

**PLANNING COMMISSION
CITY OF WILLOUGHBY
MARCH 11, 2010
REGULAR MEETING
MINUTES**

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

Chairman Robert Irvine called the regular meeting to order at 7:10 p.m.

MINUTES

February 11, 2010

The minutes of February 11, 2010 was approved as written.

OLD BUSINESS

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

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

Motion **Carried:** **APPROVED TO UNTABLE**

BIG OATS OIL/GAS CO.	38700 Pelton Rd.	Rezoning
(Otar Magnusson)	P.P.#27B-39A-8,	From C-M to G-I
	P.P.#27B-39A-9,	(LPG bulk strg)
	P.P.#27B-39A-10	

Otar Magnusson of Big Oats and Erik Waltermann, Attorney, represented this rezoning application. Rick Hart commended the applicants on the improvement of the site. Chuck Cox was concerned about the delay of the submission of the rezoning application because it has been about six months since the rezoning discussion and since Planning Commission walked the site in November. Mr. Magnusson said that it took time to get a proper survey of the site and to get approval from the owner of the property to rezone it. Mr. Magnusson said that there also were technical issues.

A motion was made by Jerry Merhar and seconded by Chuck Cox to approve this rezoning application to rezone P.P.#27B-39A-8, 9 & 10 from Commercial Manufacturing to General Industrial.

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

Motion **CARRIED** **APPROVED**

ARBOR RIDGE SUBDIVISION (Jim Pegoraro, Jr.)	P.P.#27B-53D-4 Tamarac Blvd.	Prelim. Dev. plan for 73 S/F lots on 17.2 acres Using R-50 req'ts. RMF-LR / CO dist.
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Jim Pegoraro, Jr. of LDC and John Neely, Project manager of Tamarac Joint Venture represented this preliminary plan. A variance for the 100' radius of the required 200' for the street curvature of Westover Dr. was granted at the February 24, 2010 Board of Zoning Appeals.

Mr. Pegoraro said that they are waiting on information of three items discussed at the last meeting which are:

- Deed restrictions for two lots on the cul-de-sac and Arbor Dr. because of the storm sewer easements that limits the buildable area there.
- Sanitary sewer behind the easterly property line that abuts the apartments - whether they are tied into that sanitary sewer.
- Environmental buffer on S/L 40 to 43 - if buffer should be there.

Chairman Irvine commented that if an easement is not filed than it is not an easement. Mike Lucas agreed. It was determined that the 40' environmental buffer shown between S/L 39 and 43 is not an easement.

Chuck Cox said that Planning Commission received an E-mail from Ken Kary who lives in the adjoining Cross Creek condo Development and is looking for a natural buffer between the Cross Creek subdivision and this proposed development.

Richard Smith cited C.O. 1179.03 from the Code stating that a 10' wide buffer is required for screening between Multi-Family and Single Family property which means zoning classification and not how the property is used.

Mr. Pegoraro replied that he could provide a buffer. Chairman Irvine advised Mr. Pegoraro to ask the Cross Creek Association to donate towards the buffer. They should put some planting on their

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half of the buffer mound. Also it should be in writing to allow the dumping of dirt on other property. Jim Sayles said it would have to be in the grading plan. Mr. Sayles said that the slope should be 2 ½ to 1 for a 10' wide mound which would make it 4' high. Chairman Irvine said that he will contact Ken Kary of Cross Creek regarding the buffer.

Jim Sayles said that they are 99% sure that the sanitary sewer is tied into the apartments because there are no sanitary sewers on the other side of the apartments. There will have to be a deed restriction for S/L 35 and 36 for the sanitary sewer.

There will be sidewalks on both sides of the street. Mr. Pegoraro agreed to two 2" caliber trees per lot. Chairman Irvine said it doesn't matter where the trees are planted. Mr. Pegoraro said that the trees will be shown on each site plan and not on the preliminary or final plat plan.

Mr. Sayles said that the Service Department wants the storm sewer re-located and moved away from the houses. Mr. Pegoraro agreed to have the storm sewer line go towards the back of property line, then angle back so it meets up again with the original sewer between S/L 38 and 39.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the preliminary plan for P.P.#27B-53D-4 with the stipulation of the sewer changes as discussed this evening by bringing the line back from the property line between S/L 38 and 39 and hooking up with the original one.

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

Motion **Carried:** **APPROVED**

ASCENTECH INC.	4772 E. 355 TH St.	site/elev plans
(Gary Latin)		7,600 sq. ft.
		Add'n - W/H use
		L-I dist.

Gary Latin of Ascend Tech represented this proposal. An easement was granted by Council to enable the addition to encroach on the utility easement. Mr. Sayles said that the sewer is an open ditch and it should be enclosed in a 54" pipe. It will then become a City sewer.

Mr. Latin said the addition consists of prefab steel. The existing building is block. Mr. Latin said that the building across the street is made of steel. Mr. Smith said that building was built

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before the Code changed. Mr. Latin said the addition will be steel all the way around the building to the ground in response to Chairman Irvine's question. Richard Smith cited C.O. 1145.11 stating that the elevation of the building shall be architecturally treated and if located on a corner lot then two sides of the building shall be treated. It can be brick, concrete or stucco. Steel is not on this list. Jerry Merhar said that for a 34' tall building which this is, a 6' height of architectural treatment is only 20% of the wall. Chairman Irvine said that the treatment should be 6'8" so it is even with the door. Mr. Merhar said that 6' high is the minimum. It can be stucco or split face but not painted concrete. Mr. Latin suggested steel panels that look similar to stone. Chairman Irvine said that Mr. Latin would have to return here for that. Mr. Latin asked if they could decide on the 6' height. Chairman Irvine said yes but that they would have to return for material approval. Mr. Latin said that he agrees with the 6' high architectural treatment for the building.

A motion was made by Jerry Merhar and seconded by Rick Hart to approve the site plan and elevations plan based on the stipulation noted this evening.

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

Motion **Carried:** **APPROVED**

FIRENZA STONE INC.	P.P.#27B-34A-3	Rezone -
(Mike Fimiani)	P.P.#27B-34A-4	G-B to C-M
	P.P.#27B-34A-25	W/H, granite fabric.
	(former Krihwan prop.)	1.46 acres total
	37033 Vine St.)	

Mike and Anthony Fimiani represented this rezoning application to rezone the former Krihwan property. A 25,000 sq. ft. addition to the existing 4,300 sq. ft. building will be used as a showroom for the counter tops and for manufacturing. Mr. Fimiani said that they will use a wet method manufacturing procedure so as not to create dust. Mr. Fimiani said the stone slabs will be stored inside the building. Nothing will be stored outside.

So far one employee has been added. Six more employees will be added later.

A motion was made by Rick Hart and seconded by Chuck Cox to approve the rezoning of P.P.#27B-34A-3, 4 and 25 from General Business to Commercial Manufacturing.

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

NEW BUSINESS

JMFRIED PROPERTIES	35361 Euclid Ave.	Site/elev plans
(Kurt Weaver)	(former Huntington Bank)	Addt'n 1,128 sq. ft For profess. office G-B dist.

Mark represented Kurt Weaver who couldn't be here this evening. The principal addition is the addition of dormers on the roof increasing the second floor area. New siding will also be added around the dormers.

The existing area is 2,500 sq. ft. and 1,100 sq. ft. will be added giving a total of 3,600 sq. ft. Using 1 space per 300 sq. ft. for General Business twelve parking spaces will be added for the new area netting 18 parking spaces. One handicap parking space in the front will be relocated to the rear. Mark said that the parking is being reconfigured so a drive can be added around the building.

Mark said there will be no outside dumpster in response to Jerry Merhar's question.

Chairman Irvine requested that the applicant bring back a color palette of the building materials for approval.

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

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

Motion **Carried: APPROVED**

PLANNING COMMISSION

**Lake Front zoning
Districts -
Sched. Work Session**

Janice Lipscomb requested Planning Commission to schedule a work session in April to discuss a new lake front zoning classification. Richard Smith said that they had a meeting with Mr. Boyd of the Lake County Planning Commission and reviewed aerial views of Lost Nation Rd. and Lakeshore Blvd. Currently the area there is zoned Retail-Business and General-Business and the proposal is to rezone

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this area to Gateway Lake Business. There is money available for grants for the Port Authority for development.

A motion was made by Jerry Merhar and seconded by Rick Hart to schedule a work session for April 22, 2010 for 6:00 p.m., one hour prior the Planning Commission meeting.

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

Motion **Carried:** **APPROVED FOR A WORK SESSION 4/22/10 AT 6:00 P.M.**

PLANNING COMMISSION

**2010 Election -
Chairman /
Vice Chairman /
Secretary**

A motion was made by Jerry Merhar and seconded by Rick Hart to nominate Robert Irvine as Chairman for the year 2010.

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

Motion **Carried:** **APPROVED**

A motion was made by Rick Hart and seconded by Chuck Cox to nominate Jerry Merhar as Vice Chairman for the year 2010.

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

Motion **Carried:** **APPROVED**

A motion was made by Robert Irvine and seconded by Rick Hart to keep Betty Nardelli as secretary for Planning Commission for the year 2010.

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

Motion **Carried:** **APPROVED**

There being no further business the regular meeting closed at 8:45 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary