

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
REGULAR MEETING  
JUNE 28, 2012  
MINUTES**

**PRESENT:** B. Fiala; G. Merhar; C. Cox, B. Irvine, Chairman  
**ABSENT:** Ken Kary  
**OTHERS:** Mike Germano, Ass't. Law Director; Police Chief Jack Beckwith; Jim Sayles, City Engr.; Janice Lipscomb, Econ. Devel. Mgr.; Richard Smith, Chief Bldg. & Zoning Inspector; Jerry Ranally, Ward 3 Councilman; Betty A. Nardelli, Secretary

Chairman Robert Irvine called the regular meeting to order at 7:02 p.m.

**OLD BUSINESS**

A motion was made by Jerry Merhar and seconded by Chuck Cox to remove all tabled items from the table for discussion.

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

Motion **CARRIED**                   **APPROVED TO UNTABLE ALL TABLED ITEMS**

<b>WESTWOOD MEADOWS</b> (Dave Novak) (Bo Knez)	P.P.27B-52-1 Hodgson Rd.	<b>Rezone</b> 19.5733 acres <b>G-B to RMF-LR</b> S/F using R-50 reg. G-B
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There was no representative present this evening.

A motion was made by Chuck Cox and seconded by Bob Fiala to table this rezoning application.

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

Motion **CARRIED**                   **TABLED**

<b>RENOVA GROUNDWORKS</b> (C.J. Goryance)	1796 Jos. Lloyd Pkwy	<b>CUP</b> C.O. 1145.03(c) (2) Construc. Trade /contractor fcilty L-I dist.
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There was no representative present this evening.

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A motion was made by Jerry Merhar and seconded by Chuck Cox to table this conditional use permit application.

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

Motion **CARRIED** **TABLED**

**CAPPELLI'S BANQUET** 4077 Erie St.  
**BILLY'S MARTINI BAR**  
(Joe Myers)

**CUP -**  
Banquet center /  
Restaurant / Bar /  
O/D patio - **Sls/SVC**  
**Alcohol on-prem. Consump.**  
DT dist.

Linda Capelli, owner; Kelsey O'Brien, daughter; John Crystie, attorney, and Joe Meyers, Architect, represented this conditional use permit.

The conditions agreed upon are:

1. Hours of operation:  
11:00 a.m. until 2:30 a.m. six days a week  
11:00 a.m. until 11:00 p.m. Sundays.
2. Outside speaker with background music permitted on the patio.
3. Screened trash container located at the rear of the building.
4. Sales and service of alcohol permitted on the patio.
5. Live music or disk jockey permitted inside 7 days a week.

Mr. Myers said that the restaurant, Billy's Martini bar and the party center will be used at the same time. The party center for events will mostly be on Fridays and Saturdays. Billy's Bar will always be open. Parties will be for parties of 125 to 150 people. Mr. Myers said the outside speaker will be in the canopy that covers the 12' X 58' patio. Mr. Meyers said there will be a fireplace on the patio.

Chairman Irvine presented C.O. 1155.02 (a) thru (l), "General Criteria for All Conditional Uses", on the screen and discussed each item. Chairman Irvine said that this is to determine if the Conditional Use is appropriate and keeping with the intent of the Planning and Zoning code. He reviewed each one separately. For (a) Chairman Irvine said this proposal will impact the surrounding area because of the traffic and of the size of the proposal. (B) Police Chief Beckwith puts this use at the lower end when compared to other liquor establishments for high and low impacts.

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(c) Mr. Myers presented a drawing of the establishment. The entrance to the party center is by way of the patio. (d) Chairman Irvine said the hours of operation are normal for this area. (e) Chairman Irvine said that outdoor music might be disturbing to the adjoining properties. (f) Question is will owners of property be able to sell their property. Chairman Irvine said this may have a "maybe" in it. It will have an impact and be a potential issue. (g) Mr. Sayles said that the utilities are adequate. The biggest problem in downtown is storm water drainage. The patio is paved. (h) The Ingress Egress Board recommended this plan to Planning Commission. Mr. Smith said that APC Cooper said that statistically it works but he has reservations of it. (i) Chief Beckwith doesn't see a significant impact. Question is Ingress Egress. He sees a possibility of backing up into the street. (j) Jerry Merhar said that it might impact conditional uses already in place. Chairman Irvine said it is covered in items (e) and (f). (k) Chairman Irvine said that this one is the one he is most concerned about. He said that is the reason he asked for a traffic study. (l) This item is mostly for the residential area.

Chairman Irvine said that per C.O. 1161.05(b) "Reduced Standards for D-B, Downtown Business District" that this code allows Planning Commission to modify parking requirements. Chairman Irvine said that (2) and (3) of this criteria has a negative impact in the area.

C.O. 1161.04(c) (5) allows one parking space for 50 sq. ft. of floor area. This code allows the same requirement for C.O. 1161.04(e) (3) which covers dance halls, etc. The total floor area of 9,360 sq. ft. divided by 50 sq ft. needs 182 parking spaces.

Per C.O. 1109.04(f) Chairman Irvine said that the Ingress Egress Board recommended this item to Planning Commission. Chairman Irvine said if Planning Commission has an issue with the plan, it returns to the Ingress Egress Board.

Chairman Irvine said that in his opinion the traffic study submitted wasn't a traffic impact study. It was a parking lot analysis. The analysis of the existing parking lot wasn't done. Limited data was provided. The report was based on the number of parking spaces to support the proposed business. Chairman Irvine said that per the valet report they felt that they could handle it.

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Joe Myers said that the total capacity is 85 people for Billy's Bar and 150 for the party center giving a total of roughly 240 people in response to Chairman Irvine's question.

Chairman Irvine said that per the report furnished by Janice Lipscomb there are 691 parking spaces in the public lots with 18 handicap spaces. There are 491 spaces in the private lots with 10 handicap spaces. Chairman Irvine said we don't have the impact this project imposes on these parking lots. There is no assessment during peak periods or on areas they would use. Some of these lots are not available. Mr. Forker said everyone uses his lot whether it is leased or not.

Chairman Irvine said a driveway is being added by the baseball parking lot and it was not mentioned in the study. The baseball lot is only good certain times of the year.

Chairman Irvine said there is a concern about traffic on Glenn Ave. and Erie St.

Lynn the person who did the traffic study said she only looked at the flow. Lynn said they would treat the alley as a street in response to Chairman Irvine's question.

Chairman Irvine told Lynn that she needs to look at Erie St., Glenn Ave., Erie St. and the alley and Mentor Ave.

Joe Myers said that he needed 187 parking spaces to Chairman Irvine's question regarding reducing parking spaces. Chairman Irvine said he needed a traffic impact study to make a decision on the parking spaces. Chairman Irvine said the study is for parking spaces and not the number of trips.

Chairman Irvine said with the traffic study we can look at the level of service at the intersections. It has to do with the use this business will bring traffic down town. Mike Germano said that if the party center is on the first floor on Erie St. it is not allowed. John Forker suggested having two addresses for the building. One for the front and one for the rear for the Party center entrance. Jim Sayles said that it would still have an Erie St. address.

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Chairman Irvine said that this use will have a detrimental impact on the character in the down town. Bob Fiala said he didn't want Willoughby to become another Geneva-On-The-Lake.

Joe Meyers said that if the traffic study shows that they can handle the traffic it boils down to if they are allowed to have a party center on Erie St. Chairman Irvine said then it is Planning Commission's discession to approve it. John Christie, Attorney for Cappelli's, said that the restaurant is open the most. Mike Germano said that parties can be booked in the middle of the week and not just the weekend.

Bob Fiala wants the minutes to reflect that Planning Commission spent 2.5 hours on the party center discussion and 10 minutes on the restaurant discussion.

Chairman Irvine asked Attorney Christie if he wanted Planning Commission to take action tonight on their proposal or table it. Attorney Christie requested to be tabled so they can address the traffic issue and items that comply with the code.

Chairman Irvine asked Police Chief Beckwith to return to the next meeting when Cappelli's will be discussed.

Chairman Irvine asked for a motion to table both items until July 26, 2012.

A motion was made by Bob Fiala and seconded by Jerry Merhar to table this conditional use permit application and traffic parking plan until July 26, 2012.

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

Motion **CARRIED**                      **TABLED**

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**CAPPELLI'S BANQUET** 4077 Erie St. Site elev. plans /  
**BILLY'S MARTINI BAR** traffic pattern /  
(Joe Myers) traffic study /  
Modify Parking  
DT dist.

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

Motion **CARRIED** **TABLED**

**NEW BUSINESS**

**SOUTH HIGH SCHOOL** 5000 Shankland Rd. P/lot & D/W  
(Ryan Schmit) alterations  
R-100 dist.

John Urbanick of TDA Architects represented this site plan. Mr. Urbanick said that a new 3-lane 2-way driveway and a new 2-way entrance were added to Shankland Rd. All the traffic enters in the morning on the north end. The students are dropped off in the front of the building rather than cutting through the parking lot. The buses will exit through the middle school property. Euclid Ave will no longer be used. Signs will direct traffic and drop off points.

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

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Robert Irvine, Chairman

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Betty A. Nardelli, Secretary