

**PLANNING COMMISSION
CITY OF WILLOUGHBY
AUGUST 25, 2011
REGULAR MEETING
MINUTES**

PRESENT: G. Merhar; C. Cox; B. Irvine, Chairman
ABSENT: R. Hart; B. Fiala
OTHERS: Mike Lucas, Ass't. Law Director; Richard Smith, Chief Bdg.
& Zoning Inspec.; Betty A. Nardelli, Secretary

Chairman Robert Irvine called the regular meeting to order at 7:08 p.m.

OLD BUSINESS

MINUTES

August 11, 2011

The minutes of August 11, 2011 were approved as written.

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

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

Motion **CARRIED APPROVED TO UNTABLE OLD BUSINESS**

PLANNING COMMISSION
(Janice Lipscomb)

**Amend.- add
Resid. Infill
In desig. areas
Of downtown
D-B dist.**

Amend C.O. 1141.01(f) -
Add language

Amend C.O. 1141.03 -
**Add (2) resid, in D-B
Add C.O. 1141.13
(a) Thru (e)**

Amend C.O. 1161.04
**Add (6) 1 sp per dwell.
for resid. in D-B**

Amend C.O. 1109.04 -
**Delete (9) "other features....."
Add (09), (10) & (11)
PH 9/22/11**

This rezoning application is scheduled for a public hearing

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September 8, 2011.

A motion was made by Chuck Cox and seconded by Jerry Merhar to table this rezoning application pending a public hearing September 8, 2011.

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

Motion **CARRIED** **TABLED**

NEW BUSINESS

IDENTIPHOTO

1810 Jos. Lloyd Pkwy
(Stanley Tager, Pamela Johnson)

Revised Site plan
4,000 Sq. Ft. addt'n
Office/W/H use
L-I dist

Dustin Keeney of Polaris Engineering represented this revised site plan. The revised plan is the swapping of green space for additional parking spaces. The parking spaces will be closer to the street rather than at the rear of the building. Richard Smith said that they have enough green space in response to Chairman Irvine's question. The exterior elevations show shingled canopies above two man doors and a set of double doors. Mr. Keeney said that the proposed concrete shown on the site plan is for an enclosed dumpster and to facilitate more parking spaces in response to Mr. Merhar's question.

A motion was made by Jerry Merhar and seconded by Chuck Cox to approve the revised site plan as submitted.

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

Motion **CARRIED** **APPROVED**

BOTTEGA BISTRO

(Anthony Pinzone)

4144 Erie St.

CUP

C.O. 1141.03(c) (17)
Sls Svc alcoholic
bev. for On-
premises consump.
D-B dist.

Anthony Pinzone represented this conditional use permit application to allow the sales and service of alcohol beverages for on the premises consumption in a restaurant and bar facility. Mr. Pinzone said that the only complaint he had about music was from the tenant above the restaurant. Mr. Pinzone said he has an agreement with the landlord to allow him to rent the apartment upstairs when the

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present tenant leaves.

The conditions agreed upon are:

1. Hours of operation are 11:00 a.m. until 2:00 a.m. seven days a week.
2. Outside speakers shall not be permitted.
3. An outside patio shall not be permitted.
4. Live music shall be permitted until 12:00 midnight in accordance with the City's ordinance.

The dumpster assigned to the restaurant is located in the alley at the rear of the building. Mr. Pinzone said he also has an extra dumpster.

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

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

Motion **CARRIED** **APPROVED**

VEHICLES UNLIMITED	3657 Lost Nation Rd.	CUP
(Jos. Coe)		C.O. 1145.03(b)(4)
		Auto repair fclty
		L-I dist.

Joseph Coe represented this conditional use permit to allow an auto repair facility. Mr. Coe said that this will be a full service mechanical service facility. No body work will be done here. Mr. Coe said that some of his accounts are with warranty companies. Mr. Coe said that he has six employees.

The conditions agreed upon are:

1. Hours of operation are 8:00 a.m. until 7:00 p.m. Monday thru Friday. 8:00 a.m. until 4:00 p.m. Saturday. closed on Sundays.
2. The dumpster shall be located inside the building.
3. No vehicles shall be allowed to be stored outside longer than 48 hours.

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

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

Motion **CARRIED APPROVED**

GIANT EAGLE #6381 36475 Euclid Ave. **Site/elev plans**
(Amy Whitacre) outside cooler
G-B dist.

Amy Whitacre, Architect of MCG Architecture, represented this site plan and elevation plan for a 32'9" X 12'4" cooler for prepared foods to be installed on the south elevation. No visible cooling equipment will be installed on the outside roof. The equipment will be installed inside the cooler at the top of the cooler. Access will be from inside of the store.

There was concern that this cooler is in the fire lane. Mike Kocab, Fire Marshall, reviewed and signed off on the plan which was stamped and signed for approval.

A motion was made by Jerry Merhar and seconded by Chuck Cox to approve the site plan and elevation plan as submitted.

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

Motion **CARRIED APPROVED**

PLANNING COMMISSION
(Richard Smith)

Amend.-
C.O. 1145.03(c)(4)D
Add D as a CUP in L-I
Delete footnote (1) -
(1)660 gal max tank size in L-I
L-I dist
Sched. PH

Richard Smith represented this text amendment to amend C.O. 1145.03(c)(4)D to permit - "**Combustible liquids in above-ground tanks**" as a conditional use in the Limited Industrial district. To delete the footnote "(1)" for item "D" - "**Maximum tank size in**

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Limited Industrial district to 660 gallons" because The Willoughby Fire Code limits tank capacity.

Mr. Smith said that the fire code was revised to allow outside above ground flammable liquids in Limited Industrial zoned districts as a conditional use. The maximum tank size was revised from 660 gallons to 1,000 gallons.

A motion was made by Jerry Merhar and seconded by Chuck Cox to approve the elimination of footnote (1) and add D as a conditional use in the Limited Industrial district.

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

Motion **CARRIED** **APPROVED**

Mike Lucas said to forward this amendment to Council for their approval.

DISCUSSION

PINE RIDGE PLAZA
(Rob't Ranallo)

SOM Center Rd. /
Ridge Rd.

**Text Change -
C.O.1141.03(c) (17)
Allow SIs or SVC of
Alcohol for on-prem.
Consump. in assoc.
with P/use
as a conditional use
in R-B dist.**

There was no representative present this evening.

Chuck Cox said that we should find a way to write the amendment so that it permits a decent restaurant that wants to serve alcohol but not the ability to turn into a bar. Mr. Cox said that we should not amend this code just for the Pine Ridge Plaza shopping center but for all the Retail Business areas. The only impact is Pine Ridge Plaza. The other Retail Business areas will remain the same as they always were. Mr. Cox is not in favor of rezoning Pine Ridge Plaza to General Business.

Jerry Merhar said it is okay to change the zoning to General

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Business if it is restricted to a restaurant that serves food in a Retail Business areas. All the other Retail Business areas are stable, that the change will only affect Pine Ridge Plaza.

Chairman Irvine wanted to know if there was a permitted use in a district that refers to "bar?" Mike Lucas said no. There is nothing in the definitions either. Chairman Irvine said that we should distinguish in the Code between a restaurant and a bar. The difference being that one serves alcohol and the other serves food. Chairman Irvine said we should restrict alcoholic beverages to sit down table service similar to the beer and wine service that is currently in Retail Business.

Chairman Irvine wanted to know if it would be less of a risk to rezone Pine Ridge Plaza to General Business. Mr. Cox said then you are opening up a lot of uses that are not currently in the Retail Business area.

Jerry Merhar wanted to know what the downside would be to allow alcohol in the Retail Business area. There are so few areas that would be impacted. It doesn't change Pine Ridge Plaza. Chairman Irvine said it does because it opens up the area to being a bar. Chuck Cox is concerned that restaurants will turn into a bar. If the restaurants have no bar area and serves alcohol at the table then he has no concern.

No one liked the idea of restricting an area to a size to comply for a conditional use permit to serve alcohol.

No action was taken on this discussion as it was on the agenda for discussion only.

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

Robert Irvine, Chairman

Betty A. Nardelli, Secretary