

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
MARCH 10, 2016
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala; C. Cox, K. Kary; G. Patt, Vice Chairman

ABSENT: G. Merhar, Chairman

OTHERS: Mike Germano, Asst. Law Director; Stephanie Landgraf, Asst. Law Director; Jim Sayles, City Engr.; Darryl Keller; Chief Zoning & Bldg. Inspec.; Robert Carr, Ward 4 Councilman; Jerry Ranally, Ward 5 Councilman; Betty Nardelli, Sec'y

Vice Chairman Greg Patt called the regular meeting to order at 7:20 p.m.

MINUTES

February 25, 2016

A motion was made by Ken Kary and seconded by Chuck Cox to approve the public hearing meeting minutes of February 25, 2016 with the miss-spelling correction.

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

Motion Carried: APPROVED

A motion was made by Ken Kary and seconded by Robert Fiala to approve the regular meeting minutes of February 25, 2016 as written.

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

Motion Carried: APPROVED

OLD BUSINESS

There was no representative present for Chagrin River Walk so this item will remain tabled with no action taken.

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CHAGRIN RIVER WALK P.P.#27B-37A-9 **Overall Mstr Plan for**
(John Spear) Mentor Ave. **Mixed Use -**
P.P.#27B-39A-11 **Extend time limit for 1 year**
Kirtland Rd. **of** 12/10/09 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
***(includes 2/26/15 PH II specific aprv'l)**
D-B dist

CHAGRIN RIVER WALK P.P.#27B-37A-6 **CUP - asstd lvg fclt'y**
(John Spear) P.P.#27B-37A-7 **Extend time limit for 1 year**
Mentor Ave. **of** 12/23/09 sp'l mtg aprv'l,
P.P.#27B-39A-11 11/18/10 ext. aprv'l,
Kirtland Rd. 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 Vintage's orig. plan)**
***(Letting Vista 7/23/15 aprv'l expire)**
D-B dist.

CHAGRIN RIVER WALK P.P.#27B-37A-8 **Devel./elev./landscape Plan -**
(John Spear) Mentor Ave. **asstd lvg fclt'y**
Extend time limit for 1 year
of 12/23/09 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 Vintage's orig. plan)**
***(Letting Vista 7/23/15 aprv'l expire)**
D-B dist

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NEW BUSINESS

SOVEREIGN FREE LLC
(Paul Kicher)

38016 Euclid Ave.

CUP -
Taproom/brewery -
Prepare/**serve craft**
alcoholic bev. & food for
on-site consump.
C.O. 1141.03(c)(17)
G-B dist.

Shawn Maestle, attorney for Paul Kicher, represented this conditional use permit application.

The hours of operation are:
Closed on Mondays and Tuesdays.
4:00 p.m. until 8:00 p.m. on Wednesdays
4:00 p.m. until 10:00 p.m. on Thursdays.
4:00 p.m. until 12:00 p.m. on Fridays.
4:00 p.m. until 12:00 p.m. on Saturdays.
4:00 p.m. until 8:00 p.m. on Sundays.

There will be no outside music. There will be a patio with tables for smoking in front of the building. The screened dumpster is located in the left hand corner by the building.

The building will be in two sections. One section is for the brewery and one section is for the tap room. The rear outside wall is bare concrete block with glass block windows. The front outside wall is painted cement block with open glass windows. There are entrances on both ends of the building. The applicant has to return for approval of a development plan for the patio.

Mr. Maestle said that this establishment is a counter restaurant, service product tap room, with the ability for people to buy craft beer. Other craft beers will be sold here also. A glass of craft beer will cost \$5.00 to \$6.00 a glass. The food will be small plates of appetizer type food.

Mr. Maestle said that the tap room will be a hofbrau house type atmosphere in response to Mr. Fiala's question. The idea is to have people sit together on long benches with long tables. Vice Chairman Patt said that the hofbrau houses he is familiar with are noisy.

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Mr. Maestle said that they will have to get an A1C permit from the state which is a brewer's permit. They don't have the permit yet. They want to get approval for the conditional use permit first.

Mr. Maestle said that he can guarantee that this establishment won't generate anywhere near the amount of noise as does other establishments in the downtown area. They won't be open late. They won't have bands or D.J.'s. They don't even have a stage for any music. They will install a privacy fence in back of the building to screen the view of the building from the residents in back of the building.

Ken Kary said that Planning Commission so far this year has approved three conditional use permits for bars that haven't even opened up yet.

Charles Cox felt that the Commission did not receive satisfactory answers to their questions, especially the parking issue. He has a problem with the proximity of the rear yard for residents in back of the building, a smoking area 30' away from the resident's rear yard, the location and this type of business in a residential area and near Immaculate Conception Church during the 5:00 p.m. mass on Saturday night.

Mr. Fiala cited C.O. 1155.02 of the **General Criteria for all Conditional Uses** which states that Planning Commission shall review the conditional use for facts and circumstances of each proposed use especially (b) that the use will not be detrimental to or endanger the public health, safety or general welfare.

Being no more discussion or questions Vice Chairman Patt asked for a motion.

A motion was made by Robert Fiala and seconded by Ken Kary to approve the conditional use permit based on the conditions stated this evening.

ROLL CALL: Yeas: None

Nays: B. Fiala; C. Cox; K. Kary; G. Patt

Absent: G. Merhar

Motion Carried: DENIED

TANJA SCHLEICHER

4660 River St.

Lot split - R-60 dist.

Create 2 lots -

"A" = 1.7198 acres

"B" = 0.6829 acres

I/E easement =

0.2612 acres

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Tanja Schleicher represented this lot split. Ms. Schleicher said that this property has two houses on it. Ms. Schleicher said if she splits the parcel the split parcel with the house at the rear of the property will be a separate Entity. There is one hookup at the street for both houses. you can't run water directly to the house located at the rear of the property. You have to run the water through the main house to the second house. The one long driveway will be an easement to be shared as a common driveway by both houses.

No one had a problem with this lot split.

Being no more discussion or questions Vice Chairman Patt asked for a motion.

A motion was made by Charles Cox and seconded by Ken Kary to approve the lot split as submitted with final approval by the City Engineer.

ROLL CALL: Yeas: B. Fiala; C. Cox; K. Kary; G. Patt

Nays: None

Absent: G. Merhar

Motion Carried: APPROVED

ADDENDUM - DISCUSSION

PARKSTONE CAPITOL LLC
(Brian Osborn)

P.P.#27A-7A-8
P.P.#27A-7A-9
P.P.#27A-7A-14
SOM Center Rd.

**Sr. Cit. Develop. -
Asst'd Lvg fclt'y/
Skilled Nursing fclt'y**
15.9 t/acres
R-100 dist.

**Text amend. -
C.O.1103.03 -**

**(7) Assisted Living Facility
(74) Independ. Lvg Fcl'ty
(144) Skilled Nursing Fclt'y**

C.O. 1155.07 -

**(11) Senior Citizen Devel. (R-100)
(1) CUP provides care for 55 or older
A thru E**

**(2) License req'ts
A thru K**

(3) Location consideration

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Brian Osborne of 7670 Tyler Blvd. Mentor, Ohio 44060, principal, spoke for this discussion. Mr. Osborn introduced the group involved with Parkstone.

Billy Brooks of Vista Springs assisted living, Chagrin Falls, Ohio. **Lloyd Chapman**, Senior Living Health Care expert, 11520 Monarch Ct. Concord Twp, Ohio.

Jordan Burns, legal counsel, Beachwood, Ohio.

Chuck Szucs, Polaris Engineers, Willoughby Hills, Ohio, engineer.

Michael Wildermuth, of RDL Architect. Architect for Vista Springs. Shaker Hts, Ohio.

Mr. Osborn said that the property that they are interested in developing are three parcels with a total of 16 acres owned by Norman Milstein and located on the east side of SOM Center Rd. between Ridge Acres, Aspenwood Lane and Edison School.

Mr. Osborn said that they propose a state of the art 2-story 80,000 sq. ft. assisted living facility with a 1-story attached memory care unit with a mixture of 60 assisted living units and 24 memory units along with a 1-story 72,000 sq. ft. 100 unit skilled nursing facility. The skilled nursing facility will focus on post acute transitional care which essentially is a re-hab post discharge hospital. The skilled nursing facility includes therapy, a gym, rehab, café, movies and a chef. Mr. Osborn said that there are separate owners for each facility on two separate lots. Mr. Osborn said that Vista Springs Assisted Living is ready to go today. The skilled nursing facility is going to take longer because of securing bed licenses.

Mr. Osborn said there are three reasons why they are proposing this development:

Unmet need in the market place - Lake County doesn't have a 5-star skilled nursing facility rated by Medicare. Skilled nursing facilities in Willoughby are rated 3 out of 5-stars.

Demographic profile - There is going to be an explosion of elderly patients needing assisted living as the baby boomers age.

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Medicare - Switching from a fee for service payment module to a bundle payment.

Lloyd Chapman said he became interested in assisted living care in the late 90's. Transitional care, another level of nursing, is a licensed nursing home but staffed by a cardiologist from the hospital. The average stay is 20 days. Mr. Chapman said the program of services on this site will be assisted living and skilled nursing. Dr. Baum will be the medical director. Mr. Chapman said that the average age to move in here is 85 years old.

Jordan Burns, legal counsel, said that this use is by a conditional use permit. Mr. Burns said that some necessary changes to the code will allow this development. The changes are to C.O. 1103.03, Definitions, and to C.O. 1155.07, Supplemental Uses For Specific Uses.

The **use** is **Senior Citizen Development (R-100)**. The code currently requires senior citizen development on a 10 acre parcel Mr. Burns said they want to **change it to 7 acres** for both facilities. They increased the number of units from 10 to 14 units per acre. Mr. Burns said that they added a 20' buffer zone to the list for any part of the development that is adjacent to a residential district. The buffer shall be green space that cannot be used for any purpose.

The rest of the list won't change.

Storm water management is a concern for Ridge Acres and Aspenwood Lane. Jim Sayles said that the ordinance requires any development to reduce flows in small storms and not exceed flows in large storms. Mr. Sayles said that they are adding storms to help us.

Parking for senior citizens is one space per unit. Mr. Burns said that we can land bank parking. The land banked parking is shown as landscaping on the plans.

Mr. Brooks said that he has searched for three years for property for an assisted Living facility.

Mr. Burns said that they would like to submit their text amendment as soon as possible.

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Mr. Fiala told the applicants that the City is going to do a zoning code update this year and they should hold off on their text amendment for these two facilities until the zoning code update.

No action was taken on this discussion.

Being no more discussion or business the meeting closed at 9:00 p.m.

Greg Patt, Vice Chairman

Betty A. Nardelli, Secretary