

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
DECEMBER 10, 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; Jim Sayles, City Engr.;
Janice Lipscomb, Econ. Devel. Mgr.; Darrel Keller; Chief Bldg. &
Zoning Inspec.; Jerry Ranally, Ward 5 Councilman; Betty
Nardelli, Sec'y

Chairman Gerald Merhar called the regular meeting to order at 7:16 p.m.

OLD BUSINESS

MINUTES

November 12, 2015

A motion was made by Greg Patt and seconded by Ken Kary to approve the public hearing minutes of November 12, 2015 as written.

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

Motion Carried: APPROVED

A motion was made by Greg Patt and seconded by Ken Kary to approve the regular meeting minutes of November 12, 2015 as written.

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

Motion Carried: APPROVED

A motion was made by Chuck Cox and seconded by Robert Fiala to remove all old business from the table for discussion.

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

Motion Carried: APPROVED TO UNTABLE OLD BUSINESS

EVAN TWAMBLY 38134 Western Pkwy
Unit 2

**CUP -
Personal training
to gen'l public
For 8 people
C.O.1145.03(e) (5)
L-I dist.**

There was no representative present this evening. Mr. Twamby withdrew

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his conditional use permit application.

A motion was made by Greg Patt and seconded by Ken Kary to remove this application from the table permanently.

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

Motion Carried: PERMANENTLY TABLED

NEW BUSINESS

**CONLEY COLLISION
& CUSTOMS**

2230 Lost Nation Rd.

CUP -

Auto Body Repair

(Russ Conley)

C.O.1145.03(b)(4)

L-I dist.

Russ Conley represented this conditional use permit application to allow an auto body repair facility in a Limited Industrial zoned district. Mr. Conley said that 90% of his business is from dealerships.

Mr. Conley said that sometimes there are 20 cars parked in the parking lot waiting to get repair work done. Mr. Conley said he tries to clear the lot from cars parked overnight and store them inside but sometimes there might be five cars left parked overnight.

Mr. Conley said his dumpster is located at the north side of the rear of the building in the rear and it is not enclosed. The dumpster cannot be seen from the road.

Mr. Conley said that there is an empty lot in the rear and a self storage facility behind them.

The conditions agreed upon are:

Hours of operation:

6:00 a.m. until 10:00 p.m. Monday thru Sunday.

The dumpster shall be located in the rear on the north side of the rear of the building.

A maximum of 20 cars is permitted to be parked outside at any given time. A single car is permitted to be parked outside overnight a maximum of three days.

Being no more discussion Chairman Merhar asked for a motion.

A motion was made by Robert Fiala and seconded by Ken Kary to approve the conditional use permit for auto body repair at 2230 Lost Nation Rd. located in a Limited Industrial zoned district.

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

Motion Carried: APPROVED

PORCH BAR & GRILL 37638 Vine St.
(Jeffrey Noon)

**CUP -
Sls/SVC alcoholic bev.
On-premise consump.
C.O.1141.03(c)(17)
R-B dist.**

Jeff and Gretchen Noon, owners, represented this conditional use permit application for a bar and restaurant. Jeff and his wife Gretchen purchased this business which was the former G-Wiz, Coyote Bar and then the Slate Bar.

There is one fenced in patio and one patio with a roof located in the front of the building. Mr. Noon said he will add a bar outside on the patio in the spring.

Mr. Noon said he would like to have a live band inside. He would like to have a one person band at a conversational level in the summer on the patio.

The conditions agreed upon are:

Hours of operation:

11:00 a.m. until 2:30 a.m. 7 days a week for regular hours.

7:00 a.m. until 2:30 a.m. Mondays and Sundays for events.

The dumpster shall be enclosed and located in the rear and shall be gated.

A one person live acoustical band with no amps playing on the outside patio on Thursdays is permitted until 10:00 p.m. and are to return to Planning Commission after one year.

The doors shall be closed when live music in side is in progress.

Outside alcohol service on the patio is not permitted but outside alcohol consumption is allowed.

Piped in music at a conversational level during bar hours on the outside patio is permitted.

Being no more discussion Chairman Merhar asked for a motion.

A motion was made by Ken Kary and seconded by Greg Patt to approve the conditional use permit for the Porch Bar and Grill at 37638 Vine St. located in a Retail Business zone district based on the conditions stated this evening.

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

Motion Carried: APPROVED

TRIBAN INVESTMENT LLC	P.P.#27A-7A-19	Minor Sub-division -
(Gillian Hall)	SOM Center Rd.	5 S/F lots
(Dave Novak)		3.132 T/acres
		R-100 dist.

Gillian Hall represented this development plan for five single family lots with five individual driveways with a turn-a-round per lot that egress onto SOM Center Rd.

Ms. Hall said that they don't have the title to the property yet but they have a purchase agreement.

Jim Sayles, City Engineer, in response to Chuck Cox's question, said that this development drainage system will drain into Big Turtle I's pond. Mr. Sayles said that each house will have a sump pump in the basement so there won't be a direct connection. Mr. Sayles said in response to Mr. Cox's question, that this development will not worsen Big Turtle I's current situation. It will make it better.

David Novak of Barrington Consultants said that this development's retention pond drains into Big Turtle I's pond and it will meet the City's regulations.

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

A motion was made by Greg Patt and seconded by Ken Kary to approve the development plan for a minor subdivision at P.P.#27A-7A-19 SOM Center Rd. located in a R-100 zoned district.

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

Motion Carried: APPROVED

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CITY OF WILLOUGHBY
(Law Dept.)

P.P.#27B-39A-12
P.P.#27B-39A-13
Kirtland Rd.

Rezone -
C-M to G-B

P.P.#27B-39-18 **thru**
P.P.#27B-39-22
P.P.#27B-39-35 & 36
Mentor Ave.

Rezone -
C-M to G-B

P.P.#27B-777-2
P.P.#27B-777-22 **thru**
P.P.#27B-777-23
P.P.#27B-777-24
Mentor Ave. **R-O-W**

Rezone -
C-M to G-B

P.P.#27A-32D-3 & 4
P.P.#27A-32D-10
Mentor Ave.

Rezone -
MS-B to G-B

P.P.#27B-777-15
P.P.#27B-777-25
Mentor Ave. **R-O-W**

Rezone -
MS-B to G-B
Sched. Pub. Hearing

Janice Lipscomb, Economic Development Manager, represented this rezoning application to rezone two residential parcels on Kirtland Rd., seven parcels on Mentor Avenue and four right-of-way parcels from Commercial Manufacturing to General Business. To rezone three parcels on the SE corner of Mentor Avenue and two right-of-way parcels on Mentor Avenue from Motor Service-Business to General Business.

Ms. Lipscomb presented a zoning map showing the parcels that will be re-zoned and their relationship to the surrounding parcels. Most of Mentor Ave. on the south side is zoned General Business so the classification change will blend in with the surrounding area. The north side of Mentor Ave. is zoned Commercial Manufacturing from Kirtland Rd. up to the Mentor Corporation line. These parcels are proposed to be re-zoned to General Business. If rezoned both sides of the street will be zoned General Business.

Being no more discussion Chairman Merhar asked for a motion to schedule a public hearing.

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A motion was made by Robert Fiala and seconded by Ken Kary to schedule a public hearing for rezoning on January 14, 2016 at 7:00 p.m.

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

Motion Carried: APPROVED FOR A PH 1/14/16

A motion was made by Robert Fiala and seconded by Ken Kary to table this rezoning application pending a public hearing January 14, 2016.

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

Motion Carried: TABLED

ADDENDUM

DISCUSSION

FRADEN HOLDINGS SUB-DIV.	P.P.#27A-32-12,	Subdivision -
(Ryan Homes)	7, 11 and 10	7 fee simple lots
(Dustin Keeney)	Johnnycake Ridge Rd.	6.49 acres
		private roadway
		R-60 dist.

Adam Woodich of Ryan Homes represented this discussion for seven fee simple lots on property that was the former Johnnycake Ridge Road 9-hole golf course in Willoughby. A portion of the development is in Mentor and a portion is in Willoughby. Mentor is in the process of rezoning the parcels that are in Mentor. The parcels in Willoughby are under the current zoning.

Plans were submitted showing different plan views of the homes setback from the curb. Mr. Woodich said all the homes will have a 70' footprint. The setbacks will be the same in both Mentor and Willoughby which is 35' from the street. Mr. Woodich said that by moving the homes closer to the roadway allows more rear yard space between the existing homes in the rear and the proposed homes in the front.

Mr. Woodich said that they have a contract to purchase the property based on rezoning the property.

Robert Fiala was concerned about the residents on Gardenside Dr. which is behind this proposed development.

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No action was taken on this discussion.

COURT HOUSE SQ.	P.P.#27B-36-48 Vine St.	Apts - 4 bdgs
(Bill Martin)	P.P.#27B-36-46 Elm St.	Residential use
		Hgt of bdgs
		D-B / C-M dist.

Bill Martin of Barrington Homes and Bo Knez of Knez Homes represented this discussion. Mr. Martin said that he is here because of parking. The deal to purchase the Jehovah Witnesses parking lot on Elm St. behind the site of the proposed Court House Square complex fell through. Therefore they don't have enough parking and they are not able to purchase any of the adjoining property for parking because no property is for sale.

Mr. Martin said that they have an idea to have parking on the first level underneath the two northern buildings.

They are building the Vine St. buildings first and they will have enough parking for those buildings.

Mr. Martin said that they want to discuss this evening the idea of raising the rear building about 12' which is one story. The rear buildings will be about 60' to 62' tall. Parking will be underneath on grade on the first floor. The entrance will be from the rear of the building from Elm St. There will not be an exit to Vine St. The walls on three sides of the parking area will match the rest of the building. The rear wall will be open. They may install a fence and gate at a later date. The front of the parking area will look like apartment units. Mr. Martin said he doesn't know if the building will be taller than the Court House in response to Greg Patt's question. Mr. Patt said he is more concerned about the rear buildings being higher than the front buildings and what the visual outside of the building will look like.

Mr. Knez said they will be able to have roof decks on the taller buildings and you'll be able to view the downtown area.

Janice Lipscomb, Economic Development Manager, said that per C.O. 1141.07(b) Planning Commission can grant a conditional use permit for a building having a height greater than is what permitted in the C.O. 1141 section of the code.

Chairman Merhar said that raising the height of the building is something to consider but he wants to see a rendering of the building first.

Robert Fiala advised Mr. Martin and Mr. Knez to furnish a 3-D program model of the lower floor, to display and to present it on our overhead screen which would show more than a site and elevations plan would.

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No action was taken on this discussion.

There being no further business the regular meeting closed at 9:00 p.m.

Gerald Merhar, Chairman

Betty A. Nardelli, Secretary