

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
FEBRUARY 25, 2016
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala; K. Kary; C. Cox, Acting Chairman

ABSENT: G. Patt; G. Merhar, Chairman

OTHERS: Stephanie Lendgraf, Asst. Law Director; Jim Sayles, City Engr.; Janice Lipscomb, Econ. Devel. Mgr.; Darryl Keller; Chief Zoning & Bldg. Inspec.; Betty Nardelli, Sec'y

Acting Chairman Charles Cox called the regular meeting to order at 7:03 p.m.

MINUTES

January 28, 2016

A motion was made by Ken Kary and seconded by Robert Fiala to approve the January 28, 2016 Public Hearing and regular meeting minutes as written.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: APPROVED

NEW BUSINESS

LAKE WILLOUGHBY PROPERTIES	4176 SR 306	CUP -
(Ray Corby)	P.P.21A-22-23	Medical clinic
(Chris Buday)		C.O. 1141.03(b)(3)
		MS-B dist.

Chris Buday, Senior Project Manager of Boldt and co-owner with Lake Health of Lake Health Properties, represented this conditional use permit application. This 27,000 sq. ft. facility will bring several practices and clinics outside of Willoughby into this facility. The hours of operation are 6:00 a.m. until 7:00 p.m. Mondays through Sundays. Not all the practices in this building will operate at this range of hours.

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There will be no emergency room services. It will be all primary care and diagnostics. Mr. Buday said that there will not be a pharmacy at this facility. Fifty new employees will be brought in from outside of the Willoughby area. Mr. Buday said there is a potential for 900 sq. ft. retail space for a medical spa. The gym will be used for physical therapy. There will be a generator on-site which will be tested for one hour on a quarterly basis.

Mr. Buday said that the reason for the residual grassy area at the rear of the property is because the site couldn't be developed any smaller so Lake Health leased the entire parcel. Mr. Buday said that they are developing on demand for medical services and leaving the rest of the site as green area as a buffer between this site and Burger King and Red Roof Inn. Also the storm water management and detention basin is at the rear of the site in this grassy area.

Being no more discussion Acting Chairman Cox asked for a motion.

A motion was made by Robert Fiala and seconded by Ken Kary to approve the conditional use permit application as submitted.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: APPROVED

LAKE WILLOUGHBY PROPERTIES	4176 SR 306	Dev./landscape/ elev. plans -
(Ray Corby)	P.P.21A-22-23	new 1-story med.
(Chris Buday)		Office bdg
		27,000 sq. ft.
		MS-B dist.

Chris Buday, Senior Project Manager of Boldt and co-owner with Lake Health of Lake Health Properties, represented this development, landscape and exterior elevations plans for a 27,000 sq. ft. one-story medical building.

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Mr. Buday said that there is a driveway adjacent to Burger King that is an entrance only from SR 306. There is an existing easement adjacent to the Red Roof Inn and Burger King. The easement allows them to come across the front of the Lake Properties site and to exit south of the raised divided median strip on SR 306. The raised median strip on SR 306 keeps cars from heading north on SR 306.

Mr. Buday said that there isn't any ambulance service to this facility. An ambulance is used only to transport an on-site critical patient to another facility for higher medical care.

Ray Corby of Array Architects represented the exterior elevations plan. Mr. Corby said that the brick is a natural colored brick for the building which is a very economical design. Mr. Fiala said that he wants to see a more finished product for this building because this site is an important site. Mr. Fiala said that there is a lot of EIFS-1 material proposed to be used for this building. Mr. Fiala asked if there was any hope on getting more masonry. Mr. Buday said that as money is available their goal is to add more brick. Mr. Buday said that they wouldn't propose the project if they didn't believe in the design. Mr. Fiala said that we will revisit this when it is determined what the value is. Mr. Buday then said that they can add a percentage of more brick on the front of the building. Mr. Fiala said that they can return at some point prior construction so they won't be held up on construction. Mr. Corby said that they can bring in a revised drawing when they request a building permit. Mr. Corby said that when they do this it basically will be their best foot forward as far as what the building and budget can become. Mr. Fiala then asked Darryl Keller to let Planning Commission know when a new drawing is delivered.

Mr. Fiala said that Planning Commission will vote on approval tonight but they will hold final approval for exterior elevations until the building permit document is submitted.

Mr. Buday said that getting approval tonight is very important to them so they will add brick to the front elevation.

Being no more discussion Acting Chairman Cox asked for a motion.

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A motion was made by Robert Fiala and seconded by Ken Kary to approve the landscape, development and exterior elevations plans as discussed this evening noting that the developer will add a little more masonry to the front of the building and Mr. Fiala will review the revised exterior elevations plan with the architect prior permit approval and report back to Planning Commission.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: APPROVED

TRUE NORTH ENERGY	36400 Euclid Ave.	New bdg - 3,120 s.f.
Store #314		landscape plans
(Dann Stapp)		Gasoline station
(Rick Turner)		W/convenience
		retail sls
		MS-B dist.

A representative was not present this evening. A landscape plan was submitted as requested at the last meeting. Jim Sayles, City Engineer, said that the paved area and roof area were reduced which is an improvement.

No one had a problem with the plan and Acting Chairman Cox asked for a motion.

A motion was made by Ken Kary and seconded by Robert Fiala to approve the landscaped plan as submitted.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: APPROVED

CHAGRIN RIVER WALK	P.P.#27B-37A-9	Overall Mstr Plan for
	Mentor Ave.	Mixed Use
	P.P.#27B-39A-11	Extend time limit
	Kirtland Rd.	For 1 year of

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CHAGRIN RIVER WALK CONTIN:

12/10/09 aprv'l
11/18/11 ext. aprv'l
11/10/11 ext. aprv'l
10/25/12 ext. aprv'l
10/24/13 ext. aprv'l
10/23/14 ext. aprv'l
2/26/15 specific aprv'l
(Out-lot/off/retail bdgs)
10/22/15 ext. aprv'l
D-B dist

CHAGRIN RIVER WALK

P.P.#27B-37A-6
P.P.#27B-37A-7
Mentor Ave.

**CUP - Asstd lvg
Extend time limit
For 1 year of**

P.P.#27B-39A-11
Kirtland Rd.

12/23/09 sp'l mtg aprv'l
11/18/10 ext. aprv'l
11/10/11 ext. aprv'l
10/25/12 ext. aprv'l
10/24/13 ext. aprv'l
10/23/14 ext. aprv'l
10/22/15 ext. aprv'l

(Using orig. Vintage plan)
D-B Dist

CHAGRIN RIVER WALK P.P.#27B-37A-8
Mentor Ave.

**dev./landscape/exter.
elev. plans - asst lvg
fcilty**

**Extend time limit
For 1 year of**

12/23/09 ext. aprv'l
11/18/10 ext. aprv'l
11/10/11 ext. aprv'l
12/25/12 ext. aprv'l
10/24/13 ext. aprv'l
10/23/14 ext. aprv'l
10/22/15 ext. aprv'l

(Using orig. Vintage plan)
D-B dist

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Curt is seeking an extension of the 2015 extension approvals. There is no change and the use remains retail and office. Curt said he doesn't have the assisted living plan with him.

Jim Sayles, City Engineer said that there is a change. The site is in the Conservation Overlay area. When first approved they were preserving 25% of young woodland canopy which they did. Since then they cut trees down. They are no longer in compliance with the C.O. area so Mr. Sayles said that he is not sure how they can be approved for an extension. Mr. Fiala said we should make that part of the extension approval.

Mr. Sayles said that the Ordinance states that if they can't preserve the existing canopy they need to submit a re-forestation plan which they haven't done. The site at the western end from the retention basin to the River was the tree canopy that existed that was to be preserved. Planning Commission approved that area as the criteria required in the C.O. In October/November 2015 they cut trees down. Most of the trees were brush which wasn't a pretty canopy but it was canopy that met the criteria. The cut trees on the parcel that was deeded to the City, plus their own parcel is what was part of the canopy, so that put them out of compliance with the C.O.

Mr. Sayles said that Chip Marous said he would do the re-forestation plan.

Mr. Fiala said that the trees were cut down without anyone's knowledge. He thinks they should submit a re-forestation plan as part of a condition before approval of the time limit extension. Curt said that they are working on the plan with an architect. Mr. Fiala asked what their plan is based on. Curt said he didn't know. Mr. Fiala said that there is a criteria. Mr. Fiala said that Mr. Wiles was to authorize someone to do a tree survey based an aerial photography to be the basis of the re-forestation plan. Mr. Fiala said that he wants to see the tree survey study that was authorized by the City before the plan is done.

Mr. Sayles said that in regard to wetlands, the assisted living facility on the east side will affect wetlands that exists in that

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corner of the parcel. The Army Corps of Engineers said that they don't have a wetlands permit. Mr. Sayles said that when they submit a site plan we need to see another wetlands delineation for the eastern corner that has not been disturbed. It can be part of the site plan review process when they submit. It is up to us to enforce storm water management and erosion control which requires proof they have a wetlands permit.

Mr. Fiala said that he wants to see the re-forestation plan that they are doing now. Mr. Fiala said that the City does the analysis and aerial to determine what trees were there then that becomes the basis of the re-forestation plan.

Mr. Fiala asked if we can extend the approval for the assisted living CUP and ask for a re-forestation plan. Stephanie Lendgraf said no because they are not in compliance.

Curt asked if the 10/22/15 extension approval they got applies to the 10/16 extended approval. The 10/22/15 approval included the 7/23/15 approval for the Assisted Living Facility using the Vintage original plan. The Vista plan was dissolved. Mr. Fiala said that in that case then, they have four more months to extend the approval for the CUP for the assisted living approval. Mr. Sayles said that the 10/22/15 extension approval date covers the 7/23/15 date.

Curt said that he needs to get back in compliance with the re-forestation plan. Mr. Sayles said to submit a re-forestation plan for Planning Commission's review. Mr. Fiala said the plan needs to show how many trees were removed using the same amount and the same size trees. Mr. Fiala said that we can discuss where the trees go.

Stephanie Lendgraf told the secretary to check back to see what the approvals were in October 2015. Curt said that his concern is the 2/26/15 approval because that approval date expires tomorrow (2/26/16).

Mr. Fiala said to separate the violation of the C.O. from the assisted Living CUP approval extension.

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Curt remarked that the last extension was 10/22/15, so Planning Commission is not going to approve the 10/22/16 extension unless they do the re-forestation plan. Mr. Fiala said that based on the City that's the way he interprets it.

Mr. Sayles said that the 2/26/15 special approval which was for the out buildings, office and retail buildings was extended in the 10/22/15 extended approval so it needs to be approved for the 10/22/16 extended approval.

Janice said that they don't have to come back for another eight months. They are early tonight for the 10/22/16 extension.

Mr. Sayles said that is the reason we need a re-forestation plan now. He has eight months before a problem occurs. In 10/16 the extension will expire and then they will have to go back to square one.

Ken Kary said, summarizing, we are good until 10/22/16 and we just have to deal with the re-forestation plan. Mr. Sayles said that is correct. Curt said he plans on submitting the re-forestation plan within two weeks. Acting Chairman Cox said that this item will remain on the table.

Acting Chairman Cox asked for a table motion.

A motion was made by Robert Fiala and seconded by Ken Kary to table the extended time limit approval for the Overall Master Plan for mixed use.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: TABLED

A motion was made by Robert Fiala and seconded by Ken Kary to table the extended time limit approval for the CUP for the Assisted Living facility.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

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Motion Carried: TABLED

A motion was made by Robert Fiala and seconded by Ken Kary to table the extended time limit approval for the development plan, landscape plan and exterior elevations plan for the Assisted Living facility.

ROLL CALL: Yeas: B. Fiala; K. Kary; C. Cox
 Nays: None
 Absent: G. Patt; G. Merhar

Motion Carried: TABLED

There being no further business the regular meeting closed at 8:00 p.m.

Charles Cox, Acting Chairman

Betty A. Nardelli, Secretary