

**AGENDA
PLANNING COMMISSION
April 4, 2013
LAKEWOOD CITY HALL**

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

Review docket items

**REGULAR MEETING
7:00 P.M.
AUDITORIUM**

1. Roll Call
2. Approve the Minutes of the February 7, 2013 meeting
3. Approve the Minutes of the March 7, 2013 meeting
4. Opening Remarks

NEW BUSINESS

4. **Docket 04-07-13 1625 Westwood Avenue**

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

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

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

6. **Docket 04-09-13 Communication from Mary Louise Madigan, Councilwoman Ward
IV: Request for Clarification on the Decisions Made in August
2012 (Docket 06-09-12)**

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

7. **Docket 04-10-13** **Communication from P&D Director Dru Siley:**
Renewal of Conditional Use Permit for Outdoor Seasonal Dining

The following received approval of the annual renewal of Conditional Use permit for the year of 2013 through administrative review by the Director of Planning and Development:

- 12401 Detroit Avenue; Peppers Italian Restaurant,
- 14718 Detroit Avenue; Melt Bar & Grilled,
- 15010 Detroit Avenue; Yogurt Treats, LLC ("menchie's"),
- 11926 Madison Avenue; The Flying Rib,
- 13715 Madison Avenue; Angelo's Pizza,
- 14224 Madison Avenue; El Tango Taqueria,
- 16204 Madison Avenue; O'Donnell's Pub, and
- 17014 Madison Avenue; Mullen's of Letterfrack.

(Page 24)

REVIEW

8. **Docket 09-21-12** **13603 Madison Avenue**
Bonnie and Clyde's, LLC

Review of conditional use compliance. In September 2012, Bonnie Lewandowski, applicant, requested approval for a Conditional Use permit for an outdoor dining facility, pursuant to Schedule 1129.02 – Principal and Conditional Permitted Uses, Section 1161.03(t)(1g) – Outdoor/Seasonal Dining, and Section 1173.02 – Conditional Use Permits. The Commission granted the use with stipulations that the outdoor patio speaker be removed immediately and to close the patio on October 31st, 2012. Additionally, there was a directive to revisit the request in early 2013. The property is located in a C3, Commercial and General Business district. (Page 25)

9. **Docket 12-17-07** **18616 Detroit Avenue**
Around the Corner

Review of conditional use compliance. In December 2007, Michael Krivosh, property owner requested a conditional use for Outdoor/Seasonal Dining Facility pursuant to Section 1129.13 and Subsection 1161.03(t). The applicant proposed to utilize an adjacent office/warehouse space to expand the existing business for private parties and a place for patrons to go during inclement weather from the patio. The request was for rolling glass doors between the patio and proposed new space. The Commission granted the use with stipulation that the property owner make a conscious effort to control the sound by lowering the rolling windows as needed and a directive to return in December 2008 for review of the aforementioned conditions of the rolling windows. The property is located in a C2, Commercial and Retail district. (Page 28)

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

Review of conditional use compliance. In May 2011, Tom Corrigan, owner of Eddy + Iggy's Bar and Grille, requested Conditional Use approval for an Outdoor/Seasonal Dining Facility, pursuant to Sections 1129.02 – Principal and Conditional Permitted Uses, 1129.13 – Supplemental Uses for Outdoor/Seasonal Dining Facility, 1161.03(t) – Supplemental Regulations for Specific Uses, and

1173.02 – Conditional Use Permit. The proposed outdoor dining would be located on the east side of the restaurant. The Commission decided to grant with stipulation of entry into the appropriate and necessary agreements. The applicant did not have the required insurance or enter into the appropriate and necessary agreement in 2012. The property is located in a C2, Commercial and Retail district. (Page 32)

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

As requested by City Council in early 2012 the Planning Commission and the Department of Planning and Development began a year-long process to develop an update to the 1993 Vision. From May through December 2012 approximately 20 community workshops were held to develop an updated vision for Lakewood. Staff will present the working draft of the vision update to Commission for review and discussion. Staff requests approval of the draft and a recommendation to City Council for adoption. This item was deferred from the meeting held on March 7, 2013. (Page 34)

12. **ADJOURN.**

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor Sub, Lot Split/Con, PD)

PL13-000731

DOCKET No. 04-07-13
FEE PAID 03/08/13 *pw*

**APPLICATION
LAKEWOOD PLANNING COMMISSION**

Property Address 1625 WESTWOOD Business/Tenant Name _____
Property Owner Name MARCULESCU ELENA Owner Phone 216-221-8967
Owner E-mail lenamarculescu@gmail.com Zoning _____ Parcel Number _____
Project Summary USING 2nd floor kitchen AREA for a HOME BAKERY BUSINESS.

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- ☐ Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Planned Development – (\$500)
☐ Similar Use – (Commercial \$50, Residential \$25)
☒ Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
☐ Variance – (Commercial \$50, Residential \$25)

Submission Requirements:

- 1/ A detailed written description of the request signed by the applicant/owner.
- 2/ Letter of authorization from property owner, if different from the applicant.
- 3/ A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
- 4/ Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): ELENA MARCULESCU Company _____
Applicant Address: 1625 WESTWOOD AVE LAKEWOOD OH 44107
Phone: (216) 221-8967 Fax: _____ E-mail: LENAMARCULESCU@gmail.com
Signature: Elena Marculescu Date: MARCH 7, 2013

OFFICE USE ONLY: Application Reviewed and Accepted by: [Signature] Date: 3-7-13

File History: NO PREVIOUS

Bldg. Dept. Remarks: OWNER ASKING for REVIEW of @ HOME BAKERY with NO EMPLOYEES

ORD. 91-95 SECTION 1145.01 (e) City of Lakewood – Revised 11-02-12 1 of 2

TYPE A HOME OCCUPATION

4

AUTHORIZATION FOR PROPERTY ACCESS

(In signing this application,) I authorize members of the City's Building Department and Planning and Development Department access to my property for the limited purposes of photographing and verifying location and dimension of the area affected by my Planning Commission applications and requests. A landlord of a single tenant structure must provide the written consent of the tenant. The City employee will, in case of one, two or three tenant structure, attempt to notify those residing on the property immediately prior to coming onto the property. In the case of a multi-tenant structure, the City employee will notify the building manager.

Any dog(s) on property? ☐ Yes ☒ No

Please Print or Type:

Owner/Agent Name: MARCULESCU ELENA

Property Address: 1625 WESTWOOD AVE. LAKEWOOD

Owner/Agent Phone: 216 221-8967

Tenant Name _____ Tenant Phone _____


Owner/Agent Signature

2013 Calendar Planning Commission

Month	Application Deadline		Pre-Review Meeting		Review Meeting	
January	Wednesday	12-19-12	Thursday	01-03-13	Thursday	01-03-13
February	Wednesday	01-23-13	Thursday	02-07-13	Thursday	02-07-13
March	Wednesday	02-20-13	Thursday	03-07-13	Thursday	03-07-13
April	Wednesday	03-20-13	Thursday	04-04-13	Thursday	04-04-13
May	Wednesday	04-17-13	Thursday	05-02-13	Thursday	05-02-13
June	Wednesday	05-22-13	Thursday	06-06-13	Thursday	06-06-13
July	Tuesday	06-18-13	Wednesday	07-03-13	Wednesday	07-03-13
August	Wednesday	07-17-13	Thursday	08-01-13	Thursday	08-01-13
September	Wednesday	08-21-13	Thursday	09-05-13	Thursday	09-05-13
October	Wednesday	09-18-13	Thursday	10-03-13	Thursday	10-03-13
November	Wednesday	10-23-13	Thursday	11-07-13	Thursday	11-07-13
December	Wednesday	11-20-13	Thursday	12-05-13	Thursday	12-05-13

Work Sessions for the Commission commence at 6:30 P.M. in the lower level conference room.

Review Meetings commence at 7:00 P.M. in the Auditorium at Lakewood City Hall, 12650 Detroit Avenue unless otherwise indicated. Applicants or a representative (designated in writing to the Secretary of the Board) MUST attend the review meeting for an application to receive review.

March 5, 2013

To the Lakewood Building Department

Letter of intent to start a Bakery Home business in Lakewood

This letter serves as initial notice to start the process for registering a home bakery business at 1625/1627 Westwood avenue location. This home is owned by Elena Marculescu, who will be running the business as a part-time supplemental income operation. No additional employees will be hired.

The home business will be operated from the 2nd floor kitchen which is dedicated for this purpose and meets the initial requirements from the agriculture food safety division. (inspecting pending approval from planning commission) . Kitchen has tile floor, no pets in the household, runs city water, dedicated refrigeration and storage space.

The business will take and prepare individual orders of bakery products: (cookies, pastries, cakes, pretzels, etc.) and will both deliver to customer or will have customer pick up from home location. Frequency of cars coming to pick-up order is expected to maximum 2/3 cars/day, and less in the beginning.

At this stage Mrs. Marculescu has a full-time job and will run this business as a part-time occupation. Should the business increase in volume over time to the point the home location is no longer adequate to supply the business demand, a commercial location move will be considered.

As requested on my phone conversation with the Building Department a plan of the kitchen area is attached with this letter.

Please review and instruct if additional information is needed to present this to the planning commission, and next steps required.

Thank you for your consideration

Regards

Elena Marculescu
1625 Westwood Ave
Lakewood OH 44107
216-832-8930
lenamarculescu@gmail.com

6

1625 Westwood Ave.

24.3'

E
+ S
W
+ 2 ft.
+
2

UP

DN

6x3

Hallway

closet

10

19
deep

4

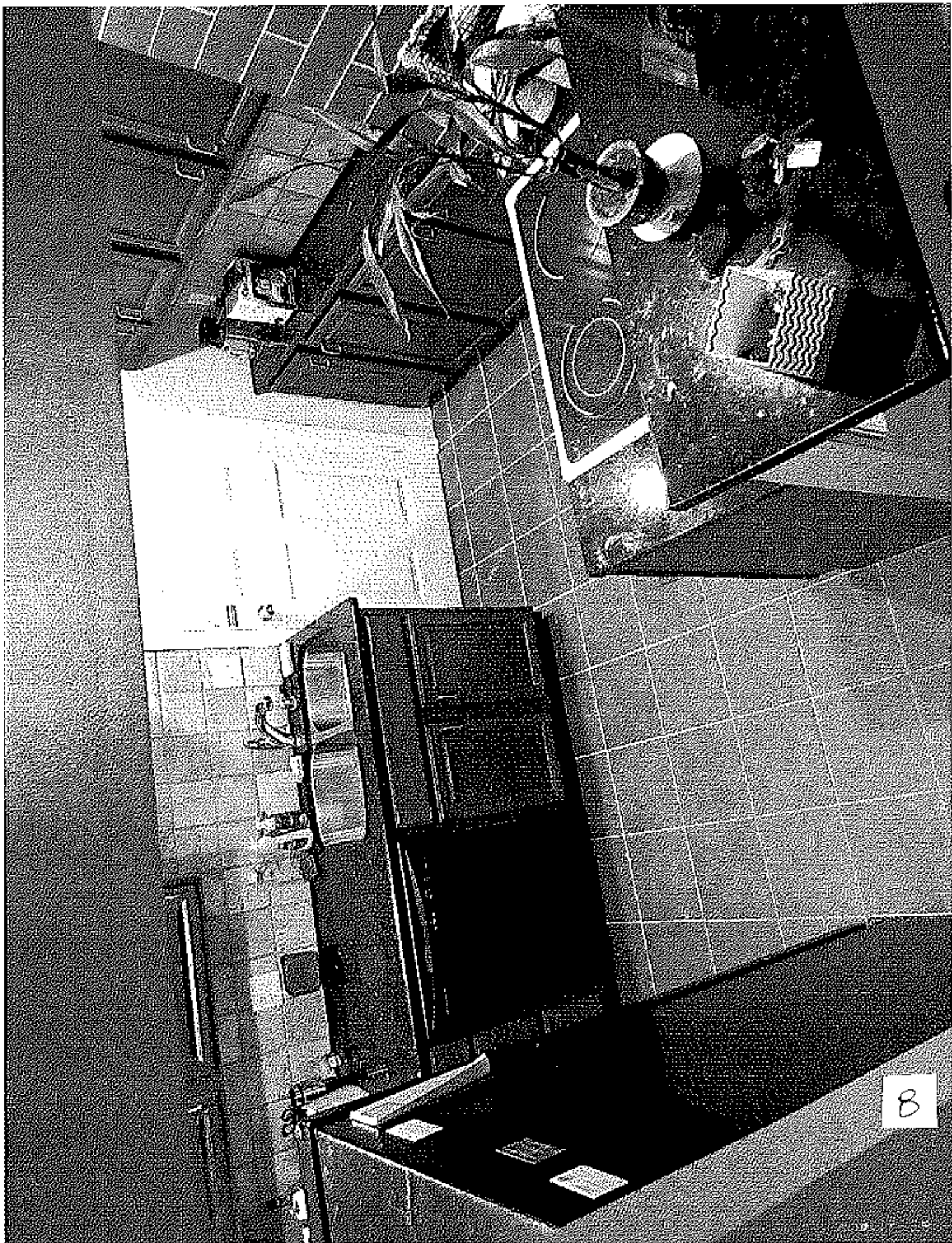
Kitchen 8x10

Chimney

cabinet

14.2

7





Account: 101-0000-321, 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349, 60-00 (Minor Sub, Lot Split/Con, PD)

DOCKET No. 04-08-13
FEE PAID 3/12/13
PL-13-000736

**APPLICATION
LAKEWOOD PLANNING COMMISSION**

Property Address 14018 Detroit Business/Tenant Name WINE & LILAND
Property Owner Name JAMES GILLAN Owner Phone 216 469 1670
Owner E-mail JG@WINE&LILAND.COM Zoning C3 Parcel Number 312-23-019
Project Summary PATIO EXPANSION

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- ☐ Minor Sub-Division - (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Lot Consolidation/Lot Split - (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Planned Development - (\$500)
☐ Similar Use - (Commercial \$50, Residential \$25)
☒ Conditional Use - (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
☐ Variance - (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): James Gillan Company WINE & LILAND
Applicant Address: 25380 Mills Rd Burton OH 44146
Phone: 216 469 1670 Fax: 216 831 7999 E-mail: JG@WINE&LILAND.COM
Signature: [Signature] Date: 3/12/13

OFFICE USE ONLY: Application Reviewed and Accepted by: [Signature] Date: 3/12/13

File History: _____

Bldg. Dept. Remarks: REQUEST CONDITIONAL USE PERMIT
FOR AN OUT DOOR DINING FACILITY

AUTHORIZATION FOR PROPERTY ACCESS

(In signing this application,) I authorize members of the City's Building Department and Planning and Development Department access to my property for the limited purposes of photographing and verifying location and dimension of the area affected by my Planning Commission applications and requests. A landlord of a single tenant structure must provide the written consent of the tenant. The City employee will, in case of one, two or three tenant structure, attempt to notify those residing on the property immediately prior to coming onto the property. In the case of a multi tenant structure, the City employee will notify the building manager.

Any dog(s) on property? ☐ Yes ☒ No

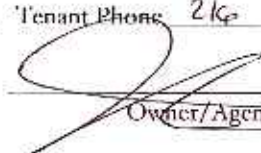
Please Print or Type:

Owner/Agent Name: JIM GALLAN

Property Address: 14018 DETLOTT

Owner/Agent Phone: JIM GALLAN 216 469 1670

Tenant Name: WILKIN LIZAN Tenant Phone: 216 226 6693

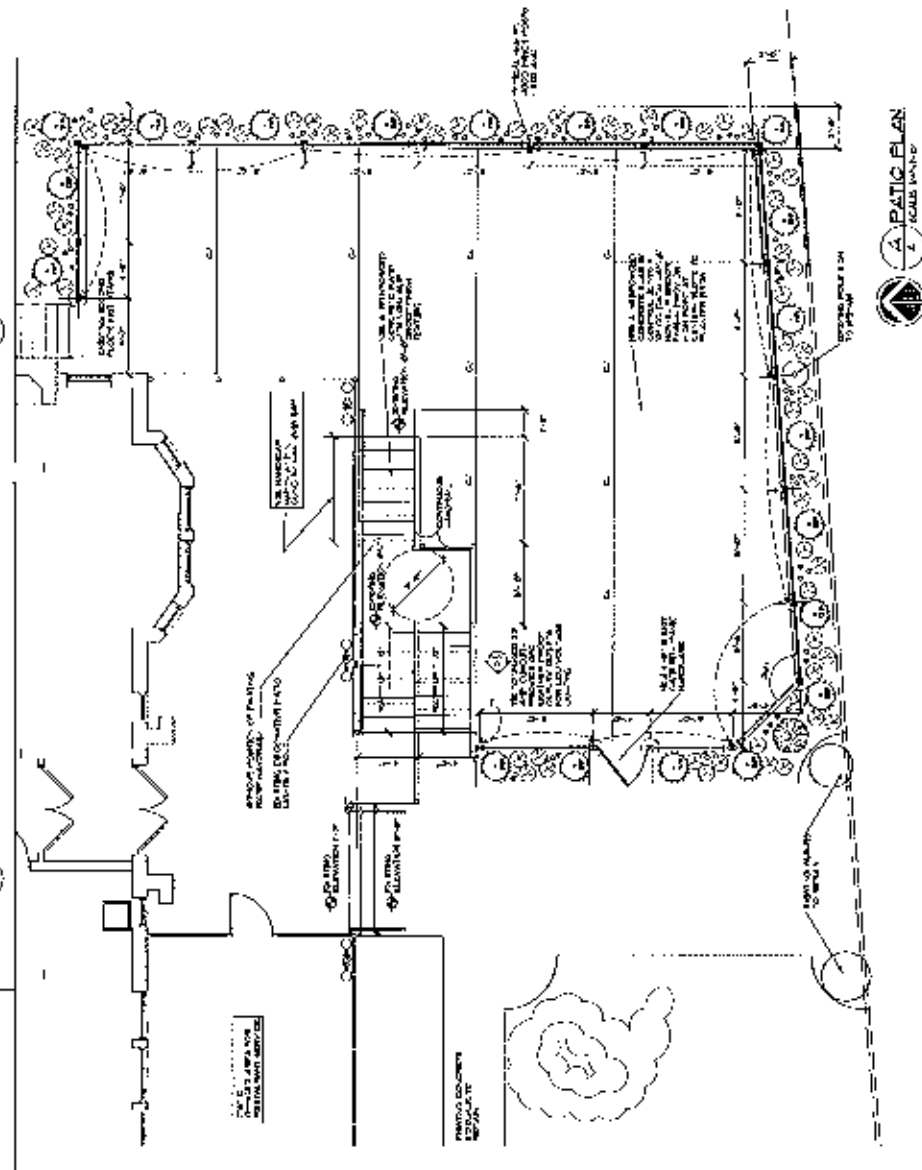
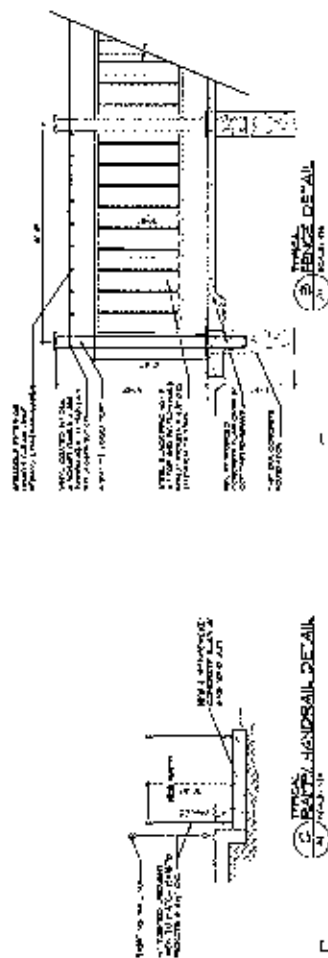

Owner/Agent Signature

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[illegible]

2000-2001



1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.



2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818 2819 2820 2821 2822

② TYPEA
PLAN=NG,DE,ALL&

Project	Activity	Activity Description	Activity Duration	Activity Start	Activity End	Activity Status
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2	2.1	2.1.1	2.1.1.1	2.1.1.1.1	2.1.1.1.2	2.1.1.1.3
3	3.1	3.1.1	3.1.1.1	3.1.1.1.1	3.1.1.1.2	3.1.1.1.3
4	4.1	4.1.1	4.1.1.1	4.1.1.1.1	4.1.1.1.2	4.1.1.1.3
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31	31.1	31.1.1	31.1.1.1	31.1.1.1.1	31.1.1.1.2	31.1.1.1.3
32	32.1	32.1.1	32.1.1.1	32.1.1.1.1	32.1.1.1.2	32.1.1.1.3
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34	34.1	34.1.1	34.1.1.1	34.1.1.1.1	34.1.1.1.2	34.1.1.1.3
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36	36.1	36.1.1	36.1.1.1	36.1.1.1.1	36.1.1.1.2	36.1.1.1.3
37	37.1	37.1.1	37.1.1.1	37.1.1.1.1	37.1.1.1.2	37.1.1.1.3
38	38.1	38.1.1	38.1.1.1	38.1.1.1.1	38.1.1.1.2	38.1.1.1.3
39	39.1	39.1.1	39.1.1.1	39.1.1.1.1	39.1.1.1.2	39.1.1.1.3
40	40.1	40.1.1	40.1.1.1	40.1.1.1.1	40.1.1.1.2	40.1.1.1.3
41	41.1	41.1.1	41.1.1.1	41.1.1.1.1	41.1.1.1.2	41.1.1.1.3
42	42.1					



PROJECT NO. 2021-001
DATE: 01/15/2021
BY: ANDREW J. PAPPALARDO

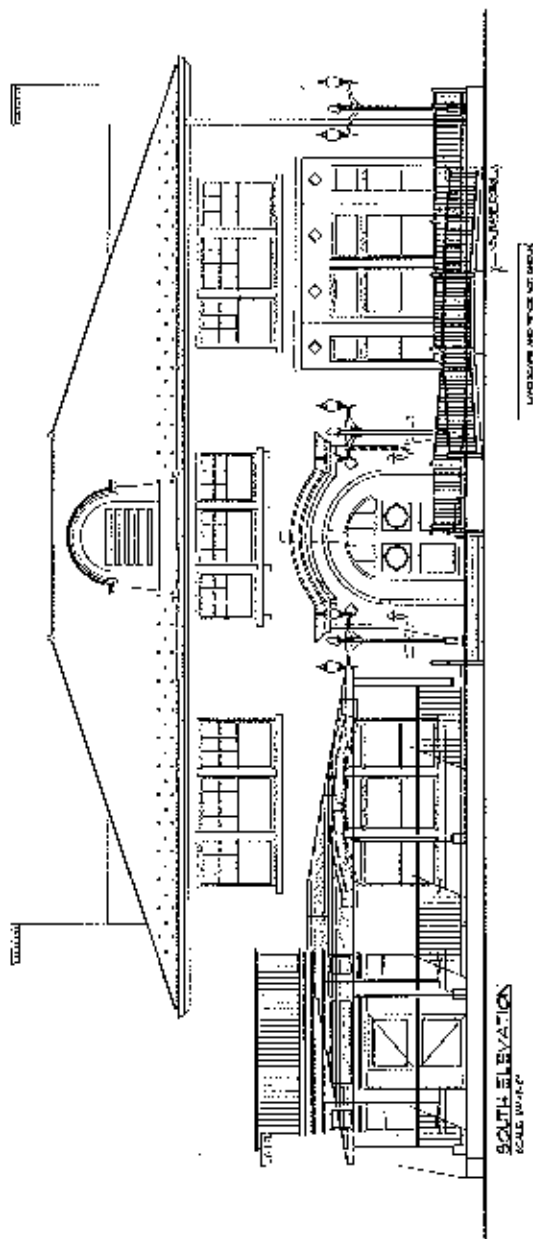
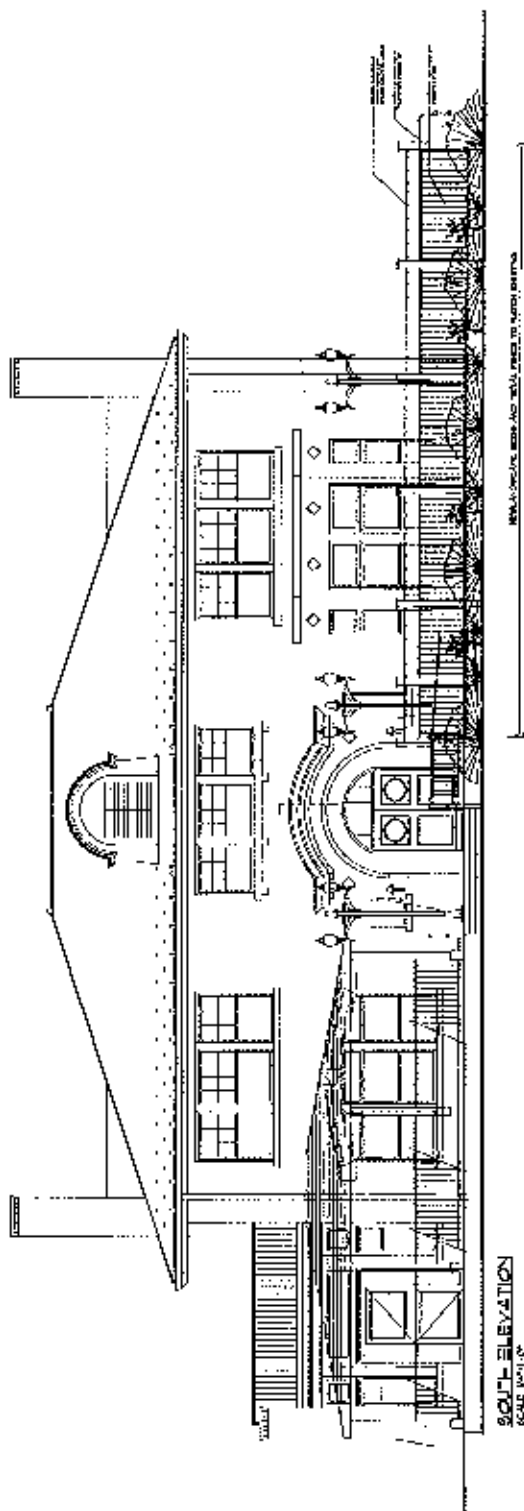
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WINKING LIZARD TAVERN
14218 DILLON ROAD
LAKEMOOD, OHIO

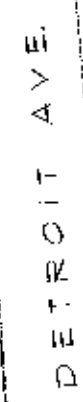
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LAKEMOOD, OHIO

NEW PAID FOR:
WINKING LIZARD TAVERN
14218 DILLON ROAD
LAKEMOOD, OHIO

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DATE: 01/15/2021	BY: ANDREW J. PAPPALARDO
PROJECT NO. 2021-001	SCALE: 1/4" = 1'-0"
NEW PAID FOR: WINKING LIZARD TAVERN 14218 DILLON ROAD LAKEMOOD, OHIO	





PAGE	TITLE
101	COCOA LIPID PLUM
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GENERAL NOTES



12550 DETROIT AVENUE 44107 216/529-6055 FAX 216/276-3650

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Lakewood City Council
BRIAN POWERS, PRESIDENT
MARY LOUISE MADIGAN, VICE PRESIDENT

Council at Large
RYAN P. NOWLIN
BRIAN L. POWERS
MONIQUE SMITH

Ward Council
DAVID W. ANDERSON, WARD 1
THOMAS R. BUTLOCK III, WARD 2
SHAWN P. JURIS, WARD 3
MARY LOUISE MADIGAN, WARD 4

March 4, 2013

Dear Members of the Planning Commission:

Thank you for your hard work to make Lakewood a vibrant city. I appreciate the challenges you face in balancing the competing needs of Lakewood's various constituencies. You do this by making tough decisions that I believe are in the best interests of our City. Your service makes a difference.

I am requesting clarification on the decisions you made in August, 2012 (docket item 06-09-12) regarding the obligations of Discount Drug Mart (DDM) and the construction of the store on 13123 Detroit Avenue. As you know, the Commission approved a conditional use for parking that included the northeast corner of the lot at 1425 Grace provided that the house at 1425 Grace would be renovated by DDM. Particularly, I am interested in the Commission's expectation of DDM relating to the renovation of 1425 Grace Avenue, and the time frame in which the Commission expected that renovation to be completed.

I respectfully request that this communication be placed on the April 4th Planning Commission and reviewed at that public hearing.

The Mayor, Director Siley and I have committed to a group of neighbors on Grace that we will get a timeline from Drug Mart for both the white house (1425 Grace Ave) and the store. The timeline, we believe, will help all of us manage expectations and bring the projects to completion in a timely manner.

Thank you for your assistance.

Sincerely,

Mary Louise Madigan
Councilwoman Ward IV

Cc: Dru Siley, Director of Planning & Building
Mayor Michael Summers
Grace Avenue Neighborhood Group



12650 Detroit Avenue • 44107

CORRECTION NOTICE

Building Commissioner: (216) 529-6270
Commercial Division: (216) 529-6278
Housing Division: (216) 529-6285
Fax: (216) 529-5930

www.onelakewood.com

ISOMER GROUP, INC.
ATTN: TIM MORAN
MEDINA, OH 44256

DATE: 3/15/2013

ZONING DISTRICT: R1H

XX

TYPE OF STRUCTURE: SB

AUTHORIZED OCCUPANCY: 1 DU

PRESENT OCCUPANCY: 1 DU

GARAGE PARKING SPACES AVAILABLE: YES

OPEN PARKING SPACES AVAILABLE: YES

RE: 1425 GRACE AVE

TEMPERATURE ON DAY OF INSPECTION: 36 °F

CONDITIONS ON DAY OF INSPECTION: Sunny

TYPE OF INSPECTION: Certificate of Occupancy
-CN13-004431

Dear **Mr. Moran:**

A recent inspection of the above noted property disclosed the following corrections are necessary for safe, sanitary, and proper maintenance standards as required by the Codified Ordinances of the City of Lakewood (Ord. 85-78).

The personnel of the Division of Housing and Building want to cooperate with you in keeping this city a fine place to reside. Efforts in maintaining this property are appreciated. The enforcement of Lakewood's Codes is critical to the future of the City and our department is prepared to work with you to make the following corrections.

If you have any questions on complying with the aforementioned correction(s), or if I may be of any assistance, do not hesitate to contact me. A re-inspection will occur on or about the above listed dates to verify compliance.

Property owners may qualify for financial assistance for major building corrections. Please contact the Division of Community Development at (216) 529-4663 for information about financial assistance.

This was a VISUAL INSPECTION. The city assumes no liability or responsibility for failure to report violations that may exist and makes no guarantee whatsoever that future violation(s) cannot or will not occur.

Correction Needed

Additional Information

Date to Comply

1. Repair/replace porch decking/trim (1306.30(b)(1))	REPAIR FRONT PORCH DECKING AND RIM JOIST STRUCTURE	4/15/2013
2. Provide/maintain porch ceiling/pillars/rails (1306.30(b)(1))	REPLACE MISSING RAILING AT SOUTH END OF FRONT PORCH. NEW UNIT TO MATCH EXISTING RAILING DESIGN.	4/15/2013
3. Provide/maintain gutters/downspouts (1306.29(c))	MAINTAIN DOWNSPOUT AT FRONT S.W. CORNER	4/15/2013

Correction Needed	Additional Information	Date to Comply
4. Maintain/provide lattice (1306.30(b)(1))	MAINTAIN/REPAIR LATTICE UNITS THROUGHOUT PER EXISTING DESIGN	4/15/2013
5. Maintain foundation/exterior walls (1306.29(a))	MAINTAIN FOUNDATION AT REAR S.E. CORNER AND 'TUCKPOINT' FOUNDATION WHERE NEEDED THROUGHOUT	4/15/2013
6. Provide/repair/replace steps (1306.30(b)(1))	PATCH/REPAIR FRONT AND REAR CONCRETE STAIR SYSTEMS WHERE CONCRETE IS SPALLED/DETERIORATED OR REPLACE	4/15/2013
7. Provide/maintain handrail for all stairs (1306.29(c))	REAR ENTRY	4/15/2013
8. Maintain chimney (1306.30(a))	TUCKPOINT NORTH CHIMNEY WHERE MORTAR IS LOOSE OR MISSING	4/15/2013
9. Paint exterior surfaces where weathered/peeling (1306.30(c))	REMOVE REMNANTS OF VINE GROWTH FROM ALL SIDING, PAINT HOUSE SIDING, HOUSE TRIM, PORCH DECKING AND GARAGE TRIM	4/15/2013
100. Repair/Replace roof (1306.29(c))	REPLACE MISSING SHINGLES ON GARAGE ROOF	4/15/2013
11. Maintain/provide doors/windows/screens (1306.25/29(d))	REPAIR ALL BROKEN/CRACKED WINDOW PANES, REPAIR DETERIORATED WINDOW SASHES, INCLUDING FRONT ATTIC EYEBROW WINDOW, AND REPLACE ALL MISSING OR DAMAGED STORMS AND SCREENS	4/15/2013
12. Repair plaster (1306.29(k))	REPAIR ALL DAMAGED WALL AND CEILING PLASTER SURFACES	4/15/2013
13. Provide/maintain approved heating facilities (1306.18/19)	REMOVE ILLEGAL "GASINERATOR" UNIT IN BASEMENT/ SEAL CHIMNEY OPENING, AND REMOVE ILLEGAL UNIT HEATERS IN FIREPLACES ON 1ST AND 2ND FLOORS	4/15/2013
14. Provide / secure vent cover(s). (1306.29(i))	SEAL HWT VENT AT CHIMNEY AND SECURE ASH CLEAN-OUT DOORS	4/15/2013
15. Seal unused openings in all boxes/panels (NEC 110.12(A))	INSTALL KNOCKOUTS WHERE MISSING IN PANELS, DISCONNECTS AND JUNCTION BOXES	4/15/2013
16. Provide approved installation of elec. conductors (NEC 300.4)	PROVIDE BONDING JUMPER AT WATER METER	4/15/2013
17. Properly secure water distribution	BASEMENT	4/15/2013

Correction Needed	Additional Information	Date to Comply
line(s). (1306.29(i))		
18. Replace waste pipes (1306.29(g)(7))	REPLACE CRACKED WASTE PIPE IN BOILER ROOM AND MAINTAIN STACK IN 2ND FLOOR S.E. BDRM	4/15/2013
19. Maintain receptacles/switches/fixtures (1306.22)	MAINTAIN OR REPLACE LIGHT FIXTURES IN BASEMENT WHERE WIRING IS OPEN OR EXPOSED AND REPLACE LIGHT FIXTURE GLOBES WHERE MISSING THROUGHOUT HOUSE	4/15/2013
20. Maintain plumbing fixture(s) (1306.29(g)(8))	REMOVE TOILET FROM FIRST FLOOR HALL AREA AND CAP PLUMBING AND WASTE LINES THERE	4/15/2013
21. Eliminate extension cord used as permanent wiring (NEC 400.8)	KITCHEN AND PANTRY	4/15/2013
22. Maintain window(s) operable/in good repair (1306.25/29(d))	REPAIR CRACKED/BROKEN WINDOW PANES AND REPLACE SASH CORDS WHERE MISSING THROUGHOUT	4/15/2013
23. Maintain walls/floors/ceiling structurally sound (1306.29(a))	MAINTAIN FLOOR SURFACES AND FLOOR COVERINGS WHERE DAMAGED THROUGHOUT	4/15/2013
24. Provide/repair/replace stairs (1306.29(e))	SECURE BOTTOM NEWEL POST AT 1ST FLOOR LEVEL IN MAIN STAIRCASE	4/15/2013

PER THE REQUIREMENT OF LAKEWOOD CODIFIED ORDINANCES, FAILURE TO COMPLY BY THE SPECIFIED DATES MAY RESULT IN THIS MATTER BEING REFERRED TO THE LAKEWOOD MUNICIPAL COURT POSSIBLY RESULTING IN FINES AND/OR PROSECUTION.

Prior to the start of work, permits are required for electrical, plumbing, heating, air conditioning, building, fencing, paving, and/or demolition work.

Thank you for your anticipated cooperation.



Kevin A. Kelley
Building Inspector
Phone: (216) 529-6078
E-Mail Address: Kevin.Kelley@lakewoodoh.net

March 25, 2013

Dear Members of the Planning Commission:

We, residents of Grace Avenue, respectfully request that you hold Discount Drug Mart accountable for their important commitments to our neighborhood.

As you are well aware, Discount Drug Mart was granted a lot split and conditional use for accessory parking of a residential property on our street with the trade-off that the corporation would renovate the historic home at 1425 Grace. They demolished Grace Apartments and a large portion of the backyard of 1425 Grace. The commercial building is well underway, yet there has been no movement on the white house, 1425 Grace. We have communicated with Mayor Summers, Director Siley, and Councilwoman Madigan since early December regarding our concerns about the lack of movement to renovate and the need for a timeline and enforcement of noncompliance. We were told that by submitting this document to Mr. Siley by March 25, he would ensure that you received it along with the other materials for the April 4, 2013 Planning Commission Meeting, so we are in fact submitting this on March 25.

The rehabilitation of 1425 Grace is important for Lakewood.

Discount Drug Mart chose to buy a house with many needs and pledged to renovate it and give it back to the community. Although there is the potential for a beautiful renaissance, there are clearly many code violations at 1425 Grace. We know that these are not new. Drug Mart purchased this property knowing its needs and knowing their resources. We feel very strongly that Drug Mart should be held accountable for properly renovating the house.

After the elderly previous owner passed away, the Nadas family had taken steps to clean out the property and improve the exterior and told neighbors they had plans for a complete renovation. Since Drug Mart acquired the property, this progress has halted. Only one eyebrow window was repaired in the last almost 8 months since they were granted conditional use, and this occurred only with much pressure from neighbors. We are told that Drug Mart has finally begun to take steps to find someone to renovate the house, but even this action only took place after this group of neighbors made numerous requests of Mayor Summers, Councilwoman Madigan and Mr. Siley. Prior to that, they were doing nothing. This would not be acceptable for any of us as homeowners, and it is unacceptable for Discount Drug Mart.

This inaction is in sharp contrast to Drug Mart's statements. At the August 2, 2012 Planning Commission meeting, Drug Mart representatives made numerous assertions that they would make up for taking part of the backyard of the white house by renovating it. Kurt Schmitz, Drug Mart's architect said: "We're renovating the house. We're giving it back to the community." "We're saving the house, we're renovating it, we're fixing it up, that's no small task." "Part of giving us this is keeping this house and it's renovating it, it's fixing it up." Tom McConnell (Drug Mart representative) said: "We'll remodel it."

Scope of the Renovation

We have now been told that Drug Mart may intend to only address code violations, but do no more. The language that Drug Mart used at the previous Planning Commission meeting suggested more than simply bringing the house to code. In addition, any homeowner would be required to bring the house up to code. Drug Mart was allowed to take a significant portion of the house's back yard in exchange for putting resources into the house to make up for that loss of yard. If Drug Mart is only required to bring the house up to code, their duty to the house will be no greater than any other homeowner who buys a house in disrepair. If that is the case, the city has gotten a bad deal. Drug Mart's duty here is greater than the regular homeowner, because they were given something extra. They were able to slice off a part of the back yard and granted conditional use of that property. In exchange, they should be required to do more for the house that they want to "give back to the community". Correction of code violations does not equate to renovating or rehabilitating the home.

The list of code violations in the City's 3/15/2013 inspection report (completed more than 7 months after the Planning Commission granted the lot split and consolidation) is a good starting place but should not be the complete list of renovations required. Some items not included in that report but which should be required to compensate for the taking of the footage from the back yard include:

- Renovation of kitchen and bathrooms to meet modern standards.
- Repair of all woodwork throughout the house in a manner that maintains the house's historical character.
- Landscape the yard appropriately.
- Paint the interior of the house.
- Replace any wallpaper in disrepair.
- Clean out the house, if any debris remains.

Some items that we were surprised were not in the report, and about which we encourage the Planning Commission to inquire further are:

- The electrical system: Has the box been upgraded? Does the house still have knob and tube wiring?
- The roof: How old is it? Is there evidence in the house of water damage indicating the roof needs repair?
- Foundation and gutters: Is the basement dry? Are there signs of water damage caused by bad gutters and/or foundation?

Drug Mart may argue that this level of renovation would require them to put more money into the house than they can get out of the house. That may well be true. But that is the deal that they struck. Clearly they did not purchase the white house to make money on it. They purchased it so they could use part of the property for their commercial endeavor – that is where their profit lies, not with the white house. All money they spend on the white house renovation

is part of their overall investment in this new store. And the total funds they will spend on the white house are a very small percentage of their total investment.

Enforcement

Based on Drug Mart's actions since August 2012 when it was granted conditional use of the various properties involved, the Planning Commission must take an active role in oversight of this renovation, or it simply will not get done. The gross inattention to the white house since August shows that Discount Drug Mart's promise to "save the white house" was lip service intended to circumvent the city's zoning code for their gain. In addition, we have been told that Drug Mart is taking steps to sell the house and we fear that they are doing so in an effort to avoid their responsibility for the house. Whether they sell or not, Drug Mart should be held fully accountable for the renovation of the white house. If the Planning Commission does not keep the pressure on, Drug Mart will let the house sit even longer.

In addition to the inactivity with regard to the white house, since August Drug Mart has repeatedly failed to live up to its promises and flaunt city ordinances. They promised that trucks would not drive up and down Grace. And yet, the reality has been significant truck traffic continuing long after residents complained to the city, and continued even this week. They promised they would be a good neighbor, yet their crews start before the allowed 8:00 am start time, even after complaints by residents. And, they set up lights in the unfinished building which cast significant light onto and into neighbors' houses. They left those lights on all night. Drug Mart has exhibited that they will not comply with their promises without real enforcement by the city.

We therefore request that the Planning Commission take the following steps to ensure compliance:

- **Reports:** Drug Mart should be required to submit reports to the Planning Commission every 30 days describing their progress in meeting the timeline for renovation.
- **Reports from Neighbors:** In addition, we request that the Planning Commission invite neighbors to submit written reports about any violations of the Planning Commission's orders.
- **Appearance:** Drug Mart should be required to appear before the Planning Commission every 60 days to verbally report on progress. We also request that if the Planning Commission receives any indication that Drug Mart is not in compliance with its orders, the Planning Commission should require that Drug Mart appear at additional Planning Commission meetings.
- **Suspension:** If Drug Mart is in substantial violation with the timeline set out, then the Planning Commission should suspend its grant of Conditional Use of the residential property until such time as Drug Mart comes into compliance. Drug Mart should not be allowed to profit from the conditional use of the property if they are not complying with their promises to renovate the house.

This type of oversight is perhaps unusual for the Planning Commission. However, it is both necessary and appropriate. In fact, it is simply carrying out the promise made by Mayor Summer at the August 2 Planning Commission meeting, in which he said:

If we have problems, if we have traffic problems, we'll acknowledge them, we'll meet in this room, we'll work on improving them. We'll use all of the tools we have. We'll draw on Discount Drug to help us the best they're able, and other tools, and we'll continue to protect your neighborhoods. It's our job to do so, it's your need to do so.

Timeline

Finally, we request that the Planning Commission require that Drug Mart comply with a clear timeline and milestones regarding the renovation. As described above, without this level of specificity it is highly likely that Drug Mart will drag its feet on renovation, based on their actions to date. They were granted conditional use of that property on August 2, 2012. They began construction shortly thereafter, and they tore down Grace Apartments on September 15, 2012. The acquisition of this property was key to their commercial development plan. We were told repeatedly that without the large portion of the backyard, they would not be able to "get [their] trucks around the building." They are planning to open the store in June. If they do, they will be able to profit from their use of the white house's property, yet have taken no action to renovate it as they promised.

We request that the Planning Commission establish a timeline that includes the following:

- April 15, 2013: Contractor is retained and all necessary permits obtained.
- June 15, 2013: 50% of internal work completed.
- August 1, 2013: Internal work completed.
- August 1, 2013: 50% of external work completed.
- October 1, 2013: Renovation is complete and house is placed on the market.

Conclusion

As voluntary servants of our city, you have a responsibility to see that Drug Mart performs as they promised they would do when they stood before you at various meetings. You allowed them to exceed the commercial footprint by granting conditional use of residential property and to strip a portion of the white house's back yard. Now, we ask you to hold them to their promises and ensure that they perform as promised and return "the white house" to us as a viable asset to our community.

With this document we request that you require that Drug Mart: renovate the house (beyond code violations) to comply with their promises; complete the renovation in a specific time frame by October 1, 2013; submit regular reports to the Planning Commission on its progress; and suspend Drug Mart's conditional use of the residential property if it fails to substantially comply with these requirements.

We look to you to help protect our neighborhood and Lakewood and to strike a healthy balance between commercial and residential interests and to make responsible, long-term decisions for the future of Lakewood.

Thank you for your service to our city.

Sincerely,

Dave Bliss and Joan Groth
1504 Grace Avenue

Annie Caswell and Don Tollett
1431 Grace Avenue

Michael and Kazuyo Ciccarello
1519 Grace Avenue

Colleen Cotter and Mark Buckley
1437 Grace Avenue

Mary Grodek
1441 Grace Avenue

Jeff and Tammi Hanson
1501 Grace Avenue

Barb Marburger
1475 Grace Avenue

Kevin and Linda McDonough
1422 Grace Avenue

Carl and Debbie Roloff
1438 Grace Avenue

Stephen Yusko
1487 Grace Avenue



PLANNING COMMISSION
DRU SILEY
SECRETARY

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.onelakewood.com

April 4, 2013

Planning Commission
Lakewood City Hall
12650 Detroit Avenue
Lakewood, Ohio 44107

Re: Renewal of Conditional Use Permits for Outdoor Seasonal Dining

Dear Members of the Planning Commission:

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 2013:

- 12401 Detroit Avenue; Peppers Italian Restaurant,
- 14718 Detroit Avenue; Melt Bar & Grilled,
- 15010 Detroit Avenue; Yogurt Treats, LLC ("menchie's"),
- 11926 Madison Avenue; The Flying Rib,
- 13715 Madison Avenue; Angelo's Pizza,
- 14224 Madison Avenue; El Tango Taqueria,
- 16204 Madison Avenue; O'Donnell's Pub, and
- 17014 Madison Avenue; Mullen's of Letterfrack.

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.

Sincerely,

Dru Siley

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

DOCKET No. 09-21-12
FEE PAID 3/24/12
PL12-000588

**APPLICATION
LAKEWOOD PLANNING COMMISSION**

Property Address 13603 Madison Business/Tenant Name Bonnie and Clyde's
Property Owner Name George Teledis Owner Phone 440-590-3975
Owner E-mail _____ Zoning _____ Parcel Number _____
Project Summary Patio permission

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- ☐ Minor Sub-Division – (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Lot Consolidation/Lot Split – (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Planned Development – (\$500)
☐ Similar Use – (Commercial \$50, Residential \$25)
☒ Conditional Use – (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
☐ Variance – (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Bonnie Lewandowski Company Bonnie and Clyde's, LLC
Applicant Address: 13603 Madison Ave
Phone: 216-789-0790 Fax: _____ E-mail: _____
Signature: Bonnie Lewandowski Date: 8-3-12

OFFICE USE ONLY: Application Reviewed and Accepted by: RJA Date: 8/22/12

File History: _____

Bldg. Dept. Remarks: REQUEST A CONDITIONAL USE
PERMIT FOR AN OUTDOOR DINING
FACILITY

ORD. 43-11 SECTION 5 City of Lakewood – Revised 11-17-11
7207 1161.03 (F) (18)
124-05 473-05 1173.02

25

MINUTES
Audio Recording Available
PLANNING COMMISSION MEETING
September 6, 2012
LAKEWOOD CITY HALL
7:00 P.M.
AUDITORIUM

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

Roll Call

MEMBERS PRESENT

Hannah Belsito
Ruth Gillett
Robert Greytak
Tamara Karel
Mark Stockman, Chairman

OTHERS PRESENT

Dru Siley, Commission Secretary, Dir. of P&D
Bryce Sylvester, Project Specialist II
Jennifer Mladek, Assistant Law Director

8. Docket 09-21-12 13603 Madison Avenue
Bonnie and Clyde's, LLC

Bonnie Lewandowski, applicant, requests approval for a Conditional Use permit for an outdoor dining facility, pursuant to Schedule 1129.02 – Principal and Conditional Permitted Uses, Section 1161.03(t)(1g) – Outdoor/Seasonal Dining, and Section 1173.02 – Conditional Use Permits. This property is located in a C3, Commercial and General Business district. (Page 29)

Bonnie Lewandowski, applicant, was present to explain the request. She bought the business with an existing patio and was issued an occupancy permit after the inspection of the bar and patio. A kitchen was added last year. It was a nice area for smokers. Lately there were noise complaints. The one of last night was not from Bonnie and Clyde's patio as there were no patrons. Mr. Stockman asked about the patio. Ms. Lewandowski said it was a solid wood fence, the patio floor was concrete, and the low railing on the fence was for plantings and mulch. There were five tables and eighteen chairs. The menu had items such as wings, hamburgers, and pierogies.

Ms. Karel wanted to know when Ms. Lewandowski was told she needed approval for the patio, and Ms. Lewandowski replied about two months ago. Ms. Karel thought there was a delay in receiving the notice and application for a permit. Ms. Lewandowski would not activate the outdoor speaker unless requested.

Julie Plagens, one of the owners of Lakewood Village, resided in Rocky River, and Gina Smith, 2004 Elbur Avenue, voiced their concern about the noise. Ms. Smith's apartment overlooked the patio. Ms. Plagens said she had six tenants in the Lakewood Village complex who are not getting sleep because of the noise. Ms. Smith said it was the combination of the music and the patrons' conversations; more to the music, it was the bass that permeated through her unit and window. Ms. Lewandowski said her patrons were not rowdy and fights; there were normal conversations. Ms. Plagens said it was the time. Ms. Smith said there were people on the patio at 2:38 am. Ms. Plagens said she is losing tenants. Ms. Gillett said the Planning

Commission had the authority to limit the hours. Ms. Smith said she heard activity from the bar/patio all day and evening and was unable to open her windows.

Mr. Stockman said Ms. Lewandowski had to be vigilant. If the patio use were granted, it would be subject to conditions.

Mr. Siley said the close proximity of commercial and residential buildings posed unique problems. Regardless, the speaker could not be permitted in this situation. It was the responsibility of the owner and manager to monitor the noise situation when patrons were on the patio. Ms. Karel had concerns about the code not being followed, and that the new owner did not seek approval since any prior approval would expire with the sale. She was concerned with the number of times the police have been called.

Ms. Mladek pulled CAD reports prior to the current situation, and in about one year, there were maybe one or two substantiated complaints resulting from music.

Ms. Gillett concurred with Ms. Karel's concerns that Ms. Lewandowski was not aware of the codes and the requirements, as was the responsibility of a property owner. In the past, having security on the premises had been one of the conditions to granting the use of patios.

A motion was made by Ms. Gillett, seconded by Karel, to **GRANT with the following stipulations:**

- 1. The outdoor patio speaker be removed immediately and**
- 2. To close the patio on October 31st, 2012.**

Ms. Karel asked about appeals to the decision of the commission. Mr. Siley stated they typically approve conditional use and ask the applicant to reappear within a year for renewal. In this instance, suggested approval would be through the current season ending in October and to revisit the request in early 2013; a review of activity would be conducted. All of the members voting yea, the motion passed.

P.P. #: _____

Fee Paid 11/19/07 pjd

Similar Use - \$25/Residential; \$50/Commercial
 Conditional Use - \$75/Residential; \$150/Commercial
 Use Variance - \$25/Residential; \$50/Commercial
 Account 101-0000-321. 30-03

Docket No. 12-M-07**APPLICATION FOR LAKEWOOD PLANNING COMMISSION**

PLEASE NOTE: IN THE ABSENCE OF THE APPLICANT OR AGENT THE COMMISSION WILL CONSIDER EVIDENCE PRESENTED AT THE MEETING.

PLEASE NOTE: APPLICANT OR AUTHORIZED AGENT MUST APPEAR AT THE COMMISSION MEETING. IF BEING REPRESENTED BY AN AGENT, SAID AGENT MUST PRESENT WRITTEN AUTHORIZATION TO THE SECRETARY OF THE COMMISSION.

Name of Applicant: Michael Krivosh Phone: (216) 440-3257D.B.A. Around The Corner Saloon + CafeAddress: 18616 Detroit Ave. Lakewood, Ohio 44107Address of Property Involved in Appeal: 18622 Detroit Lakewood, OhioOwner of Property: Michael KrivoshOwner's Mailing Address: 17479 Clifton Blvd. Lakewood, Ohio 44107Zoning District: C-2 Ord. 91-95, Code Section: 1129.13(A)(B)/1161.03(+)

Any applications not containing sufficient information and/or complete drawings may be deferred until complete information has been submitted.

Specific Details of Request: Requesting to use adjacent office/warehouse space to expand for private parties and a place to go to if it rains from the patio. Also, to put dining glass doors between patio & new space.

Applicant or Agent's Signature [Signature]

===== DEPARTMENT USE ONLY =====
 Remarks from the Building Department: applicant Requests Conditional use

approval for Seasonal Dining facility.

File History on Property: _____

CONDITIONAL USE - SECTION 1173.02(b)
PLANNING COMMISSION REQUIRED FINDINGS

**IF YOU ARE REQUESTING A CONDITIONAL USE PERMIT TO SECTION 1173.02(b),
APPLICANT MUST MEET ALL THE REQUIREMENTS.**

EACH QUESTION MUST BE ANSWERED IN FULL - A "YES" OR "NO" IS NOT ACCEPTABLE

Describe the existing use of the property in question?

Building adjacent to the Around The Corner
Patio is office / warehouse space

Is the proposed use designed, constructed, operated, and maintained so as to be harmonious with the existing and/or intended adjacent uses, and if not, explain?

Yes, the office/warehouse space would be harmonious
with the existing Around The Corner Patio

Will the granting of the conditional use permit be adequately served by existing public utilities and services, and the impact of the proposed use on such utilities and services, and if not, explain?

Yes, it would be adequately served by existing public
utilities and services.

Is the granting of the conditional use permit in harmony with the neighborhood or will it be injurious to the neighborhood or otherwise detrimental to public welfare?

Yes, it will be in harmony w/ the neighborhood. We will be filling
up a vacant space that is hard to rent. The space will not be injurious
to the neighborhood because of its location. It is a middle space
of the warehouse. See drawing.

Will the granting of the conditional use permit interfere substantially with vehicular and pedestrian traffic on surrounding public right-of-ways, and if so, explain?

No, it will not interfere. The public will be entering this
space through the rolling glass garage doors from
Around The Corner patio.

Will the granting of the conditional use permit result in the destruction, loss, or damage to a property listed on the federal, state, or local register of historic places, and if so, explain?

No, it will not.

**LAKEWOOD PLANNING COMMISSION MEETING
LAKEWOOD CITY HALL
DECEMBER 4, 2007
COURT ROOM
7:00 P.M.**

Meeting called to order at 7:00 p.m.

ROLL CALL

MEMBERS PRESENT

Dennis Albrecht, P.E.
Thomas Einhouse
Ruth Gillett
Edward Graham
William Grulich, Vice Chairman
John Viglianco

OTHERS PRESENT

Thomas Corrigan, Legal Counsel
Dan Russell, Assistant Building Commissioner
Barbara J. Kelly, Planning Assistant
Jeff Fillar, Assistant Building Commissioner

Docket 12-17-07 18622 Detroit Avenue

Michael Krivosh, property owner, requests a conditional use for Outdoor/Seasonal Dining Facility pursuant to Section 1129.13 and Subsection 1161.03(t). The applicant is proposing to utilize an adjacent office/warehouse space to expand the existing business for private parties and for a place for patrons to go during inclement weather from the patio. The request is for rolling glass doors between the patio and proposed new space in a C2, Business, retail, Business District.

Michael Krivosh, property owner, was present to explain the conditional use request. Mr. Krivosh said he is having difficulty leasing the building because of its unique size and therefore decided to consider utilizing the center portion of the building as a party center. He said as a result he hoped to be able to compete in that growing market. Mr. Krivosh indicated that the rolling garage doors and potential party center entrance would be off the existing patio.

Mr. Einhouse expressed concern about potential noise coming from the party room when the rolling doors are opened. Mr. Krivosh indicated that he has never had a problem or complaint from noise on the existing patio as he tries to be a good neighbor and address potential problems before they can escalate and does not anticipate any problems from the rolling windows.

Mr. Krivosh said he understands that if the Planning Commission approved this conditional use request that other approvals would be needed. He said he would need approval from the liquor control board as well as the Building Department for a change of use. With respect to parking, Mr. Krivosh said he had plenty since he owned most of the parking in the vicinity.

Mr. Einhouse also expressed concern about the recent smoking ban and how this would affect the smoking on the outdoor patio and Mr. Krivosh responded that is one of the reasons he is proposing three rolling windows instead of one large one, so windows can be opened and closed as needed. Additionally, Mr. Krivosh said a portion of the outdoor patio, the section running parallel with the proposed location of the rolling windows, is smoke-free.

Mr. Albrecht asked for clarification from Mr. Corrigan regarding a conditional use and Mr. Corrigan stated that a conditional use is granted to an applicant and is not transferable.

Ms. Gillett asked if there would be access to the proposed party center from the current bar and Mr. Krivosh said no, there is access from the patio only. He said in the future they might consider installing a connecting door from the proposed area to the existing bar.

Mr. Grulich asked if the building that the proposed party center would be located is situated on a separate parcel. Mr. Krivosh did not clearly answer this question.

Mr. Graham asked how many seats are proposed for the party room and Mr. Krivosh said he did not know however there is 2,100 square feet of space in the proposed area.

Mr. Corrigan asked if there were speakers on the existing outdoor patio and Mr. Krivosh said yes. Mr. Corrigan asked if any additional speakers would be added and Mr. Krivosh said no.

Mr. Corrigan asked Mr. Krivosh if he planned on constructing a stage in the proposed party room and Mr. Krivosh said he did not know.

Mr. Corrigan asked if food preparation is planned in the proposed party center and Mr. Krivosh said not at this time.

Mr. Corrigan addressed the smoking ban and Mr. Krivosh reiterated his previous comments in that a portion of the outdoor patio closest to the proposed rolling windows is non-smoking. Mr. Corrigan asked if Mr. Krivosh has been able to maintain and enforce the no smoking and Mr. Krivosh said yes.

The Building Department had no comment and there were no questions or comments from persons in attendance.

Motion by Mr. Einhouse, seconded by Mr. Viglianco to **APPROVE** a Conditional Use for Outdoor/Seasonal Dining with the stipulation that the property owner makes a conscious effort to control the sound by lowering the rolling windows as needed; that the windows may be open until 2:00 a.m. seven days a week and that the property owner appear before the Planning Commission at their December 2008 meeting at which time the Commission shall review the aforementioned conditions for the rolling windows. All members voting yea, motion passed.

Account: 101-0000-321. 30-03 (Sim. Use, Con. Use, Use Var)
Account: 101-000-349. 60-00 (Minor-Sub, Lot Split/Con, PD)

DOCKET No. 05-10-11
FEE PAID 03/30/11

APPLICATION
LAKEWOOD PLANNING COMMISSION

Property Address 17900 Detroit Ave Business/Tenant Name Eddy and Eggsy's Bar and grille
Property Owner Name Tom Corrigan Owner Phone 2161832-8795
Owner E-mail DAKDPm1@aol.com Zoning Commercial Parcel Number 311.22-022
Project Summary We would like to Add an out door Dining Area
at the side door of our location

Late Applications Will Not Be Accepted. (See calendar on page 2 for deadlines)

ACTION REQUESTED (Check all that apply)

- ☐ Minor Sub-Division - (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Lot Consolidation/Lot Split - (Commercial \$200, Residential \$200, Planned Development \$500)
☐ Planned Development - (\$500)
☐ Similar Use - (Commercial \$50, Residential \$25)
☒ Conditional Use - (Commercial \$150, Residential \$75) (See Chapter 1173 of the Zoning Code for add'l submission requirements)
☐ Variance - (Commercial \$50, Residential \$25)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of authorization from property owner, if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
4. Photos of the existing conditions.
5. Authorization for Property Access signed by the owner. (Pg. 2 of this application form)
6. Fee(s).

Applicant Name (Print Clearly): Tom Corrigan Company Eddy and Eggsy's Bar and grille
Applicant Address: 17900 Detroit Ave Lakewood OH 44107
Phone: 2161832-8795 Fax: 2161871-7433 E-mail: DAKDPm1@aol.com
Signature: [Signature] Date: 3/11/11

OFFICE USE ONLY: Application Reviewed and Accepted by: DAK Date: 3/30/11

File History: _____

Bldg. Dept. Remarks: CONDITIONAL USE PERMIT
FOR AN OUTDOOR DINING FACILITY.

ORD. 91-95 SECTION 1129.02 City of Lakewood - Revised 10-05-10
70-07 1161.03(+) 1 of 2
91-85 1173.02
1129.13

32

AMENDED MINUTES
Recording Available
PLANNING COMMISSION MEETING
May 5, 2011
LAKEWOOD CITY HALL
REGULAR MEETING
7:00 P.M.
AUDITORIUM

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

Roll Call

MEMBERS PRESENT

Hannah Belsito
Mary Cierebiej
Tom Einhouse, Chair
Ruth Gillett, Vice Chair
Robert Greytak
Tamara Karel
Mark Stockman

OTHERS PRESENT

Dru Siley, Secretary, Asst. Dir., P&D

5. Docket 05-10-11

17900 Detroit Avenue
Eddy + Iggy's Bar and Grille

Tom Corrigan, owner of Eddy + Iggy's Bar and Grille, requests Conditional Use approval for an Outdoor/Seasonal Dining Facility, pursuant to Sections 1129.02 – Principal and Conditional Permitted Uses, 1129.13 – Supplemental Uses for Outdoor/Seasonal Dining Facility, 1161.03(t) – Supplemental Regulations for Specific Uses, and 1173.02 – Conditional Use Permit. The proposed outdoor dining would be located on the east side of the restaurant. The property is located in a C2, Commercial and Retail district. (Page 3)

Tom Corrigan, owner, was present to explain the request. Accompanying him were his brother and partner, Tim Corrigan, and Ben Hancock, the project construction manager. He proposed to use four (4) parking spaces and some of the landscaped area. The parking spots would be relocated to the rear of the building. A cable and railing fence system would surround the dining area. The proposal had been presented to the Architectural Board of Review ("ABR").

Mr. Einhouse asked about the current number of seating to which Mr. Corrigan replied "85". Mr. Einhouse asked about the relocation of the ADA parking spot. Mr. Corrigan said there was one across the lot that was within the required distance. Ms. Cierebiej inquired about a second ADA parking spot, and Mr. Corrigan stated a second one would be relined and signage added.

Mr. Corrigan acknowledged that the fence system would need to be removed and stored out of sight during the off season.

Mr. Greytak asked about the pavement surface. Mr. Corrigan said it would be resealed and repainted to correct former bumps, and graded to allow for proper drainage from the building. He confirmed the seating would be for twenty-one (21).

Mr. Siley advised the Planning Commission that the proposal needed final approval from ABR, and the applicant would be required to enter into the Use of Public Property Agreement, as a portion of the seating was in the public way. He concluded the City had no objections other than those two points.

Ms. Gillett asked about the gate. Mr. Corrigan said that an egress was required in the case of an emergency. Mr. Siley concurred and added that was also before ABR.

There were no comments or questions from the public.

A motion was made by Ms. Karel, and seconded by Mr. Stockman, to **GRANT** the request as presented with the **stipulation** of entry into the appropriate and necessary agreements. All members voting yea, the motion passed.



DOCKET NO. 02-05-13

PLANNING COMMISSION
DRU SILEY, SECRETARY

12650 Detroit Avenue • 44107 • (216) 529-6630 • FAX (216) 529-5907
www.oneLakewood.com

February 7, 2013

Lakewood Planning Commission
12650 Detroit Avenue
Lakewood, Ohio 44107

Introduction: Draft of 2012 Community Vision

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

Sincerely,

Dru Siley
Secretary