

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
OCTOBER 22, 2015
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala; C. Cox; K. Kary; G. Patt; G. Merhar, Chairman
ABSENT: No one
OTHERS: Mike Germano, Asst. Law Director; Janice Lipscomb, Econ.
Devel. Mgr; Darryl Keller, Chief Bldg. & Zoning Inspector;
Betty Nardelli, Sec'y

Chairman Gerald Merhar called the regular meeting to order at 7:00 p.m.

MINUTES

August 13, 2015

A motion was made by Greg Patt and seconded by Bob Fiala to approve the minutes of August 13, 2015 as written.

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

Motion Carried: APPROVED

OLD BUSINESS

NONE

NEW BUSINESS

CHAGRIN RIVER WALK (John Spear)	P.P.#27B-37A-9 Mentor Ave. P.P.#27B-39A-11 Kirtland Rd.	Overall Mstr Plan for Mixed Use - Extend time limit 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 2/26/15 specific aprv'l For 1 year D-B dist.
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John Spear of Vintage Development Group represented this request for the extension of the time limit of approval of the overall master plan for mixed use. There was a specific approval February 26, 2015 for two out buildings for retail and a 4-story building for office/retail/parking.

The apartment buildings aren't included in this extension because they are under construction.

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Bob Fiala cautioned Mr. Spear about work being done this past week causing damage in the area of property deeded to the City. Mr. Fiala wanted assurance that no additional work occurs there including on the easement. Mr. Fiala told Mr. Spear that they are not to go on that City owned parcel at all even for the drainage.

A motion was made by Bob Fiala and seconded by Greg Patt to approve to extend the time limit for one year for the overall master plan for mixed use with the restriction that no work will be done on the City owned property.

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

Motion Carried: APPROVED

CHAGRIN RIVER WALK P.P.#27B-37A-8
(John Spear) Mentor Ave.

CUP - asstd lvg
Extend time limit of
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
7/23/15 specific aprv'l
For 1 year
D-B dist.

John Spear represented this request Mr. Spear said that Vista Springs Assisted Living terminated their contract and purchase agreement for this parcel. They are not purchasing this parcel.

Vista Springs had their own design which was approved 7/23/15. The plan will expire in time because they are not moving forward. Mr. Spear said that he wants to extend the approval on the Vintage Development Group design for the assisted living project so they can continue to market this development. Mr. Spear said that they have received a letter of intent from another company and they like Vintage's design.

The reason Vista Springs terminated their contract was because their finance company had an issue with the railroad tracks that runs behind this development. They had a problem with the whistle stop. The train blows their whistle when crossing the Pelton Rd. rail road tracks.

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A motion was made by Bob Fiala and seconded by Chuck Cox to approve to extend the time limit for one year starting from tonight for the conditional use permit for the assisted living facility using the original Vintage Development Group submittal and letting the Vista Springs submittal run out and with the restriction that no work will be done on the City owned property.

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

Motion Carried: APPROVED

CHAGRIN RIVER WALK	P.P.#27B-37A-8	Devel./landscape Plan -
(John Spear)	Mentor Ave.	asstd lvg fclt'y
		Extend time limit 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
		7/23/15 Specific aprv'l
		For 1 year
		D-B dist

John Spear represented this request to extend the time limit for the plans for the assisted living facility. Mr. Spear said that they will use the original Vintage Development Group development and landscape plans. The time extension will start from tonight.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve to extend the time limit for one year starting from tonight for the development and landscape plan for the assisted living facility using the original Vintage Development Group plan, letting the Vista Springs plan run out and with the restriction that no work will be done on the City owned property.

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

Motion Carried: APPROVED

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The office building consists of tan split face block on all four sides with a metal roof. The warehouse with the lean-to is all prefab metal. The metal lean-to, open on the side, is on the side of the warehouse and is used to store 60' long steel beams. The dumpster will be located behind the office building which can't be seen from the road. The conex boxes, similar to railroad cars without the wheels, are used for storage.

Landscaping will be used to screen the lean-to and warehouse rather than using an architectural finish on these structures. These were one of the variances granted at the Board of Zoning Appeals.

Darryl Keller said that there are 26 land banked parking spaces which Planning Commission can approve. There are 43 parking spaces shown. Mr. Marchewka said that they don't need much parking.

Two trees will be planted in the parking lot as was agreed to at the Board of Zoning Appeals.

A motion was made by Bob Fiala and seconded by Greg Patt to approve the site and elevations plan as submitted pending the City Engineer's final review.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1109.04
Devel. Plan review
(j) ***Delete** - existing language
(j) ***Add** - new language

This amendment will speed up the process of a development plan and subdivision approval. The existing language will be deleted and replaced by new language. The Environmental committee forwards its recommendation on the EAS to Planning Commission for the development plan approval of which the decision is forwarded to Council for final approval.

A motion was made by Bob Fiala and seconded by Ken Kary to approve this text amendment of C.O. 1109.04(j) as submitted.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1131.11
Accessory Bdgs & Uses
(i)(3) Side & rear yards
***add** to exist. lang. -
"Solid or stockade fencing
is prohibited, provided,
however, a vinyl fence with a
minimum of one-quarter inch
(1/4") opening between pickets
shall be permitted."
(i)(4) ***delete - ~~The openings~~**
~~of fences shall be evenly spaced~~
~~throughout the vertical surface.~~

Darryl Keller said that because so many fence applications with pre-made vinyl fences purchased at Lowes and Home Depot are submitted to the Building Department don't fit our ordinance regarding the 25% vertical opening across the front of the fence, this amendment will allow vinyl fences with 1/4" opening.

Darryl said that they can achieve the 25% opening in other areas of the fence with a decorative lattice on top of the fence giving the appearance of almost like a stockade fence. If a 6' tall fence has 4 1/2' of semi solid fencing on the bottom and 1 1/2' of web fencing or lattice on top it fits the 25% opening.

A motion was made by Greg Patt and seconded by Ken Kary to approve this text amendment of C.O. 1131.11(i)(3) and (4) as submitted.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1135.04
Development area & Density Regs.
(i)(2) ***delete - (b) (85)** of
Section 1103.03

Mike Germano said that this draft takes out (b)(85) from C.O. 1103, the definitions section of the ordinance. Because the numbering of the different definitions changes when the ordinance is updated, **(b) (85)** would no longer be at this number, so it's best to delete it.

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A motion was made by Bob Fiala and seconded by Ken Kary to approve this text amendment of C.O. 1135.04(i)(2) as submitted.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1103.03
Definitions of General Terms
Add (a) (158) - "Vocational, Trade, or technical school"
means a school offering preponderant instruction in the technical, commercial, or trade skills, such as electronic schools, automotive and aircraft technicians schools and similar commercial establishments operated by a school district.

This definition is a new definition to our ordinance defining vocational, trade or technical school for the Tech Center that is relocating to a parcel in the Motor Service Business district that doesn't permit these type of schools.

This definition accommodates the text changes for C.O. 1141.03 for the use of the Tech School and for C.O. 1155.07 for supplemental regulations for the school.

A motion was made by Chuck Cox and seconded by Ken Kary to approve this text amendment of C.O. 1103.04 adding **(a) (158)** to the list of general terms as submitted.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1141.03
Schedule of permitted Uses (chart)
Add (f) (8) Vocational, Trade Or Technical School as "C"
in MS-B district

The Career Academy (Tech Center) is moving to the former North Coast Automobile dealership property recently purchased by the School Board

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but it is in a Motor Service Business district and the use is not a permitted use or Conditional use so a text amendment was drafted to add the use as a conditional use rather than to rezone the property.

A motion was made by Chuck Cox and seconded by Ken Kary to approve this text amendment of C.O. 1141.03 adding **(f) (8)** as a "C" to the Motor Service Business district.

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

Motion Carried: APPROVED

PLANNING COMMISSION
(Law Dept.)

Text amend - C.O. 1155.07
Supplemental Regs. For Specific Uses
Add (rr) Vocational, Trade, or
Technical Schooletc.
Add (1) thru (6) reqm'ts

This ordinance gives Planning Commission the opportunity to add other requirements for the conditional use permit.

A motion was made by Chuck Cox and seconded by Ken Kary to approve this text amendment of C.O. 1155.07 adding **(rr)** and **(1) thru (6)** requirements to the Motor Service Business district.

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

Motion Carried: APPROVED

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

Gerald Merhar, Vice Chairman

Betty A. Nardelli, Secretary