

**MINUTES**  
**(Audio recording is available)**  
**PLANNING COMMISSION**  
**OCTOBER 6, 2016**  
**LAKEWOOD 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

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

OTHERS PRESENT

Bryce Sylvester, Senior Planner, Board Secretary  
Jennifer Swallow, Executive Assistant Law Director  
Michael Molinski, Building Commissioner

A motion was made by Mr. Gaydos, seconded by Mr. McMahon to **EXCUSE** the absences of Kyle Baker and Patrick Metzger. All of the members voting yea, the motion passed.

2. Approve the Minutes of the August 4, 2016 meeting

A motion was made by Mr. Papke, seconded by Ms. Belsito to **APPROVE** the August 4, 2016 minutes as presented. All of the members voting yea, the motion passed.

3. Opening Remarks

Mr. Sylvester read the Opening Remarks into record.

**NEW BUSINESS**

**LOT CONSOLIDATION/LOT SPLIT**

4. **Docket No. 10-16-16**  
**11714 Nelson Court**  
**EDEN Inc**

Leopold E Wetula, applicant, requests the review and approval of a lot split and consolidation (PPN 315-14-039), pursuant to Section 1155.06 – procedures for lot consolidation. The property is located in an R2, Single and Two Family district. (Page 3)

Mr. Sylvester stated the applicant requested a deferral as there were modifications that needed to be made prior to finalization of the proposal.

A motion was made by Mr. McMahon, seconded by Mr. Papke to **DEFER** the request (until the meeting of November 3, 2016). All of the members voting yea, the motion passed.

#### **CONDITIONAL USE**

5. **Docket No. 10-17-16**  
**11801 Clifton Boulevard**  
**DROSHOW LLC**

Perry Drosos, property owner and applicant requests the review and approval of a mixed use overlay development proposal to operate a restaurant as a conditional use in an MH zoning district, pursuant to section 1135.05(c) – principal and conditionally permitted uses. The property is located in an MH, Multi Family and High Density district. (Page 18)

Perry Drosos, applicant was present to explain the request.

The Commission asked if alcoholic beverages would be served. Citing aspects of Code 1135, Mr. Sylvester stated the city's administration supported of the request. The Commission asked about parking, pedestrian access into the restaurant, approval by the Architectural Board of Review ("ABR"), bicycle racks, ingress/egress of the property.

Public comment was taken. Mr. Sylvester read an e-mail into record.

Mr. McMahon said it was an outstanding opportunity for the commercial building.

A motion was made by Mr. Gaydos, seconded by Mr. Papke to **APPROVE** the application **with the following stipulations:**

- **the proposal is subject to ABR approval;**
- **the proposal satisfies Section 1135.01 requirements;**
- **ABR to determine pedestrian access and bicycle racks, and**
- **vehicular circulation on the site, as determined by ABR.**

All of the members voting yea, the motion passed.

6. **Docket No. 10-18-16**  
**14221 Madison Avenue**  
**Western Reserve Distillers, LLC**

Kevin and Ann Thomas, applicants, request the review and approval of a proposal to operate a distillery as a conditional use in a C3 zoning district, pursuant to section 1129.02 - principal and conditional permitted uses. The property is located in a C3, Commercial and General Business district. (Page 35)

Kevin Thomas, applicant was present to explain the request.

The Commission asked about governmental regulations of potential hazards.

Jim "JP" Ptacek, architect explained the proposed changes to the exterior of the building and green spaces.

The Commission asked about odor containment process, original construction of the building's interior, and product deliveries and shipments. Mr. Sylvester explained the code in relationship to the proposal; city administration supported the request. Mr. Papke said it would be reviewed thoroughly in regarding guidelines of the wastewater treatment plant.

Public comment was taken.

The Commission said there needed to be a detailed review by engineering in regard to the wastewater plant, the prospect of a future restaurant was appealing, the business would be a central asset for the city and would benefit the Madison Avenue corridor greatly, and the proposed hours of operation was asked.

A motion was made by Mr. McMahon, seconded by to **APPROVE** the request with the following stipulations:

- **there is a detailed wastewater discharge review and analysis; and**
- **Is subject to ABR approval.**

All of the members voting yea, the motion passed.

### COMMUNICATION

7. **Docket No. 10-19-16**

**Communication from Mike Molinski, City Architect, Regarding Revisions to the Outdoor Cooking Devices**

Communication from City Architect Mike Molinski regarding proposed changes to regulations on exterior electric and fuel burning cooking devices. This proposal has been referred from City Council to Planning Commission for review and recommendation. (Page 53)

Mike Molinski, City Architect was present to explain the request.

There was discussion about the height of a building; access for the fire department was up to three stories generally.

The Commission appreciated the manner that the city modernized with the needs of the residents.

A motion was made by Mr. McMahon, seconded by Mr. Papke to **RECOMMEND** to City Council the adoption of the proposed amendment. All of the members voting yea, the motion passed.

### ADJOURN

A motion was made by Ms. Belsito, seconded by Mr. Gaydos to **ADJOURN** the meeting at 8:36 p.m. All of the members voting yea, the motion passed.

  
\_\_\_\_\_  
Signature

*Bruce Sylvester, Secretary*

11-03-2016  
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. Perry Dracos
- 2. Ray Walkerhorst
- 3. DAN O'MAURY
- 4. Kevin Thomas
- 5. JIM "JP" PRACEK
- 6. Laura Cannon  
2090 Britterly
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_
- 11. \_\_\_\_\_

- 1. [Signature]
- 2. [Signature]
- 3. [Signature]
- 4. [Signature]
- 5. [Signature]
- 6. [Signature]
- 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: Thursday, October 6, 2016

**Schwarz, Johanna**

---

**From:** Sanderson, Jessica L. <JSanderson@thinkgk.com>  
**Sent:** Tuesday, October 04, 2016 3:35 PM  
**To:** Sylvester, Bryce  
**Cc:** Nitschke, Kathleen A.  
**Subject:** Planning Commission Application for Leo Wetula

Mr. Sylvester:

Per our conversation earlier today, at this time we would respectfully request that the Planning Commission defer the review of the application submitted by Leo Wetula at the October 6, 2016 meeting and reschedule review of the application at the next regularly scheduled meeting of the Planning Commission.

Please confirm receipt of this request for a deferral and that our attendance at the October 6, 2016 is unnecessary.

As always, please feel free to contact either myself or Kathleen regarding this matter.

Sincerely,

**Jessica**

Jessica Sanderson, Esq.  
Giffen & Kaminski, LLC  
1300 East Ninth Street  
Suite 1600  
Cleveland, Ohio 44114  
Telephone: (216) 621-5161  
Facsimile: (216) 621-2399  
Email: [jsanderson@thinkgk.com](mailto:jsanderson@thinkgk.com)  
Website: [www.ThinkGK.com](http://www.ThinkGK.com)

**Confidential Communication.** This transmission contains confidential information intended **only** for the addressee(s). The information contained in this transmission may also be privileged and/or subject to attorney work-product protection. If you are not the intended recipient, any use, dissemination, distribution or copying of this document, its contents, or attachments is strictly prohibited. If you are not the intended addressee, please permanently dispose of the original message and contact the sender immediately either by return email or by telephone at 216-621-5161.

## Schwarz, Johanna

---

**From:** Randy Keefe <arandykeefe@craunlieb.com>  
**Sent:** Wednesday, October 05, 2016 9:35 AM  
**To:** Planning Dept  
**Subject:** Docket No. 10-17-16 (DROSHOW LLC) Restaurant Proposal  
**Attachments:** 10/3/16 4pm - Parking lot full

Dear Sirs;

We are writing to express our concerns regarding the application referenced above. The Craun-Liebong Company is the tenant at 11801 Clifton Blvd that is located immediately above (second floor) the space that the restaurant would occupy. We are manufacturer's representatives and distributors. Craun-Liebong has operated out of this building since 1973.

As the sole owner of Craun-Liebong, I would respectfully like to make it clear to your commission that the approval of this restaurant will force The Craun-Liebong Company to move out of the building and unfortunately, also out of Lakewood completely. We have been a model small business in your city, never requiring a police visit or evoking fire department violations, etc. C-L and their employees paid \$14,080 in taxes to the city last year, \$14,857 the previous year and have paid taxes to Lakewood on a timely basis for over forty years. So any financial gains to Lakewood that DROSHOW is claiming from the proposed restaurant will be canceled out by lost revenue from our organization.

There is just absolutely no way that we can continue to operate in this building with a restaurant beneath us for many reasons, including the following:

- 1) There is nowhere near enough available parking to accommodate the restaurant personnel and their patrons. We have attached some photos that were taken earlier this week. C-L has eight full time employees. Huntington Bank has approximately the same number, along with the steady flow of bank customers occupying most of the remaining parking spaces. We also have "Living Miracles" in the upstairs space next to us with their employees and many guests that often require special assistance. The statement made by DROSHOW that the existing businesses are allocated only five parking spaces each, is laughable. DROSHOW should have never agreed to accept the bank as a tenant at 11801 Clifton, if he truly "hoped to someday move The Diner into this building". Then there is their further statement that another 25 – 30 available parking spaces exist on the street. Again this is just laughable. The attached photos represent a typical day with cars lined up and parked on Hird Avenue, which serves to prove otherwise. The winter parking situation is even much worse. And oh by the way, where does DROSHOW intend to locate the large and smelly dumpster that this restaurant will require?
- 2) The only bathrooms that our employees have access to are on the first floor. The plan for the restaurant shows that our current bathroom facilities will now become the restaurant bathrooms. Hence, with the need to share bathrooms with this proposed restaurant, if we move out of the upstairs location, it is very unlikely that another tenant will ever occupy our space above the restaurant. That represents lost revenue to the city.
- 3) The noise factor and odor from the restaurant below will make it impossible for C-L to continue to conduct our business.

There are additional reasons why we would have to move if DROSHOW's proposal is approved, but the various points outlined above seem compelling enough.

In closing, even though I live on the eastside and drive across town every day (since 1978), my company has remained in Lakewood. We as an organization truly enjoy the area and quick access to everything we need. We really do not want to move out of your city, but we just cannot stay if this "mixed use overlay" restaurant proposal is approved.

Thank you for your consideration.

Regards,  
A. R. (Randy) Keefe  
President

Email: [arandykeefe@craunliebing.com](mailto:arandykeefe@craunliebing.com)

Phone: (216) 228-7900 Ext. 104

Toll Free: (800) 221-1251

Mobile: (216) 533-8212

Fax: (216) 228-7905



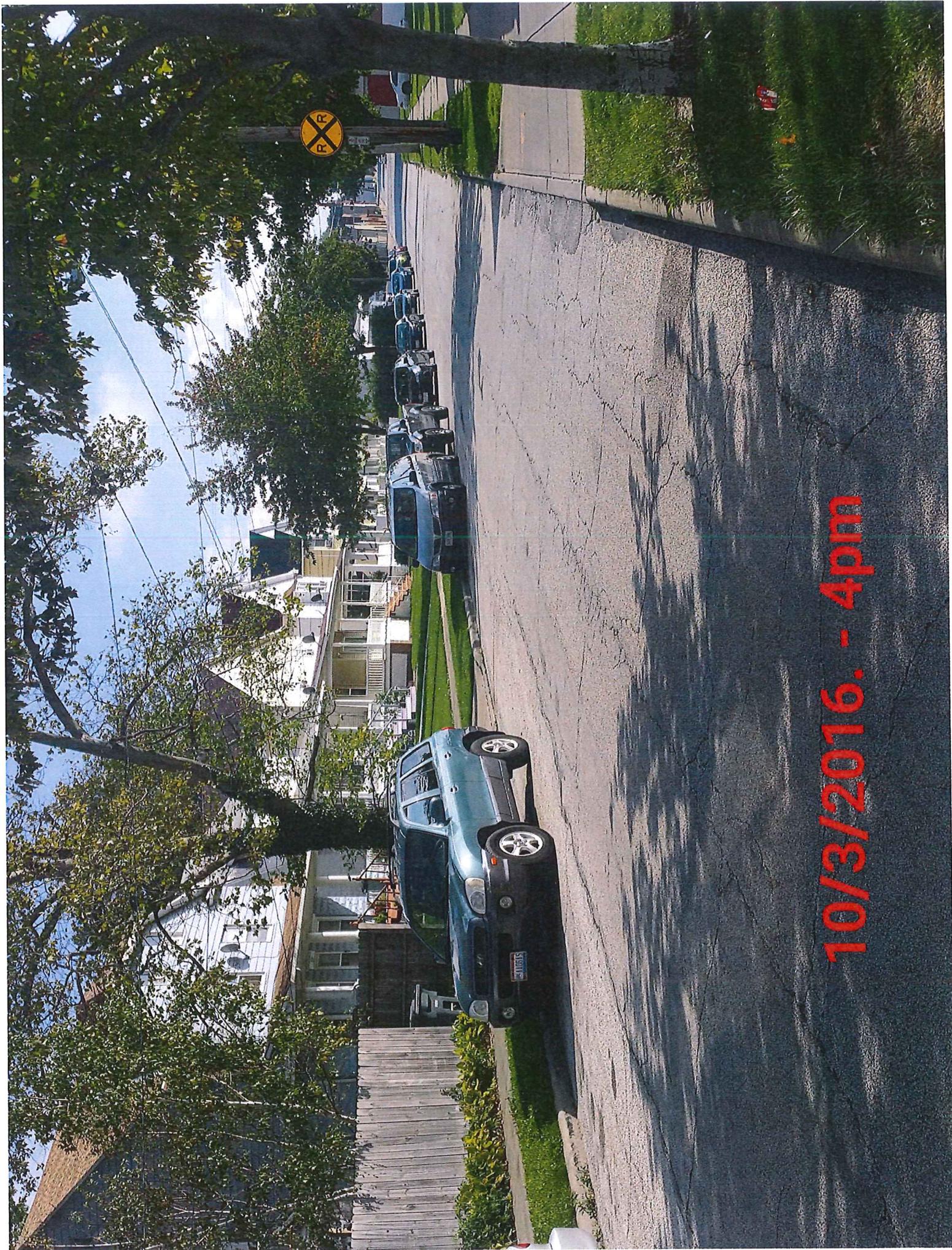
**The Craun Liebing Company**

11801 Clifton Boulevard - Cleveland, Ohio 44107

[www.craunliebing.com](http://www.craunliebing.com)



10/3/2016. - 4pm



10/3/2016. - 4pm

## Schwarz, Johanna

---

**From:** Donald Vath <donald.a.vath@gmail.com>  
**Sent:** Wednesday, October 05, 2016 9:11 PM  
**To:** Planning Dept; Litten, John; Bullock, Tom; Marx, Cynthia; Nowlin, Ryan; O'Malley, Daniel; O'Leary, Sam; Anderson, David; Summers, Mike  
**Subject:** 14221 Madison Avenue - Western Reserve Distillers, LLC

To whom it may concern,

My name is Donald Vath, my wife Daniele and I, along with our seven month old daughter live at 2039 Ferndale Avenue here in Lakewood Ohio. We have been residents of Lakewood since August 2013 when we purchased our home. We love Ferndale Avenue and the privacy it provides while allowing us to still be active members of our community. Our home on Ferndale is a great place to raise our daughter for many reasons, all of which include the relatively low traffic, the close proximity to the newly renovated Roosevelt Elementary School, our increasing property value and our thriving community.

For the reasons listed above, and others, I would like to express my concern over the proposed distillery at 14221 Madison Avenue. After receiving the notice for the meeting to be held on Thursday October 6 I began doing some research. I have found some information that I believe to be alarming and I hope you take notice of as well.

The existing structure at 14221 Madison has been "for sale" or vacant throughout the entire time we have owned our home on Ferndale. As the building has sat vacant the property has begun to deteriorate, has succumbed to vandalism and has acted as a makeshift football game parking lot. While I know that new owners of the building would take better care of the property I feel that a distillery would not be beneficial to our neighborhood and Lakewood's Community as a whole.

As I mentioned above the low traffic on Ferndale, along with the overnight parking restrictions, became a huge selling point for our home. I fear that the proposed distillery would create a large amount of delivery truck traffic. As you may or may not know, Ferndale is about the width of 1.5 cars. I know that delivery truck traffic related to the distillery would severely increase the navigational hazards of driving on the street. Delivery truck traffic in combination with distillery customers and visitors parking on Ferndale would create a congestion nightmare. The already limited availability of street parking for residents would be severely limited if distillery customers would be allowed to park on Ferndale.

Another more alarming concern was discovered during my research. A fungus known the world over, in France, Scotland, Canada and Kentucky lives off of the byproducts of the distillery. "Whiskey Fungus", as it is commonly known, thrives off of the presence of ethanol vapors. Ethanol vapors produced by distilleries have been labeled in some areas as air pollutants. I have two main fears as a result of this fungus: 1. The health of my family and 2. The value of my property.

Whiskey fungus is a black in color and is extremely virulent. It clings to roofs, gutters, siding, cars, trees, brick and stone, and anything else it finds suitable. There have been some instances in near the Jack Daniel's distillery where entire populations of trees have turned black from the fungus. I recently had a new roof, new fascia and new gutters installed on our brick home, along with a new roof and new siding installed on our garage. My wife and I invested over \$12,000 into our homes exterior to increase its lifespan, durability and curb appeal. The fungus, as you will see in your research, is unsightly and extremely difficult to remove, often requiring multiple

exterior cleanings a year. Whiskey Fungus would decimate the value of every home it touches, severely limiting current home owners options.

Please understand that the name "Whiskey Fungus" doesn't limit the growth of the fungus only to whiskey. The fungus has been found anywhere high levels of ethanol are available. Other liqueurs such a cognac, brandy, scotch and vodka also create this issue. The evaporating ethanol which is produced while the spirits are aged in storage are the root of the problem.

Please follow some of the links below to help you with your own research, if additional material is required, a quick google search of "Whiskey Fungus" will return a plethora of information.

<http://www.riskandinsurance.com/the-devilish-details-in-the-angels-share/>

The city of Louisville cited a distillery for emission of an air pollutant.

<http://www.sporometrics.com/2008/05/01/the-distilleries%E2%80%99-shadow-a-summary-of-knowledge-about-baudoinia-the-warehouse-staining-fungus/>

Baudoinia definition - This fungus grows all around the world and survives the harsh winters of Canada.

<http://www.courier-journal.com/story/tech/science/environment/2015/11/03/whiskey-fungus-lawsuit-can-proceed/75086214/>

<https://munchies.vice.com/en/articles/kentuckys-whiskey-fungus-problem-is-out-of-control>

"The whiskey fungus requires frequent cleaning and causes damage to the physical property (almost every resident we spoke to has replaced their aluminum siding at some point in time), but the major damage has been to people's property values. Even if people keep their houses impeccably clean, they are required by law to inform prospective home-buyers about the *Baudoinia* blight. Who would want to buy a house with hard-to-remove fungus growing all over it?"

<http://www.firstchoicepowerwashing.com/whiskey-fungus-cleaning/>

Good pictures of before and after exterior cleaning

As you will find, the fungus is persistent, unsightly and damaging to property values. It has also been brought to my attention that persistent mold issues in homes are required to be disclosed when selling or refinancing.

It is unknown how many homes would be affected by the proposed distillery at 14221 Madison Avenue. I hope you agree that the losses in peoples home property values are not worth the potential gains from the distillery.

As a citizen and taxpayer of Lakewood I implore you to reject the proposed distillery at 14221 Madison Avenue.

Please feel free to call and discuss my concerns, I can be reached at 440-865-6252.

Sincerely,

Donald A. Vath

2039 Ferndale Avenue, Lakewood, Ohio







WESTERN RESERVE DISTILLERS







Introductory Presentation to  
City of Lakewood Planning Commission  
October 6<sup>th</sup>, 2016

# Who are we?

## The Company:

Western Reserve Distillers is a family owned distiller of handcrafted organic spirits. Located in Cleveland, Ohio Western Reserve Distillers will be a true grain to glass distiller. In addition to distilling and bottling onsite, we will leverage facility tours, tastings, hands on classes and our gift shop to build the brand with the local community.

A majority of our grains will be sourced from organic farmers within 150 miles of our facility. All of our internal processing and ingredients are carefully selected to be in compliance with current organic standards.

## The Products:

Western Reserve Distillers will produce a broad range of artisanal products in key spirit categories which represent over \$65 Billion in US sales which accounts for approx. 53% of the total US Spirits market.

These categories include:

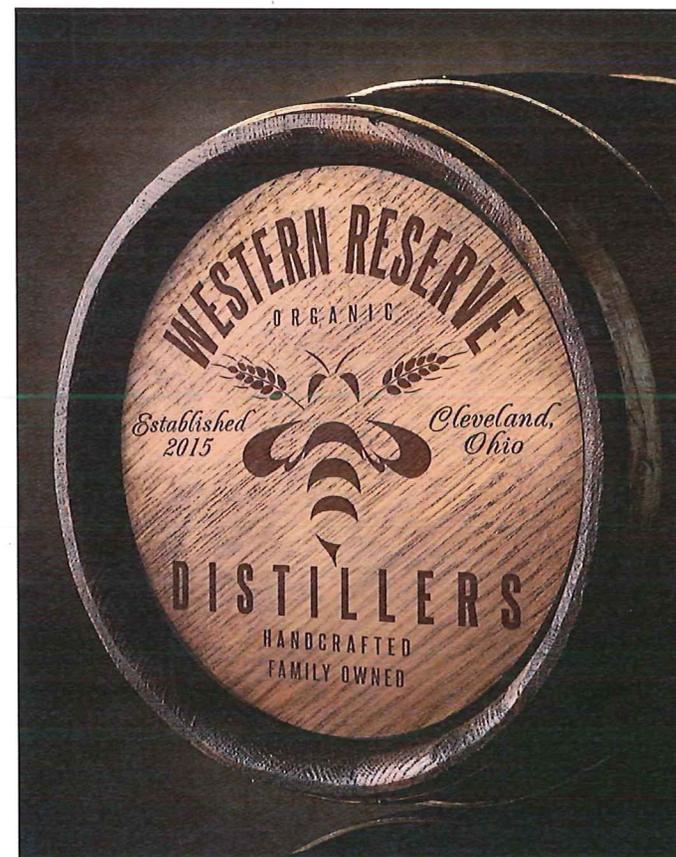
- Vodka
- Gin
- Rum
- Whiskey

## Target Consumers:

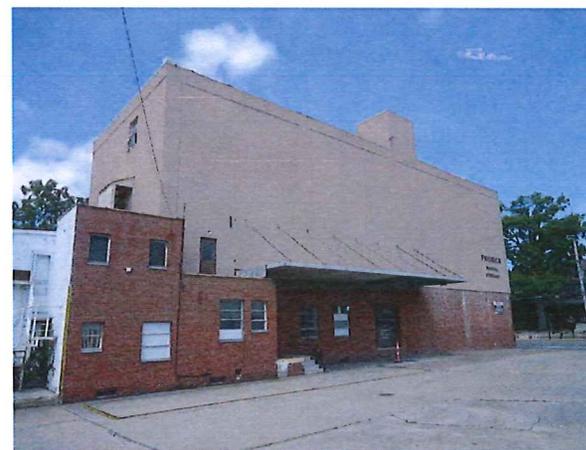
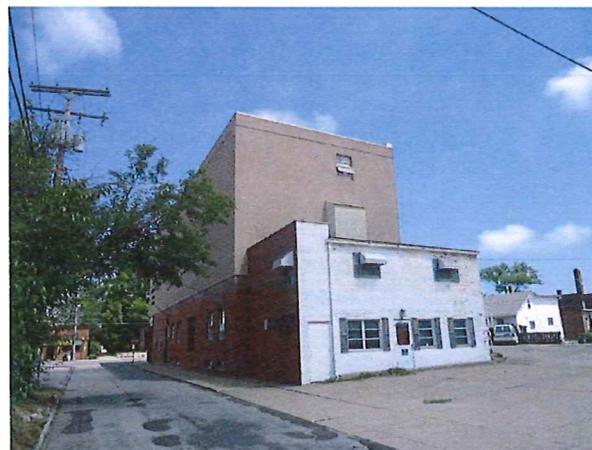
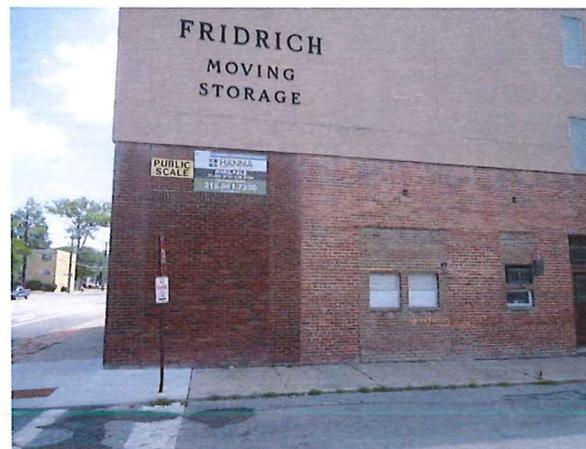
The primary consumer targets for Western Reserve are sustainable receptive millennials and sustainable receptive boomers.

## Target Restaurant Partners:

Independent fine dining and high end regional chains.



# 14221 Madison Ave Today



# Why 14221 Madison and the City of Lakewood



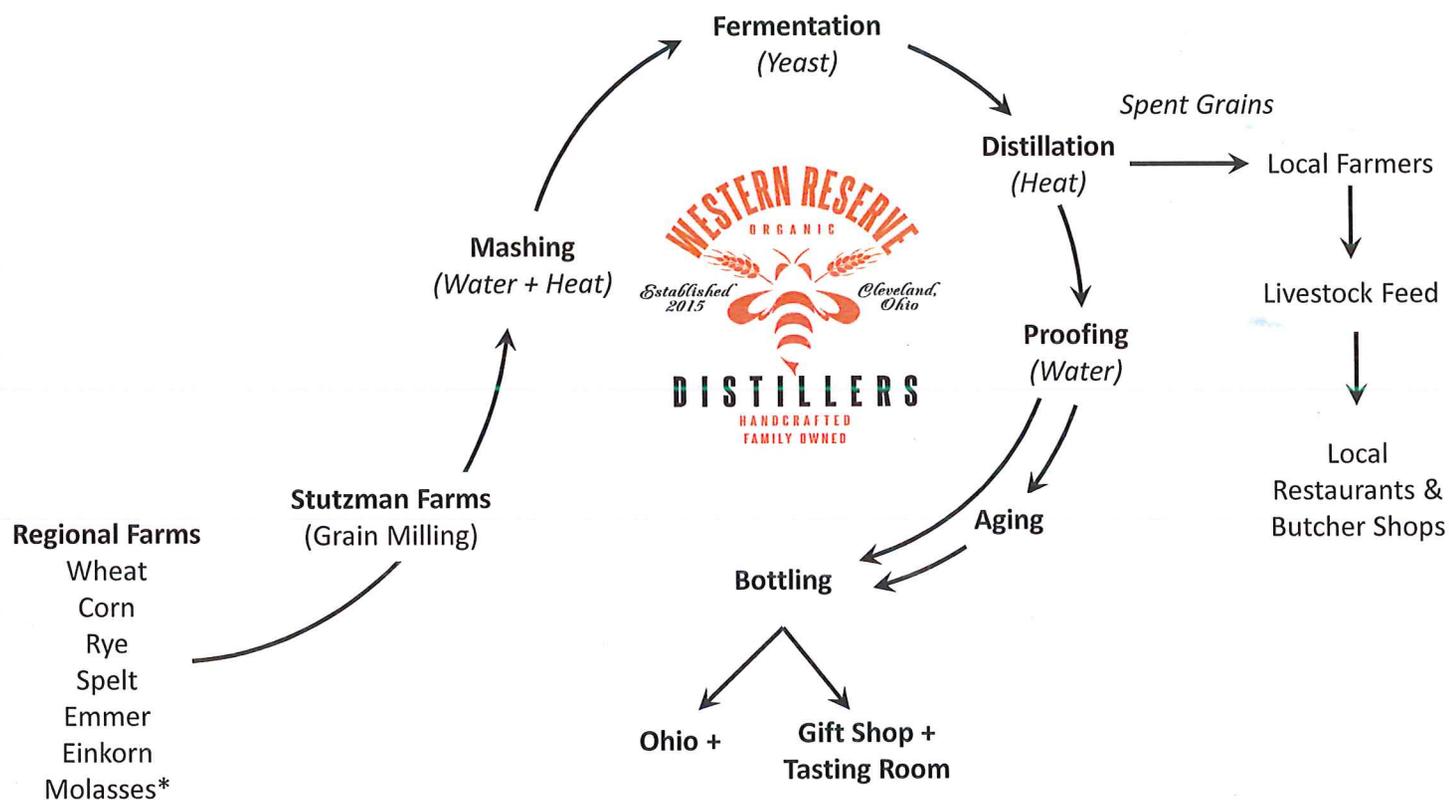
## 14221 Madison Avenue

- Location fits with project budget
- Site offers flexibility for configuration
- Building functionally fits our desired use
- Good traffic location
- There is a buffer between us and the neighbors
- Sufficient parking
- In a development corridor

## City of Lakewood

- Good living community
- Our target demographic is well represented
- Safe community, good fire and police response
- Close to downtown Cleveland
- Good density of bars and restaurants
- Potential for incentives

# Our Spirits Production Cycle



\* Current Organic Molasses is a product of the Caribbean

# Building Usage



## First Floor

### Main Production

- Mashing
- Fermentation
- Distillation
- Proofing
- Filtration
- Bottling and Racking
- Business Offices
- Utilities

## Second Floor

- Thermal recovery off the still for production
- Second story of the still
- Barrel aging

## Third and Fourth Floors

- Future Barrel aging

# New Addition & Location



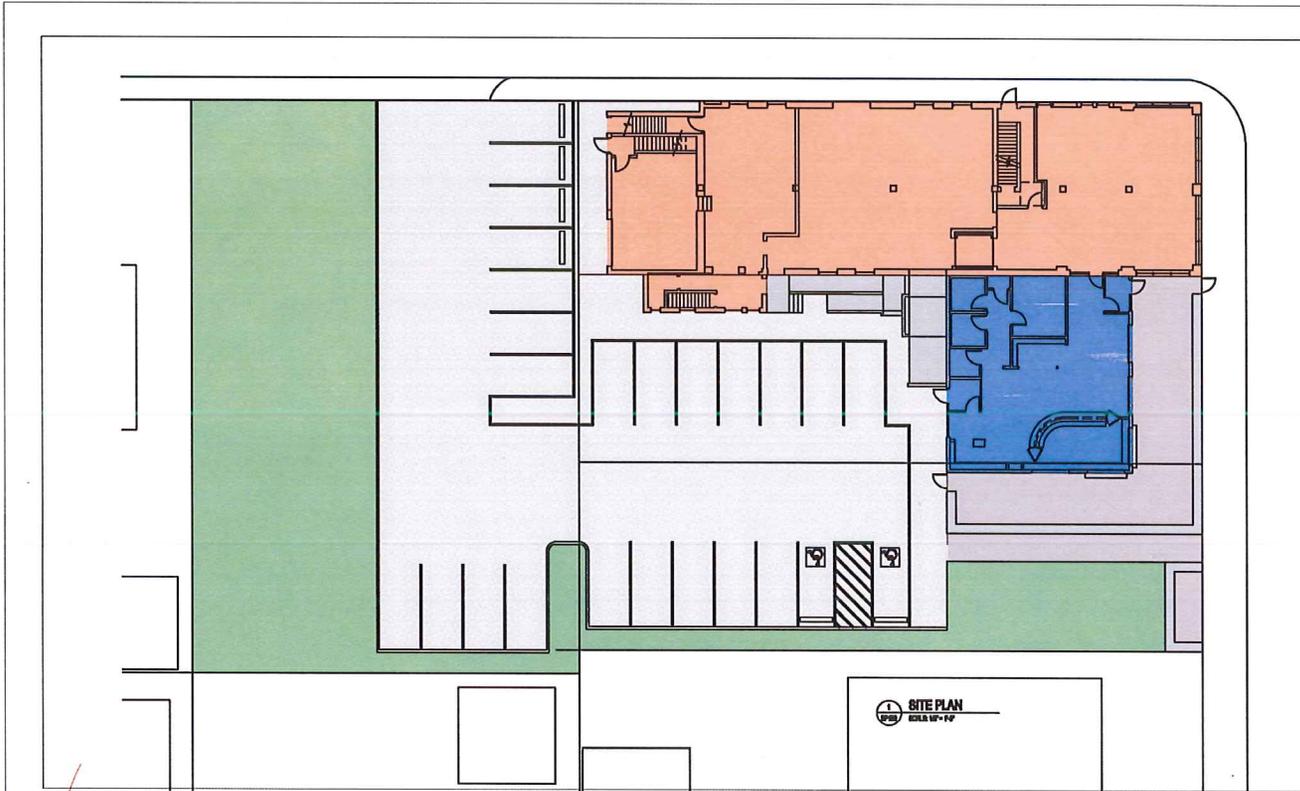
## Approx. 1600+ sq. ft

- Tasting Room
- Gift shop and bottle sales
- Staging for Distillery Tours
- Potentially “Whiskey Appreciation and Distillation Classes”
- Create an attractive storefront to reinforce urban line on Madison Ave.
- Introduce green space back to Madison Ave.

## Overall Site Improvements

- Visual improvements to site
- Reintroduce green space to location
- Leverage bike lane with bike parking
- Improve natural drainage & retention

# Proposed WRD Site Plan



Western Reserve Distillers -Site Plan  
14221 Madison Avenue Lakewood, Ohio



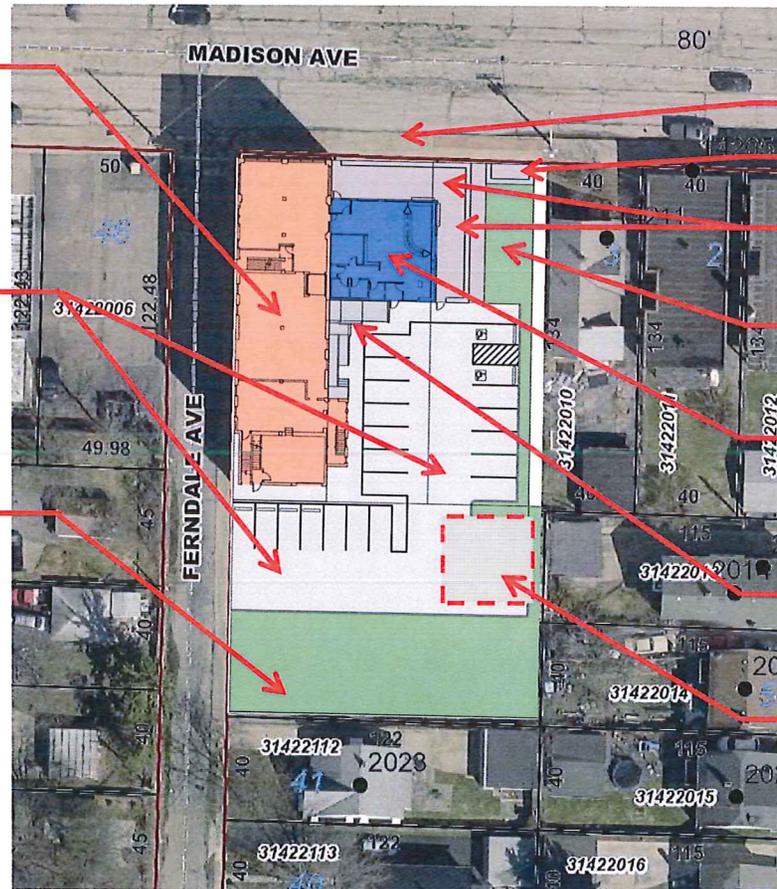
# Existing Site Conditions



Renovate & repurpose exist. 4 story storage building

Re-use exist. concrete lot – re-stripe for parking (25)

Remove asphalt & create green buffer space at rear parking lot (Drainage)



Remove apron

Bike parking

Patio space & Pavers for Drainage

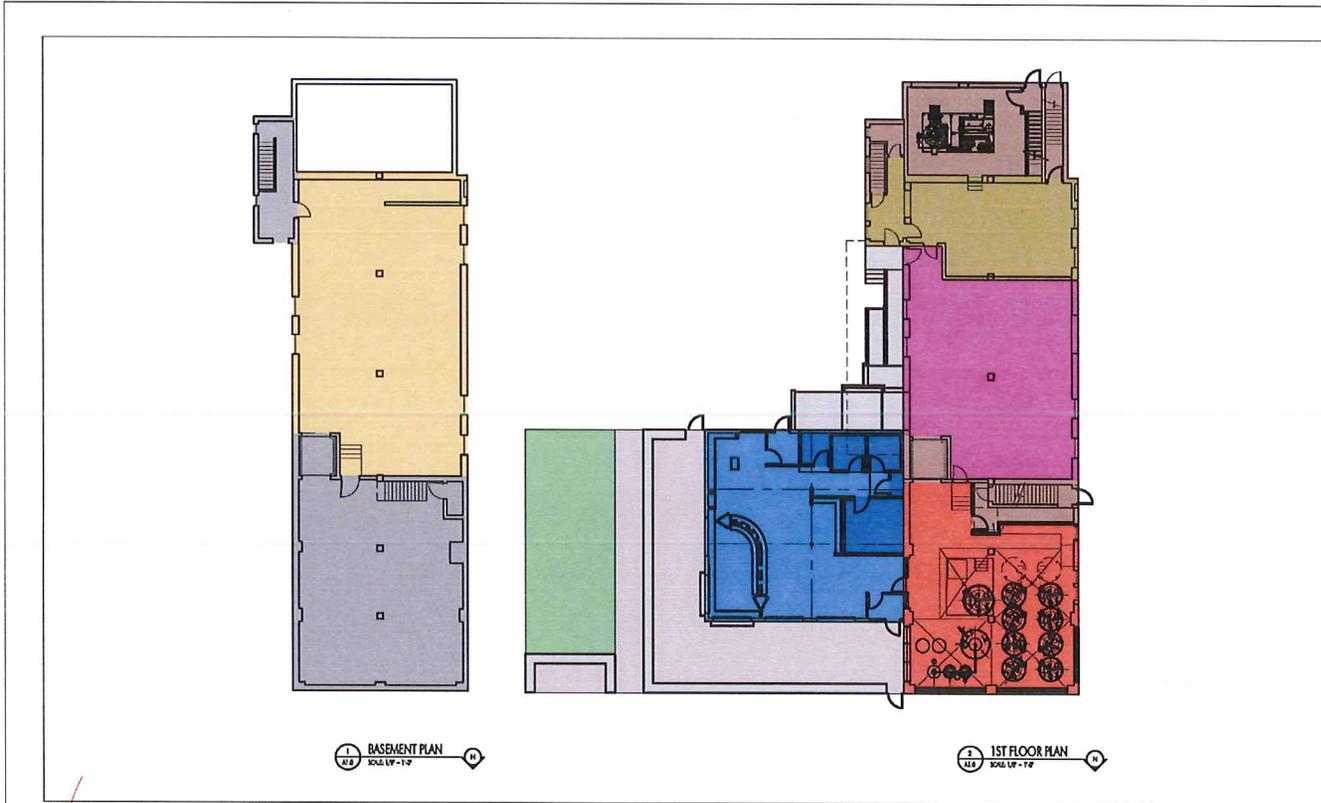
Green buffer to residence (Drainage)

1 story gift shop and tasting room

Ramp and delivery dock

Remove exist. garage

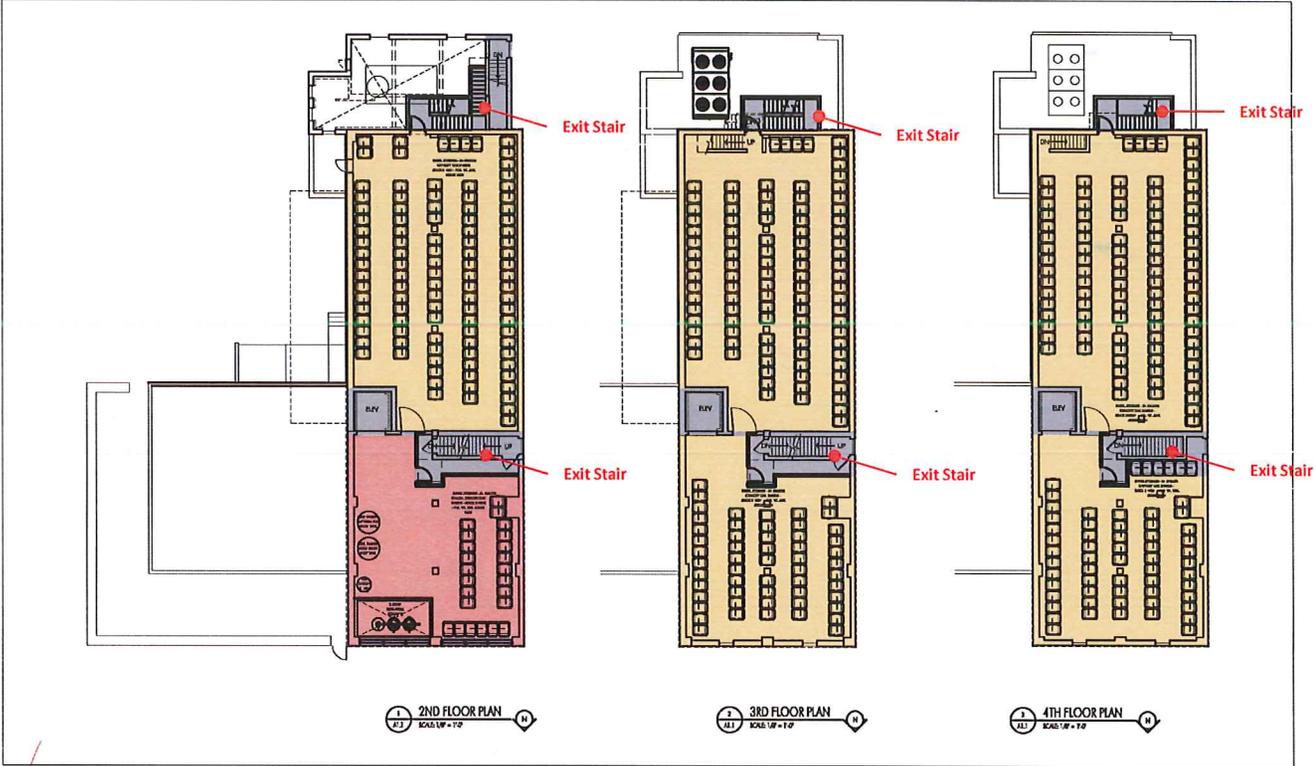
# Proposed 1<sup>st</sup> Floor Plan



Western Reserve Distillers - Floor Plans  
14221 Madison Avenue Lakewood, Ohio



# Proposed 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup> Floor Plans



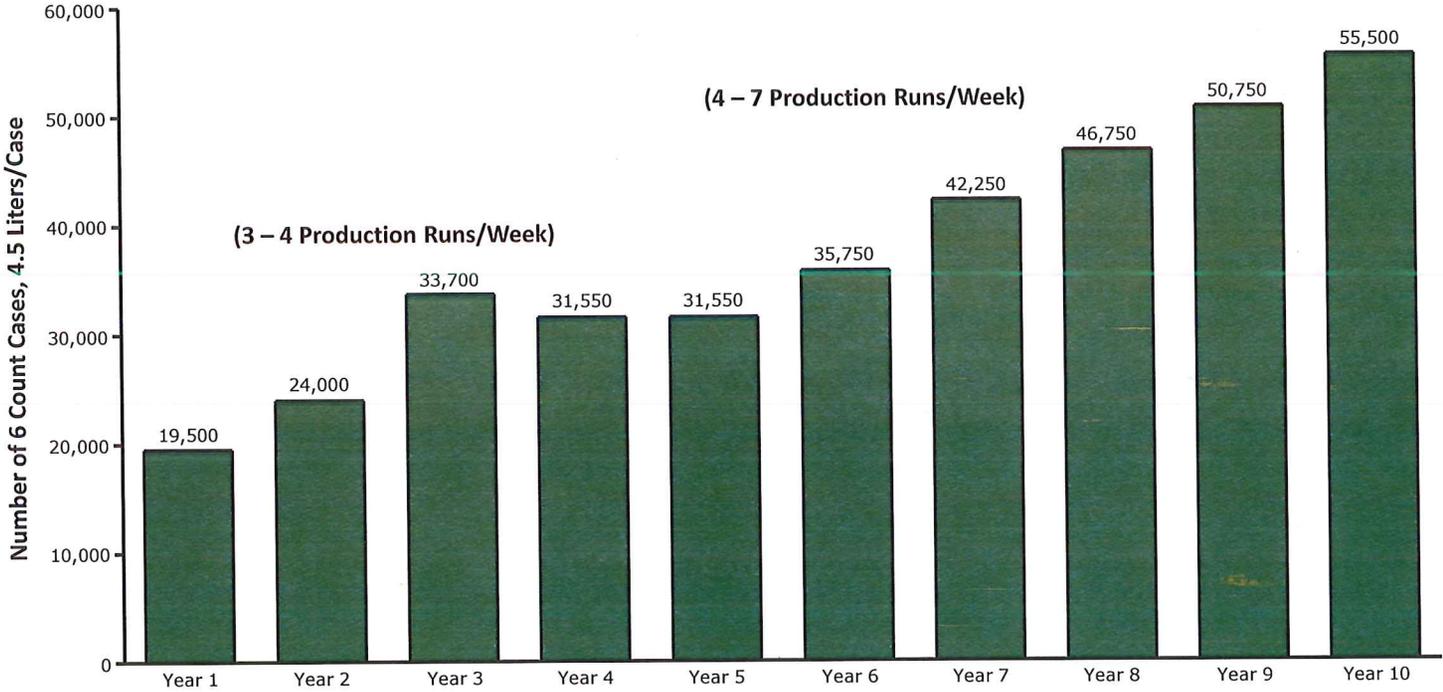
Western Reserve Distillers - Floor Plans  
14221 Madison Avenue, Lakewood, Ohio

# Kothe 3000 Liter Still Will be Able to Supply Volumes through Year 5 with Weekend Operations



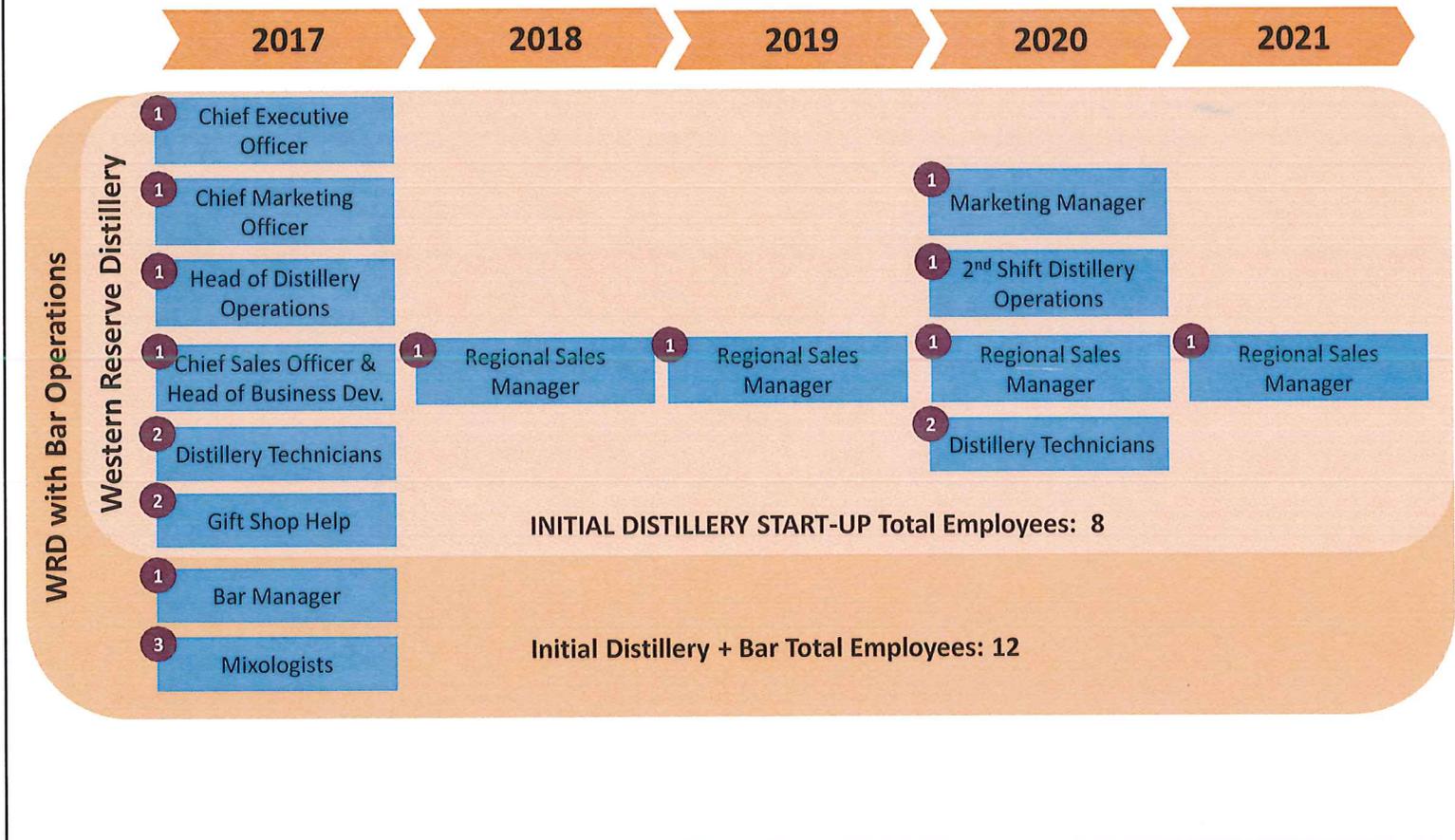
## Kothe 3000 Liter Vodka Still Output (6 count cases, 4.5 Liters/Case)

(Transition to 2 Shift Operation)

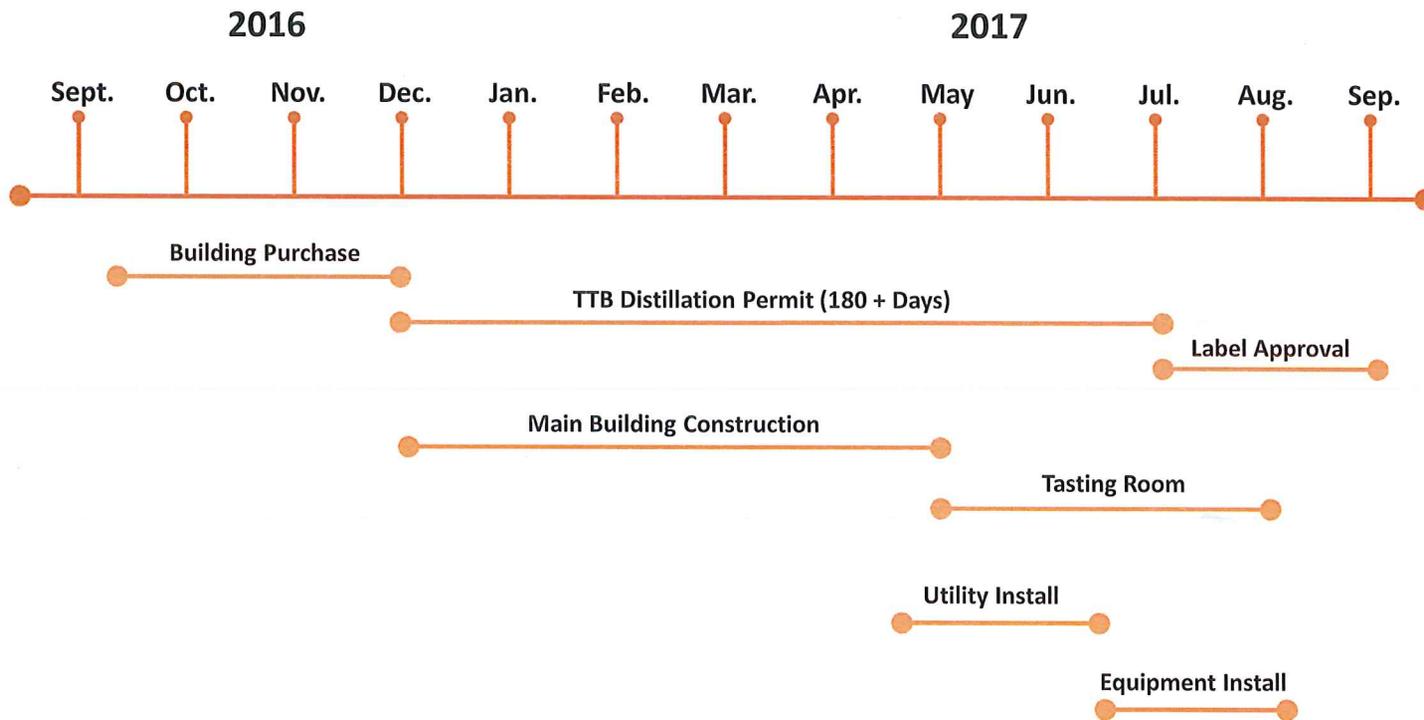


This document contains information that is the confidential and proprietary property of Western Reserve Distillers, LLC. Neither this document nor the information therein may be reproduced, used or disclosed to, or for the benefit of any third party without the prior written consent of Western Reserve Distillers, LLC.

# WRD projected job creation

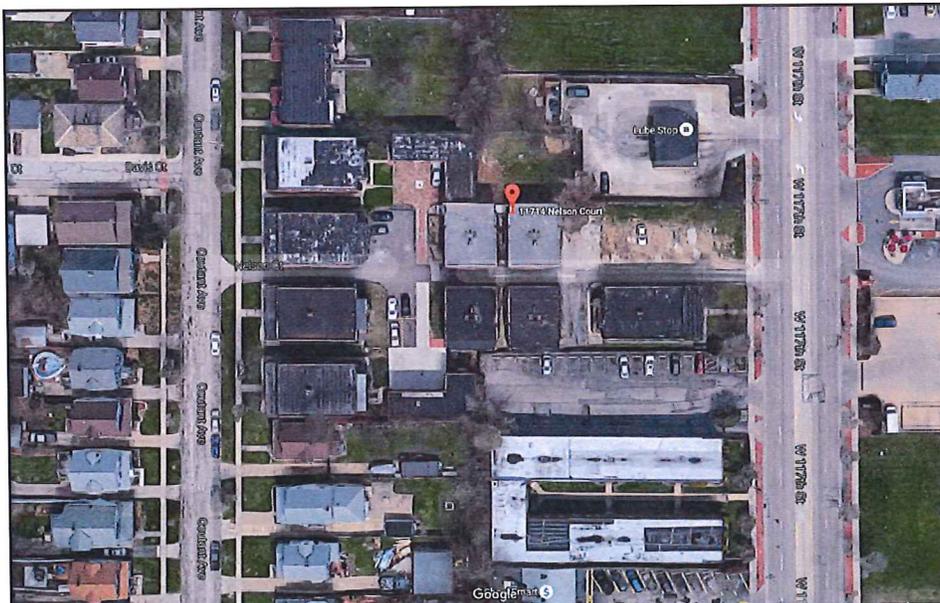


# Current WRD Timing





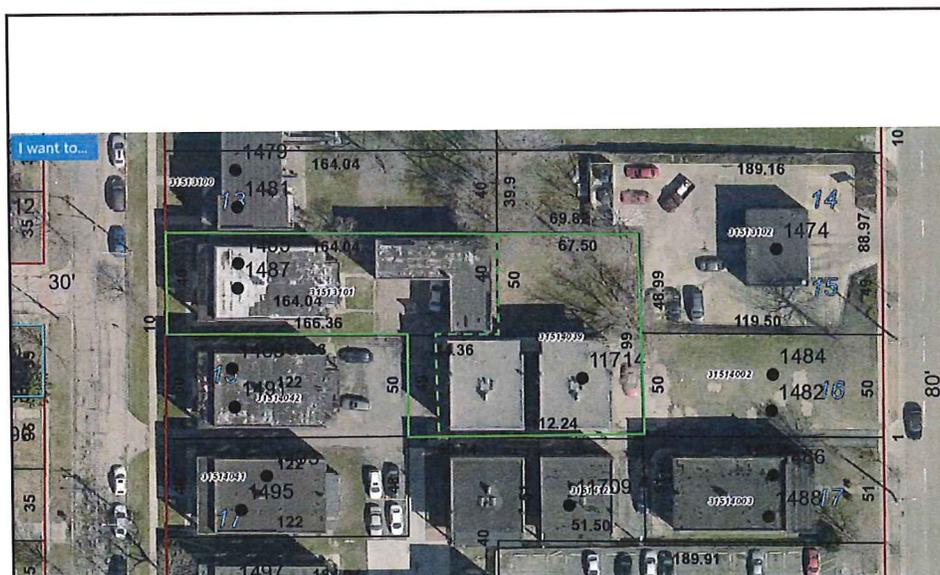
Planning Commission  
October 6<sup>th</sup>, 2016



**11714 Nelson Court**  
**Lot Split/Consolidation**



**11714 Nelson Court  
Existing Conditions**

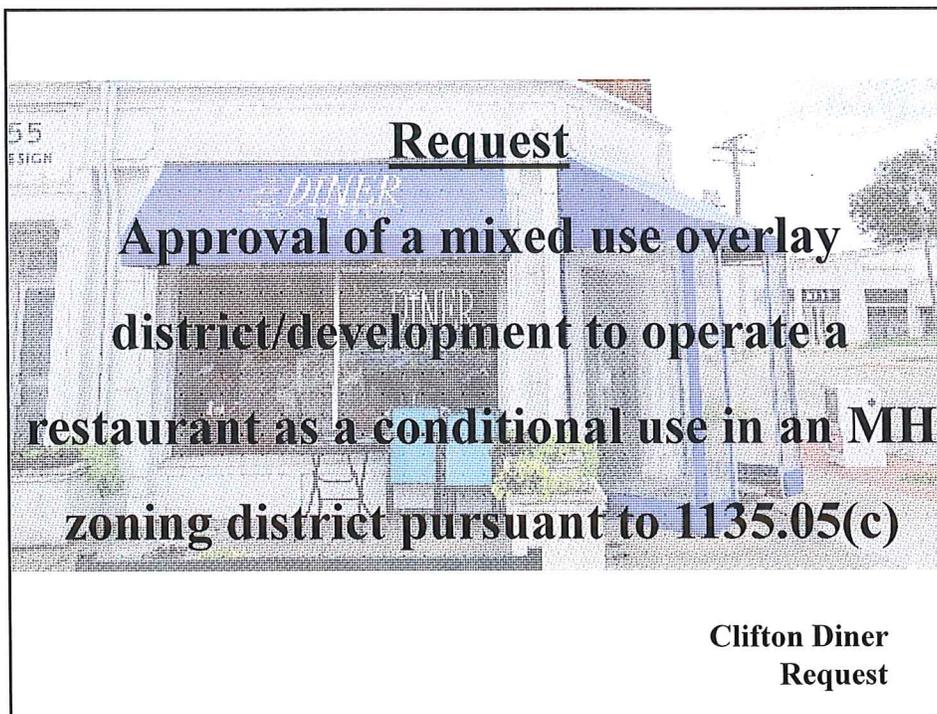


**11714 Nelson Court  
Proposed Lot Split/Consolidation**

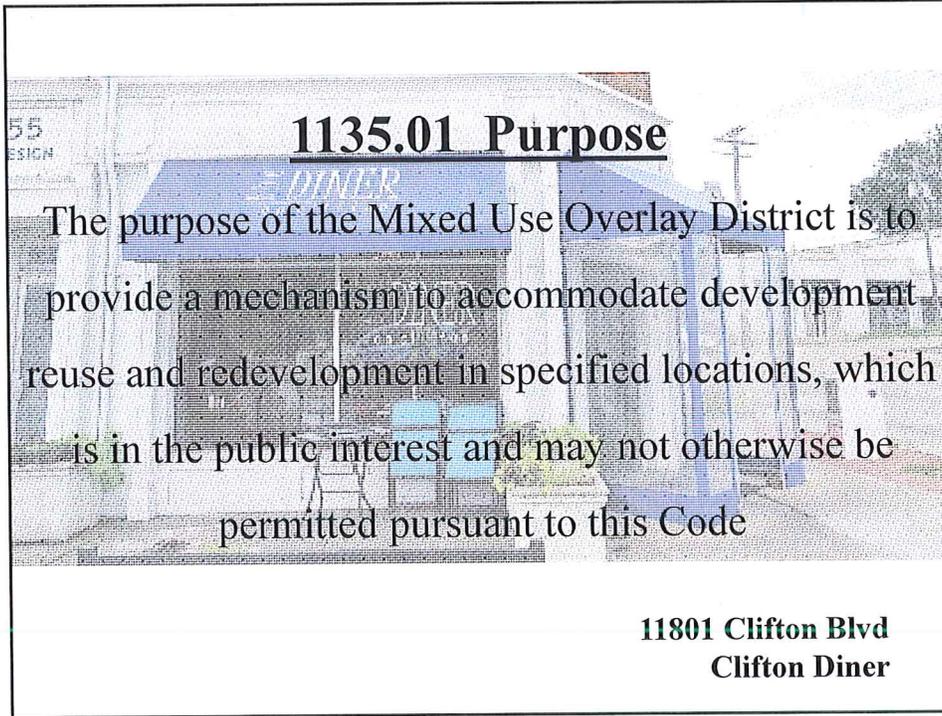




**Clifton Diner  
Former Location**



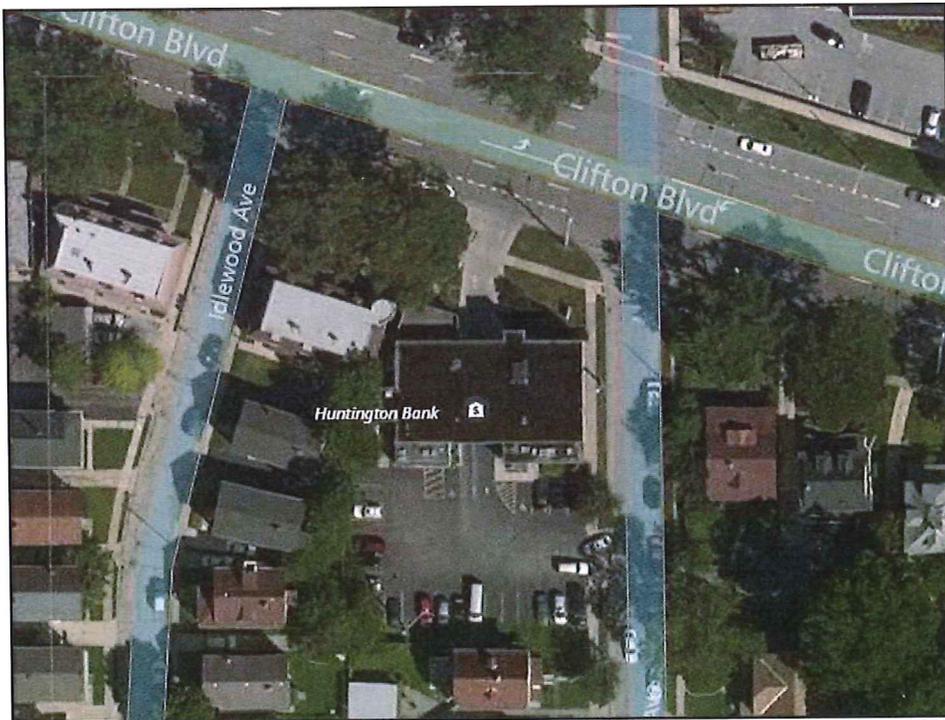
**Clifton Diner  
Request**

An aerial photograph of a building with a prominent blue awning and a sign that reads "DINER". The building is situated on a street corner. The image is overlaid with text and a title.

**1135.01 Purpose**

The purpose of the Mixed Use Overlay District is to provide a mechanism to accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted pursuant to this Code

**11801 Clifton Blvd  
Clifton Diner**









**Clifton Diner  
Existing Zoning**



**11801 Clifton Blvd  
Clifton Diner**



**11801 Clifton Blvd  
Clifton Diner**

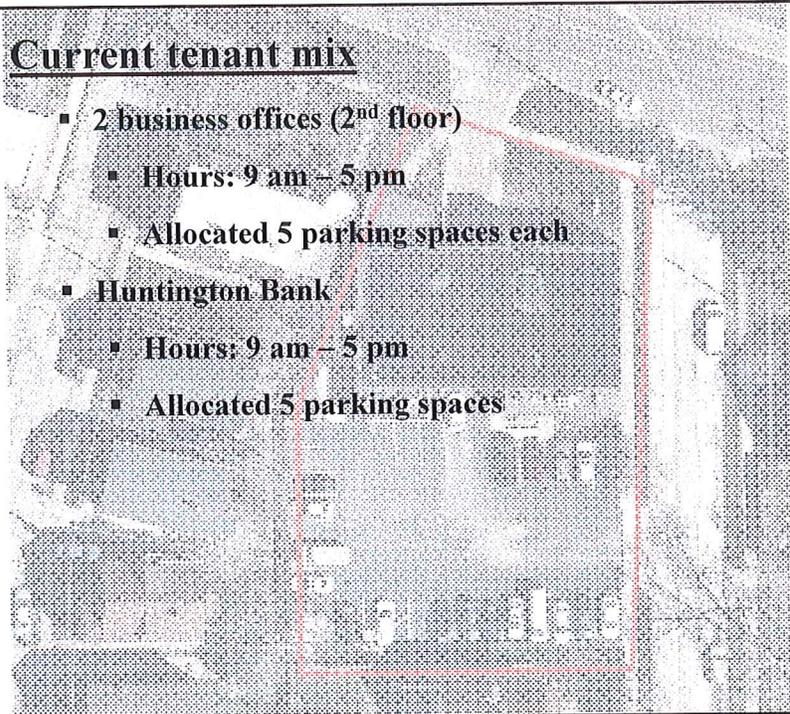
## Operations

- Hours of operation: 7 am – 11 pm
- Days open: 7 days
- Total number of seats: 58
  - Inside: 46
  - Outside: 12
- Outdoor dining is a separate conditional use
- Parking plan

**11801 Clifton Blvd  
Clifton Diner**

## Current tenant mix

- 2 business offices (2<sup>nd</sup> floor)
  - Hours: 9 am – 5 pm
  - Allocated 5 parking spaces each
- Huntington Bank
  - Hours: 9 am – 5 pm
  - Allocated 5 parking spaces



## **Parking Plan**

- **Proposed Clifton Diner**
  - **Hours: 7 am – 11 pm**
  - **Allocated 10 parking spaces from 8 am – 5 pm;**
  - **25 parking spaces from 5 pm – 11 pm**

## **1135.01 Purpose**

- (1) Designs in residential and commercial areas that reflect the City's development and planning policies as set forth in this Code and that are consistent with the Vision.
- (2) Designs that are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards.
- (3) Designs which encourage a mix of retail, service, office, housing, live-work units, and public activities to coexist in a manner that reflects human scale and emphasizes pedestrian orientation, taking advantage of the vitality that mixed uses can bring to the community.

**11801 Clifton Blvd  
Clifton Diner**

## **Other pertinent code sections**

### **Parking**

Applicants for Mixed Use Overlay developments shall submit a parking and traffic management proposal that does not adversely affect the neighborhood, identifies peak use times, and explores shared parking agreements.

### **Structural Requirements**

- Mixed Use Overlay proposals must contain a residential component.
- Maintain form and scale of building being re-purposed.
- The primary design objective for the Mixed Use Overlay District are to reflect the area's architectural significance/character, while promoting the pedestrian scale environment. The design must be compatible with the neighborhood.

### **Conditional Uses for a Residential District Base Zone**

- The following use categories may be permitted as additional conditional uses pursuant to Section 1129.02, Principal and Conditional Permitted Uses:
  - Residential, Entertainment, Food and Beverage, Professional Services, General Retail, Service Retail, Convenience Retail, Personal Care Services, and Laundromat.
- Modification of development standards shall be permitted on the authority of the Commission as part of the conditional use review.

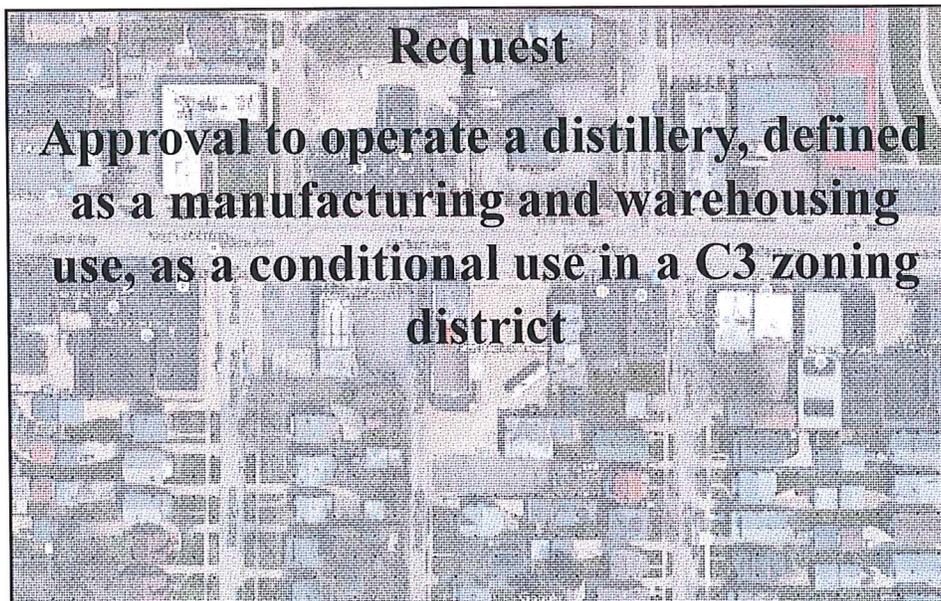
## **Request**

**Approval of a mixed use overlay  
district/development to operate a  
restaurant as a conditional use in an MH  
zoning district pursuant to 1135.05(c)**

11801 Clifton Blvd  
Clifton Diner



**14221 Madison Avenue  
Western Reserve Distillers**



**14221 Madison Avenue  
Western Reserve Distillers**

**Relevant code sections**

**1161.02: General Standards for All Conditional Uses**

**1161.03(h): Supplemental regulations for Manufacturing Use in C3 District**

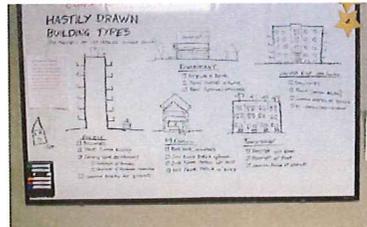
**14221 Madison Avenue  
Western Reserve Distillers**





Planning Commission  
October 6<sup>th</sup>, 2016

## 1306.60 EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES

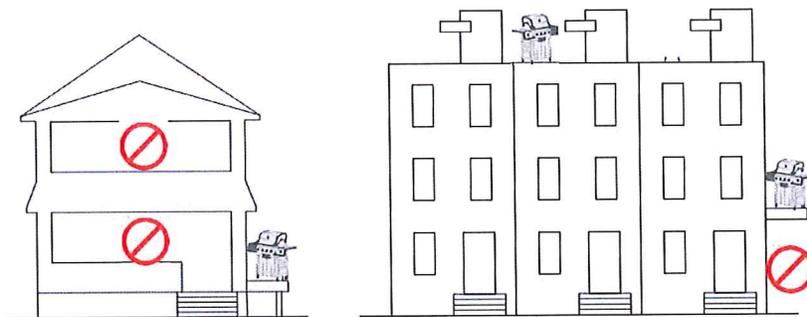


## 1306.60 EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES.

### Proposed Language

No *portable* electric or fuel burning cooking appliance or device shall be permitted to be operated upon any porch, balcony, patio deck, roof or similar structure when such structure is located above the first floor level or if the first floor level is enclosed or covered in whole or in part by awnings, canopies, arbors, roofs and similar roof structures. *Permanently installed appliances designed for the cooking of food for human consumption are permitted at a balcony, deck or roof approved for occupancy which does not have a balcony, deck or roof top above; and is not more than three (3) stories above the level of the fire department access. The fuel source shall be electricity or natural gas and the appliance is installed per the manufacturer's written requirements, with a manual shutoff within 6-feet of the appliance and in compliance with applicable state codes.*

## 1, 2 & 3-Family Dwellings

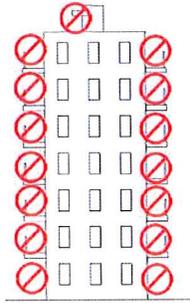


Detached Houses

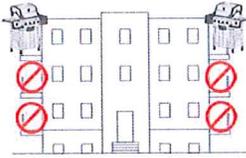
Townhomes

*Permanently installed appliances designed for the cooking of food for human consumption are permitted at a balcony, deck or roof approved for occupancy which does not have a balcony, deck or roof top above; and is not more than three*

## Multifamily and Mixed Use



High Rise



Low Rise



Mixed Use

## Fuel Sources



Solid Fuel (charcoal, solid wood)

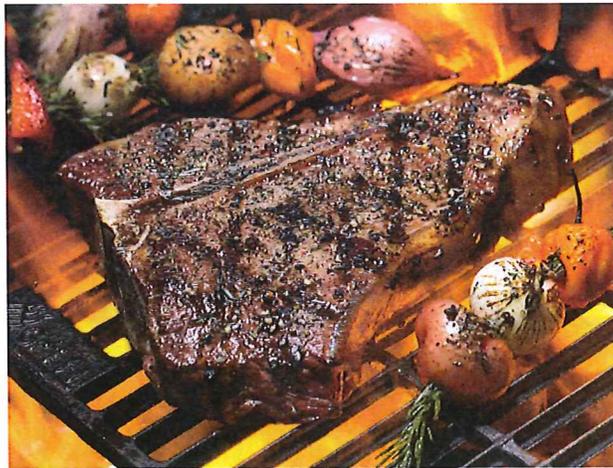


Propane

## Installation Requirements



## 1306.60 EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES



## 1306.60 EXTERIOR ELECTRIC AND FUEL BURNING COOKING DEVICES.

### Current Language

No electric or fuel burning cooking appliance or device shall be permitted to be operated upon any porch, balcony, patio deck, roof or similar structure when such structure is located above the first floor level or if the first floor level is enclosed or covered in whole or in part by awnings, canopies, arbors, roofs and similar roof structures. (Ord. 68-97. Passed 4-20-98.)

### Proposed Language

No **portable** electric or fuel burning cooking appliance or device shall be permitted to be operated upon any porch, balcony, patio deck, roof or similar structure when such structure is located above the first floor level or if the first floor level is enclosed or covered in whole or in part by awnings, canopies, arbors, roofs and similar roof structures. **Permanently installed appliances designed for the cooking of food for human consumption are permitted at a balcony, deck or roof approved for occupancy which does not have a balcony, deck or roof top above; and is not more than three (3) stories above the level of the fire department access. The fuel source shall be electricity or natural gas and the appliance is installed per the manufacturer's written requirements, with a manual shutoff within 6-feet of the appliance and in compliance with applicable state codes.**