

- that approval is granted by the Architectural Board of review, and
- the outdoor seating capacity is limited 25% of the interior seating capacity.

All of the members voting yea, the motion passed.

OLD BUSINESS

4. Docket No. 06-15-14 18828 Sioane Avenue
Clifton Pointe II LLC

Roger Bliss, Clifton Pointe II LLC, applicant requests the review and approval for a Lot Split of a single parcel (PPN 311-14-018) to accommodate five townhomes being built on the site, pursuant to Section 1155.07 – Procedures for Lot Splits. This property is located in an MH, Multi-Family and High Density district. This item was deferred from the June 5, 2014 meeting. Updated drawings have been submitted. (Page 3)

Roger Bliss, applicant was present to explain the request.

There were no comments or questions from the Commission. Administrative staff stated that corrections had been made on the plat with sign-off from the City Engineer. Mr. Bliss reported that all of the units had been sold. Questioned about the crooked step, Mr. Bliss said it would be corrected once the sidewalk was completed.

Public comment was closed as there was no one to speak on the matter.

A motion was made by Mr. Papke, seconded by Mr. Stockman to **GRANT** the request as submitted. All of the members voting yea, the motion passed.

NEW BUSINESS

7. Docket No. 08-22-14 1667-69 Waterbury Road

Frank Scalish, 13318 Madison, LLC applicant request the review and approval of a Conditional Use for parking on a residential zoned parcel. The subject property is adjacent to commercial property, pursuant to Section 1161.03(a) – Supplemental Regulations for Specific Uses, Accessory Parking. (Page 17)

Frank Scalish, applicant was present to explain the request. He owned the building located on the adjacent commercial property located at 13318 Madison Avenue. He employed four office employees who worked in the one storefront. The other storefront was a photography studio; it was by appointment only, and the owner had one employee and possibly a handful of people per session. There were five apartments with at least one car per tenant. No construction vehicles would be parked on the lot as a poured pervious paving would be used, and it not conducive to heavy trucks. Overnight parking would be restricted to the building's residents. He anticipated the addition of 18 parking spaces with the possible addition or loss of one parking spot because of landscaping. Street access would be one way into the lot from Waterbury Road and exit onto Madison Avenue. He was in communication with his neighboring property owner about an easement and driveway. He hoped to complete the project before the end of the season. The project was on the docket of the August 14th ABR meeting.

Mr. Russell read into a record a letter of objection from Bobby and Danielle McFarlin, 1660 Clarence Avenue (letter made part of record). They had concerns of car lights shining into their yard disrupting their privacy, the

increase of potential crime; people jumping the fence and running through their yard, and insisted upon a six-foot fence with foliage buffer. Mr. Russell stated these issues would be addressed also by ABR, and the letter would be shared with Bryce Sylvester, Secretary to ABR.

Mr. Scalish planned to have lighting on the back of the building and cameras for the lot. The light issue would be addressed by ABR.

Dan Szablewski, 1204 Andrews Avenue owned the property which abutted the subject property and was concerned about property value. One of his tenants gave notice because she did not want to live next door to a parking lot. He wanted to know how Mr. Scalish would control the one-way vehicular traffic. Lighting was another concern. When he purchased the property, the house of the abutting property had been razed already, and he was assured it was zoned residential.

The Commission said the code allowed for commercially zoned properties to go one residentially zoned property deep. Fencing, landscaping, and parking pattern would be discussed and determined by ABR. Mr. Scalish said he did not want less than 18 parking spots; he wanted to avoid having his tenants parking on the street. It was asked if he considered sharing parking with the neighboring commercial lot. He replied the intent was to provide parking for his tenants.

The Commission said that encroachment by commercial into residential districts was a concern; however any approval would be conditional. If there was a problem, the conditional use could be revoked by the Planning Commission. The Commission inquired if there was enough room to create a minor greenbelt on the north side. Mr. Scalish stated there had been discussion with ABR and was not opposed to it. Another alternative was to place the parking along the south side of the lot. Mr. Scalish was open to options.

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

- **There is approval from the Architectural Board of Review.**

All of the members voting yea, the motion passed.

COMMUNICATION

8. **Docket No. 08-19-14**

Communication to the Planning Commission Regarding Proposed Modifications to the Zoning Code to Add Hotels and Motels within Commercial Districts as Presented by Bryce Sylvester, Planning and Development

With the growth of the hospitality industry both locally and nationally, the City of Lakewood is seeking ways to provide more economic opportunities within our borders. Hotels and motels are currently permitted in C3, General Business and conditional permitted in C4, Public School. Based on recommendations from the Hotel Feasibility Study completed in 2012, the City of Lakewood is prepared to begin discussions of expanding the number of zoning districts for which hotels are permitted. Bryce Sylvester, City Planner, City of Lakewood, will present recommended changes for consideration by the Planning Commission. (Page 14)

Jason Russell, Planning and Development presented the communication. An important aspect was the clarifying the definition of hotels and motels as related to the City of Lakewood; the definitions were added to Chapter 1103.2. "Bed and Breakfast" was defined in the code already. (A PowerPoint presentation and copy of ordinance handout made part of record.) The Commission said that conditional use of a property would

make it difficult to obtain financing because that meant the conditional use could be repealed. Mr. Russell said it was a method to ensure the property was being used properly. The Commission asked if the city would consider using something called "spot zoning", as used in some communities. Mr. Russell replied that was conditional use also. With Mr. Sylvester joining the discussion, there was additional commentary about the definitions, permitted use, zoning, conditional use, financing, and related criteria. No vote was needed as this was not an actionable item.

9. **Docket No. 08-20-14** **Update to the Planning Commission Regarding the Recommended Changes to the City's Parking Code as Presented by Bryce Sylvester, Planning and Development**

The Department of Planning and Development has spent several months reviewing the City's current parking code with the goal of establishing flexible vehicle parking requirements that support the Community's Vision to provide safe, convenient, and integrated transportation options throughout the city. Bryce Sylvester, City Planner, City of Lakewood, will present recommended changes for consideration by the Planning Commission. (Page 15)

Bryce Sylvester, Planning and Development presented the update as outlined in the PowerPoint Presentation. A draft version of the proposed changes was provided (PowerPoint and draft version made part of record). Among other things, the intent was to minimize parking in commercial districts, promote growth of small businesses and encourage economic development, and provide safe and convenient transportation options. The code had nine use categories currently, and the number would be reduced to four. Mr. Sylvester then detailed the changes and the exceptions. No vote was needed as this was not an actionable item.

10. **Docket No. 08-21-14** **Communication from P&D Project Specialist Jason Russell: Renewal of Conditional Use Permit for Outdoor Seasonal Dining**

Conditional Use Permits for Outdoor/Seasonal Dining can be renewed annually through administrative review by the Director of Planning and Development. In lieu of public meetings, I have approved the renewal for the following businesses that applied for and received your approval for the conditional use. The following businesses will have a conditional use permit for outdoor / seasonal dining in 2014, and they will be required to complete a Use of Public Property Agreement with the City of Lakewood:

- 13321 Madison Avenue; Taco Tontos,
- 15527-33 Madison Avenue; Barrio Lakewood.

This conditional use has proven to improve business for responsible proprietors and enhanced activity on our streets. I want to thank the Commission and the above captioned businesses for proving that the use can benefit our city. (Page 16)

Mr. Russell stated that Taco Tontos does not have a Use of Public Property Agreement and has not utilized approval for outdoor dining; however the CAD reports are checked to make sure of compliance. There have been no incidences of concern.

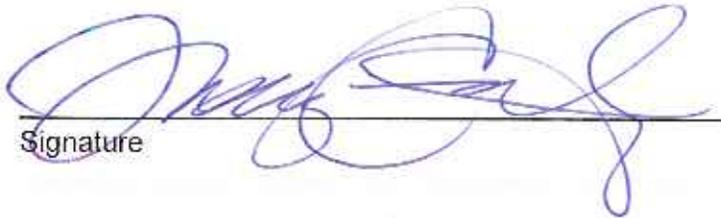
Barrio Lakewood has a functional patio for the past two months. There have been no noise complaints.

Mr. Russell asked that the two businesses are moved to the annual administrative renewal in April.

A motion was made by Mr. Gaydos, seconded by Mr. Metzger to **RECEIVE and FILE** the administrative renewal and to **move the annual administrative renewal of Taco Tontos and Barrio Lakewood to the month of April**. All of the members voting yea, the motion passed.

ADJOURN

Ms. Cierebiej **ADJOURNED** the meeting at 9:15 p.m.


Signature

9-4-14
Date



Oath

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

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

PRINT NAME:

SIGN NAME:

1. CHARLES A. MOETTBACK, JR

C.A. Moettback

2. JEFF BROESTER

Jeff Broester

3. Beth Scobbi

Beth Scobbi

4. Muhammad Iqbal

Muhammad Iqbal

5. Roger Bauer

Roger Bauer

6. FRANK SCALISH

Frank Scalish

7. DAN SZABLEWSKI

Dan Szabowski

8. JASON RUSSELL

Jason Russell

9. Bryce Sylvester

Bryce Sylvester

10.

11.

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

FOR CITY USE ONLY

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

Date of Proceeding: August 7, 2014

City of Lakewood Planning Commission

August 7, 2014

TO: Planning Commission

FROM: Jason Russell
Secretary, Planning Commission

RE: Docket No. 06-15-14
18828 Sloane Avenue

Description: Roger Bliss, Clifton Point II LLC, applicant requests the review and approval for a lot split of a single parcel to accommodate 5 townhomes being built on the site.

Code Section	Section Description	Notes
1155.07	Procedures for Lot Splits	All lot split applications must follow the prescribed procedures.

Notes: The applicant has provided preliminary drawings, but has not included other required documents such as a legal description to support the application. As such, City Engineer Mark Papke has not yet reviewed the documentation. The applicant has been asked to submit all required documentation well in advance of the meeting to allow time to review prior to the meeting.

UPDATE: The applicant has provided correct drawings and the final Mylar drawing to be signed at the meeting.

City of Lakewood Planning Commission

August 7, 2014

TO: Planning Commission

FROM: Jason Russell
Secretary, Planning Commission

RE: Docket No. 08-17-14
14406-08 and 14410 Madison Avenue

Description: Christopher J. Dempsey, Dempsey Surveying Co., applicant requests the review and approval for a Lot Consolidation of a two parcels (PPN 314-09-047 and PPN 314-09-048) into one lot.

Code Section	Section Description	Notes
1155.06	Procedures for Lot Consolidation and Subdivisions	All lot consolidation applications must follow the prescribed procedures.

Notes:

The applicants have acquired the property adjacent to their building with the intent of demolishing the building for additional parking. Preliminary drawings have been reviewed by City Engineer Mark Papke, who provided comments and we expect final drawings prior to the meeting.

These improvements must be reviewed by the Architectural Board of Review; any approval by the Commission should be conditioned on the approval of the Architectural Board of Review.

City of Lakewood Planning Commission

August 7, 2014

TO: Planning Commission

FROM: Jason Russell
Secretary, Planning Commission

RE: Docket No. 08-18-14
12112 Madison Avenue

Description: Patty Lim, Dially's Investment Group, LLC, applicant requests the review and approval of a Conditional Use Permit for an outdoor dining facility at the front of their business on a public right-of-way. The applicants will be required to complete a Use of Public Property Agreement with the City of Lakewood.

Code Section	Section Description	Notes
1129.13	Supplemental Regulations for Outdoor/Seasonal Dining Facility <i>(b) A conditionally permitted outdoor/seasonal dining facility shall comply with the following regulations and those for conditional uses set forth in Chapter 1161.</i> <i>(1) Outdoor/seasonal dining is used in conjunction with, and is under the same management and exclusive control of, a restaurant, bar, tavern or nightclub located on the same or contiguous property;</i> <i>(2) The outside seating capacity shall not exceed twenty-five percent (25%) of the restaurant, bar, tavern or nightclub seating capacity.</i>	The applicant is proposing a large patio in the public right of way in front of their business. The indoor seating capacity as been undetermined as only a portion of the interior will be available for public use initially. The outdoor patio is proposed to have 32 seats.
1161.02	General Standards for All Conditional Uses	All conditional uses should meet these standards.
1161.03(t)	Supplemental Regulations for Specific Uses Outdoor/Seasonal Dining Facility	The subject business will have offer food service.

Notes:

The applicant will be before Architectural Board of Review on August 14, 2014 for currently proposed exterior modifications, which also include new signage and awnings.

City of Lakewood Planning Commission

August 7, 2014

TO: Planning Commission
FROM: Jason Russell
Secretary, Planning Commission
RE: Docket No. 08-22-14
1667-69 Waterbury

Description: Frank Scalish, 13318 Madison, LLC applicant request the review and approval of a Conditional Use for parking on a residential zoned parcel. The subject property is adjacent to commercial property,

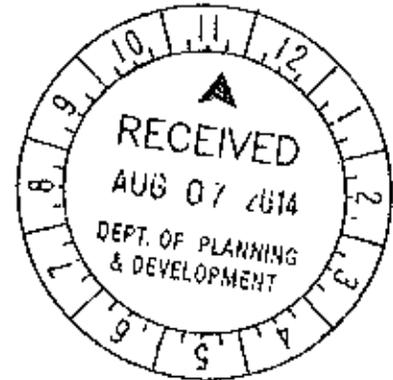
Code Section	Section Description	Notes
1161.02	General Standards for All Conditional Uses	All conditional uses should meet these standards.
1161.03(a)	Supplemental Regulations for Specific Uses Accessory Parking	The parcel in question is zoned residential and adjacent to the applicant's commercial business at 13318 Madison. The parcel was previously owned by the City of Lakewood.

Notes:

The applicant will be before Architectural Board of Review on August 14, 2014 for parking lot design, any approval by the Commission should be conditioned on the approval of the Architectural Board of Review.

August 6, 2014

Jason Russell, Commission Secretary
Project Specialist II, Planning & Development
12650 Detroit Avenue
Lakewood, OH 44107



RE: Docket No. 08-22-14
1667-69 Waterbury Road

Dear Mr. Russell:

This is in response to the Public Notice we received regarding the request from Frank Scalish, 13318 Madison for approval of a Conditional Use for parking on a residential zoned parcel as above noted.

We have objections to this request for the following reasons:

- 1) We are concerned that any car lights parking in this lot will shine into the back of our home as we abut this property and disrupt our privacy;
- 2) We believe that having a parking lot will increase the possibility of potential crime incidents, especially if any wrong doers are able to jump or go over a fence and go through our back yard;
- 3) If your commission determines that a parking lot on a residential street is an appropriate use of this space, we insist that privacy fence of at least 6 feet be placed abutting our property with foliage to help block car headlights and maintain the safety of our home.

We are not able to attend the meeting on August 7th due to prior conflicts. We are, therefore, submitting this letter for the commission's consideration. Please contact us at 216/228-5505 if at all possible regarding the outcome of this meeting.

Sincerely,

Bobby and Danielle McFarlin
1660 Clarence Avenue



Planning Commission

August 2014



Planning Commission
August 2014

18828 Sloane Ave



Planning Commission
August 2014

14406-14408 Madison Ave



Planning Commission
August 2014

14406-14408 Madison Ave



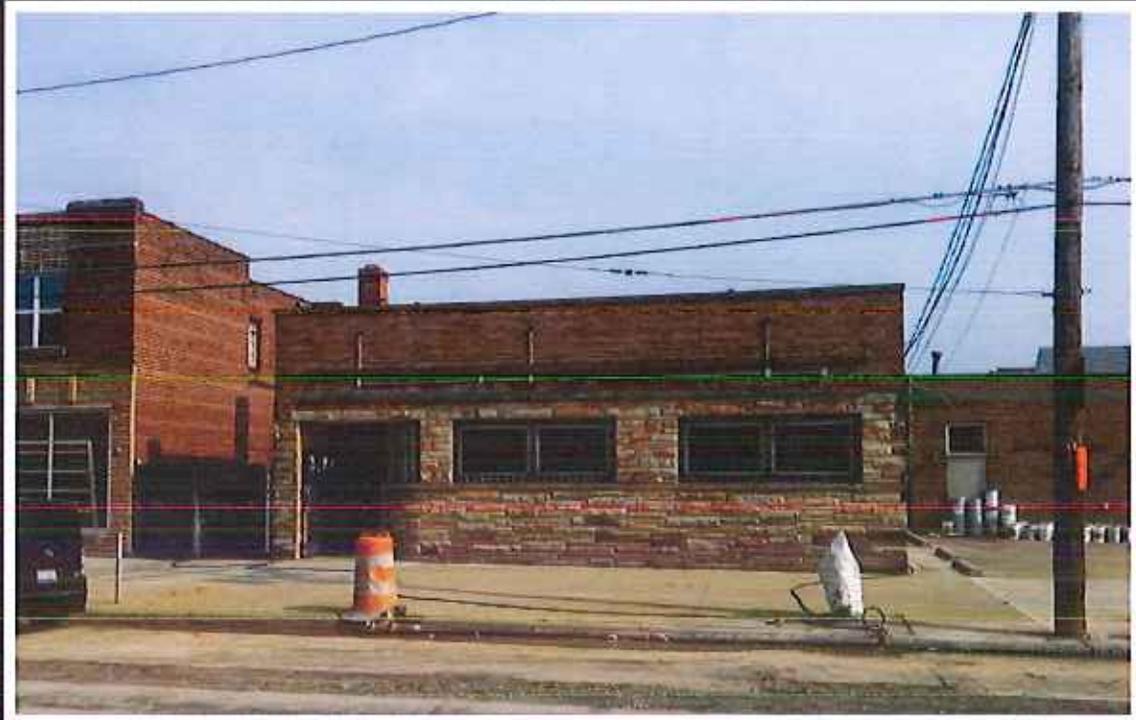
Planning Commission
August 2014

14406-14408 Madison Ave



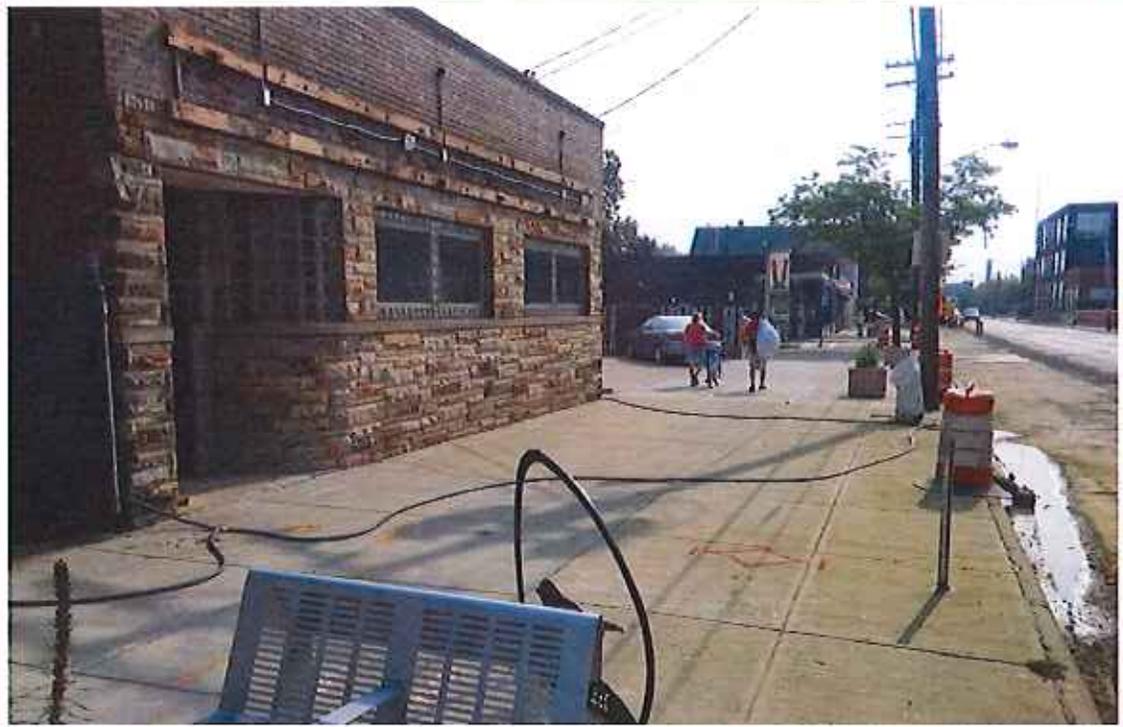
Planning Commission
August 2014

14406-14408 Madison Ave



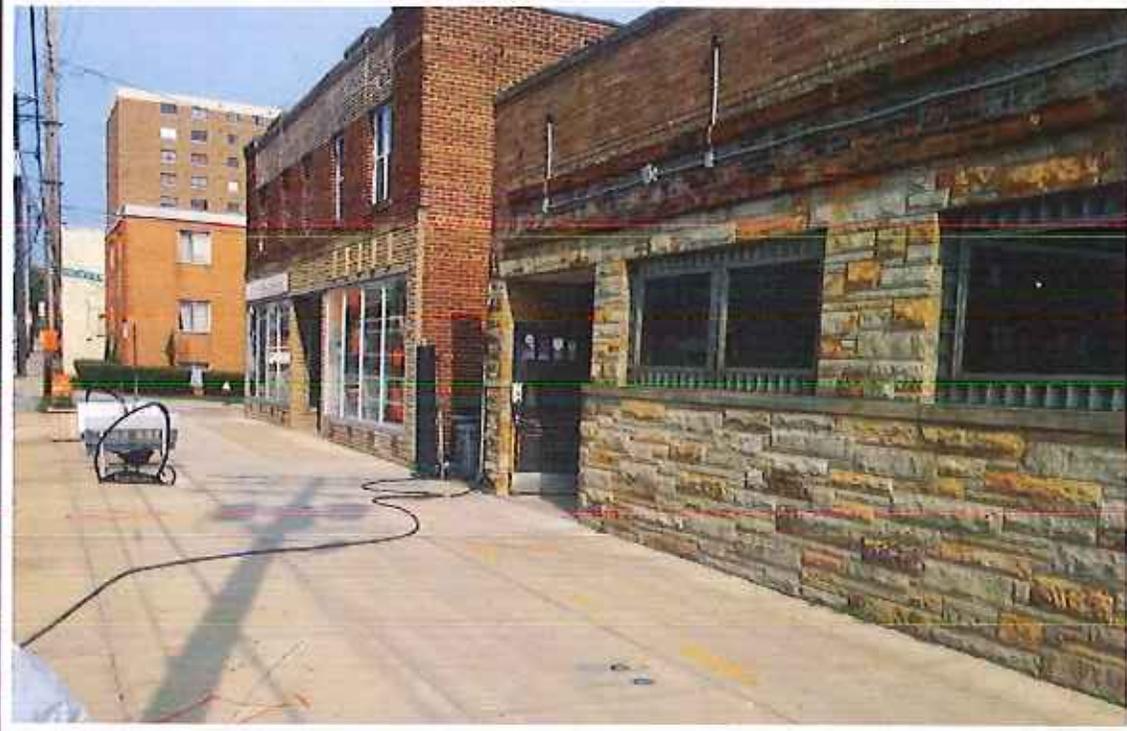
Planning Commission
August 2014

12112 Madison Ave



Planning Commission
August 2014

12112 Madison Ave



Planning Commission
August 2014

12112 Madison Ave



Planning Commission
August 2014

1667-69 Waterbury Rd



LAKWOOD
OHIO

Planning Commission
August 2014

1667-69 Waterbury Rd



LAKWOOD
OHIO

Planning Commission
August 2014

1667-69 Waterbury Rd



LAKWOOD
OHIO

Planning Commission
August 2014

1667-69 Waterbury Rd



LAKWOOD
OHIO

Planning Commission
August 2014

1667-69 Waterbury Rd



Hotel Zoning Code Revision



Hotel Zoning Code Revision



ORDINANCE NO.

BY:

AN ORDINANCE to amend the Zoning Code and the Property Maintenance and Safety Code of the City of Lakewood to include additional provisions for hotels and motels within commercial districts in the City.

WHEREAS, it is necessary and desirable to amend the Zoning Code and the Property Maintenance and Safety Code of the City to include additional provisions for hotels and motels; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power of local self-government, and the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 1103.02 of the Lakewood Codified Ordinances, Definitions, currently reading as follows:

1103.02 DEFINITIONS.

The following terms and phrases shall have, for purposes of the Code, the meanings as set forth in this section.

- (a) **ABUT** or **ABUTTING** means having a common border with, or being separated from such a common border by a right-of-way, alley, or easement. ...
- (oo) **HOME OCCUPATION** means any gainful business, occupation, or profession conducted within a dwelling unit principally by those legally residing therein.
- (pp) **LANDMARK PROPERTY** means a principal structure in any zoning district built in 1945 or earlier. ...
- (jjj) **STRUCTURE** means anything constructed or erected, the use of which requires either location on the ground or attachment to another structure located on the ground, including but not limited to barriers, bleachers, booths, buildings, display stands, fences, platforms, poles, pools, sheds, signs, above and below ground tanks, towers, and walls and shall include the supporting framework or parts thereof and appurtenances thereto; "structure" does not include a decorative light pole extending eight (8) feet or less above grade, a flag pole extending fifteen (15) feet or less above grade, or a sidewalk, driveway, or patio at grade.
- (kkk) **TRELLIS** means a latticework of wood or other material, used primarily to support ornamental vegetation. ...

(ff) YARD, SIDE means the unoccupied area between the building line and the rear yard or rear lot line where no rear yard requirement is designated, which runs parallel to the side lot line.

shall be and is hereby amended to read as follows:

1103.02 DEFINITIONS.

The following terms and phrases shall have, for purposes of the Code, the meanings as set forth in this section.

(a) ABUT or ABUTTING means having a common border with, or being separated from such a common border by a right-of-way, alley, or easement, ...

(ii) EMPLOYEE means the regular working staff (paid, volunteer or otherwise) at maximum strength and in full-time equivalent numbers necessary to operate, maintain or service any given facility or use under normal terms of service.

(jj) EXTENDED-STAY HOTEL OR MOTEL means a structure meeting the definition of a hotel or motel, except that it may include cooking facilities within the rental unit, is held out to the public to be a place where temporary residence is offered for pay to persons who need not be transient guests, and meets all other requirements contained in Ohio Revised Code Chapter 3731.

Defined
Extended
stay hotels

(jjk) FAMILY means an individual or two (2) or more persons living together as a single housekeeping group in a dwelling unit. A "single housekeeping group" exists where the group of individuals share expenses and labor related to the maintenance of the dwelling unit and are living and eating together as a household. "Family" shall not include an individual occupying a rooming unit nor a group of unrelated individuals occupying a rooming house. ...

(opp) HOME OCCUPATION means any gainful business, occupation, or profession conducted within a dwelling unit principally by those legally residing therein.

(qq) HOTEL OR MOTEL means any structure consisting of one or more buildings that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations, excluding cooking facilities within the rental unit, are offered for compensation to transient guests. Hotels and motels shall not include bed and breakfast establishments.

Defined
hotels

(ppr) LANDMARK PROPERTY means a principal structure in any zoning district built in 1945 or earlier, ...

(ijj) STRUCTURE means anything constructed or erected, the use of which requires either location on the ground or attachment to another structure located on the ground, including but not limited to barriers, bleachers, hoots, buildings, display stands, fences, platforms, poles, pools, sheds, signs, above and below ground tanks, towers, and walls and shall include the supporting framework or parts thereof and appurtenances thereto; "structure" does not include a decorative light pole extending eight (8) feet or less above grade, a flag pole extending fifteen (15) feet or less above grade, or a

sidewalk, driveway, or patio at grade.

(mmnn) TRANSIENT means for not more than 30 days,

- Defined length of stay

(kkkmm) TRELLIS means a latticework of wood or other material, used primarily to support ornamental vegetation. ...

(#wwww) YARD, SIDE means the unoccupied area between the building line and the rear yard or rear lot line where no rear yard requirement is designated, which runs parallel to the side lot line.

Section 2. Section 1129.02 of the Lakewood Codified Ordinances, Principal and Conditional Permitted Uses, currently reading as follows:

1129.02 PRINCIPAL AND CONDITIONAL PERMITTED USES.

SCHEDULE 1129.02: PERMITTED USES IN COMMERCIAL DISTRICTS				
	C1 OFFICE	C2 RETAIL	C3 GENERAL BUSINESS	C4 PUBLIC SCHOOL
RESIDENTIAL				
Single-Family/Two-Family Dwellings	-	-	-	C
Multi-Family Dwellings	-	C ¹	C ¹	C ¹
Mixed Use Structure	P	P	P	C ²
Hotels/ or Motels (including Extended-Stay Hotel or Motel)	-	-	P	C ²

¹ Use shall be limited to Detroit Avenue and/or Madison Avenue as regulated by Chapters 1156 and 1161.

shall be and is hereby amended to read as follows:

1129.02 PRINCIPAL AND CONDITIONAL PERMITTED USES.

SCHEDULE 1129.02: PERMITTED USES IN COMMERCIAL DISTRICTS				
	C1 OFFICE	C2 RETAIL	C3 GENERAL BUSINESS	C4 PUBLIC SCHOOL
RESIDENTIAL				
Single-Family/Two-Family Dwellings	-	-	-	C

Multi-Family Dwellings	-	C ¹	C ¹	C ¹
Mixed Use Structure	T	P	P	C ²
Hotels/ or Motels (including Extended-Stay Hotel or Motel)	C	C	PC	C ²

- most if conditionally permitted as well C areas

⁷Use shall be limited to Detroit Avenue and/or Madison Avenue as regulated by Chapters 1156 and 1161.

Section 3. New Section 1161.03(z) of the Lakewood Codified Ordinances, Hotels and Motels, is hereby enacted to read as follows:

1161.03 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

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

New conditional regulations

(z) Hotels and Motels. In any commercial district, a hotel or motel may be permitted as a conditional use provided that:

- (1) Each guest in a hotel or motel must be transient, and the owner, operator or person in control of any motel or hotel shall require that each guest be transient, except in extended-stay hotels or motels.
- (2) In extended-stay hotels or motels, guests need not be transient.
- (3) The following uses may be permitted within a hotel or motel as an accessory use to a hotel or motel where the Commission finds that the use is consistent with the intent of the code and otherwise complies with the requirements of the code:
 - A. Banquet facilities and other dining establishments, including but not limited to restaurants, coffee shops, and bars;
 - B. Convention centers, meeting rooms and ballrooms;
 - C. Indoor recreation facilities;
 - D. Retail stores, shops or services with entry only from inside;
 - E. Such other principal, accessory, or conditional uses as permitted in the underlying zoning district and as shall be approved by the Commission.

Section 4. Section 1306.07 of the Lakewood Codified Ordinances, Definitions, currently reading as follows:

1306.07 DEFINITIONS.

Hotel Zoning Ordinance Revision

City of Lakewood
Department of
Planning and Development



August 7, 2014

THE PURPOSE OF REVISING HOTEL ZONING

In 2012, the City of Lakewood contracted Hotel & Leisure Advisors to study the feasibility of additional lodging options within the City of Lakewood. The study revealed market demand for lodging and identified recommendations to realize benefits of the existing hotel demand.

CLARIFYING HOTEL/MOTEL DEFINITION

Hotels/Motels, while currently permitted in our zoning code, are not properly defined in Chapter 1103.2.

These new definitions were added to Chapter 1103.2

- Extended Stay Hotel or Motel
- Transient
- Hotel or Motel

CLARIFYING HOTEL/MOTEL DEFINITION

EXTENDED-STAY HOTEL OR MOTEL means a structure meeting the definition of a hotel or motel, except that it may include cooking facilities within the rental unit, is held out to the public to be a place where temporary residence is offered for pay to persons who need not be transient guests, and meets all other requirements contained in Ohio Revised Code Chapter 3731.

TRANSIENT means for not more than 30 days.

CLARIFYING HOTEL/MOTEL DEFINITION

HOTEL OR MOTEL means any structure consisting of one or more buildings that is specifically constructed, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations, excluding cooking facilities within the rental unit, are offered for compensation to transient guests. Hotels and motels shall not include bed and breakfast establishments.

PERMITTED USE CHANGES

CURRENT	C1 Office	C2 Retail	C3 General Business	C4 Public School
Hotel or Motel			P	C

PROPOSED	C1 Office	C2 Retail	C3 General Business	C4 Public School
Hotel or Motel	C	C	C	C

SUPPLEMENTAL REGULATIONS

- (1) Each guest in a hotel or motel must be transient, and the owner, operator or person in control of any motel or hotel shall require that each guest be transient, except in extended-stay hotels or motels.
- (2) In extended-stay hotels or motels, guests need not be transient.

SUPPLEMENTAL REGULATIONS

- (3) The following uses may be permitted within a hotel or motel as an accessory use to a hotel or motel where the Commission finds that the use is consistent with the intent of the code and otherwise complies with the requirements of the code:
- Banquet facilities and other dining establishments, including but not limited to restaurants, coffee shops, and bars;
 - Convention centers, meeting rooms and ballrooms;
 - Indoor recreation facilities;
 - Retail stores, shops or services with entry only from inside;
 - Such other principal, accessory, or conditional uses as permitted in the underlying zoning district and as shall be approved by the Commission.

Hotel Zoning Ordinance Revision

City of Lakewood
Department of
Planning and Development



August 7, 2014



CHAPTER 1143
Parking

Text in yellow needs to be revisited

1143.01 PURPOSE

1143.02 GENERAL PROVISIONS

1143.03 DETERMINATION OF REQUIRED OFF-STREET PARKING SPACES

1143.04 USE CATEGORIES

1143.05 SCHEDULE OF USES AND SPACE REQUIREMENTS

1143.06 UNLICENSED, IMMOBILIZED VEHICLES

1143.07 APPLICABILITY

1143.08 PARKING LOT DESIGN

1143.09 EXCEPTIONS TO REQUIRED MINIMUMS

1143.10 EXCEPTIONS TO REQUIRED MAXIMUMS

1143.11 BICYCLE PARKING REQUIREMENTS

1143.12 STACKING SPACE REQUIREMENTS

CROSS REFERENCES

State regulations - see Ohio R.C. 4501.01

Wireless Telecommunication facilities - see P. & Z. 1159.05(l)

Sexually oriented businesses - see P. & Z. 1163.06

Mixed Use Overlay District - see P. & Z. Ch. 1135

Planned Development - see P. & Z. Ch. 1156

Parking design - see BLDG. 1325.08

1143.01 PURPOSE

The purpose of this chapter is to establish flexible vehicle parking requirements that support the Community's Vision to provide safe, convenient, and integrated transportation options throughout the city. Parking requirements are based on the needs of the community and consider the context of the neighborhood, transit availability, on-street parking, density, and a mix of uses, walkability, and the use of alternative modes of transportation. Parking requirements are designed to accommodate average day-to-day demand, as opposed to peak demand, in order to reduce excessive off-street parking and free up land for more economically productive or environmentally conscious uses.

1143.02 GENERAL PROVISIONS

- (a) For every building hereafter erected or expanded, or where the use is changed or enlarged, there shall be provided off-street parking areas as set forth in this Chapter.
- (b) No permits shall be issued for any building, improvement or use of land, including, but not limited to, building permits and certificates of occupancy, until a plot plan is submitted to the Commissioner showing such off-street parking and loading spaces as is hereunder required. Such plan shall be prepared at a reasonable scale, showing property lines, the dimensions of the property, the size and arrangement of all parking and loading spaces, the means of ingress and egress to such parking spaces from the street and interior circulation within the property, the extent of any change required in existing site conditions to provide required parking spaces and such other conditions as may be necessary to permit review and approval of the proposed parking spaces.

(c) Off-street, on-site parking spaces for all uses as required by this Chapter shall be designed and maintained in accordance with applicable sections of these Ordinances so as to be safe, attractive and free of hazard, nuisance or other unsafe condition, and be used for exclusive use of the tenants, occupants and customers of the buildings or uses on said site.

(d) All parking spaces and off-street spaces shall be provided in accordance with this Chapter and shall be provided on the same lot as the principal use to which it is accessory, unless otherwise approved by the Planning Commission.

(e) Unenclosed parking spaces shall not be used for repair of a motor vehicle.

(f) Parking for all motor vehicles shall be on an improved surface of concrete, asphalt or other materials approved by the Commissioner.

(Ord. 91-95. Passed 10-7-96.)

1143.03 DETERMINATION OF REQUIRED OFF-STREET PARKING SPACES.

(a) Where floor area is designed as the standard for determining parking space requirements, floor area shall be computed on the gross floor area (GFA), in square feet, of all floors of the building, including the exterior walls.

(b) Where number of employees is the standard, employees shall mean the regular working staff, (paid, volunteer or otherwise) at maximum strength/per shift and in full-time equivalent numbers necessary to operate, maintain or service any given facility or use under normal levels of service.

(c) The number of parking spaces required will be computed to the next largest number.

(d) In the case of mixed uses or more uses as listed in Section 1143.04, the total parking spaces shall be equal to the requirements of various uses computed separately.

(e) Cumulative parking requirements for mixed-use occupancies may be reduced upon review and approval by the Planning Commission where it can be determined that the peak requirement of the several occupancies occurs at different times (either daily or seasonally).

(Ord. 91-95. Passed 10-7-96.)

1143.04 USE CATEGORIES.

For the purposes of calculating parking requirements, uses are defined as follows:

(a) Commercial

(1) Car Wash: Including facilities for washing, waxing and cleaning of vehicles and vehicle components but expressly prohibiting facilities or equipment for the repair, overhaul or storage of motor vehicles or vehicle components.

(2) Commercial lodging: including hotels, motels, motor lodges and motor courts.

(3) Office: Means use of a building for business, professional, administrative or medical office. A general office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees.

(4) Retail: Means sale or service to the final consumer for direct consumption. Means an establishment providing retail sale of products or services to the public.

(5) Storage/Warehouse: Including, but not limited to, mini warehouse with secured, individual storage units, which are leased for a fee to individual companies or persons.

(b) Industrial: Means manufacturing processing, assembly, and/or packaging plants of all types.

(c) Institutional: Means buildings of all types and facilities used by public, quasi-public or nonprofit agencies that serve or assist the public or provide an accepted public purpose, including hospitals.

(d) Residential

(1) Single-family structures; including detached houses and duplexes, townhouses, and clustered dwelling units that may be attached but have separate entrances and/or parking areas for each unit or common parking areas servicing two (2) or more units.

(2) Multi-family structures; including condominium and apartment buildings with common entranceways and/or parking areas for two (2) or more dwelling units.

(3) Elderly housing; including any multi-family dwelling occupied ninety percent (90%) or more by persons sixty (60) years of age or older.

(4) Sleeping rooms; including boarding, lodging, rectories and convents, and rooms that are rented or used on an individual basis by non-family members.

(6) Group/convalescent/nursing homes and assisted living; where unrelated persons reside under supervision for special care, treatment, training or other purposes on a temporary or permanent basis.

(7) Day care centers; where unrelated persons are cared for during limited periods each day in a supervised facility.

(8) Bed and Breakfast; means an owner-occupied residential single-family structure with no more than three (3) guest rooms to accommodate lodgers for compensation and serving breakfast to lodgers only. The provision of lodging and breakfast shall be subordinate to the principal use of the structure.

(e) Wireless Telecommunication Facilities: pursuant to Section 1159.05(l).
(Ord. 24-98. Passed 5-18-1998.)

(f) Sexually Oriented Businesses: pursuant to Section 1163.06.
(Ord. 91-95. Passed 10-7-1996.)

(g) Mixed Use Overlay District: pursuant to Section 1135.03(b).

(h) Planned Development: pursuant to Section 1156.05(e).
(Ord. 61-04. Passed 7-6-2004.)

(i) Drive-through facilities; including but not limited to, fast-food restaurants, financial institutions, car washes, photo uses, and drug stores.

(Ord. 43-11. Passed 1-17-2012.)

1143.05 SCHEDULE OF USES AND SPACE REQUIREMENTS.

The required number of off-street parking spaces for a use category described in Section [1143.04](#) shall be as set forth in Schedule [1143.05](#) following this chapter.

The Commissioner is hereby authorized to determine the required off-street parking requirements for uses not specifically listed in this Ordinance, based on the most similar use(s) that are listed. Such determination by the Commissioner shall be in writing and shall be appealable to the Board of Zoning Appeals.

(Ord. 43-11. Passed 1-17-2012.)

1143.06 UNLICENSED, IMMOBILIZED VEHICLES.

No person shall store or permit to be stored, for a period of more than three (3) consecutive days, any motor vehicles not having current year license plates and/or damaged or immobilized so as to render it incapable of being moved under its own power, upon any lot or land designated as within any district, unless the same shall be in a completely enclosed building or garage. "Motor Vehicle" shall have the same meaning as in O.R.C. 4501.01. This Section shall not apply to motor vehicle sales lots.

(Ord. 91-95. Passed 10-7-1996.)

1143.07 APPLICABILITY.

The Commissioner shall enforce the provisions of Chapter 1143, or such other persons as the Commissioner may designate, and may ask for advisement from the Planning Commission when a parking lot is constructed, expanded, enlarged, or altered.

(Ord. 91-95. Passed 10-7-1996.)

1143.08 PARKING LOT DESIGN.

Parking lots in the Multiple-Family, Low Density Districts (ML), and Multiple-Family High Density Districts (MH); Commercial Districts, C1 Office, C2 Retail, C3 General Business, C4 Public School, and the Industrial (I) District, are regulated pursuant to Section 1325.08 of the Building Code.

(Ord. 24-98. Passed 5-18-1998.)

1143.09 EXCEPTIONS TO REQUIRED MINIMUMS

The number of parking spaces required may be reduced in accordance with the following credits. This section applies to all uses defined in Section 1143.04 except single-family, two-family or three-family structures.

(a) One space for each off-site parking space which is owned or rented by the property or business owner for the purpose of providing parking to the subject property. Such off-site spaces shall be located within 1,000 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking facility to the main public entrance of the use served.

(b) One space for each off-site parking space provided by valet parking service. The property or business owner shall submit to the department written documentation of permission to use an off-site parking for valet parking. Off-site parking spaces shall also conform to the regulations of the zoning district in which they are located.

(c) The use of the subject property is the same as the most previous use, and is adopting the same approved parking plan.

(d) One space for each space in a public parking lot or public parking structure located within 1,000 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking lot or structure to the main public entrance of the use served.

(e) A reduction in the number of spaces required may be granted by the Board of Zoning Appeals upon a determination that the reduction in number of spaces is consistent with the goals as outlined in the Mobility Focus Area in the Vision. Such reduction may occur only upon request of the owner, who shall submit parking and/or traffic survey to support the argument for reducing the required number of spaces. The Board may consider the following when evaluating a parking space reduction

(1) List criteria that the board should consider

If the commissioner determines, using the above criteria, that an exception to the minimum number of parking spaces is not warranted, the property owner, developer or other applicant may appeal the Commissioner's determination to the Planning Commission or Board of Zoning Appeals, per Chapter 1173.05.

1143.10 EXCEPTIONS TO REQUIRED MAXIMUMS

The number of parking spaces provided for may exceed the maximum specified per the following options as determined by the Commissioner. This section applies to all uses defined in Section 1143.04 except single-family, two-family or three-family structures.

(a) One space for each space located in a parking structure.

(b) One space for each five (5) percent of total site area devoted to facilities handling or treating stormwater runoff, pursuant to Chapter 1339, Storm Water Management.

(c) Increase of five (5) percent of the maximum allowed parking spaces for the installation of an approved transit waiting environment along an existing bus route.

(1) The transit facility (e.g., bus stop) shall take into consideration the Transit Waiting Environment Guidebook produced by the local transit authority, and any other design guidelines or standards as recommended by the Administration or City Council and adopted by the Planning Commission pursuant to Part One, Title Five, Chapter 154 of the Codified Ordinances of the City of Lakewood.

(2) Location of the transit waiting environment is to be determined by the Planning Director or such other persons as the Director may designate

(d) Increase of five (5) percent of the maximum allowed parking spaces for the implementation of an innovative landscaping plan, considered to be over and above the landscaping requirements as required by the Architectural Board of Review.

(1) Plant, flower, and tree type, size, design, location and irrigation may be considered as part of the landscape plan to be reviewed by the Architectural Board of Review.

(e) The total increase in spaces may not exceed 20% of the maximum allowed for the subject property. An increase in the number of spaces allowed may be granted by the Board of Zoning Appeals upon a determination that the increase would be appropriate. Such reduction may occur only upon request of the owner, who shall submit parking and/or traffic survey to support the argument for reducing the required number of spaces. The Board may consider the following when evaluating he request to exceed the maximum specified parking spaces:

(1) List criteria that the board should consider

If the commissioner determines, using the above criteria, that an exception from the maximum number of parking spaces is not warranted, the property owner, developer or other applicant may appeal the Commissioner's determination to the Board of Zoning Appeals per Chapter 1173.05.

1143.11 BICYCLE PARKING REQUIREMENTS

All uses defined as Business shall provide bicycle parking, in conformance with the following standards.

- (a) One (1) bicycle parking space per 2,000 square feet for uses defined as Retail or Office.
- (b) Required bicycle parking shall be provided in a safe, accessible and convenient location.
- (c) The bicycle space shall be within 50 feet of at least one main entrance of the building, as measured along the most direct pedestrian access route.
- (d) There must be an aisle at least 5 feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way; and
- (e) Bike rack design shall follow the recommendations in the Association of Pedestrian and Bicycle Professionals (APBP) Bicycle Parking Guidelines.

1143.12 STACKING SPACE REQUIREMENTS

Stacking spaces not specified shall be determined on an individual basis by the Commission. The following business uses shall be subject to the following stacking requirements:

- (a) Bank, Pharmacy, Photo or other low to moderate use: 2/Lane
- (b) Motor Vehicle Sales/Gas Station: 2/Gas Pump Island
- (c) Car Wash: 5/Car Wash Lane
- (d) All other uses defined as Commercial: 10/Drive-Through Lane

SCHEDULE OF USES AND SPACE REQUIREMENTS

Uses	Parking Space Requirement
Residential	
Single-, Two-, Three-Family	Min 1/Dwelling Unit; Max 2/Dwelling Unit
Type B Home Occupation	No Min; Max of 3, in addition to requirement for residential use
Bed & Breakfast	No Min; Max 1/Guest Room, in addition to requirement for residential use
Multi-Family, Studio, 1 Bedroom, 2+Bedroom	Min of 1/Dwelling Unit; Max 2/Dwelling Unit
Sleeping Rooms	Min of .5/Roomer; Max of 1/Roomer
Elderly Housing	No Min; Max of .25/Dwelling Unit

Group/Nursing/Convalescent/Assisted Living Home	1/employee plus .25/bed or .25/Dwelling Unit
Day Care	.25/Infant, Toddler, Child
Commercial	
Retail	Min 1 for each 1,000 sq ft GFA; Max 2.5 for each 1,000 sq ft GFA
Office	Min 2 for each 1,000 sq ft GFA; Max 3.5 for each 1,000 sq ft GFA
Car Wash	1/Employee
Storage/Warehouse	1/Employee
Commercial Lodging	Min of .5/Room; Max of 1/Room
*Existing or new businesses under 2,000 sq ft are not required to provide off street parking	
**Existing businesses over 2,000 and up to 5,000 sq ft shall receive parking conformance ruling from Commissioner	
***Existing businesses over 5,000 sq ft, new construction projects or expansions over 20% of GFA shall apply for conditional use permit to Planning Commission for review. See 1161.XX	
Industrial	
Any use described in Section 1131.02	Min .25/Employee; Max.5/Employee
Wireless Telecommunication Facilities - Any use described in Section 1159.05(l)	No min; Max 1/Facility
Institutional	
Elementary, Secondary and High Schools, College, Trade School	OPTION 1: 1 space for each 80 sq ft of all auditoria and public assembly rooms, or if no auditorium or assembly room, 1 space for each staff member OPTION 2: As required by the Planning Commission as part of conditional use permit review
Public Assembly	OPTION 1: 1 space for each 80 sq ft of all auditoria and public assembly rooms OPTION 2: As required by the Planning Commission as part of conditional use permit review
Church	OPTION 1: 1 space for each 80 sq ft of all auditoria and public assembly rooms OPTION 2: As required by the Planning Commission as part of conditional use permit review
Hospital	.25/Bed or as required by the Planning Commission as part of conditional use permit review
Public Recreation	As required by the Planning Commission as part of conditional use permit review
Other	
Wireless Telecommunication Facilities	Pursuant to Section 1159.05(l)
Sexually Oriented Businesses	Pursuant to Section 1163.06
Mixed Use Overlay District	Pursuant to Section 1135.03(b)

DRAFT

An aerial photograph of a city street scene. In the foreground, there is a large parking lot with many cars parked. A street runs horizontally across the middle of the image. On the left side of the street, there are several multi-story buildings. On the right side, there are more buildings, including one with a sign that says 'CENTRAL'. The overall scene is a typical urban environment.

Chapter 1143: Parking

Presentation to Planning Commission

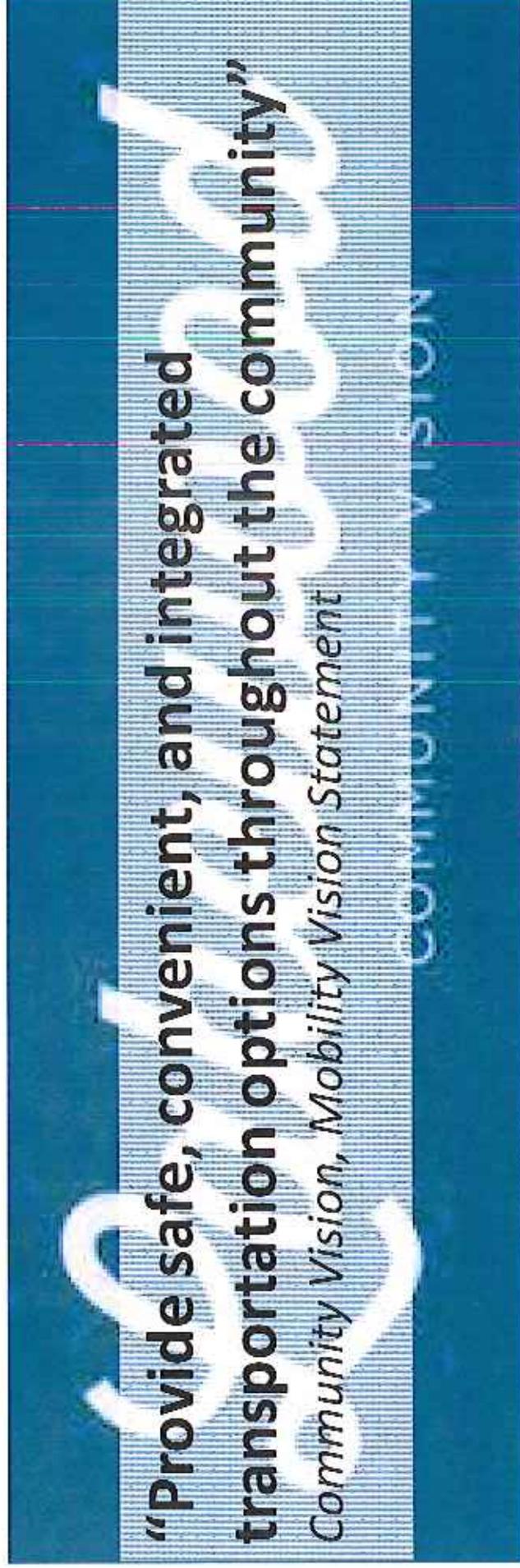
August 2014

“Continue to invest in infrastructure improvements to achieve a balanced multimodal transportation network”

Mobility Goal #1

“Minimize impact of cars and parking in commercial districts”

Mobility Objective, Creating Places for People



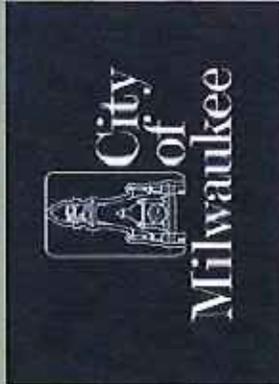
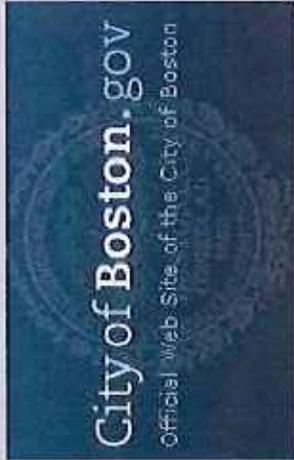
“Pursue creative solutions to meet parking demands”

Mobility Objective, Striking a Balance

“Increase the number of miles travelled using means other than a car”

Mobility Goal #3

Our Process



Motivation for the update

- Code is written for a suburban environment
- Burden on small business needing variances
- Achieve more efficient use of land in new development projects
- Address bike parking, storm water management, public transit improvements
- Write a code that is flexible – can respond to market conditions

Simplifying Use Categories

Proposed Code

- Residential
- Retail
- Residential Beverage
- Office & Business Services
- Storage/Warehouse
- Industrial
- Wireless Telecommunication
- Education
- Cultural/Recreational/Entertainment

Commercial Use Category

Current Code

- 18 separate uses defined under Commercial

Proposed Code

- 5 separate uses defined under Commercial

Office: Means use of a building for business, professional, administrative or medical office. A general office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees.

Retail: Means sale or service to the final consumer for direct consumption. Means an establishment providing retail sale of products or services to the public.

Parking Minimums & Maximums

Parking Minimum – “Single-Family Homes are required to have a minimum of 1 space per unit” or “a Retail business is required to have a minimum of 1 space for each 1,000 sq ft GFA”

Parking Maximum – “Single-Family Homes are required to have a maximum 2 spaces per unit” or “a Retail business is allowed to have a maximum of 2.5 spaces for each 1,000 sq ft GFA”

Requirements for Commercial Uses

- Existing or new businesses under 2,000 sq ft are not required to provide off street parking.
- Existing businesses over 2,000 and up to 5,000 sq ft shall receive parking conformance ruling from Commissioner.
- Existing businesses over 5,000 sq ft, new construction projects or expansions over 20% of GFA shall apply for conditional use permit to Planning Commission for review.

Applying the code

Projects not required to submit a parking plan

- Cleveland Pickle, Sushi Roxu, Taco Tontos, Root Café

Projects that would submit parking plan for approval by

Commissioner

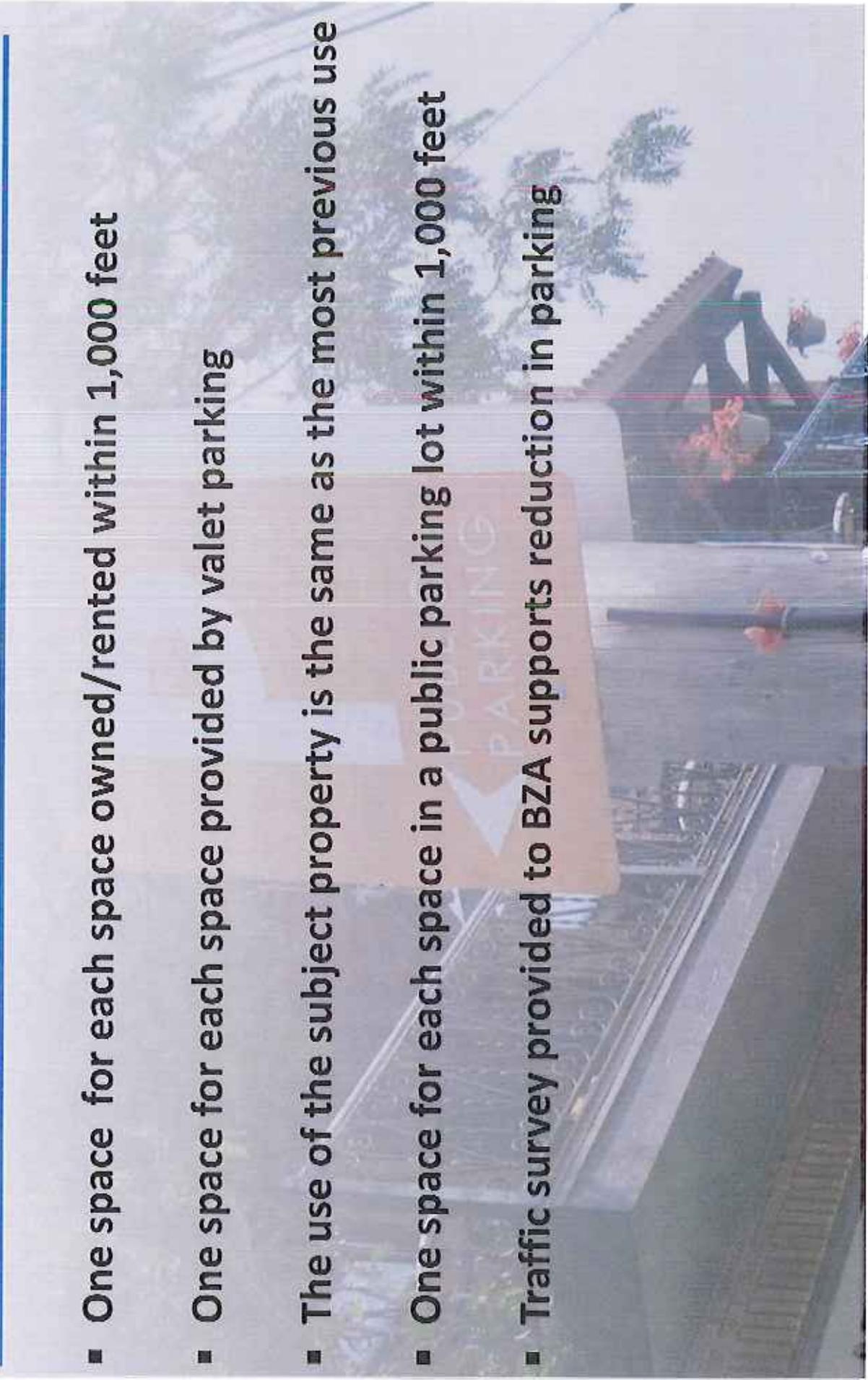
- 16 Bit Bar, El Carnicero, Melt, STEM Soaps, Good Goat Gallery

Projects that would apply for conditional use permit

- Drug Mart East, Family Dollar, Bob Evans, CVS, School Construction, GetGo

Exceptions to Required Minimums

- One space for each space owned/rented within 1,000 feet
- One space for each space provided by valet parking
- The use of the subject property is the same as the most previous use
- One space for each space in a public parking lot within 1,000 feet
- Traffic survey provided to BZA supports reduction in parking

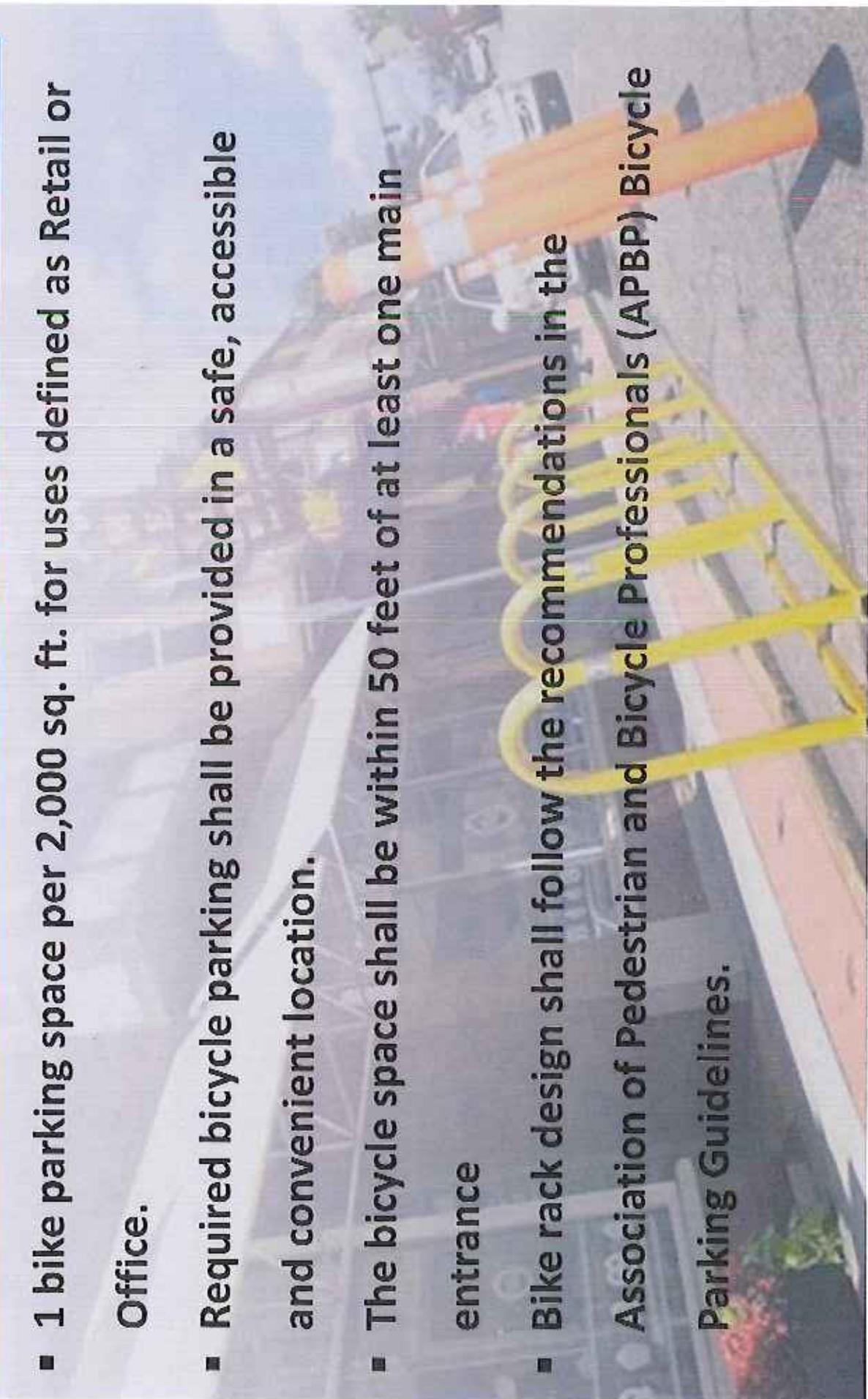


Exceptions to Required Maximums

- One space for each space located in a parking structure
- One space for each 5% of total site area devoted to facilities handling or treating stormwater runoff
- Increase of 10% of the maximum allowed for the installation of an approved transit waiting environment
- Increase of 10% of the maximum allowed for the implementation of an innovative landscaping plan
- Traffic survey provided to BZA supports reduction in parking

Bike Parking

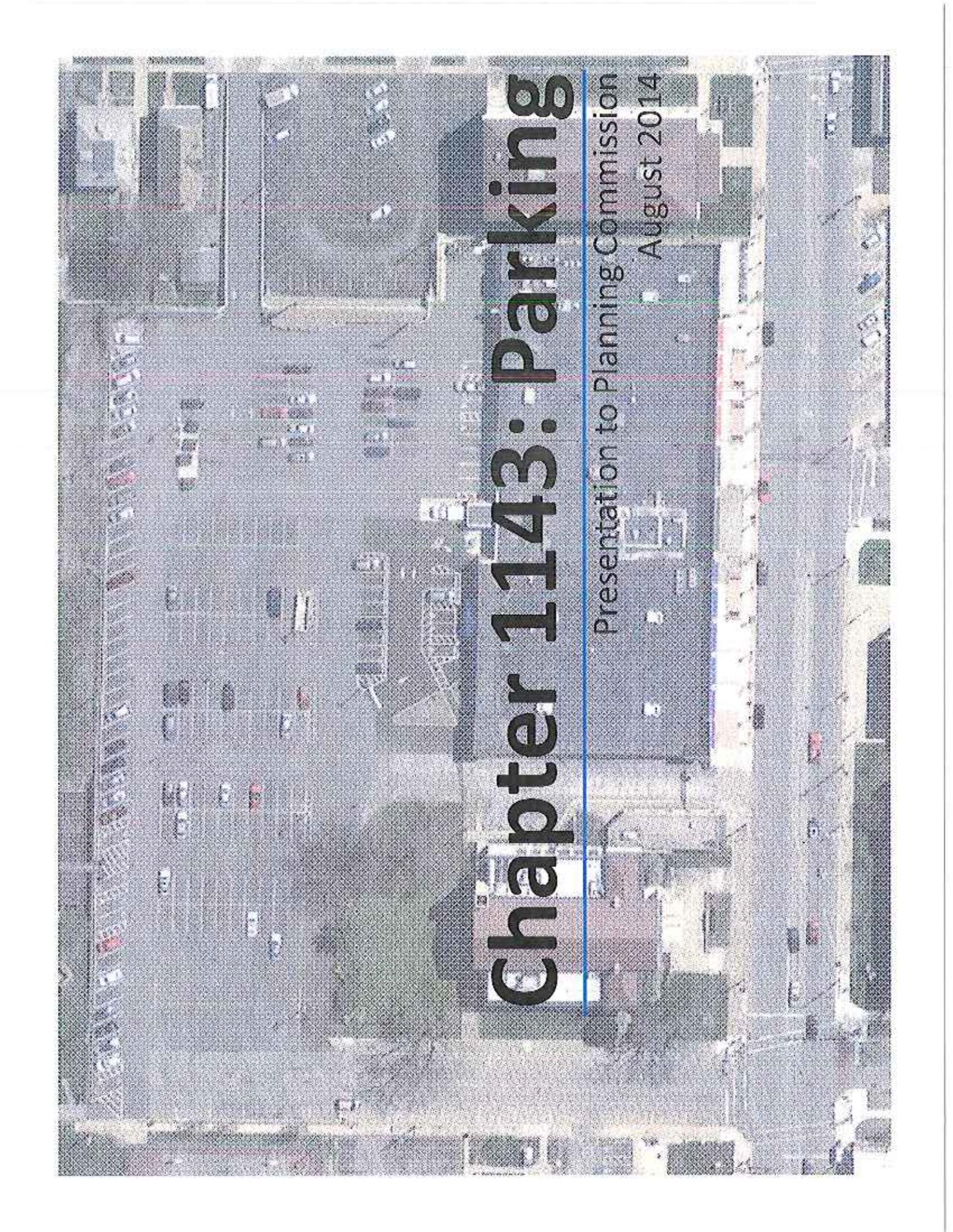
- 1 bike parking space per 2,000 sq. ft. for uses defined as Retail or Office.
- Required bicycle parking shall be provided in a safe, accessible and convenient location.
- The bicycle space shall be within 50 feet of at least one main entrance
- Bike rack design shall follow the recommendations in the Association of Pedestrian and Bicycle Professionals (APBP) Bicycle Parking Guidelines.



Examples

20,000 square foot retail and office building

- Building would come from Planning Commission
- Minimum: 1 space/1,000 sqft = 20 spaces
 - Use exceptions if business wants less than 20 spaces
- Maximum: 3.55 spaces/1,000 sqft = 70 spaces
 - Use exceptions if business wants more than 70 spaces
- Required 10 bike parking spaces

An aerial photograph of a city street, showing a grid of buildings and a road with several cars. The image is rotated 90 degrees clockwise. The text is overlaid on the image.

Chapter 1143: Parking

Presentation to Planning Commission

August 2014