

**PLANNING COMMISSION
CITY OF WILLOUGHBY
MARCH 10, 2011
REGULAR MEETING
MINUTES**

PRESENT: B. Fiala; C. Cox; B. Irvine, Chairman
ABSENT: R. Hart; G. Merhar
OTHERS: Mike Lucas, Ass't. Law Director; Janice Lipscomb, Econ. Dev. Mgr.; Jim Sayles, City Engr.; Richard Smith, Chief Bdg. & Zoning Inspec.; Greg Patt, Sign Review Board; Betty A. Nardelli, Secretary

Chairman Robert Irvine called the regular meeting to order at 7:15 p.m.

OLD BUSINESS

MINUTES

February 10, 2011

The minutes of February 10, 2011 were approved as written.

EDISON ELEM. SCHOOL (John Urbanick)	5288 Karen Isle Dr.	CUP - pub. School bdg addt'n/ addt'l pkg C.O. 1131.03(c)(2) R-100 dist.
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There was no representative and no voting quorum present this evening.

This conditional use permit application **remains tabled** with no action taken.

EDISON ELEM. SCHOOL (John Urbanick)	5288 Karen Isle Dr.	Site/elev. plans addt'n exist bdg Addtl pkg R-100 dist.
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There was no representative and no voting quorum present this evening.

This site plan and elevations plan **remains tabled** with no action taken.

NEW BUSINESS

PANERA BREAD
(Chuck Andrews)
(Urban Cornacchione, Jr.)

36099 Euclid Ave.

Site/elev plans-
Restaurant -
Patio east side
Of bldg.
G-B dist.

Chuck Andrews, USA Management, and Kim Phillips, Architect of Phillips/Aekawick Architects, represented this proposal to convert the former Hollywood Video building into a Panera Bread bakery and restaurant. A variance was granted at the February 23, 2011 Board of Zoning Appeals meeting to allow 21 parking spaces of the required 62 spaces using the one space per two seats parking criteria ($134/2 = 62$). Mr. Andrews said that there is a crossover easement with the medical building on the adjoining property to be allowed to use their parking area.

Mr. Phillips said that no alcohol will be sold or consumed on the premises. The patio for 35 seats consists of modular walls and railings. The patio will have back ground music in response to Chairman Irvine's question. Chairman Irvine was concerned about having outdoor music on the patio. Planning Commission never approved outdoor music. Chairman Irvine requested Mr. Phillips to voice Planning Commissions concern back to the Panera Bread owners and ask them to have consideration for the adjoining property owners, especially for the Hospital across the street.

Mr. Phillips said that a new storefront window will be installed on the front and a new storefront entry will be installed on the east elevation for the patio. The windows and door being removed will be unfilled with split face block matching the existing block. The existing block will be cleaned and stained a reddish color. The coping will be repainted. The top portion of the building will be skin coated to get rid of the Hollywood Video décor and painted beige. There will be awnings for the windows.

Mr. Phillips said the restaurant should be completed within 90 days.

Bob Fiala requested a color/materials board be submitted to the Building Department.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve the site plan and elevations plan with the stipulation that a material's palette in submitted within one week.

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

Motion **CARRIED** **APPROVED**

SKKY VIEW HALL
(Ryan Neubert)

4077 Erie St.

CUP - Alcohol
Sls/svc for
on-premises consump
C.O.1141.03(c)(17)
D-B dist.

Ryan Neubert, owner, and Joseph Meyers, Architect, represented this conditional use permit application.

Mr. Neubert said that he is 26 years old and has been in the restaurant and bar business since he was 19 years old as a server, bar tender, doing dishes and as a cook. Mr. Neubert said he got his management degree from Ohio State University.

Mr. Neubert said he did not plan to hold concerts that will admit underage people in response to Chairman Irvine's question. Mr. Neubert said he will have a stage that will hopefully enable him to have concerts in the future. Mr. Neubert said it is not his intention to have concerts for 18 to 21 year olds but for ages 21 and over.

Mr. Neubert said he will have certain areas for entry; the front, the rear and the rooftop. He has a security manager to oversee the entrances. He will concentrate on the Erie St. and rear entrance. Everything and everyone will be kept in the establishment.

Chairman Irvine said that with the sidewalk café, the rooftop area, the stage and the main bar, that Mr. Neubert is trying to accomplish too much and it worries him. Mr. Neubert said he is trying to provide a different atmosphere. He will have dining throughout the day. Mike Lucas, Assistant Law Director, said that it will be difficult to enforce an age cutoff when families are entering to dine and then the band starts up. They'll all be these different age groups. All of a sudden everyone has to be 21 years old for the band.

Chuck Cox said that the outside area is the area Mr. Neubert won't have control over.

Chuck Cox said he will have a hard time approving this without taking to the Fire Chief and Police Chief. There will be a double

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amount of people in downtown. Mr. Myers said that this establishment is designed to hold 487 people. Mr. Smith said that by using the 1 parking space per 4 seats criteria 122 parking spaces are needed for a capacity of 487 people for this establishment.

Chairman Irvine said that this business is designed to appeal to a certain demographic and it will overwhelm the City's ability to control it.

Mr. Neubert said that he signed the lease but has not acquired a liquor permit yet in response to Chairman Irvine's question.

Mr. Fiala said that there is a huge dance floor but the kitchen is too small. Mr. Myers said that he designed the kitchen in response to what information the chef gave him. Mr. Fiala said that it's the food and atmosphere that'll bring people back. Mr. Neubert said that they don't anticipate a huge dining crowd.

Mr. Neubert or Mr. Myers has not talked to the safety forces in response to Chairman Irvine's question. Chairman Irvine said that we should get the safety forces input on the design and capacity of this establishment before any action is taken on this conditional use permit.

Richard Smith suggested that Skky View be put on the next Ingress Egress agenda before the next Planning Commission meeting. Chairman Irvine also would like for the Ingress Egress Board to be present at the next meeting.

A motion was made by Chuck Cox and seconded by Bob Fiala to table this conditional use permit.

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

Motion **CARRIED** **TABLED**

SKKY VIEW HALL
4077 Erie St.
(Ryan Neubert)
(Jos. Myers)

Dev/Elev. plans
Add'n - rear
Patio - east side
Roof top bar/deck
D-B dist.

Ryan Neubert, owner, and Joseph Meyers, Architect, represented this development and elevations plan.

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A motion was made by Chuck Cox and seconded by Bob Fiala to table this development and elevations plan.

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

Motion **CARRIED** **TABLED**

DISCUSSION

PLANNING COMMISSION
(Richard Smith)

Amend. - discuss.
Elim MS-B dist.

Richard Smith, Chief Building and Zoning Inspector represented this discussion.

Mr. Smith said that someone wanted to put a mercantile store in the former K & B auto dealer facility which is in Motor Service Business and is not allowed.

Also on Vine St. Mr. Smith said that someone wanted to put a tire shop in the vacant Shell Service Station that is zoned Motor Service Business and is not allowed.

Mr. Smith said that there are not too many areas that are zoned Motor Service Business. When looking at the schedule for permitted uses in Motor Service Business and in General Business most uses are permitted by right or by conditional use permit for both zoning districts except motels and hotels which aren't listed in any other zoning district except Motor Service Business. Any other use permitted in Motor Service Business is permitted in General Business. Mr. Smith said that General Business is the widest use. The land area for both classifications is the same, 1 acre and 100 foot frontage.

Mike Lucas said that the property owners have to be notified if the zoning classification is changed. Besides the rezoning a text change is required.

Chairman Irvine requested the Secretary to put this item back on the agenda for the next meeting.

No action was taken on this discussion.

ADDENDUM

ADDITIONAL NEW BUSINESS

SCHEDULE PUBLIC HEARING

PLANNING COMMISSION	27B-57-01 thru 04	Lake Front Gateway
	27B-57C-08 thru 10	Rezoning - from
	27B-57C-21 thru 25	(3) R-50 & (14)
	27B-57C-32 thru 40	R-B parcels to
	27B-57C-42 thru 52	Lakefront zoning
	27B-56E-05 thru 10	Rest G-B parcels
		To Lakefront zoning
	27B-55E-02 thru 04	
	27B-55E-38 thru 39	
	27B-56J-01 thru 03	
	27B-56D-09 thru 13	
	27B-56D-25	
	27B-56C-02 thru 05	
	27B-56C-07	
	27B-56C-11 thru 37	
	27B-56B-01 thru 04	
	27B-56B-16	
	27B-56B-19 thru 20	
	27B-56B-55	
	27B-56B-57	
	27B-56B-59 thru 62	
	27B-56B-99 thru 103	
	27B-57B-70	
	27B-57B-74	
	27B-57B-132 thru 136	

Janice Lipscomb represented this rezoning application to create a new chapter in our zoning district which is C.O. 1143, "Lakeshore Gateway", for a mixture of Commercial, Retail and Residential development and to redevelop in the north end.

The parcels outlined in green are the designated parcels for the "Gateway District" for rezoning. The only R-50 parcels designated to be rezoned are three lots by Windermere Dr. which belong to Erie Side Clinic. There are fourteen parcels that are Retail Business

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proposed to be rezoned. The remaining designated parcels are General Business.

A motion was made by Bob Fiala and seconded by Chuck Cox to schedule a public hearing for rezoning for April 14, 2011.

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

Motion **CARRIED APPROVED FOR PH 4/14/11**

A motion was made by Bob Fiala and seconded by Chuck Cox to table this rezoning application pending a public hearing April 14, 2011.

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

Motion **CARRIED TABLED**

PLANNING COMMISSION

**Amend.- add
Lake Front
Gateway code**

Janice Lipscomb represented this amendment application to add Chapter 1143 titled "Lakeshore Gateway District" to our codified ordinances.

A motion was made by Bob Fiala and seconded by Chuck Cox to schedule a public hearing for an amendment for April 14, 2011.

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

Motion **CARRIED APPROVED FOR PH 4/14/11**

A motion was made by Bob Fiala and seconded by Chuck Cox to table this rezoning application pending a public hearing April 14, 2011.

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

Motion **CARRIED TABLED**

There being no further business the regular meeting closed at 8:50 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary

