

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
REGULAR MEETING  
NOVEMBER 13, 2014  
REGULAR MEETING  
MINUTES**

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

**ABSENT:** No one

**OTHERS:** Mike Germano, Asst. Law Director; Stephanie Landgraph; Jim Sayles, City Engr.; Darrel Keller; Chief Zoning & Bldg. Inspec.; Betty Nardelli, Sec'y

**Chairman Gerald Merhar called the regular meeting to order at 7:10 p.m.**

**REGULAR MEETING**

**OLD BUSINESS**

**MINUTES**

**October 23, 2014**

A motion was made by Greg Patt and seconded by Ken Kary to approve the minutes of October 23, 2014 as written.

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

**Motion Carried: APPROVED**

**PANINI'S BAR & GRILL** 37333 Euclid Ave.  
(R & F Realty)  
(Kevin/Chris McCrone)

**CUP - expansion**  
on exist. cup &  
**patio - enclose Patio**  
G-B dist.

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

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

Chris McCrone represented this conditional use permit application. Mr. McCrone said that a new shingled roof will replace the existing tiki roof structure. The patio will have overhead garage doors

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using insulated glass and it will no longer be open space. The patio will be used twelve months out of the year instead of only in warm weather. The entrances and exits will be re-routed. The big T.V. screen will go away and replaced with a wall. The garage doors will be closed 50% of the time. The option to open the doors is 40%.

Mr. McCrone distributed plans showing the location of the speakers and the direction of the sound output. There will be six speakers playing background music located 8' to 9' up the wall, the same height as the ceiling headers. There will be two speakers on the back bar facing out, two in the corners of the dining room facing towards the bar and two in the corners of the patio facing in. Mr. McCrone said that the sound will be behind you and not project toward you. Mr. McCrone said that there will be three uses of these speakers; back ground music, the juke box and T.V. for sport games. The level of the sound won't change when the uses change. Mr. McCrone said that they are reusing the existing speakers in response to Bob Fiala's question.

Greg Patt said that the drawing shows directive sound and what he asked for was reflective sound. Mr. Patt said that the Commission asked for sound abatement procedures, materials and techniques through a sound engineer. Mr. Patt said that there is nothing new submitted here and he explained the way sound works.

Mr. McCrone said that he feels that the structure that they are building, the products and materials that they are using and the covered space on the patio will reduce the sound. Mr. McCrone said that he thinks he can make a decision and not have to spend \$1,000.00 to find out that they have overcome the noise. Mr. Patt said that Mr. McCrone is speaking as a construction person and he is not experienced with sound. Mr. McCrone said he spoke with the architect about the structure regarding sound. He said he felt that the Commission at the last meeting was not definite asking him to hire a sound engineer. Bob Fiala said that the Commission was definite at the last meeting that a sound engineer be hired. Mr. Cox said that he also requested a sound engineer to measure and give ideas rather than Mr. McCrone doing it on his own.

Mr. McCrone said that the music will be at a conversational level

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in response to Chairman Merhar's question. There will be about six to eight T.V's. across the back in the structure. Mr. McCrone said that there are no plans to put them on the patio. They would have to be weather proof if they did.

Mr. Patt said that there is some improvement because of the thickness of the walls and insulation but in his mind it is minimal in response to Bob Fiala's question.

Mr. Kary said that the Commission waits for these kinds of things to come in front of them to give them a chance to improve the plans in front of them. Mr. Kary said that unfortunately Panini's is the first one to be here. Mr. Kary said that it could be fairly inexpensive for him to hire a sound engineer and that we can't let this slide by.

Mr. Cox said in his opinion Mr. McCrone did some of what was requested of him and if he would commit to a trial approval, then after one year if we still get complaints, Mr. McCrone will have to return here or get a sound engineer.

Chairman Merhar suggested to Mr. McCrone that the Commission can table this and he gets a sound engineer or the Commission votes on it for a one year conditional use permit and he returns for a view of any complaints and noise levels. Mr. McCrone said yes, he is comfortable with this and he thinks he'll hire a sound engineer now to document the sound levels they have now so that in one year no one can say it didn't improve.

Mr. Cox said that the motion will just be to extend the conditional use permit and conditions under the existing one for one year and it will be up to Mr. McCrone to take whatever action he thinks is appropriate. Mr. Fiala said that there is to be no live music outside.

**The Secretary read the existing conditional use permits conditions out loud that were approved March 27, 2008 for the then extension of the outdoor patio.**

1. Hours of operation:  
8:00 a.m. until 2:30 a.m. seven days a week.
2. Hours for sales of alcohol:  
8:00 a.m. until 2:00 a.m. seven days a week.

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3. A television and a jukebox are permitted.
4. Background music and television sound shall be at a volume level that does not interfere with normal conversation.
5. No sound is allowed after 2:00 a.m.
6. Live music is not permitted.

Being no more discussion Chairman Merhar asked for a motion.

A motion was made by Bob Fiala and seconded by Ken Kary to extend the existing conditional use permit and to return to Planning Commission in one year.

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

**Motion Carried:           APPROVED**

<b>PANINI'S GRILL</b>	37333 Euclid Ave.	<b>Development plan/ Elevations plan/ structure modif.</b>
(R & F Realty)		G-B dist.
(Kevin/Chris McCrone)		

Chris McCrone represented these plans for the expansion of the existing patio. Mr. McCrone said that they will match the existing materials. They will use CertainTeed shingles for the roof.

A motion was made by Bob Fiala and seconded by Ken Kary to approve the development and elevations plans as submitted.

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

**Motion Carried:           APPROVED**

**NEW BUSINESS**

<b>ABBOTT'S MANOR</b>	34521 Ridge Rd.	<b>Site/elev. plans- expanded p.lot/ Cmty garden addt'n/ exterior Bdg renovations</b>
(David Siebold)		RMF-LR dist.

Matthew Solomon of Millennia, HGF Architect David Siebold, Jessica Sarnese and Jeff Zinsmayer of HGR represented this site plan and

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elevations plan. Mr. Solomon said that Millennia Housing Mgt LTD is the new managing company of the Lithuanian Center and they are re-furbishing the outside of the building and updating the interior. They are adding additional parking spaces, a community garden with a tool shed for gardening tools, a chain link fence with a gate. Mr. Solomon said that there is no moving of the existing residents or eliminating any of the residents. Mr. Solomon said that when the contractors are working inside, the residents can stay in their units or stay in one of the five vacant units that are empty and available. The age limit for residents is 62+ in response to Chuck Cox's question.

Mr. Solomon said that there are 40 parking spaces for 82 units. They are adding 36 additional parking spaces. Jim Sayles said that the driveway for the new parking area is too close to the right-of-way. They will either have to move the driveway or get a variance. Mr. Solomon said that they will not cut any trees down to make room for the new parking area. They might cut one down.

Mr. Sayles said that the existing storm water discharge pipe goes into the woods where the residents north of this property reside. The new pipe will also go north into the woods. The discharge rate will not increase. Mr. Solomon said that detention will reduce the discharge.

Bob Fiala said to be sure that the parking lights are focused to illuminate onto the property.

Being no more discussion Chairman Merhar asked for a motion.

A motion was made by Bob Fiala and seconded by Greg Patt to approve the site plan, elevations plan and garden contingent on the City Engineer's review and to check the luminary situation.

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

**Motion Carried: APPROVED**

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ALAN/JANIS SEITZ

38727 Wood Rd.

**Lot split**

Parcel B - split

0.7992 acres

Parcel A - remain.

2.4568 acres

R-80 dist.

Robert Smoltz, surveyor, of Stephen Hovancsek & Associates Inc. represented this lot split. Mr. Smoltz said the intent is to split Parcel B containing 0.7992 acres from P.P.#27B-47A-6 and deed it to Gene and Sherryl Adamic of Mentor. **Parcel A** will be retained with Seitz's existing parcel. Jim Sayles said to make the approval conditioned on combining the split lot with the adjoining Adamic lot in Mentor. The parcel still will remain in Willoughby. If the lot is sold it will be sold as a single parcel. The remainder parcel will remain as P.P.#27B-47A-6.

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

A motion was made by Bob Fiala and seconded by Greg Patt to approve the lot split and plat with the condition to include the new **parcel B** to be combined with the Adamic parcel in Mentor.

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

Nays: None

**Motion Carried: APPROVED**

**LAKE HEALTH INC (WEST)**  
(Richard Farkas, Arch.)

36000 Euclid Ave.

**CUP - expansion**

to exist CUP -

**2-story addt'n**

Pharmacy/waiting room

RMF-LR Dist.

Rick Farkas, Architect, and two Lake West Hospital representatives represented this conditional use permit application. The pharmacy is set up for patients for same day surgery. Surgery starts at 6:00 a.m. so looking at 8:00 a.m. until 6:00 p.m. for the pharmacy hours. Chairman Merhar suggested 24/7 for the pharmacy hours and

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for the same day surgery waiting room. The hospital representatives were okay with this.

A motion was made by Ken Kary and seconded by Greg Patt to approve the conditional use permit for the pharmacy and waiting room for Lake West Health of 36000 Euclid Ave.

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

**Motion Carried: APPROVED**

**LAKE WEST HOSPITAL** 36000 Euclid Ave.  
(Rick Farkas)

**Site/elev. plans  
2-story addt'n -  
1,100 sq. ft. per FL  
pharmacy & Surgery  
waiting room use  
RMF-LR dist.**

Rick Farkas, Architect, represented this site plan and elevations plan for a 2-story addition with 1,100 sq. ft. per floor. The materials will match the existing building's materials. The building addition will match the doctor's pavilion.

Jim Sayles said that the storm water runoff goes to the storm system on the east side. Mr. Sayles said that presently there are painted islands in the parking lot. He said to put concrete curbs around two of these islands and plant grass in them to compensate for the hard surface. Mr. Sayles said that the grass islands decrease the run-off. If the islands aren't used then underground detention will have to be used.

A motion was made by Ken Kary and seconded by Chuck Cox to approve the site and elevations plans on the condition of the elimination of hard surface or have retention for water of some sort to offset the additional runoff for Lake West Health of 36000 Euclid Ave.

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

**Motion Carried: APPROVED**





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were left out. This amendment inserts "**L-G**" and "**A(1)**" in the Maximum Sign Area chart for Lakeshore Gateway District for C.O. 1163.04(f), and inserts "**L-G**" and "**A(g)**" in the Maximum Height of Freestanding Signs chart for the Airport District for C.O. 1163.06. No one had a problem with this draft.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve this amendment for C.O. 1163.04(f) and for C.O. 1163.06 as listed and to recommend to Council for their approval.

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

**Motion Carried:       APPROVED**

**ADDENDUM**

**ADDITIONAL NEW BUSINESS**

**DISCUSSION**

**COURTHOUSE SQUARE**  
(Bill Martin)

P.P.#27B-36-48  
Vine St.

**Apts - New**  
4 bdgs - 4 floors  
4,953 sq. ft.  
65 p/sp  
1.41 acres  
D-B dist.

Bill Martin, developer, and Bo Knez of Bo Knez Construction represented this discussion. Mr. Martin said they were before this Commission earlier in the year for discussion for one large 60 unit building for both residential and commercial use. Now the discussion is for four buildings with 65 units which is fifteen units per building for only residential use. Mr. Martin said that the commercial use didn't work parking space wise.

Mr. Martin said that the project will be constructed in phases one building at a time. When one building is sold then they will move onto the next one. A court yard will be built in the middle of the four buildings.

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Mr. Martin said that rather than have a patio on the balcony, gates could be placed in front of the patio doors. Mr. Martin said that he didn't like balconies extending over Vine St. because balconies are of no use. They are mostly used for storage.

There will be a club room, a roof top area and elevators. The elevators, illuminated at night, are the glass areas shown on the drawing.

The parking area will be at the rear of the four buildings. One of the parking areas is owned by the Jehovah Witnesses. They don't use it because it isn't contiguous to their parking lot. Mr. Martin said that the Jehovah Witnesses would like to swap this lot for a City owned lot so it will be contiguous to their parking lot. Mr. Martin said they need one more row of parking spaces which is ten spaces to comply.

Mr. Martin said that the apartments are low end in response to Chairman Merhar's question. The apartments will be condominiumized.

Mr. Martin said that next he wants to go before the Design Review Board.

No action was taken on this discussion.

Being no more discussion or items on the agenda the meeting was closed.

There being no further business the regular meeting closed at 9:30 p.m.

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Gerald Merhar, Chairman

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Betty A. Nardelli, Secretary