

MINUTES
(Audio recording is available)
PLANNING COMMISSION
FEBRUARY 4, 2016
LAKWOOD CITY HALL

PRE-REVIEW MEETING
6:30 P.M.
LOWER CONFERENCE ROOM

Review docket items

REGULAR MEETING
7:00 P.M.
AUDITORIUM

The meeting was called to order at 7:00 p.m.

1. Roll Call

MEMBERS PRESENT

Kyle Baker
Hannah Belsito
Glenn Coyne
William Gaydos, Vice Chairman
Louis McMahon, Chairman
Mark Papke

OTHERS PRESENT

Bryce Sylvester, City Planner and Board Secretary
Michelle Nochta, Planning and Development
Jennifer Swallow, Assistant Law Director

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

2. Approve the Minutes of the January 7, 2016 meeting

A motion was made by Mr. Coyne, seconded by Mr. Gaydos to **APPROVE** the minutes of the January 7, 2016 meeting. All of the members voting yea, the motion passed.

3. Opening Remarks

Ms. Nochta read the Opening Remarks.

NEW BUSINESS

LOT SPLIT AND CONSOLIDATION

5. **Docket No. 01-02-16**
14601 Detroit Avenue and 1422 Belle Avenue
City of Lakewood

The Department of Planning and Development, applicant requests the review and approval of lot splits and consolidation of the properties known as:

- 14601 Detroit Avenue (PPN 314-04-001, 314-04-002, and 341-04-055 = Professional Office Building);
- 1422 Belle Avenue (PPN 314-04-003,314-04-025, 314-04-050, 314-04-051, 314-04-052, 314-04-053, 314-04-054, 314-04-059 = Parking Garage); and
- 1422 Belle Avenue (PPN 314-04-026, 314-04-027, 314-04-047, 314-04-048, 314-04-049 = Community Health Center).

These properties are proposed to be consolidated and then split into 2 separate parcels (1A and 1B). These properties are located in a C1, Commercial and Office district. (Page 18)

Michelle Nochta, City Planner was present to explain the requests. It was confirmed there was no record of property line disputes with the property owners of 14612 and 14625 Detroit Avenue.

Public comment was closed. There were no additional comments from the Commission.

A motion was made by Mr. Gaydos, seconded by Mr. Baker to **APPROVE** the request as submitted. All of the members voting yea, the motion passed.

OLD BUSINESS

RECOMMENDATION TO DESIGNATE

4. **Docket No. 11-40-15**
14501-19 Detroit Avenue
Curtis Block

Lakewood Heritage Advisory Board, advisory to the Planning Commission, presents an application and recommendation to designate the property located at 14501-19 Detroit Avenue, Curtis Block (PP# 314-07-007) an historic property (HP), pursuant to Chapter 1134. The property is located in a C2, Commercial and Retail district. This item was deferred from the November and December meetings. (Page 3)

Richard Sicha, Chairman of the Lakewood Heritage Advisory Board was present to explain the request.

Dru Siley, Director of Planning and Development added comment and stated the city's administration supported the historic designation of the property.

There were no questions or comments from the Commission. Public comment was taken.

A motion was made by Mr. Gaydos, seconded by Ms. Belsito to **APPROVE** the historic designation. All of the members voting yea, the motion passed.

COMMUNICATION

6. **Docket No. 01-03-16**
Communication from Dru Siley, Director of Planning and Development about Development Related to the Family Health Center and Former Hospital Site

~~Dru Siley will present~~ ^{presented} an overview of the real estate and site involved in the development of the Family Health Center, as well as the status and next steps for the former hospital site. (Page 24)

Dru Siley, applicant was present to convey the communication. Title Transfer of the land ~~to~~ ^{of} the hospital from the City of Lakewood was expected by the end of February.

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

7. **Docket No. 01-04-16**
Communication from Jason Russell, City Planner, about the Proposed Changes to the Zoning Code Related to Signage

The Planning Department has begun revising our sign ordinances to more accurately reflect the Community Vision and Commercial Sign Guidelines established through extensive public engagement. Jason Russell will present the proposed changes to Chapter 11 of the Zoning Code related to signage in our community. (Page 25)

Jason Russell, Planner was present to explain the proposed changes.

There were no comments or questions from the Commission. Public comment was closed.

A motion was made by Mr. Gaydos seconded by Mr. Baker to **RECOMMEND TO CITY COUNCIL**. All of the members voting yea, the motion passed.

8. **Docket No. 01-05-16**
Communication from Department of Planning and Development about the Proposed Changes to the Zoning Code Related to Chapter 1143 Parking Code

The Department of Planning and Development along with the Planning Commission will review a proposed modification to the Schedule and Uses Section of the 1143 of the Zoning Code related to parking in the front yard of uses defined as residential. (Page 26)

Bryce Sylvester, City Planner was present to explain the proposed changes. The building line would define the front yard. Any previously installed parking pad in the front would be considered non-conforming and would not have to come before a board.

A motion was made by Mr. Papke, seconded by Mr. Gaydos to **RECOMMEND TO CITY COUNCIL**. All of the members voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Baker, seconded by Mr. McMahon to **ADJOURN** the meeting at 7:35 p.m. All of the members voting yea, the motion passed.

John L. Miller

Signature

4-7-16

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.	<u>Richard Scott</u>	<u>Richard Scott</u>
2.	_____	_____
3.	_____	_____
4.	_____	_____
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 Citizens Advisory Civil Svc. Dangerous Dog Income Tax Appeals Loan Approval Nuisance Abatement Appeals Parking Planning Zoning Appeals Other:

Date of Proceeding: February 4, 2016

ORDINANCE NO.

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend Section 1143.05, Schedule of Uses and Space Requirements, of the Codified Ordinances of the City of Lakewood.

WHEREAS, revisions were made to the Zoning Code in 2015 in order to update the parking provisions; and

WHEREAS, an important provision which prohibits front yard parking in most residential districts was inadvertently deleted from the code; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; and

WHEREAS, this Council by a vote of at least five of its members determines that this ordinance is an emergency measure, and that this ordinance shall take effect immediately, as set forth in Article III, Sections 10 and 13 of the Second Amended Charter of the City of Lakewood, and that it is necessary for the immediate preservation of the public property, health and safety, and to provide for the usual daily operation of municipal departments in that relevant provisions of the parking schedule were inadvertently omitted with a previous code update; now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Chapter 1143.05, Schedule of Uses and Space Requirements, of the Zoning Code within the Codified Ordinances of the City of Lakewood, currently reading as follows:

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. Parking in accordance with the schedule is required.

The Director 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 Director shall be in writing and shall be appealable to Planning Commission, per Section 1173.03.

1143.05 SCHEDULE OF USES AND SPACE REQUIREMENTS	
Uses	Parking Space Requirement
Residential	
Single-, Two-, Three-Family	Min 1/Dwelling Unit; No Max; One (1) required space shall be in a garage.
Type B Home Occupation	Minimum is same for residential use; Max of 3, in addition to requirement for residential use
Bed & Breakfast	Minimum is same for residential use; Max 1/Guest Room, in addition to requirement for residential use
Multi-Family, Studio, 1 Bedroom, 2+Bedroom	Min of 1/Dwelling Unit; Max of 2/Dwelling Unit
Sleeping Rooms	Min of .5/Roomer; Max of 1/Roomer
Senior Housing	Min of .5/employee; Max of 1/employee or .25/Dwelling Unit
Group/Nursing/Convalescent/Assisted Living Home	Min of .5/employee; Max of 1/employee or 1 space/bed
Day Care	Min of .5/employee plus 4 drop off spaces; Max of 1/employee plus 8 drop off spaces
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	No Min; Max of 1/Employee
Storage/Warehouse	Min of 1/Employee; Max of 1.5/Employee
Commercial Lodging	Min of .5/Room; Max of 1/Room
*Businesses occupying existing buildings or tenant spaces under 2,500 sq ft are not required to provide off street parking	
Industrial	
Any use described in Section 1131.02	Min .25/Employee; Max 1.5/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	As required by the Planning Commission per Section 1143.09
Church	As required by the Planning Commission per Section 1143.09
Hospital	As required by the Planning Commission per Section 1143.09
Public Recreation	As required by the Planning Commission per Section 1143.09
Other	
Public Assembly	As required by the Planning Commission per Section 1143.
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)
Planned Development	Pursuant to Section 1156.05(e)

shall be and is hereby amended to read as follows:

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. Parking in accordance with the schedule is required.

The Director 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 Director shall be in writing and shall be appealable to Planning Commission, per Section 1173.03.

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Uses	Parking Space Requirement
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Single-, Two-, Three-Family	Min 1/Dwelling Unit; No Max; One (1) required space shall be in a garage. <u>The front yard shall not be used for off-street parking except in the Lagoon District.</u>
Type B Home Occupation	Minimum is same for residential use; Max of 3, in addition to requirement for residential use
Bed & Breakfast	Minimum is same for residential use; Max 1/Guest Room, in addition to requirement for residential use
Multi-Family, Studio, 1 Bedroom, 2+Bedroom	Min of 1/Dwelling Unit; Max of 2/Dwelling Unit. <u>The front yard shall not be used for off-street parking except in the Lagoon District.</u>
Sleeping Rooms	Min of .5/Roomer; Max of 1/Roomer
Senior Housing	Min of .5/employee; Max of 1/employee or .25/Dwelling Unit
Group/Nursing/Convalescent/Assisted Living Home	Min of .5/employee; Max of 1/employee or 1 space/bed
Day Care	Min of .5/employee plus 4 drop off spaces; Max of 1/employee plus 8 drop off spaces
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Public Assembly	As required by the Planning Commission per Section 1143.

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)
Planned Development	Pursuant to Section 1156.05(e)

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five members of Council this ordinance shall take effect and be in force immediately, or otherwise shall take effect and be in force after the earliest period allowed by law.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberation of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

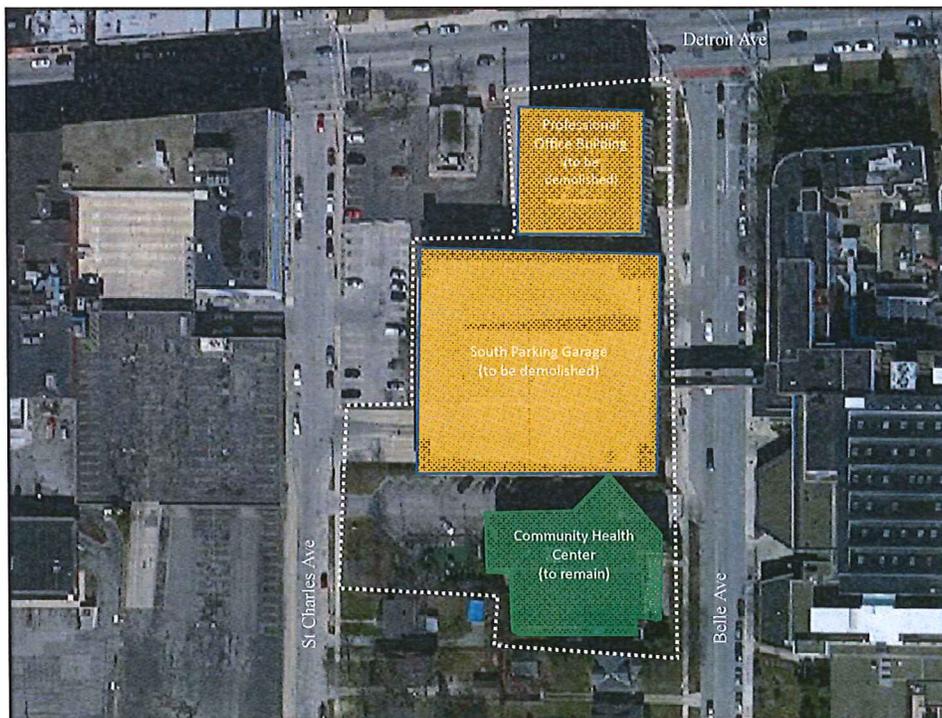
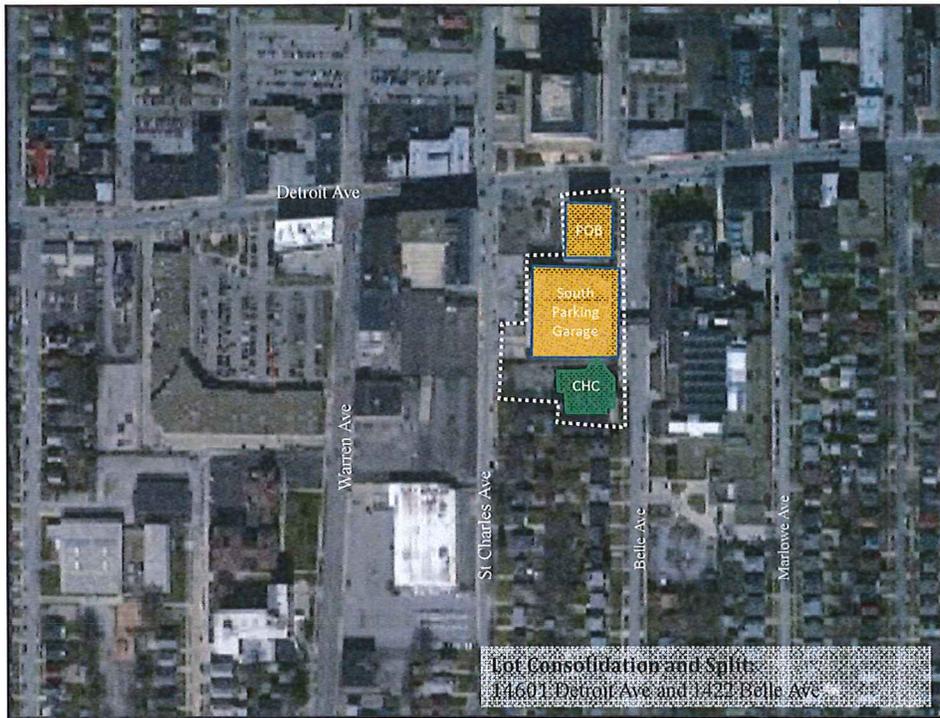
Mayor

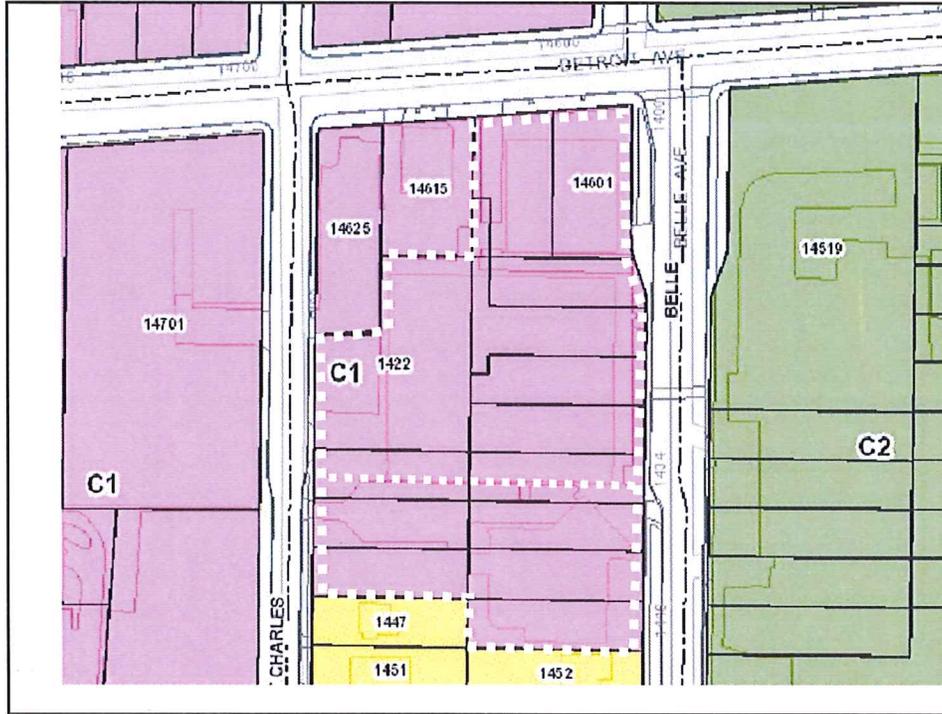


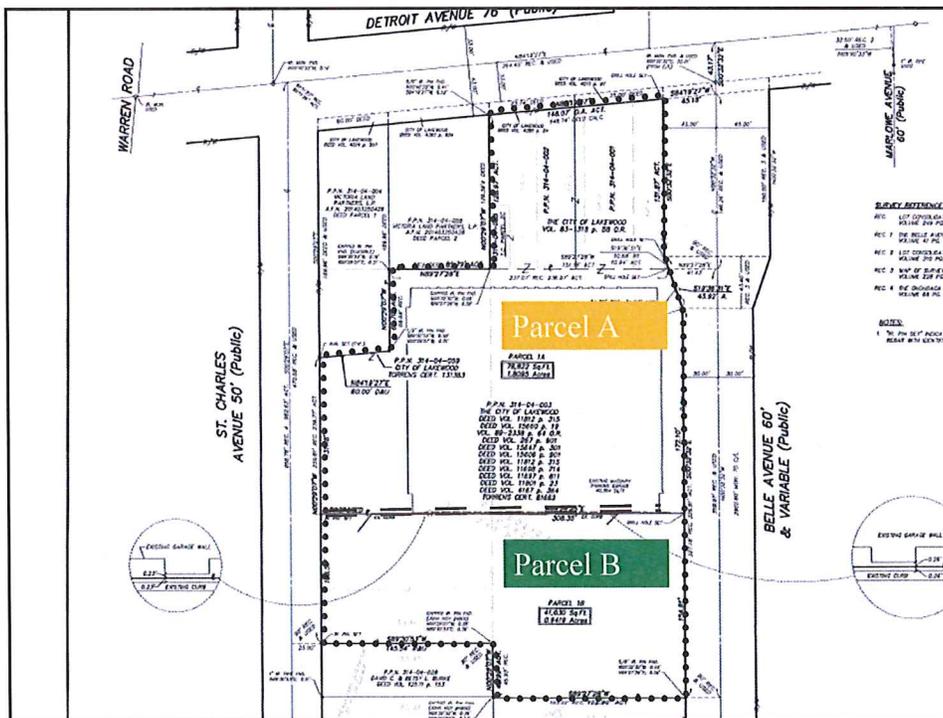
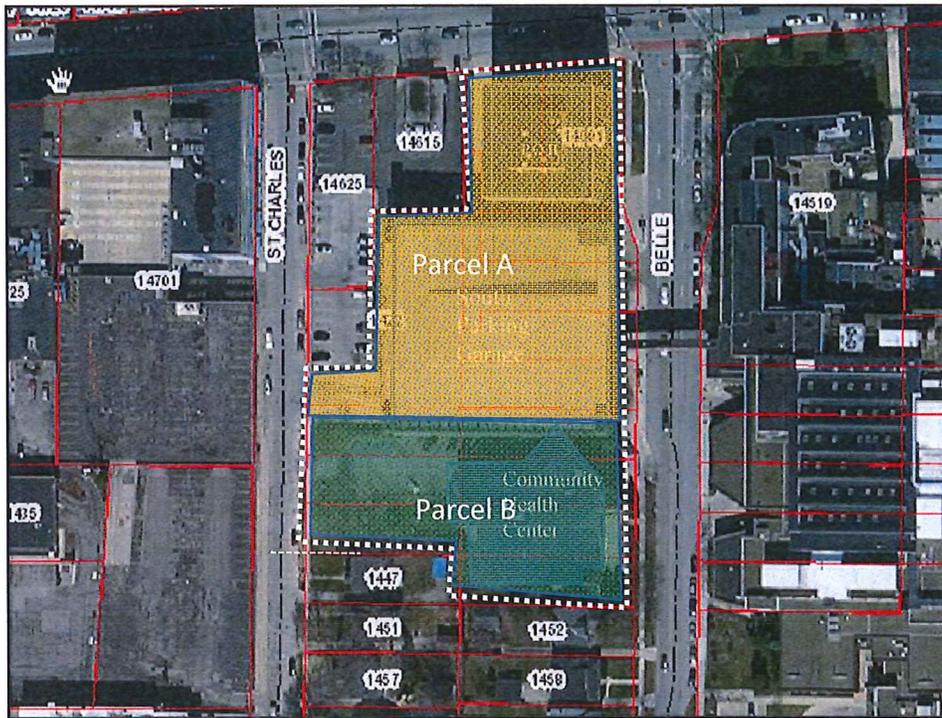
Planning Commission
February 4th, 2016



Action Requested: Lot Split & Consolidation
14601 Detroit Avenue & 1422 Belle Avenue
Chapter 1155
Subdivision Requirements









Action Requested: Lot Split & Consolidation
14601 Detroit Avenue & 1422 Belle Avenue
Chapter 1155
Subdivision Requirements

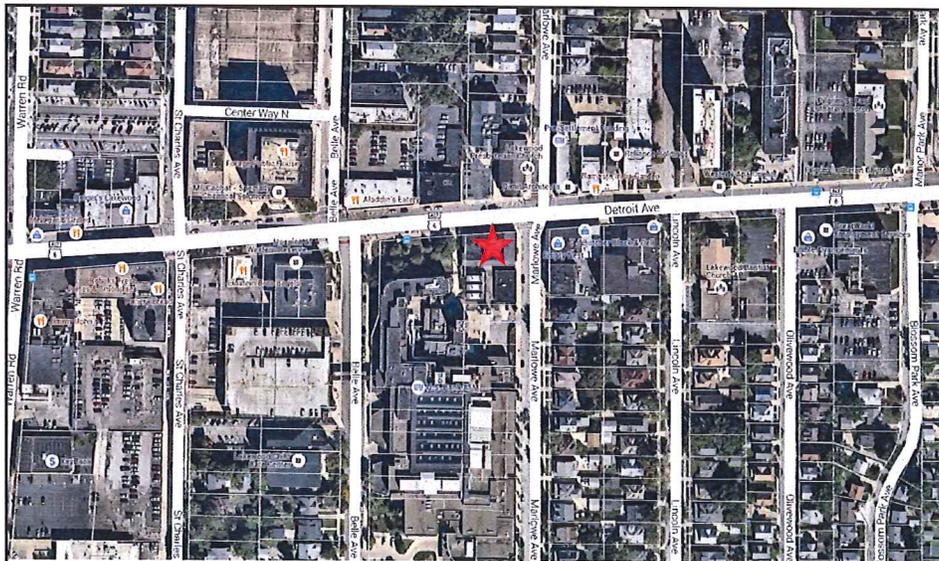


Action Requested: Historic Designation
Curtis Block 14501-15 Detroit Avenue
Chapter 1134

Under Consideration:

1134.03(k) : Designation of a Historic Property

The Commission shall determine whether said building public shall be designated as an HP. In the event the owner of a property nominated as an HP, does not consent to designation, the Commission may only designate an HP or HPD by a vote of at least five of its members, or otherwise the Commission may designate an HP or HPD by a majority vote of a quorum of its members.



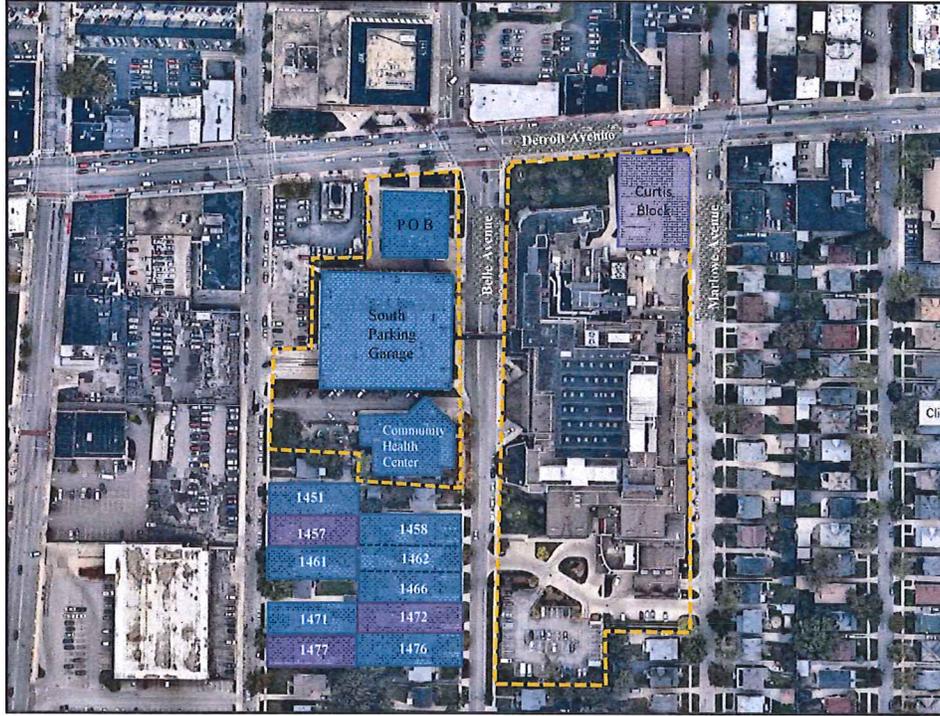
14501 Detroit Avenue
Curtis Block



14501 Detroit Avenue
Curtis Block



**Development Related to Family Health
Center & Related Properties**



Communication Related to Signage
February 4th, 2016



Communication Related to Parking Code
February 4th, 2016

Error of Omission during 2014 Re-Write of the Parking Code

1143.05 SCHEDULE OF USES AND SPACE REQUIREMENTS	
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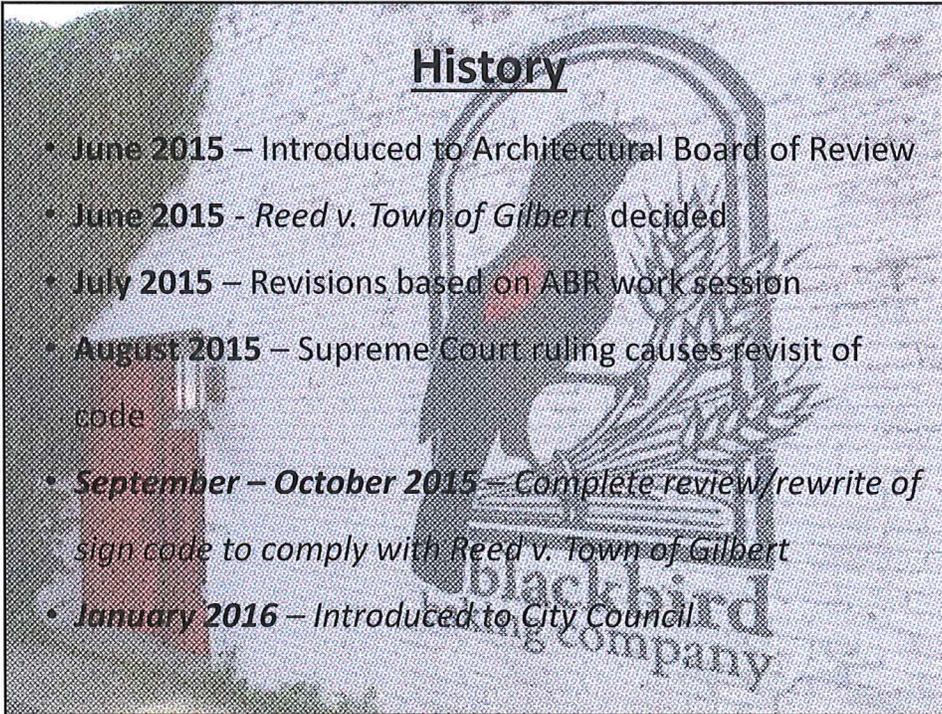


Planning Commission
February 4th, 2016



History

- **June 2015** – Introduced to Architectural Board of Review
- **June 2015** - *Reed v. Town of Gilbert* decided
- **July 2015** – Revisions based on ABR work session
- **August 2015** – Supreme Court ruling causes revisit of code
- **September – October 2015** – Complete review/rewrite of sign code to comply with *Reed v. Town of Gilbert*
- **January 2016** – Introduced to City Council



Purpose

- Consolidate sign regulations within Codified Ordinances
- Update sign regulations to adapt to market trends. (e.g. *electronic reader boards, A-frame signs*)
- Modify our code to come into compliance with recent US Supreme Court ruling which restricted the regulation of signage based on content. (*Reed v. Town of Gilbert*)

Consolidation

Chapter 1151 – Signs in Residential Districts

Planning and Zoning Code

Jurisdiction: Planning Commission

Chapter 1329 – Signs

Building Code

Jurisdiction: Board of Building Standards

Consolidation

Chapter 1151 – Signs in Residential Districts

- Addresses signs in all residential districts
- Commercial signs prohibited except real estate signs
- Signage limited to six (6) square feet
- No signage in public right of way
- Excludes churches and schools
- Wireless telecommunication facilities (*refers to 1159.05*)

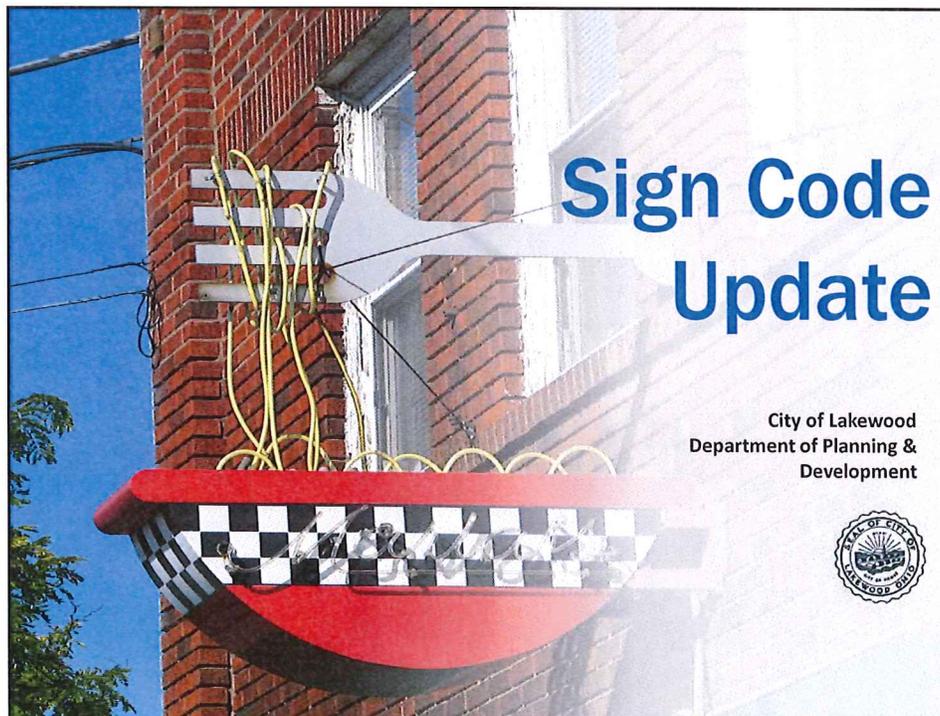
Consolidation

Chapter 1329 – Signs

- Addresses signs in all zone districts
- Treats single family and multi-family districts differently (*i.e. 1329.07 and 1329.08 respectively*)
- Provides classification, design and lighting standards
- Defines type of signs
- Outlines sign permitting process

Changes

- Language from Chapter 1151 – Signs in Residential Districts was modified to conform with (*Reed v. Town of Gilbert*) and inserted into Section 1329.07 Signs: Residential Districts
- Wireless telecommunications was removed from Chapter 1151 and added to Chapter 1329 as Section 1329.16
- Chapter 1151 was removed



Sign Code Update

City of Lakewood
Department of Planning &
Development



Summary of proposed changes to sign code

- Defines "Electronic Reader Board" as a functional sign type (1329.03)
- Includes language to reinforce awnings and canopy signs are reviewed by ABR. (1329.05)
- Ground signs are required to have landscaping (1329.05)
- Modified design standards for "changeable copy sign" to further differentiate from electronic reader board sign. (1329.05)
 - Text only and single color
 - May display items such as time, price and temperature.
 - May not flash or change other than to reflect change status.
- Added design standard for "Electronic Reader Board": (1329.05)
- Electronic Reader Board signs are only permitted as a part of a comprehensive sign package. (1329.05)
- Cleans up permitted lighting and signs within zone districts
 - Permits changeable copy and electronic reader board signs in commercial districts. (previously unmentioned)
 - Revises lighting standards to include residential districts
 - Adds C4 Public School to commercial districts. (previously unmentioned)
- A-Frame signs are permitted and design standards established. (1329.06(r) and 1329.09(b) and 1329.09(c)(13))