

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
APRIL 14, 2011  
REGULAR MEETING  
MINUTES**

**PRESENT:** R. Hart; C. Cox, G. Merhar, Vice Chairman

**ABSENT:** B. Irvine, Chairman B. Fiala

**OTHERS:** Mike Lucas, Ass't. Law Director; Jim Sayles, City Engr.;  
Janice Lipscomb, Econ. Devel. Mgr.; Richard Smith, Chief  
Bdg. & Zoning Inspec.; Chris Woodin, Ward 1 Councilman;  
Betty Nardelli, Secretary

Vice Chairman Gerald Merhar the regular meeting to order at 7:20 p.m.

**OLD BUSINESS**

**MINUTES**

**March 24, 2011**

The minutes of March 24, 2011 were approved as written.

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

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

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

**CANDY STRIPES PRESCHOOL** 35535 Euclid Ave.  
(Veronica Price) Unit #10A &  
#10B

**CUP -**  
**add** condition #4  
**O/D play area** at  
rear of bdg.  
C.O.1155.07(k)B

**Add** Intergenerational  
Prog. For **adult**  
**day care** for six adults  
C.O. 1141.03(f)(4)  
G-B dist.

Victoria Price-Story represented this conditional use permit application. Mrs. Story wants to expand her existing conditional use permit to allow an intergenerational adult day care program to her pre-school program and to add condition #4 to allow an out door play area for the pre-school. The program will be for six seniors.

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The outdoor play area will be at the rear of the building using three parking spaces. Four concrete barriers will be installed along with a 6' high fence with a gate. Mrs. Story said that the State approved the site for the play area. To get to the play area you have to walk outside, open up the gate and walk into the enclosed area. Mrs. Story said that there will always be a staff member outside with the children in response to Chuck Cox's question. One staff member per twelve children is required.

There are two portions inside the building. One portion along with three rooms is for the seniors. One portion is for the pre-schoolers. The State approved the pre-school portion.

A motion was made by Chuck Cox and seconded by Rick Hart to approve this conditional use permit adding an out door play area at the rear and adding an intergenerational program for an adult day care.

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

Motion <b>CARRIED</b>	<b>APPROVED</b>	
<b>PLANNING COMMISSION</b>	27B-57-01, 03 & 04	<b>Lake Front Gateway</b>
	27B-57C-08 thru 10	<b>Rezoning - from</b>
	27B-57C-21 thru 25	<b>(3) R-50 &amp; (14)</b>
	27B-57C-32 thru 40	<b>R-B parcels to</b>
	27B-57C-42 thru 52	<b>Lakefront zoning</b>
	27B-56E-05 thru 10	<b>Rest G-B parcels</b>
		<b>To Lakefront zoning</b>
	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	

**PLANNING COMMISSION CONTIN:**

**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. Ms. Lipscomb said the only change here is to add a residential component to the business district on Lakeshore Blvd. and Lost Nation Rd. The area to be rezoned is outlined with a green line. Ms. Lipscomb said that the new zoning allows more flexibility because the lots there are narrow and shallow. It also will eliminate spot zoning and allow more uses. The design standards are in the text. Ms. Lipscomb said that Planning Commission has the option to approve a development plan for each individual project that is submitted. Ms. Lipscomb said that we are not discouraging retail because of the rezoning.

Chuck Cox said that this will open up the area along Lakeshore Blvd. and Lost Nation Rd. for small businesses.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the Lakefront Gateway rezoning in the footprint as indicated on the plot plan submitted for (3) R-50 parcels, (14) Retail Business parcels and the rest General Business parcels.

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

Motion **CARRIED**               **APPROVED**

**PLANNING COMMISSION**

**Amend.- add**  
**To estab. C.O. 4413**  
**"Lake Front Gateway"**  
**District" into Ord.**

Ms. Lipscomb said that design standards were put in the new district to ensure the products they want there.

Mike Lucas advised Planning Commission that in conjunction with the passage of C.O. 1143 text it would also require an amendment to C.O. 1121.02 which identifies "Other Districts". When this is presented to Council for their approval it will be in Ordinance format. We want to reference not only C.O. 1143 but amend C.O. 1121.02, "Other Districts", to include "Lakeshore" district under

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all districts numerated there and should be under the caption "other districts". A motion was made by Chuck Cox and seconded by Rick Hart to approve the amendment to the zoning code to establish C.O. 1143 "Lake Shore Gateway" and to amend C.O. 1121 to include "Lake Shore Gateway" in the section of "Other Districts".

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

Motion **CARRIED** **APPROVED**

**NEW BUSINESS**

**GIANT EAGLE #6381**  
(Lu Anne Leavor)

36475 Euclid Ave.

**CUP - permanent  
O/D display of  
Seasonal items**  
In front of store  
C.O. 1141.03(c)(15)  
G-B dist.

Paul Hill of 1310 Beech St. Willoughby, Ohio 44094 represented Giant Eagle for this **permanent** conditional Use Permit application to be allowed to display seasonal goods under the canopy in front of the store. Mr. Hill said that this year they have outlined the areas for the display locations on a site plan. The red bubble areas on the site plan show where the displays are located. Mr. Hill said that they have a strict standard where the products are placed. Before, the stores did their own thing. Mr. Hill said that if the store's displays are out of the lined area a due process action will take place.

The seasonal goods consist of mulch, plants, pumpkins, Thanksgiving holiday greens and Christmas holiday greens. There will not be any Christmas trees this year. Mr. Hill said that they might be back next year for Christmas trees.

A motion was made by Chuck Cox and seconded by Rick Hart to approve the conditional use permit for the permanent display of seasonal items.

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

Motion **CARRIED** **APPROVED**

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**WILLOUGHBY BREWING CO.** 4057 Erie St.  
(Rob't Orovets)

**CUP -  
Amend #4** to allow  
O/D bar  
**Extend exist O/D  
Patio**  
D-B dist.

Jeremy Van Horn represented this conditional Use permit application to expand the outdoor patio another 500 sq. ft. and to add a 6' outdoor bar. The patio will be an all season enclosed patio. Besides the seating around the bar eight tables will be added.

The hours of operation will be the same as the inside hours which is 11:00 a.m. until 11:00 p.m. during the week and 11:00 a.m. until 2:00 a.m. on weekends. The outside speakers will pipe in back ground music. There will be no live music outside and no music after 10:00 p.m.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the conditional use permit to expand the outdoor patio and to add an outdoor bar with the conditions stated this evening.

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

Motion **CARRIED** **APPROVED**

**URBAN GROWERS** 38809 Mentor Ave.  
**FLOWERS MARTS**  
(John Urbanowicz)

**CUP -  
Temp. retail sls**  
of plants, bagged  
Soil & mulch  
**4/24/11 to 7/4/11**  
**Aprox. 90 days**  
**Using temp. greenhouse**  
C.O. 1169.04(b)(3)  
C-M dist.

John Urbanowicz who has been in the horticultural business for fifteen years represented this conditional use permit for temporary retail sales of plants, flowers, bagged mulch and bagged soil in the parking lot at the former Nissan car dealership. The temporary structure consists of a white film with a green stripe and is flame retardant. The structure will have a steel base to drive the 18" pins into the concrete to anchor the structure down. The hours of operation will be 9:00 a.m. until 7:00 p.m. seven days a week. The trash will be disposed of daily.

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Mr. Urbanowicz requested that another 10 days be added to the 90 days he formally requested. The date for temporary retail sales will be April 14, 2011 until July 7, 2011.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the temporary conditional use permit with the conditions stated this evening.

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

Motion **CARRIED**               **APPROVED**

<b>CYNTHIA FELTES</b> (Law Dept)	P.P.#27B-56F-42 Beachview Rd.	<b>Lot split</b> create 2 lots <b>Parcel "A" .0092 A.</b> & residual lot
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1014 Beachview Rd.	<b>Consolid. City owned parcel A w/Feltes Parcel "B" .2667 A</b> R-50 dist
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Cynthia Feltes represented this lot split to split a .0092 acre pie shape parcel from City owned property and to consolidate it with her 1014 Beachview Rd. parcel. Ms. Feltes recently purchased the property with the gravel driveway on the right side of the house encroaching 8' on City property. Ms. Feltes wants to make a concrete driveway out of the gravel driveway.

Jim Sayles, City Engineer, said that the previous owner installed the driveway on City property.

Ms. Feltes said that Council needs to approve the sale of the split parcel.

A motion was made by Chuck Cox and seconded by Rick Hart to approve the lot split contingent on the City Engineer's approval of metes and bounds.

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

Motion **CARRIED**               **APPROVED**

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

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Gerald Merhar, Vice Chairman

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Betty A. Nardelli, Secretary