the next few days.

Thank you,

Andy Kaiser
Project Manager
Larsen Architects
12506 Edgewater Dr., Ste. 10
Lakewood, Ohio 44107
216.221.2350 ph
216.221.5670 fax
www.larsenarchitects.com

Schwarz, Johanna

From: CommDev <DCD@lakewoodoh.net>
Sent: Friday, November 01, 2013 7:53 AM
To: Planning Dept
Subject: FW: Concerning Get Go expanding hours of operation

From: Linda Cattani[SMTP:LCDR@SBCGLOBAL.NET]
Sent: Friday, November 01, 2013 7:52:23 AM
To: City Council
Cc: CommDev; Community Relations; Mayor's Office
Subject: Concerning Get Go expanding hours of operation
Auto forwarded by a Rule

To the Lakewood City Council,
2013

October 31,

We are petitioning against the expansion of operating hours of the GetGo #3431 Lakewood Station at Bunts and Detroit from the existing 6am to 12am to the proposed 5:00am to 2am. The sound, sight and smell from this establishment are required by us to be tolerated within the existing hours. The problem does not need to be expanded.

GetGo #3431 Lakewood, and Giant Eagle and the Winking Lizard, *chronically* violates NOISE levels according to Lakewood, Ohio City Ordinance #515.03, which states, "Do not mow your lawn or **operate machinery** before 8:00 am or after 9:00 pm on weekdays and 10:00 am and 6:00 pm on Sundays." There is a *daily constant* low frequency droning from diesel engines of trucks loading and unloading as early as 5am at Giant Eagle and no less than 6am in Get Go and the Lizard. Also the city of Lakewood trucks idle in the empty parking lot across from Get Go. Both sources emit fumes for hours at a time.

Furthermore, all sound and light barriers which were provided by the taller older trees are now gone, having been removed by Get Go and replaced with young plants that will take years to provide any buffer to the constant light and sound of a truck stop.

As well, increased traffic on Bunts and Detroit makes ingress and egress to and from Park Haven Row difficult and at times hazardous. There is a need for traffic control devices to prevent a safety hazard as cars refusing to signal their turns clog the turning lane and make it time consuming and sometimes dangerous to access ParkHaven Row. Too many cars turn right onto Parkhaven Row in order to access Get Go and Turn left into Giant Eagle or The Winking Lizard.

The argument that Lakewood historically always integrated business with residential is inapplicable in the 21st century with 18 wheelers, neon lights, mass transit and is totally incomparable to the historic one storey storefronts with residential apartments above that served a largely pedestrian or public transportation 20th century customer base.

No doubt the owners of Get Go anticipate the incoming Bob E'van's restaurant as an additional traffic and revenue source, let them gas up at appropriate hours and forsake the bar crowd's need for gas station Sushi when the bars close at 2pm.

Expanded business hours will generate earlier delivery times as well. Exactly how much do you want to diminish in value the houses on ParkHaven? The mission creep of Giant Eagle and Get Go, which touted how it would protect the ParkHaven neighborhood from the noise and light from its facility, now moves forward with just a few more hours of operation. Eventually, it will seek 24-hour status. They were not foolish enough to ask for that to begin with.

Anyone who thinks these things are not serious issues should plant a truck stop at the top of their street and watch what happens. The degradation of well kept residential investments will only get worse once the proposed restaurant is approved akin to another street in Lakewood called Grace. The very least the city could do is hold this establishment and the future restaurant to the Noise Ordinance. Petition pending.

Very truly yours,

Linda Cattani

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Schwarz, Johanna

From: Joel Dixon <joeldixon999@hotmail.com>
Sent: Friday, November 01, 2013 10:48 PM
To: Planning Dept
Subject: NO to Docket #11-30-13 14013 Detroit Ave GetGo #3431 Lakewood

Importance: High

Dear Planning Commission:

I am a resident at 1476 Bunt Road and received the Public Notice Dated October 30th, 2013 because my property (owned by my Mother Eleanor Wade) is abutting the owner/occupant GetGo at 14013 Detroit Ave. I will not be able to attend the November 7th meeting, but would like to express my thoughts.

Although I am a regular customer to the GetGo and greatly enjoy the services they provide, I am writing to OPPOSE the extended hours requested by the applicant for several reasons. Since the opening of the store we have seen a significant increase in litter on our street and in our yard. The food wrappers, plastic bags, cans and bottles that I have found in my yard are clear evidence that they came from the store.

Our family's additional concern is that this request for extended hours is to cater to late night alcohol purchases as well. We feel that late-night purchases of alcohol will further exacerbate the littering in the neighborhood and will also encourage disorderly conduct and crime. In fact, my mountain bike was stolen from the back of my driveway on the evening of July 27th, 2013. I do not have proof that the thief was a GetGo customer, but I feel that this type of small crime could increase if this store stays open later into the night and early morning hours. This will be particularly evident if alcohol is being sold during those hours.

Please do NOT allow the later hours at the GetGo. My contact information is below if you would like further attestation. My sentiment above is also expressed by my partner Steven Schlagheck, also a resident of 1476 Bunts and my mother, Eleanor Wade, the owner of the property.

Best Regards,

Joel Dixon

Joel Dixon
1476 Bunts Rd.
Lakewood, OH 44107
614.747.9737

Schwarz, Johanna

From: Holly Barnes <hollybff@gmail.com>
Sent: Tuesday, November 05, 2013 3:39 PM
To: Planning Dept
Subject: Idle trucks.....fumes!
Attachments: 20131105_145041.jpg

Dru

This is one of many trucks that idle...with engines running and the fumes are horrible. The lights are so bright that I have absolutely no privacy in my backyard.

Trash blowing down the street has increased as well. Trucks also park across the street in the parking lot and leave their trash in the street. How is it that commercial trucks are able to park in the space at lunch and yet if a resident car should park in that lot is immediately towed? Seems a little discriminatory.

This truck driver shopping was sitting there for more than half an hour with the engine running. This happens all the time.

As a resident 2 doors behind this property it is horrible nuisance and does not serve the community in any way. At night is severely loud after 10 o'clock and now they want to go to 2 a.m.

**GetGo #3431 Lakewood
Extended Hours –Conditional Use Approval Narrative**

Giant Eagle is requesting Conditional Use approval from the Lakewood Planning Commission for extended Hours of Operation for the existing GetGo Convenience Store in the C-1 Zoning District. The Extended Hours of Operation are being requested in order to permit operations between the hours of 5AM to 2AM. Indicated below is section 1161.03 (w) of the City of Lakewood Zoning Code indicating requirements applicable to extended hours of operation, also indicated below each code section is a narrative of how the requirement is satisfied where applicable.

1161.03 PLANNING AND ZONING CODE

1161.03(w) Extended Hours of Operation. In the C1 Office District, C2 Retail District, C3 General Business and C4 Public School District, a business may be permitted as a conditionally permitted use with extended hours of operation after 12:00 a.m. or before 6:00 a.m. subject to all or any of the following:

- (1) Parking areas shall be configured so as to prevent vehicular headlights from shining into adjacent residentially zoned and/or used property. Parking areas configured such that vehicular headlights are directed toward public rights-of-way across from residentially zoned and/or used property shall provide continuous screening and shall conform to the design requirements set forth in Chapter 1325 of the Building Code and be approved by the Architectural Board of Review. Landscaping and screening shall be continuously maintained and promptly restored, if necessary, pursuant to Chapter 1141.

The existing GetGo complies with this requirement as the development includes solid fencing and landscaping adjoining residential uses.

- (2) Ingress and egress drives and primary circulation lanes shall be located away from residential areas where practical; to minimize vehicular traffic and noise which may become a nuisance to adjacent residential areas.

Existing ingress and egress drives are located off Bunts Road and Parkhaven opposite commercial properties.

- (3) All building entrances intended to be utilized by patrons shall be located on the side(s) of the building which does not abut residentially zoned and/or used property, whenever possible, to minimize the potential for patrons to congregate and create noise which may become a nuisance to adjacent residential areas.

Existing Customer Service Entrances are oriented towards Bunts Road.

- (4) Any extended hours of operation business including an outdoor/seasonal dining facility shall conform to the design requirements and other regulations pursuant to Section 1161.03(t).

Outdoor Seasonal Dining was granted by the Planning Commission at its 5-03-2012 meeting (Docket #5-06-12) for the existing seating along Detroit Road.

Note usage of the outdoor seasonal dining is not planned during the extended hours of operation.

- (5) All exterior site and building lighting, which shall be provided, is approved by the Architectural Board of Review pursuant to Chapter 1325 of the Building Code, and such design shall minimize the intrusive effect of glare and illumination upon any abutting areas, especially residential.

No additional lighting is proposed for the extended hours of operation. All lighting that exists was approved by the ABR at its 4-12-12 meeting and complies with the requirements of the code.

- (6) Any extended hours of operation business adjacent to a residential district and/or use shall be enclosed with a six (6) foot high solid fence along such abutting property lines and be approved by the Architectural Board of Review pursuant to Chapter 1325. Such fence may be increased in height where the Commission deems necessary and be approved by the Board pursuant to Chapter 1153.

The existing GetGo complies with this requirement as the development includes solid fencing and landscaping adjoining residential uses and was approved by the ABR at its 4-12-12 meeting.

- (7) Delivery trucks shall only be permitted between the hours of 8:00 a.m. and 9:00 p.m. pursuant to Chapter 515 of the Ordinances. The Commission may prohibit or provide for other restrictions and conditions related to such deliveries, as it deems necessary to protect the surrounding neighborhood.

Deliveries will be restricted to the code required hours.

- (8) Crowd control or other security or safety measures and means of control for sounds, vibrations or odors may be required as deemed necessary by the Commission.

Condition at the discretion of the Planning Commission.

- (9) For any extended hours of operation business, in order to address specific conditions, the Commission may limit hours of operation during certain days of the week, month or year as deemed necessary to protect the surrounding neighborhood.

Condition at the discretion of the Planning Commission.

- (10) A Conditional Use Permit issued pursuant to subsection 1161.03(w) shall expire twelve (12) months after the date of issuance.

Notwithstanding anything in this Chapter or this Section to the contrary, where the Commissioner determines, after compliance with the requirements of Section 1173.02, that a permit holder seeking renewal of a permit issued pursuant to this Section has remained in compliance with the conditions of said permit, the Commissioner may issue such renewal.

(Ord. 43-08. Passed 4-21-08.)

Renewal at the discretion of the Commissioner.

Total - 49

Get 60

After 9pm - ~~|||||~~ - 16

After 12am - ~~|||||~~ - 9
- 6am

Disturbances - |||

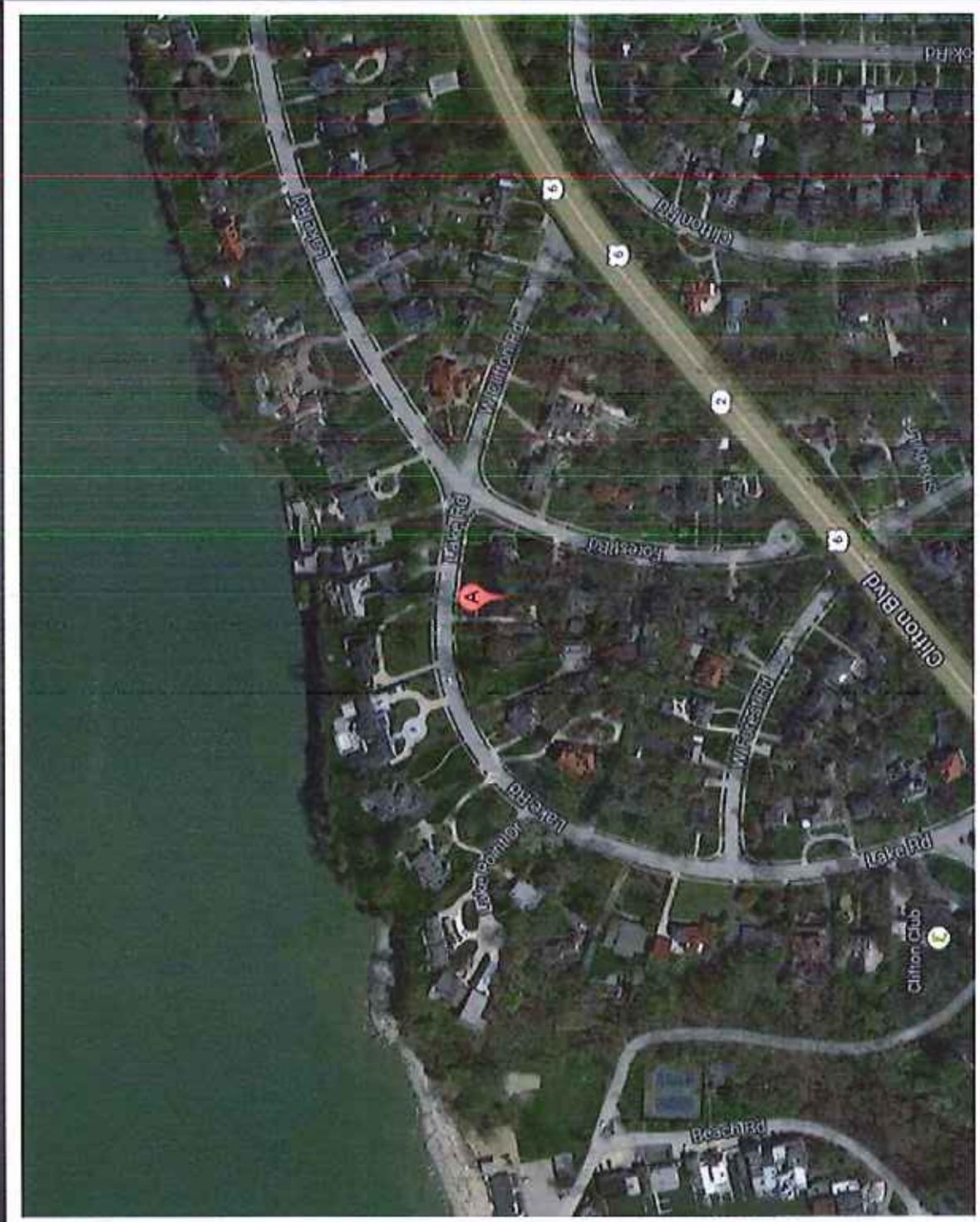


Get 60

Planning Commission

November 2013





17855 Lake Road

Planning Commission
November 2013





17855 Lake Road

Planning Commission
November 2013





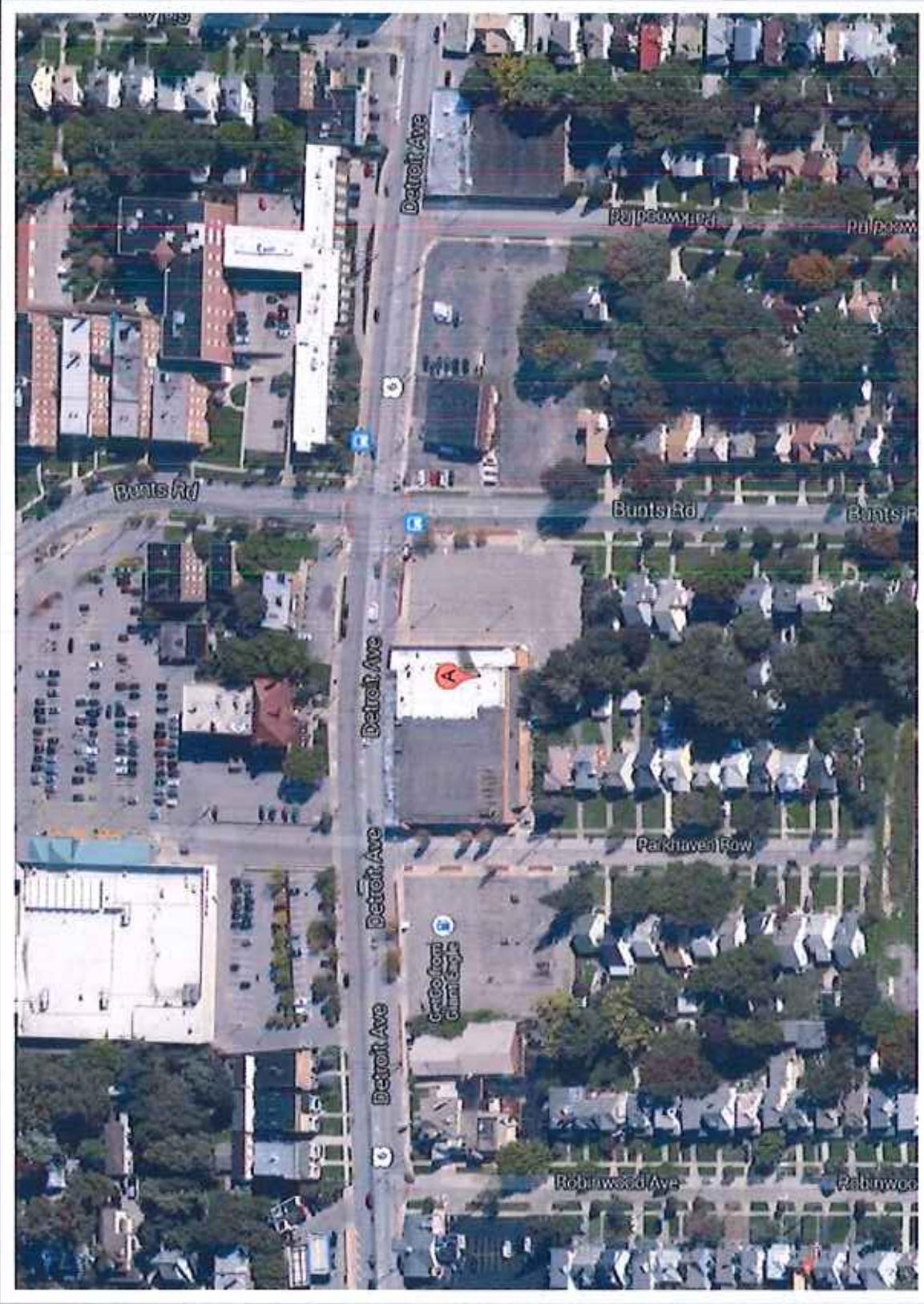
Planning Commission
November 2013

17855 Lake Road



Planning Commission
November 2013

17855 Lake Road



14013 Detroit Avenue



Planning Commission
November 2013



Planning Commission
November 2013



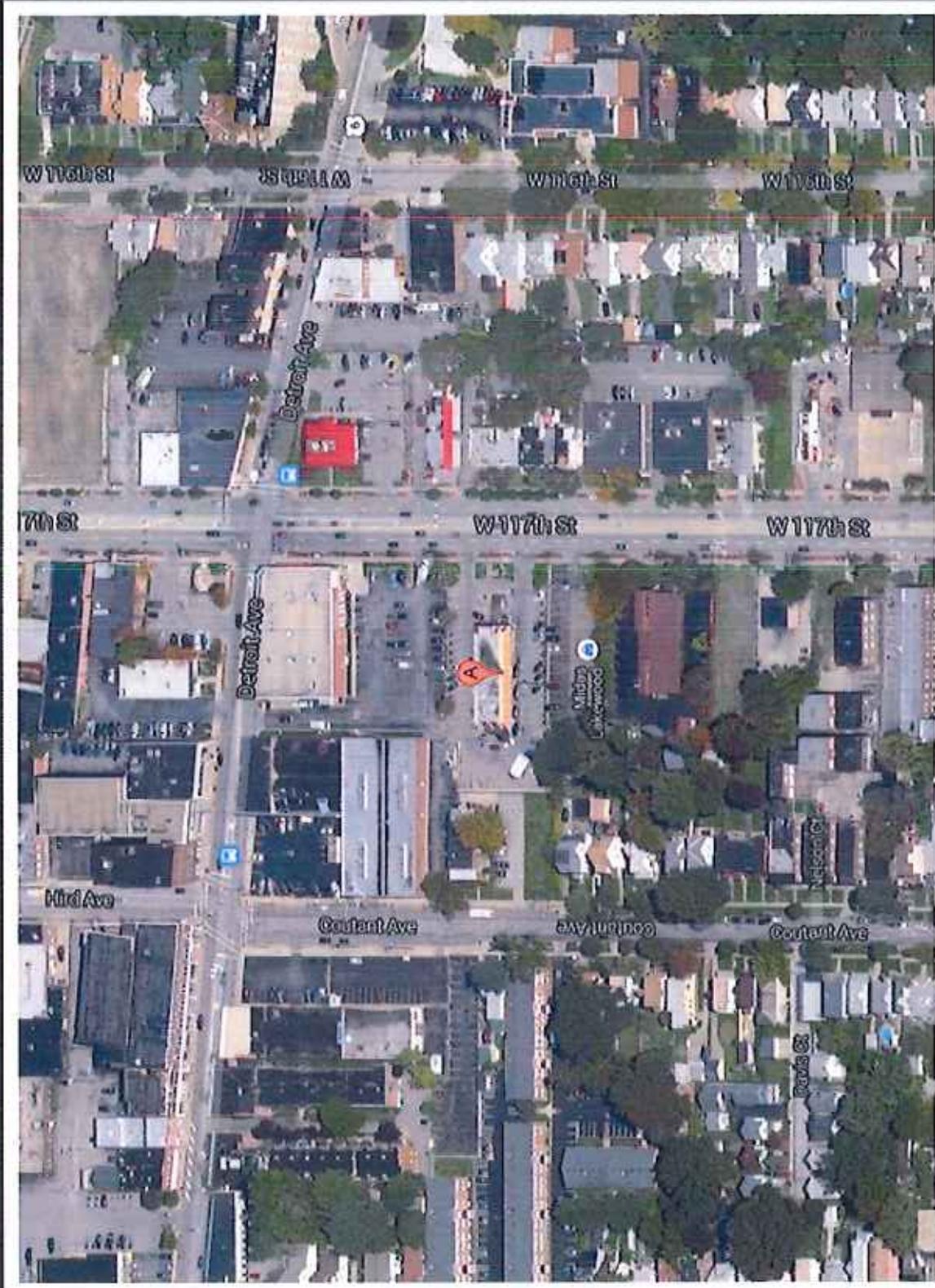
14013 Detroit Avenue



14013 Detroit Avenue



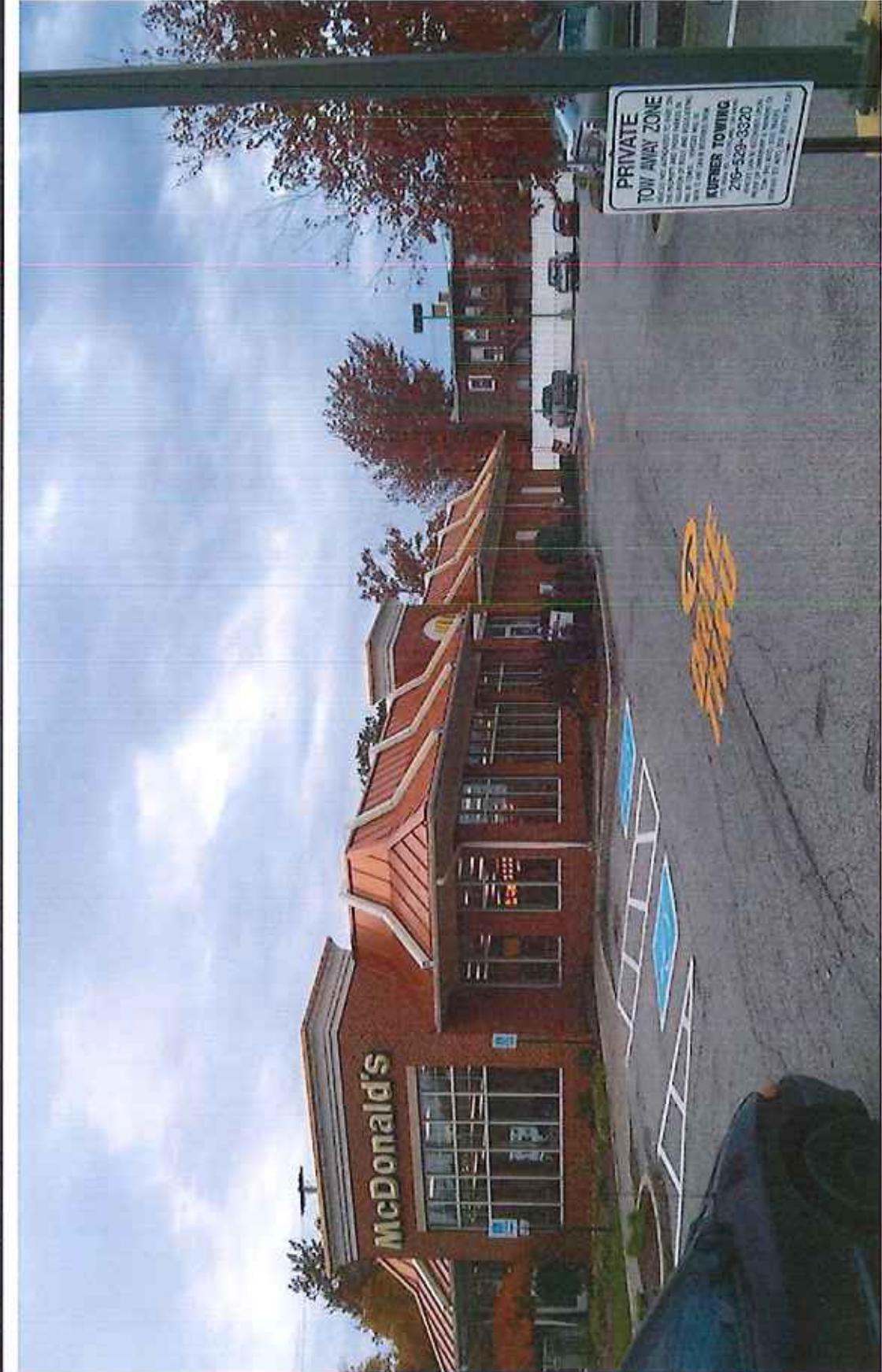
Planning Commission
November 2013



1430 West 117th Street

Planning Commission
November 2013





Planning Commission
November 2013

1430 West 117th Street



1430 West 117th Street



Planning Commission
November 2013

Lakewood Park Waterfront Plan

Environmental Design Group



Planning Commission

November 2013



LAKEWOOD PARK SITE IMPROVEMENTS

City of Lakewood

November 4, 2013

LAKEWOOD PARK IMPROVEMENTS



EXISTING PARK CONDITIONS



VIEWS, VISTAS, AND VOLUNTEERS

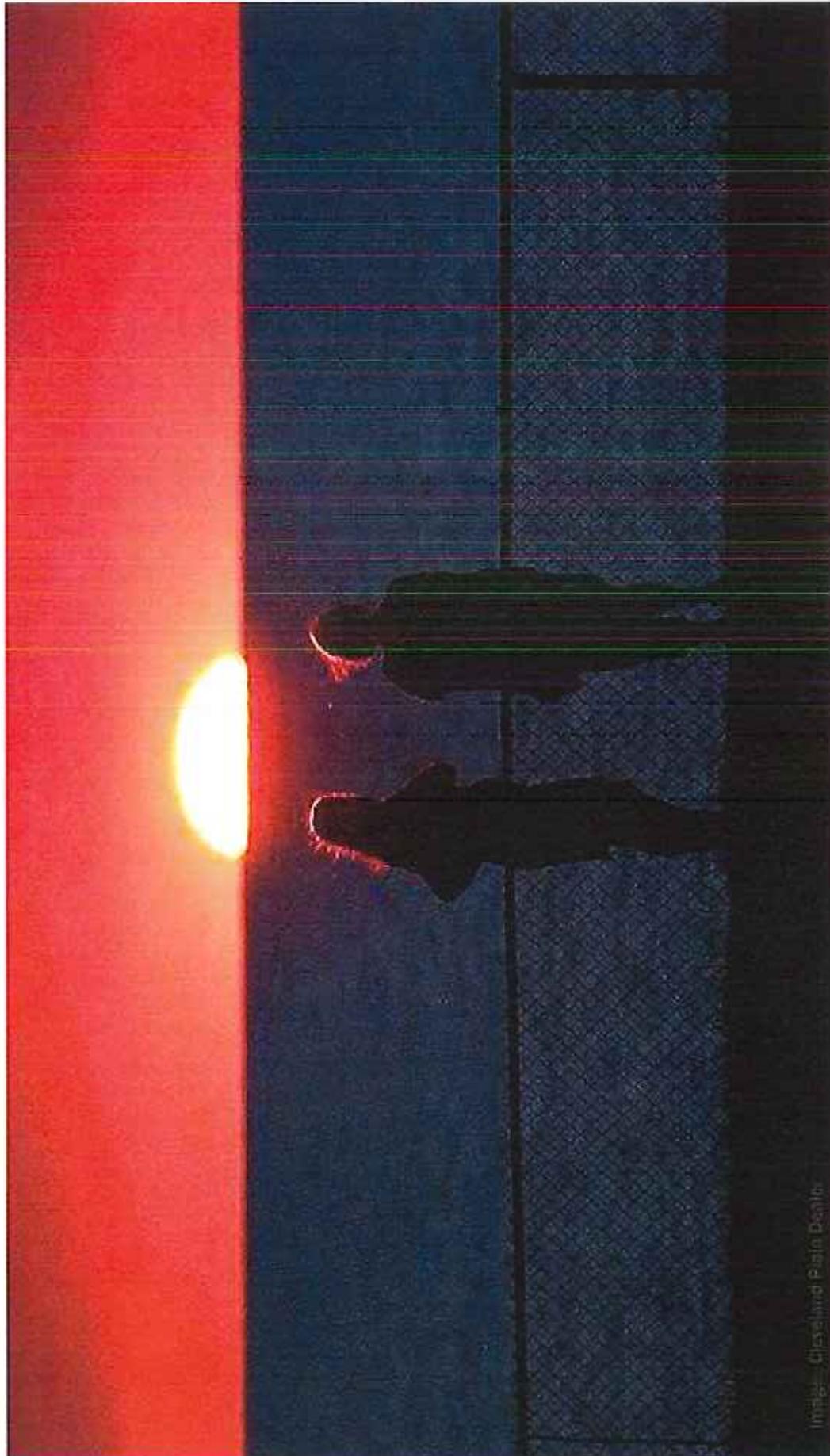


Image: Cleveland Plain Dealer

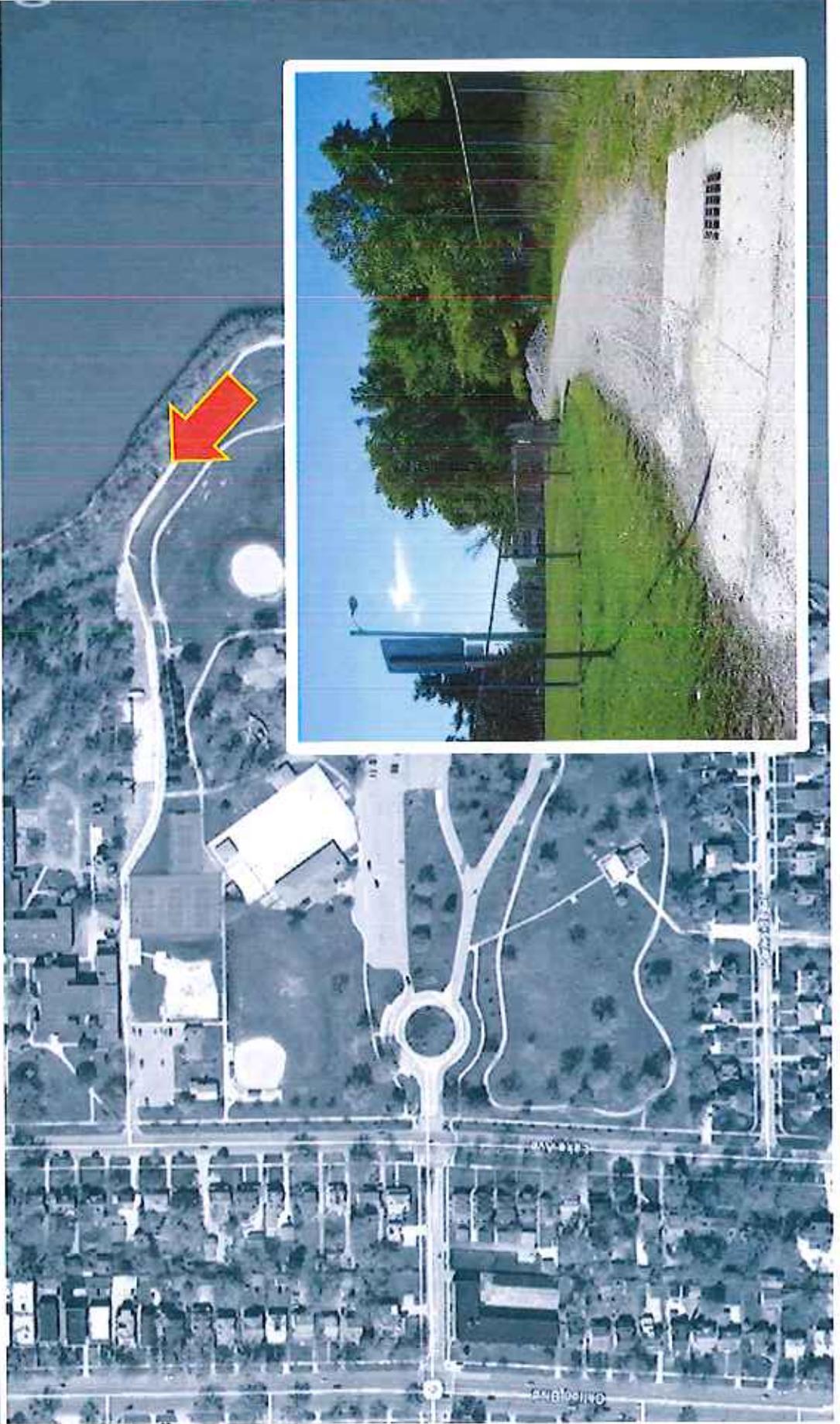
EXISTING PARK CONDITIONS



EXISTING PARK CONDITIONS



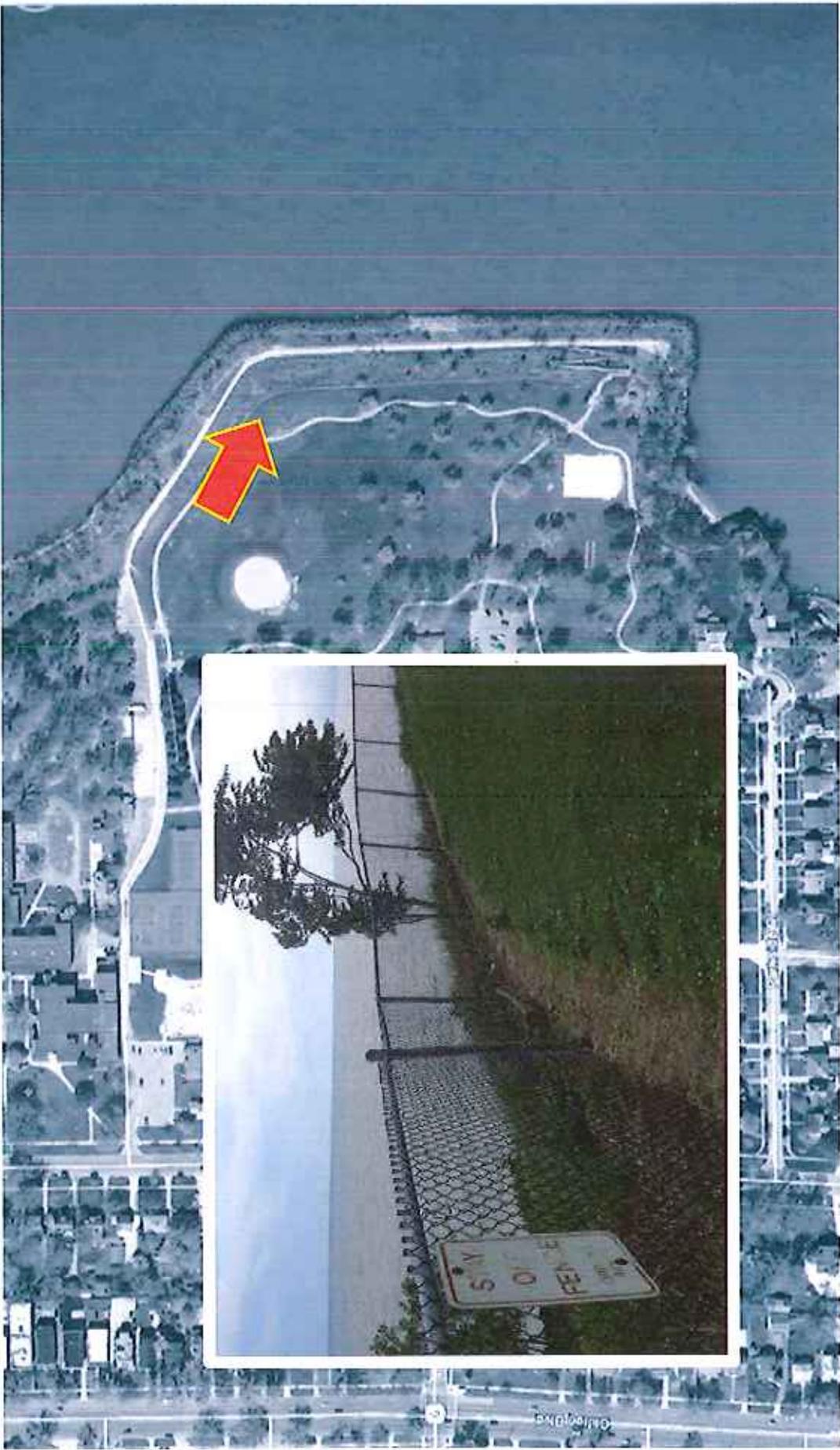
EXISTING PARK CONDITIONS



EXISTING PARK CONDITIONS



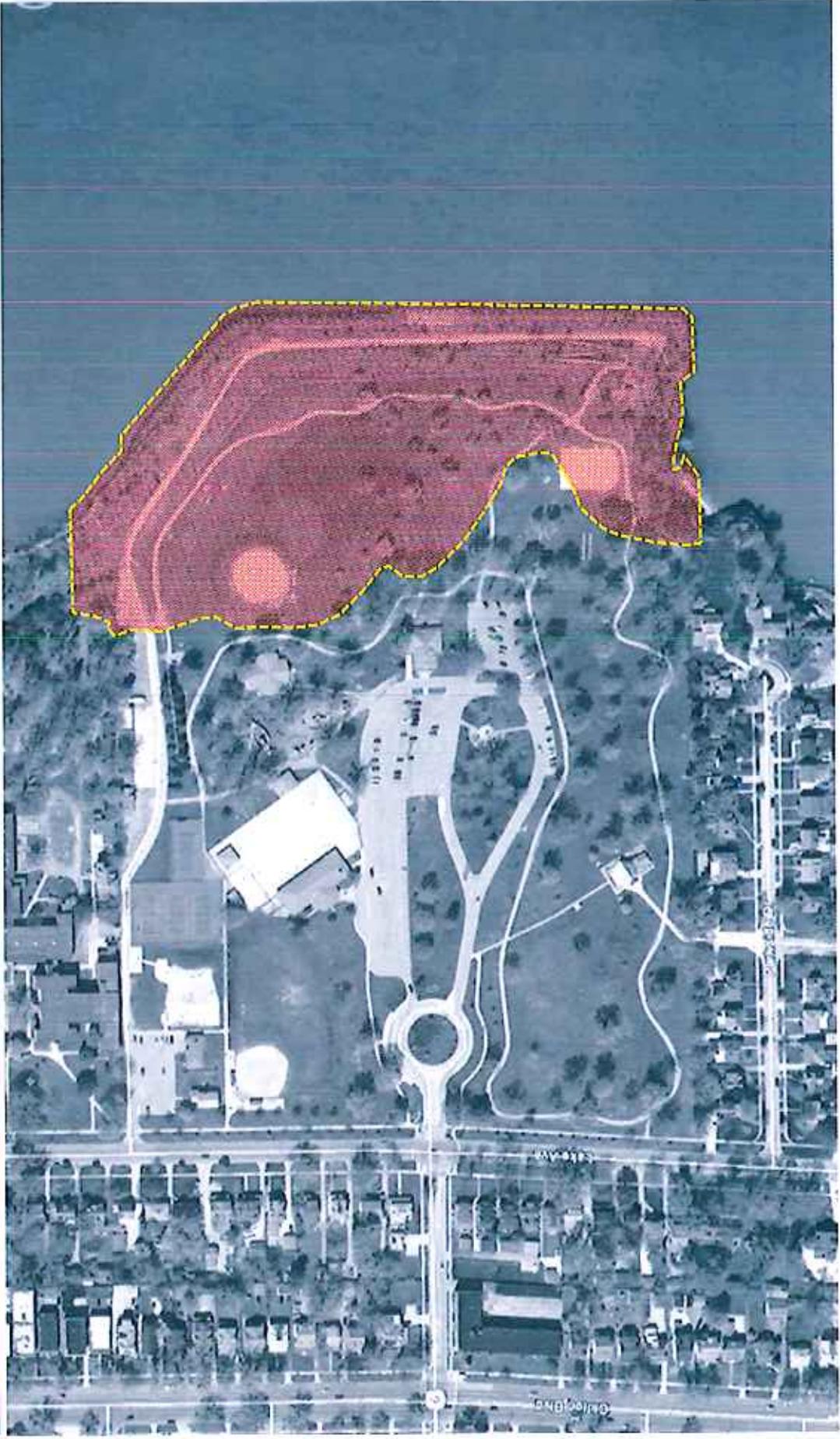
EXISTING PARK CONDITIONS



EXISTING PARK CONDITIONS



LANDFILL CONDITIONS

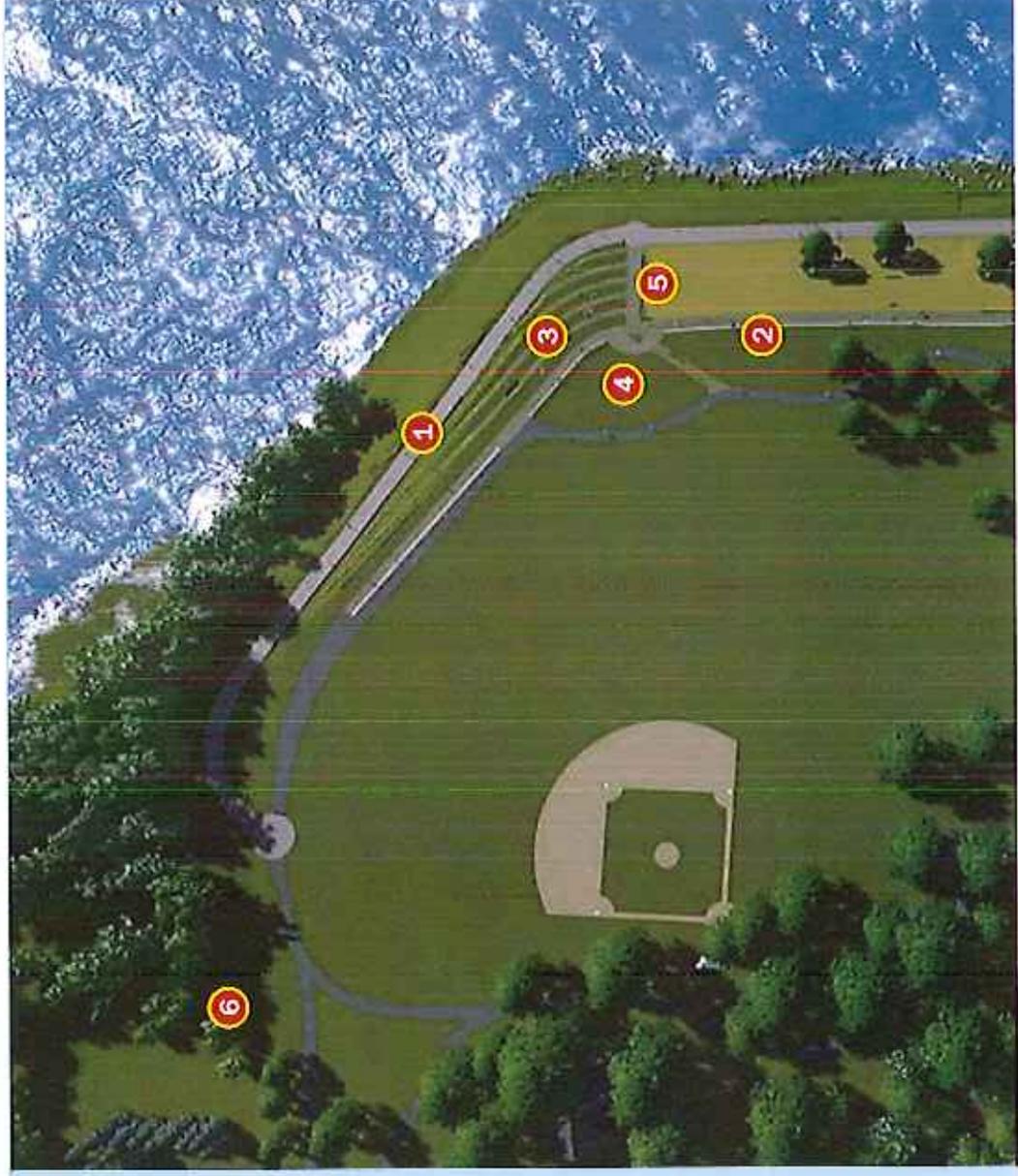


FOCUS AREA

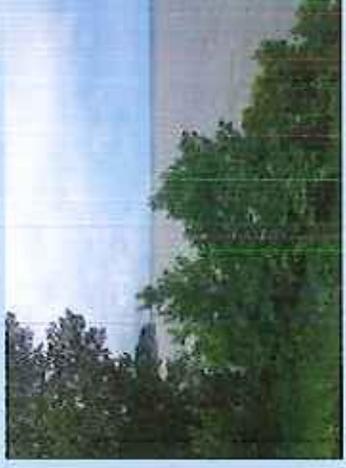
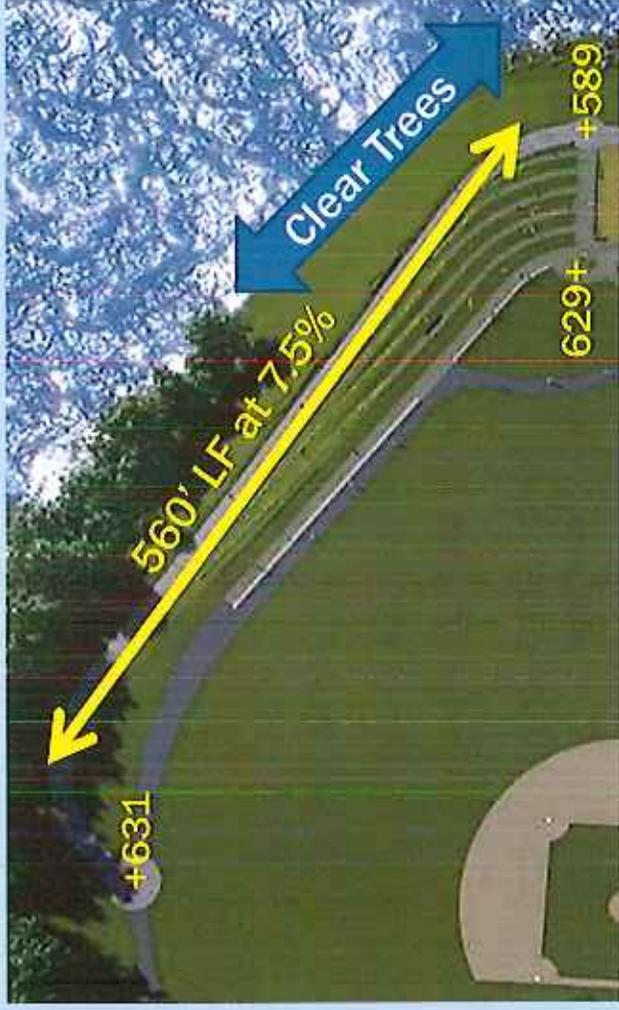
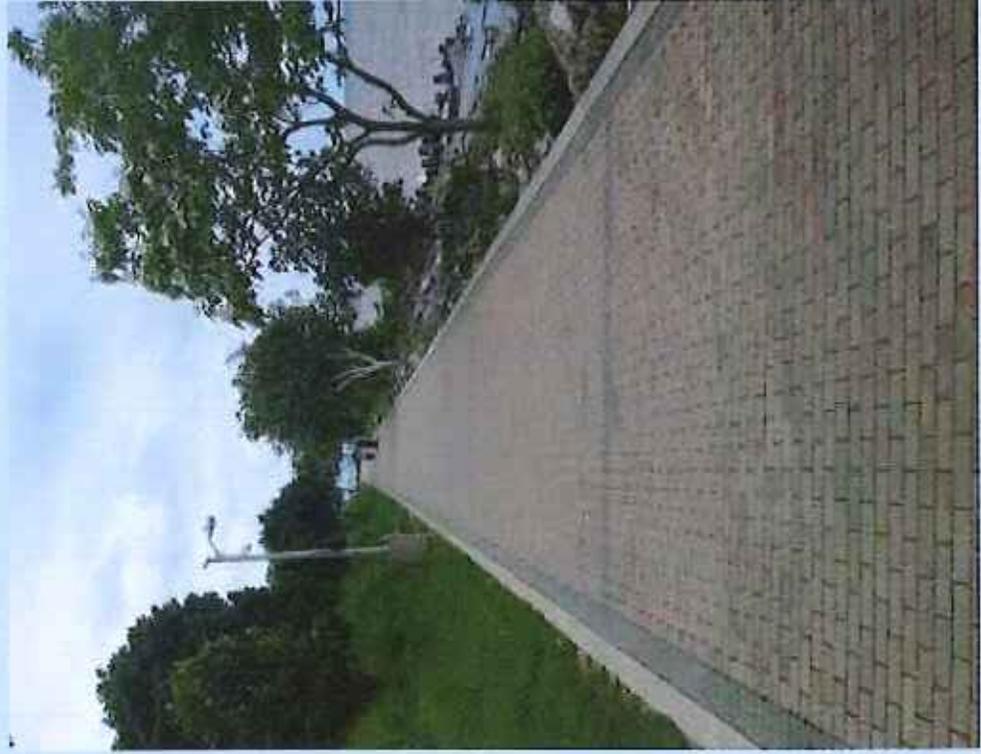


PROPOSED CONCEPT

- 1) Lower Promenade Connection
- 2) Upper Promenade
- 3) Solstice Lawn Stairs
- 4) Sundial Node
- 5) Stairs to Lower Node
- 6) Converted Green Space



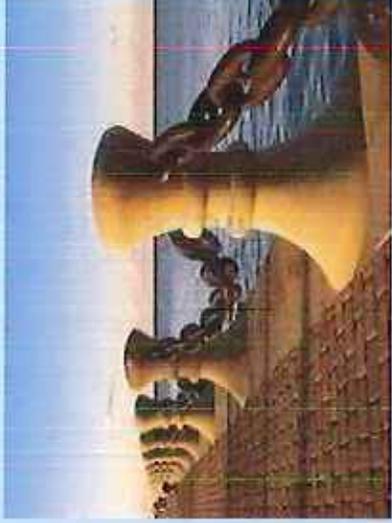
LOWER PROMENADE EXTENSION



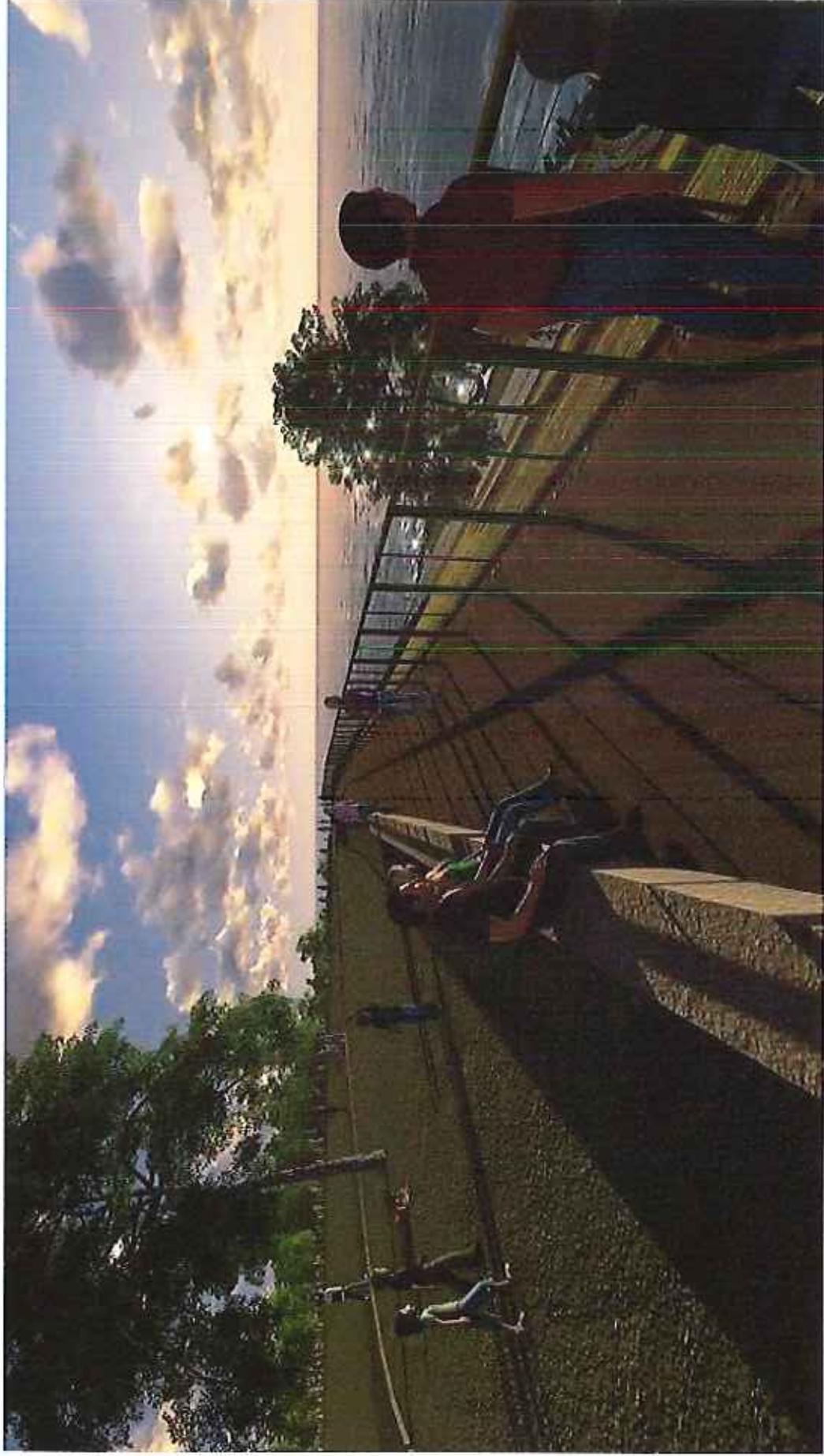
LOWER PROMENADE EXTENSION



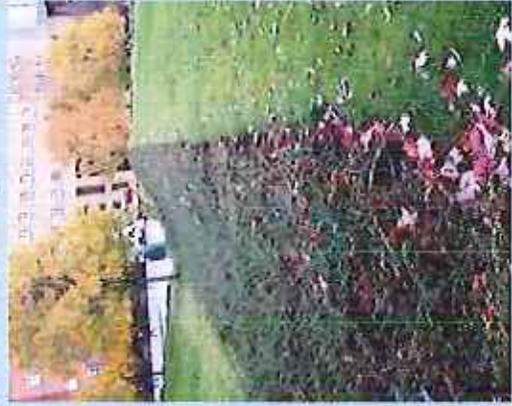
UPPER PROMENADE



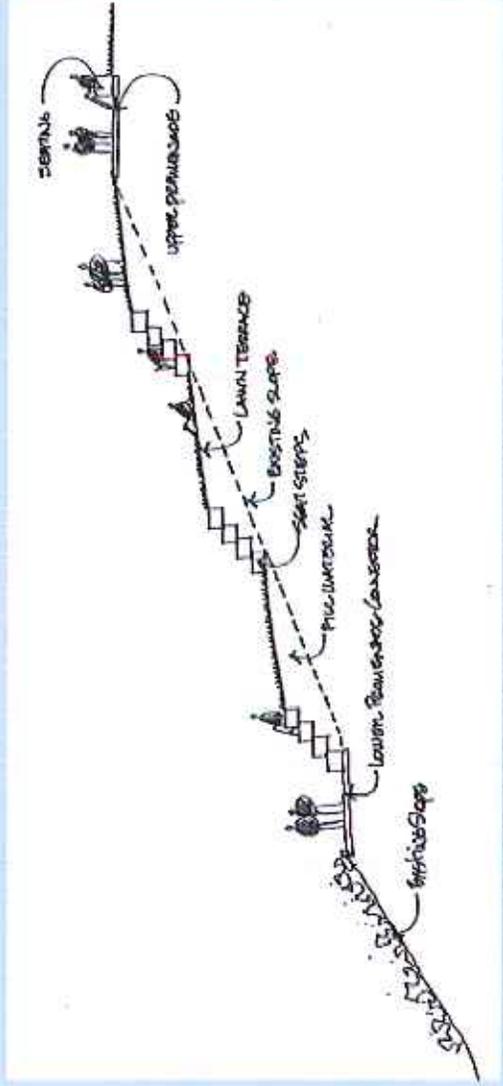
UPPER PROMENADE



SOLSTICE STAIRS INSPIRATION



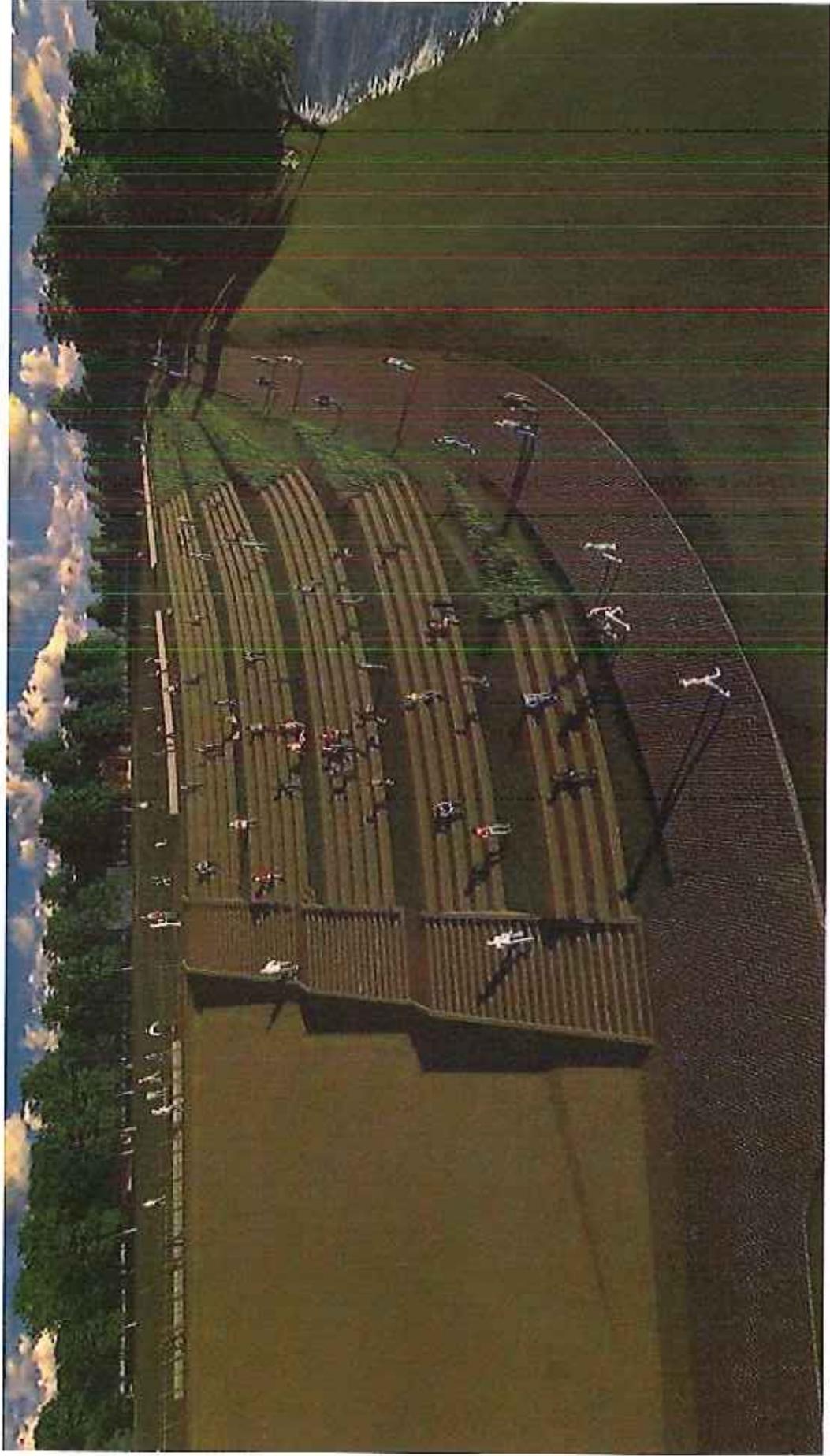
SOLSTICE STAIR



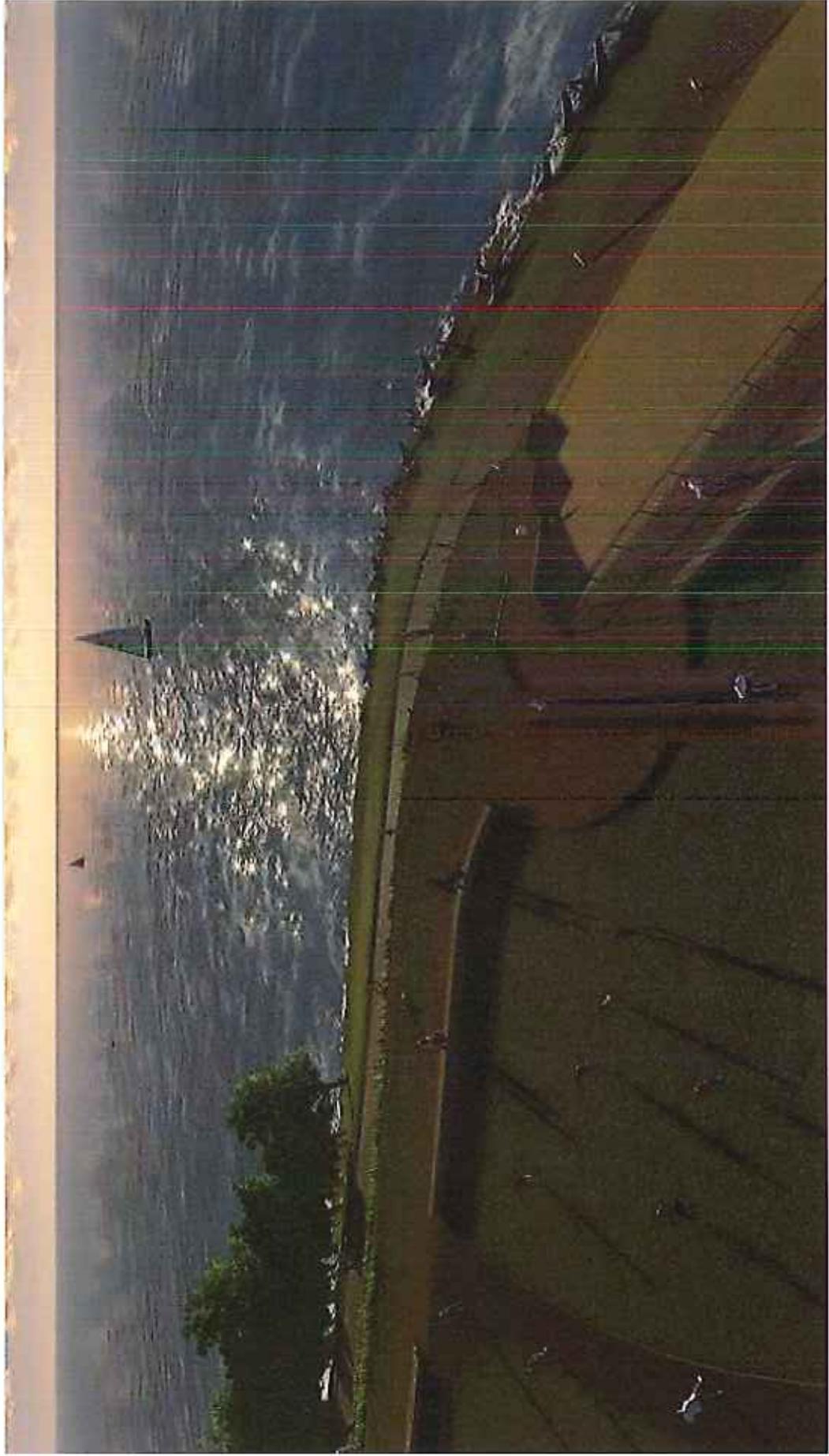
SOLSTICE STAIR



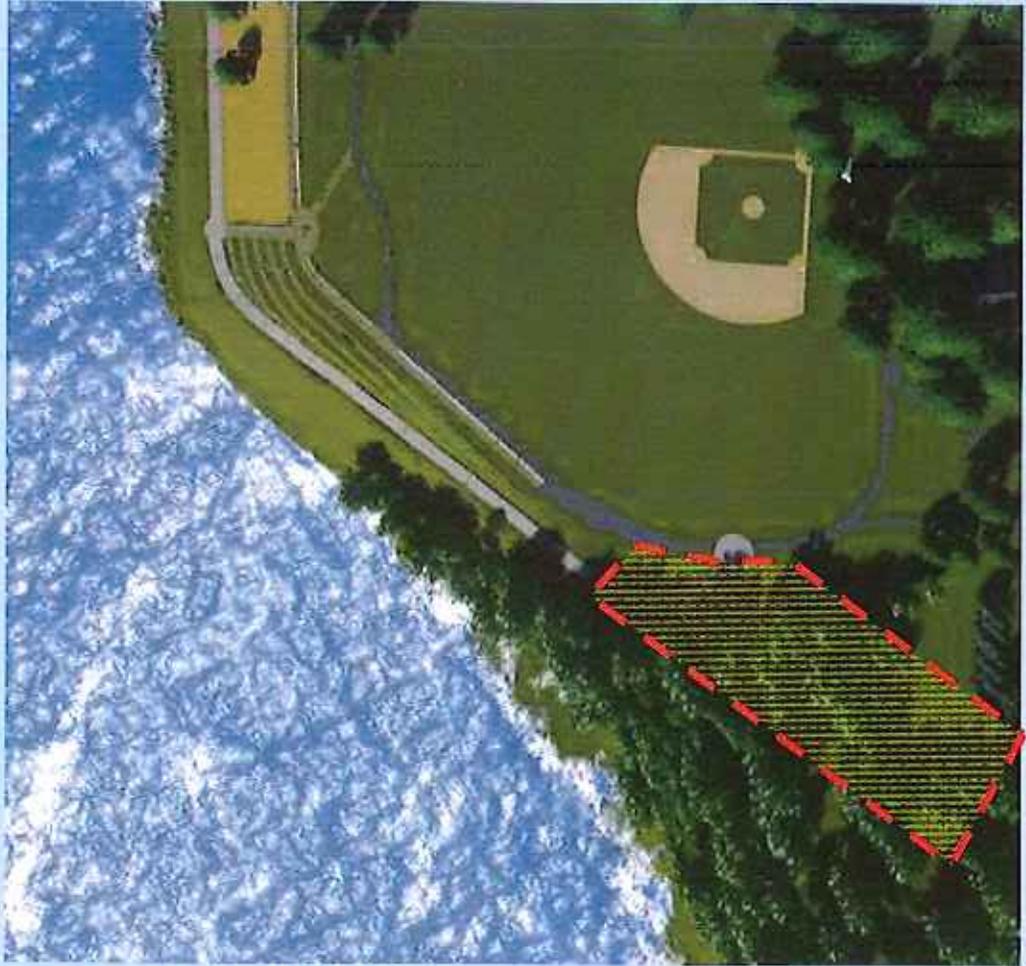
SOLSTICE STAIRS



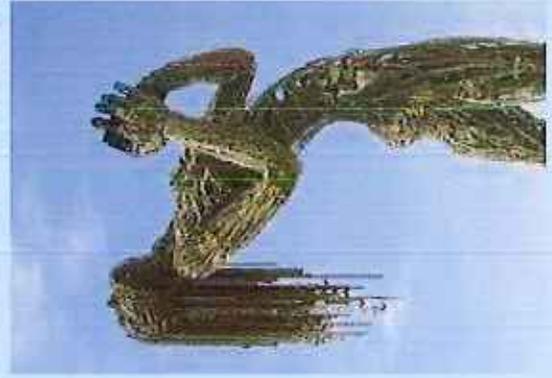
PROMENADE NODE



UPPER GREENSPACE



PUBLIC ART OPPORTUNITIES



McDonald's West 117th



CVS - 24h Retail - 24h Drive-thru

Dianna's Deli - 24h Restaurant - no drive-thru - carry out only

Wendy's - Drive-thru 10:30am - 1am

Pizza Hut - No Drive-thru - Lobby 11am - 11pm-12am

McDonald's - Drive-thru 5am-11pm/12am (F/S) - Lobby 6am - 10pm
Requesting 24h Drive-thru Operator

Rally's - Drive-thru 10am-2am (M/T) 10am-3am (F/S) 11am-1am (S)

Mr. Hero - No Drive-thru - 11am-9pm/10pm (F/S)

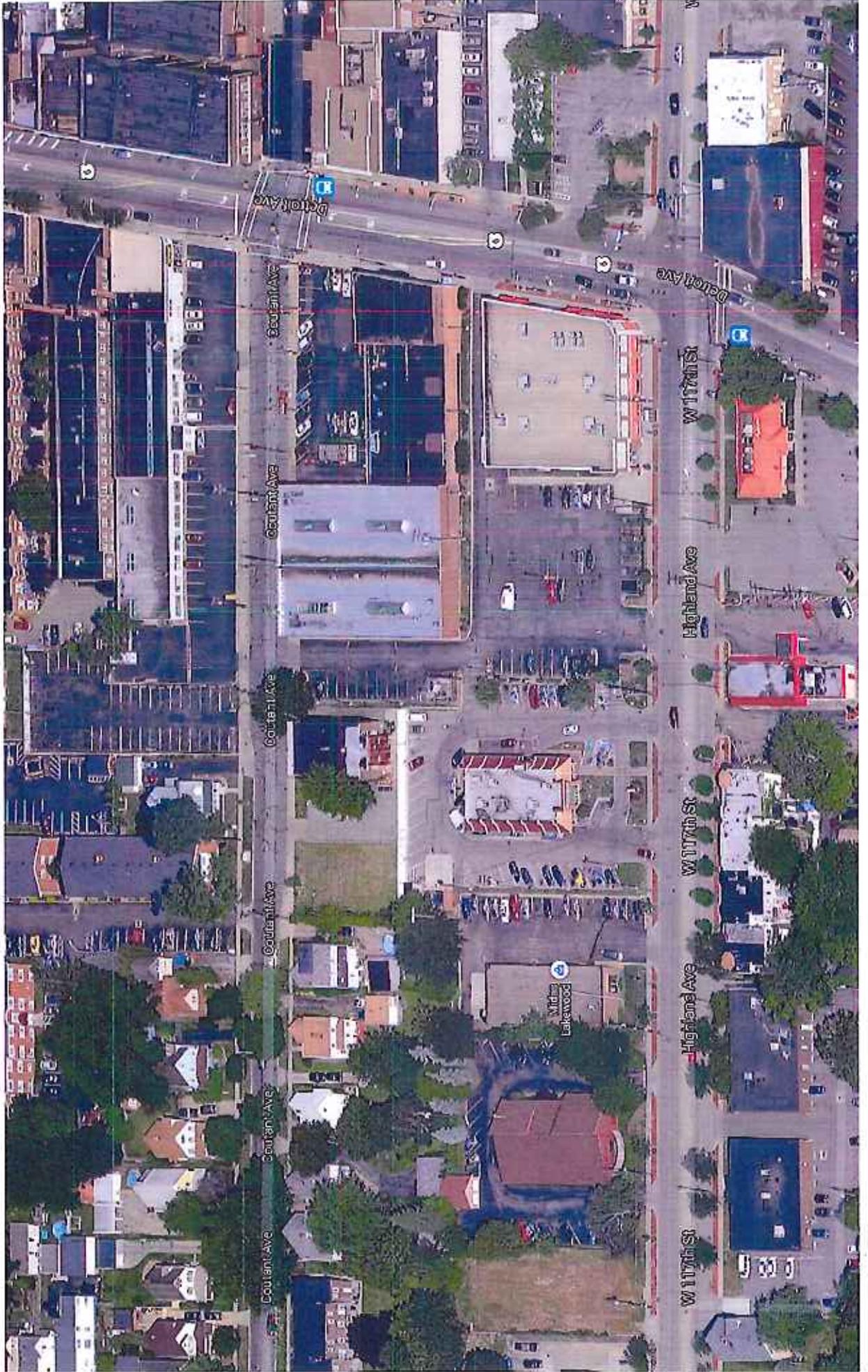
Dunkin' Donuts - Drive-thru 6am-10pm ^{4:30}

Taco Bell - Drive-thru 10am-4am

KFC - Drive-thru 10:30am-11pm/12am (F/S)

Burger King - Drive-thru 6am-11pm/1am (F/S)

Subway - No Drive-thru 7am-1pm 8am-12pm (S) 9am-11pm (S)



Total -- 22 + 12 = 34

After 9pm - ~~III~~ III → 10

After 12am - III 3
- 6am

Disturbances - II 2

W. 11.7th