

**PLANNING COMMISSION
CITY OF WILLOUGHBY
REGULAR MEETING
SEPTEMBER 13, 2012
MINUTES**

PRESENT: B. Fiala; C. Cox; Ken Kary; B. Irvine, Chairman

ABSENT: G. Merhar

OTHERS: Mike Germano, Asst. Law Director; Jim Sayles, City Engr.;
Richard Smith, Chief Bldg. & Zoning Inspector; Janice
Lipscomb, Econ. Devel. Mgr.; Jerry Ranally, Ward 3
Councilman; Chris Woodin, Ward 1 Councilman; Betty A.
Nardelli, Secretary

Chairman Robert Irvine called the regular meeting to order at 7:05 p.m.

NEW BUSINESS

ANTHONY'S DISCOUNT	1171 Lost Nation Rd.	CUP
AUTO REPAIR		C.O. 1141.03(d)(3)
(David Evangelista)		G-B Dist.

David Evangelista represented this conditional use permit application. Mr. Evangelista said that he has been listed in Ohio for 1.5 years. He isn't operating at Lost Nation Rd. yet. He doesn't own the building. He is renting a unit. Mr. Evangelista said he does brakes, oil changes, tire changes, tune-ups, muffler changes, tie rods and struts. He doesn't remove engines. Mr. Evangelista said there is a three sided pen with a 6' high board-on-board fence with a locked gate attached to the back of the building to be used for storage. The conditions agreed upon are:

1. Hours of operation:
 - 7:30 a.m. to 6:00 p.m. - Monday thru Friday.
 - 8:00 a.m. to 5:00 p.m. - Saturday.
 - 9:00 a.m. to 5:00 p.m. - Sunday.
2. Dumpster - NE side of building - screened. Else located inside.
3. Doors shall be closed.
4. No music is allowed during operation hours.

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5. No more than 5 cars is allowed on the property for more than 24 hours.

Mr. Evangelista said he will be open Sundays to compete with Midas Muffler and Monroe. Chris Woodin said he likes that Mr.

Evangelista is open on Sundays. Mr. Woodin said he is happy to see a vacant building filled.

Mr. Evangelista said there is a chain link fence between the building and a house behind him. Mr. Evangelista said there are three parcels to this property and he will mow the grass.

A motion was made by Chuck Cox and seconded by Ken Kary to approve the conditional use permit with the conditions stated this evening for 1171 Lost Nation Rd.

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

Motion Carried: APPROVED

MIRMAT	4550 Hamann Pkwy	Site/elev. plans
(Angel Alvarez)		addt'n 6,780 sq.ft.
		L-I dist.

Angel Alvarez, architect, represented this proposal for a 6,780 sq. ft. addition. A variance was granted at the September 12, 2012 Board of Zoning Appeals for a 3.6' building side yard setback of the required 7.5'. The site plan was approved at the September 6, 2012 Ingress Egress Board. Richard Smith said the use will be for a warehouse.

Jim Sayles, City Engineer, said that that they would like the water to discharge to the rear to a ditch and not discharge to the front. The ditch is not on Mirmat property but City owned.

Mr. Alvarez said the materials will be glass block windows and 8" CMU concrete masonry block and painted. The side wall doesn't face the street in response to Chairman Irvine's question. Mr. Alvarez said the expanded area will be hard surface to Chairman Irvine's question.

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A motion was made by Bob Fiala and seconded by Ken Kary to approve the site and elevations plans with the stipulation that the final storm management be reviewed.

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

Motion Carried: APPROVED

RIVER ISLE	38153 Erie Rd.	Renovations
(Don Funk)		Site/Elev. Plans
		Landscape plan
		RMF-LR dist.

Don Funk of TC Architects represented this proposal to renovate two 2-story existing apartment buildings located near the River. There are 20 apartments for each building. The site plan was approved at the September 6, 2012 Ingress Egress Board.

Mr. Funk said the units will be upgraded. Some units will be gutted because conditions are unbuildable.

The parking lot will be reconfigured and parking added. Three new pole lights will be added. Lights will be mounted on the north side of building "A" and on the east side of Building "B". The existing driveway on the north will be eliminated. A curb cut will be made for a new driveway on the south end of the property.

Exterior upgrades will be done on both buildings. A patio will be added on the River side of Building "A". A crest will be added to the flat roofs and shingled using corning Tru-definition Duration shingles using the color "Driftwood." White gutters and downspouts will be added. The vinyl siding panels will be replaced by cement board and painted "Napery" using Sherwin Williams paint # SW6386. The dumpster will be enclosed with split face block using "Riverbed Buff" by Savory Cement Products. Landscaping will be added. New entrances will be done on both the front and back sides of both buildings. A patio abuts the northern property and needs a setback variance. Mr. Funk said it can't be moved because of power lines located there.

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Richard Smith said that the new driveway is 23' wide and needs to be 25'. Mr. Funk said they will widen it.

Jim Sayles, City Engineer, said that the patio by the river extends into the floodway and should be checked to see if it is in the flood boundary zone.

Chairman Irvine said three things need to be resolved:

1. North patio needs a variance
2. The south driveway needs to be 25' wide.
3. East patio needs to conform to the floodway.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve the site, elevations and landscape based on inconsistencies noted this evening.

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

Motion Carried: APPROVED

GRANT SCHOOL 38281 Hurricane Dr. **P/lot lights**
(Ryan Schmit) R-60 dist.

Ryan Schmit of TDA Architects represented this site lighting plan for Grant School's addition approved earlier this year.

Mr. Schmit said he is seeking approval for six additional parking lot lights. All the lights will have shields across the back with full cutoff.

A motion was made by Chuck Cox and seconded by Ken Kary to approve the lights as submitted.

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

Motion Carried: APPROVED

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PLANNING COMMISSION

**Sched. Work sess.
w/BZA - variances
C.O 1109.09(e)**

John Wiles, City Law Director, submitted a memo with a draft of C.O 1109.09(e), variances, proposing to do away with the decrease greater than 20% of any yard regulation. Mr. Wiles suggested in the memo a work session with the Board of Zoning Appeals prior a Planning Commission meeting.

A motion was made by Bob Fiala and seconded by Ken Kary to schedule a work session with the Board of Zoning Appeals for September 27, 2012 at 6:00 p.m.

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

**Motion Carried: APPROVED FOR A WORK SESSION ON 9/27/12 AT 6:00
 P.M. one prior Planning Commission's regular
 meeting.**

DISCUSSION

JANICE LIPSCOMB

**Lakefront Gateway
Zoning District**

Janice Lipscomb, Economic Developer Manager, represented this discussion.

Ms. Lipscomb said that after Richard Smith, Chief Zoning and Building Inspector, reviewed the sketch submitted by Bo Knez and discussed at the last meeting, he found setback and density issues that were intended to be put in the code. One was the 40' setback when abutting other residential areas. It had an effect on Bo Knez's property affecting all three sides of his property. The front of the property fronting on Lakeshore Blvd. has a 10' setback. Ms. Lipscomb said we need to look at the Lakefront District as a whole and see if 40' is doable for any other development.

Mr. Smith said other setbacks are from the main wall to the driveway which is 30'. On a lot with a 40' buffer, a building and

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then a 30' setback from the driveway, 70' is wasted. That lot is not buildable. Mr. Smith said the 30' applies to any driveway, not just public driveways to Bob Feller's question.

The Lake Front code states 6 units per acre. Knez's property is 3.7 acres so 22 units were allowed. The existing code states 7 units per acre which is 26 units. Ms. Lipscomb said 6 units an acre does not increase the density which we are trying to get. Mr. Smith said everything else is the same in the multi-family code but the density. Ms. Lipscomb said that per the Master Plan we have the ability to increase density and do away with setbacks.

Ms. Lipscomb said that there are 25.9 acres in the "New Zone" at the Lake Front which gives almost 200 units with the existing code. Jim Sayles said that most of the district is commercial so there aren't many homes.

Chairman Irvine said we need to consider a rewrite of the Lake Shore Gateway Code. Chuck Cox said it needs to be a rewrite for a particular zone, it doesn't apply to the City.

No action was taken on this discussion.

Chairman Irvine said to leave the B.R. Knez discussion on the agenda and have Mike Germano rewrite the Lakeshore Gateway Code.

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

Robert Irvine, Chairman

Betty A. Nardelli, Secretary