

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
APRIL 24, 2014
REGULAR MEETING
MINUTES**

PRESENT: C. Cox; G. Patt; G. Merhar, Chairman

ABSENT: R. Fiala; K. Kary

OTHERS: Mike Germano, Legal Counsel; Jim Sayles, City Engr.;
Janice Lipscomb, Econ. Devel. Mgr.; Darrel Keller, Chief
Zoning & Bldg. Inspec.; Jerry Ranally, Ward 3 Councilman,
Jeff Black, Councilman At Large; High School Gov. class:
Betty Nardelli, Sec'y

Chairman Gerald Merhar called the regular meeting to order at 7:20 p.m.

REGULAR MEETING

OLD BUSINESS

MINUTES

April 10, 2014

A motion was made by Greg Patt and seconded by Chuck Cox to approve the minutes of April 10, 2014 as written.

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

Motion Carried: **APPROVED**

EDW. FIGLER	Western Pkwy	Rezoning -
	P.P.#27B-53B-58	3.0975 acres
	P.P.#27B-53B-1	5.9864 acres
		L-I to G-B

This rezoning application remains tabled with no action taken.

NEW BUSINESS

LURE BISTRO 38040 Third St.
(Jaret Havanchak)

CUP - renew 2013
CUP for condition #4
Amending for live
music O/S on Patio
Wednesdays @ 6-9 pm
Summer mos. only
D-B dist.

Tim Roote of Lure Bistro represented Jaret Havanchak, owner, for this conditional use permit application for the renewal of outside entertainment approved in 2013. Janice Lipscomb said that the City has not received any complaint calls on the outside music.

Mr. Roote said that the music consists of one or two people for instrumental music with very little amplification.

Mr. Roote said that the downtown taverns support each other because they are all doing the same thing in response to Greg Patt's question regarding if others want to have outside music.

Greg Patt said that he wants to take the residents in consideration and to approve the outside music to be on a temporary basis.

Chairman Merhar wants to review the application once a year for compliance and to have some degree of control.

Chairman Merhar advised Mr. Roote that they can go forward and vote on this application or table it because there are three members present this evening and all three votes are needed in the positive to approve the application. Mr. Roote said that he wants to go forward.

A motion was made by Greg Patt and seconded by Chuck Cox to approve the amendment of the conditional use permit application for live dinner music at a conversational volume on Wednesdays from 6:00 p.m. through 9:00 p.m. in June, July and August and to renew next year, 2015.

**Planning Commission
City of Willoughby
Regular Meeting minutes
April 24, 2014
Page 3**

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

Motion Carried: **APPROVED**

EUROTECH AUTOMOTIVE 2132 Lost Nation Rd. **CUP - amend.**
(Josip Bajec) Unit #2 **Condition #1 - extend**
hrs. of oper. /
Condition #2 - amend.
to allow O/S pkg overnight
L-I dist.

Josip Bajec represented this conditional use permit amendment. Mr. Bajec said that he would like to extend his hours of operation from 8:00 a.m. through 7:00 p.m. to 8:00 a.m. through 10:00 p.m. six days a week. He would also like to park cars outside overnight. Mr. Bajec said he works on about two cars at a time inside the building. He can store six cars inside overnight. Mr. Bajec said that he needs to store cars outside when the owners drop their cars off in the evening during the week and during the weekend.

There was discussion on the parking of semis and cars outside after viewing the site on Greg Patt's smart phone. Mr. Bajec said that they are not parked at his building. They are parked on the other side of the property. Darryl Keller, Chief Building and Zoning Inspector, said that they might be the property owners vehicles used for his business.

Mr. Bajec said that the property is completely fenced in and you can't see the building or the cars from Lost Nation Rd. After viewing the site from Google Earth on Jeff Black's electronic pad it was determined that the site is not visible from Lost Nation Road.

Being no more discussion Chairman Merhar asked for a motion.

A motion was made by Chuck Cox and seconded by Greg Patt to approve the conditional use permit amendment at 2132 Lost Nation Rd. unit #2 for **condition #2** for outside storage of five cars up to five nights per car subsequent to after

**Planning Commission
City of Willoughby
Regular Meeting minutes
April 24, 2014
Page 4**

the viewing of the site from google earth and narrated by Jeff Black, that the parked cars are not visible from Lost Nation Rd. and to approve the amendment of **condition #1** changing the hours of operation to 8:00 a.m. through 10:00 p.m. six days a week and closed on Sundays.

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

Motion Carried: **APPROVED**

PLANNING COMMISSION

Amendment - defin.

C.O. 1103.03

Add (b) (90) "Martial Arts"

- Definition

Amendment - Land use

C.O. 1145.03(e) other uses-

**Add (10) - school for
martial arts instruct. as
CUP in L-I**

Amendment - C.O. 1155.07

(w) add "Martial Arts Academy"

+ language

**Add (1) thru (5) language
in L-I dist.**

Jason Wokutch was present for these amendments to three ordinances initiated by Planning Commission. The amendments will allow a martial arts instruction facility for a building located on Biltmore Place in the Limited Industrial zoning district.

This approval for an amendment requires three motions.

C.O. 1103.03

A motion was made by Greg Patt and seconded by Chuck Cox to accept the amendment as written of C.O. 1103.03(b) adding number (90) **"Martial Arts" means any sport involving the traditional forms of self defense or combat that utilizes physical skill and coordination without weapons, including**

Planning Commission
City of Willoughby
Regular Meeting minutes
April 24, 2014
Page 5

karate, aikido, and kung fu to the definitions with the addition of the language "but not limited to".

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

Motion Carried: **APPROVED**

C.O. 1145.03

A motion was made by Greg Patt and seconded by Chuck Cox to amend C.O. 1145.03 Schedule of Permitted uses (e) Other Uses-
adding number (10) "A school or academy including classroom facilities and a gymnasium to conduct classes and instruction in martial arts" as a **conditional use** in the Limited Industrial area.

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

Motion Carried: **APPROVED**

C.O. 1155.07

A motion was made by Chuck Cox and seconded by Greg Patt to amend C.O. 1155.07 Supplemental Regulations For Specific Uses Adding **(w) (Martial Arts Academy. Martial arts school or academy facilities may be permitted in a L-I District provided such use is in compliance with the following:**

- (1) The hours of operation may be regulated by the Planning Commission.
- (2) There shall be no outside activities conducted by the school or academy.
- (3) All activities shall take place in a fully enclosed sound restrictive building with closed windows.
- (4) Public restrooms shall be provided and maintained.
- (5) The facility shall meet all county or state of Ohio health, building, electrical, and other applicable codes. In case of overlapping codes and/or jurisdictions, the more restrictive shall apply.

**Planning Commission
City of Willoughby
Regular Meeting minutes
April 24, 2014
Page 6**

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

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