

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
AUGUST 22, 2013
REGULAR MEETING
MINUTES**

PRESENT: R. Fiala C. Cox; K. Kary; G. Merhar, Vice Chairman
ABSENT: R. Irvine, Chairman
OTHERS: John Wiles, Law Director; Jim Sayles, City Engr.; Janice Lipscomb, Econ. Devel. Mgr.; Chris Woodin, Ward 1 Councilman; Betty Nardelli, Sec'y

Vice Chairman Gerald Merhar called the regular meeting to order at 7:40 p.m.

OLD BUSINESS

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

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

Motion Carried: APPROVED TO UNTABLE OLD BUSINESS

MINUTES

July 25, 2013

A motion was made by Ken Kary and seconded by Chuck Cox to approve the minutes of July 25, 2013 as written.

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

Motion Carried: APPROVED

ON THE GREENS P.P.#27B-52-1
PROPERTY CO. 38890 Hodgson Rd.
(Anthony Slyman)

**Rezoning -
21.003 acres
G-B to RMF-LR
Combine w/
P.P.#27B-52-13
For 158 S/F lots
32.3305 acres
G-B dist**

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Anthony Slyman represented this rezoning application. Mr. Slyman said that the retention basin was designed for General Business use which will create more runoff than Multi-Family use. Mr. Slyman said that putting the water under Lost Nation Rd. won't help N. Bay. Mr. Slyman said that this property is not a commercial piece of property.

Chuck Cox said that the City paid a consultant to tell us the appropriate use of the property. Mr. Cox said he can't see amending the Master Plan if the zoning will be changed. This development is a change from the Master Plan. Janice Lipscomb said that the consultant wrote the Master Plan with our input. Ms. Lipscomb said that commercial use is needed in that area but he doesn't say which parcels. Ms. Lipscomb said that the Master Plan is only a guideline to follow. Bob Fiala said that the Master Plan is silent on this property in response to Chuck Cox's comment. Mr. Fiala said he has reservations of this proposal.

Ken Kary said Mr. Slyman hasn't produced a commercial use yet for this property. Mr. Kary said if they haven't done anything for years than to hold to the Master Plan because it says we need to stay that way seems like a fruitless path. Mr. Kary said that this property is perfect for 158 homes. There will be less storm water runoff with residential use here.

Mr. Slyman said that this is a nice development, landscaped from Lost Nation Rd., fenced and a buffer rather than the weeds growing there presently.

Vice Chairman Merhar asked for a motion.

A motion was made by Bob Fiala and seconded by Ken Kary to approve the rezoning of 21.003 acres for P.P.#27B-52-1 AKA 38890 Hodgson Rd. to Residential Multi-Family Low-Rise from General Business.

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

Motion Carried: DENIED

NEW BUSINESS

DANNY TRIPLETT & GLORIA RACIN	2880 Reeves Rd. P.P.27B-48A-11 P.P.27B-48A-12	Lot split / consol. split = 0.0940 A. resid, = 0.0553 A. 0.4598 A. to be consol. W/Eastlake parcel R-60 dist.
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Ben and Peggy Triplett represented this lot split and consolidation of property (P.P.#27B-48A-11) owned by Danny Triplett and Gloria Racin who are Ben's mother and brother. Mr. Triplett said that his mother lives next door on the property in question. They are splitting the rear portion of his mother's property which is located in Willoughby, putting it in their name, Peggy and Ben Triplett, and attaching it to the side/rear of their property which adjoins his mother's property.

A motion was made by Bob Fiala and seconded by Ken Kary to approve the lot split for P.P.27B-48A-11 and consolidation of P.P.27B-48A-11 to P.P.#27B-48A-12 Reeves Rd.

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

Motion Carried: APPROVED

LURE BISTRO (Jaret Havanchak)	38040 Third St.	CUP - amend Condition #4 Permit live music O/S on patio 6-9 pm Wed. - summer mos. D-B dist.
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Joe Coslick, Lure's Bistro chef, represented this conditional permit amendment of condition #4. Janice Lipscomb said that Lure's has been playing music on their patio all summer and not just on Wednesday. Mr. Coslick said that Lure's is a restaurant and not just a bar. Mr. Coslick said that the patio will be open until

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October in response to Bob Fiala's question. Bob Fiala said that than on October 15, 2013 the conditional use permit expires and they will have to reapply.

Vice Chairman Merhar said that he doesn't have a problem with the music and his business is next door. He is afraid of not being able to keep it under control. "It's for 6:00 p.m. to 9:00 p.m. now". "What's the next step"?

A motion was made by Bob Fiala and seconded by Ken Kary to approve the amendment of the conditional use permit to allow a band on the patio for Lure's of 38040 Third St. until October 15, 2013.

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

Motion Carried: APPROVED

KIRTLAND TUDOR	P.P.#21A-22-29	Final plat /
ESTATES PH II	S/L 18 - S/L 30	Improve. plans
(Chas. Szucs)	Tudor Dr.	13 lots
(Wm. Sanderson)		RMF-LR dist.

Bill Sanderson represented this final plat and improvement plans for 13 lots for Phase II on the west portion of the property for Kirtland Tudor Estates. Mr. Sanderson said that the number scheme changed with the first four lots. Instead of 50 units there are 51 units. Richard Smith said that these are envelope lots. Jim Sayles said that there is less storm water runoff with this plan. Mr. Sayles said to approve the plans contingent on the City Engineer's detailed review.

A motion was made by Bob Fiala and seconded by Ken Kary to approve the final plat and improvement plans for S/L 18 through S/L 30 for Kirtland Tudor Estates of Phase II P.P.#21A-22-29 Tudor Dr. of Kirtland Rd. contingent on the City Engineer's detail review.

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

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Motion Carried: **APPROVED**

There being no further business the regular meeting closed at 8:20
p.m.

Gerald Merhar, Vice Chairman

Betty A. Nardelli, Secretary