

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
JULY 25, 2013
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala; G. Merhar; C. Cox; K. Kary; R. Irvine, Chairman
ABSENT: No one
OTHERS: Mike Germano, Legal Counsel; Jim Sayles, City Engr.;
Janice Lipscomb, Econ. Devel. Mgr; Jerry Ranally, Ward 3
Councilman; Greg Patt, Board of Zoning Appeals Mbr.; Betty
Nardelli, Sec'y

Chairman Robert Irvine called the regular meeting to order at 7:45 p.m.

OLD BUSINESS

MINUTES

June 27, 2013

The minutes of June 27, 2013 were approved as written.

NEW BUSINESS

NICE RIDE AUTO 35160 Topps Pkwy
(Michael Megresh)

SUP -
Temp. vehicle pkg O/S
Awaiting detailing, shpg
P/U or mech. drop-off
C.O. 1109.10
L-I dist

Michael Megresh represented this similar use application. Chairman Irvine read into the record a memo from Richard Smith, Chief Building and Zoning Inspector stating that Mr. Megresh was issued a Certificate of Occupancy for office use (Internet Sales) and indoor auto storage. A violation notice was issued for storing/showing autos for sale outdoors. Mr. Megresh appealed his notice to the Board of Zoning Appeals and was advised to obtain a conditional use permit. Conditional use permits are not permitted for storing and showing autos for sale outdoors. Mr. Megresh is here this evening to obtain a similar use permit to store vehicles outside.

Planning Commission
City of Willoughby
Regular Meeting minutes
July 25, 2013
Page 3

the windows on the second floor patio. Jerry Merhar said that closing the windows won't stop the noise. Mr. Gallo also wants to amend his fund raising hours from 6:00 a.m. to regular hours on the existing conditional use permit.

Mr. Gallo wanted to know if it was the noise or his clientele that's offensive. Jerry Merhar said that Mr. Gallo's clientele is a little more rowdy than the average clientele.

Mr. Gallo said that he walked the streets at night to see where the noise is coming from. He checked police reports. Mr. Gallo said that this is not his bar's noise and no one knows where the noise is coming from. Mr. Gallo said that it is coming from everywhere. Mr. Gallo said that there was a live band on Lure's patio one night. He said that Mullarky's bar's door was open one night and music was blasting out the door.

Mr. Fiala said that he is getting complaints from his neighbors at St. John's Bluff. That's how far the noise carries.

Mr. Gallo got upset and walked out before Planning Commission could take this to a vote. Mike Germano said that when this item was opened to amend the conditional use permit it was open to all discussions pertaining to the conditional use permit. No matter that the applicant walked out of the meeting.

Chuck Cox said that noise is something that you can measure. What irritates some people doesn't irritate others. Mr. Cox said that we need a noise ordinance that is measureable. Mr. Fiala said that Planning Commission should recommend to Council that they do a research and testing analysis to define a workable ordinance for downtown Willoughby. Council needs to initiate and evaluate the noise level to draw up legislation.

Chairman Irvine closed the meeting and asked for two motions.

Windows:

A motion was made by Jerry Merhar and seconded by Chuck Cox to make the windows facing Second St. to be inoperable.

ROLL CALL: Yeas: J. Merhar; C. Cox; B. Irvine
Nays: B. Fiala; K. Kary

Motion Carried: APPROVED

**Planning Commission
City of Willoughby
Regular Meeting minutes
July 25, 2013
Page 5**

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

Motion Carried: TABLED

WILLOUGHBY POINTE 38103 Euclid Ave. **Reapprv'l - site/elev.**
(B.R. KNEZ CONSTR., INC.) **plans** - (12) 3-story
(B.R. Knez) townhouses @ corner of
Euclid Ave. & Sharp Ave.
18 resid./12 cml units
Aprv'd 8/9/12 -
Extend aprv'l for 6 mos.
D-B dist

Lynn Harley represented this request to extend the August 9, 2012 approval for a site plan and elevations plan another six months. Mr. Harley said it is taking longer than expected to get things moving.

A motion was made by Jerry Merhar and seconded by Ken Kary to extend the 8/9/12 approval for another six months for this year.

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

Motion Carried: APPROVED

There being no further business the regular meeting closed at 8:30 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary