

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
JUNE 24, 2010  
REGULAR MEETING  
MINUTES**

**PRESENT:** R. Hart; B. Fiala; C. Cox, G. Merhar, Vice Chairman  
**ABSENT:** B. Irvine, Chairman  
**OTHERS:** Mike Lucas, Ass't. Law Director; Betty A. Nardelli,  
Secretary

Chairman Gerald Merhar called the regular meeting to order at 7:08 p.m.

**MINUTES**

**June 10, 2010**

The minutes of June 10, 2010 was approved as written.

**OLD BUSINESS**

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

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

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

**Patricia Conti, ESQ.**

**Text Amend. -**  
C.O. 1103(b)(72)  
**Add "restaurants" and**  
**"bar" to list of uses**  
**for "indoor recreation"**  
**facility in the defin.**  
**Section of the Code**

Ms. Conti submitted a conditional use permit application for an indoor recreation facility for another building at a different location than her original submittal. She is going ahead with an application without the text amendment and will expand on her application if and when the text amendment is approved.

Mike Lucas, Assistant Law Director, is still in the process of discussing with the Building Department, a draft for the text change.

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A motion was made by Rick Hart and seconded by Chuck Cox to table this text amendment.

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

Motion **CARRIED**           **TABLED**

<b>INFINITY PROPERTIES HOLDINGS LLC</b> (John Spear)	P.P.#27B-39-22 & P.P.#27B-39-23 Mentor Ave.	<b>Rezoning</b> C-M to G-B
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John Spears of Infinity Properties represented this rezoning application. Mr. Spears wants it to be clear that he can table his rezoning application at Council's July 13, 2010 meeting and public hearing.

A motion was made by Chuck Cox and seconded by Rick Hart to approve the rezoning for these two parcels and recommends that Council approves the same.

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

Motion **CARRIED**           **APPROVED**

**NEW BUSINESS**

**NONE**

**ADDENDUM**

**NEW BUSINESS**

<b>LAW DEPARTMENT</b> (John Wiles)	Administration	<b>Amend. - C.O. 1105.04 (a)</b> Board of Zoning Appeals <b>Add</b> "one alternate member To the Board"
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John Wiles drafted a text amendment to eliminate the meeting attendance problem of constituting a quorum (three members) with the Board of Zoning Appeals. The Zoning Board that consists of five members will have an alternate member, if amended.

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The language specifies **that when it is determined prior a meeting that at least three members of the Board cannot attend a meeting, the alternate member shall serve as a regular member for that meeting at the request of the Board Secretary. The alternate member shall have all the powers and duties of the regular member.**

The alternate member is appointed by the Mayor with the approval of Council.

Vice Chairman Merhar has a problem approving the draft for an alternate member because a Board member hasn't been attending the meetings. Vice Chairman Merhar wanted to know why Planning Commission should change the membership number in order to keep that person on the Board.

Mike Lucas explained to the Commission that The Zoning Board Chairman gives an applicant that is appealing for a variance the option to table his appeal if there are only three members present and all three members must vote in the positive to grant a variance.

Rick Hart stated that having an alternate wouldn't solve the problem then if still only three Board members are present at a meeting. The Board would still be tabling appeals.

Vice Chairman Merhar recommended tabling this draft until he talks to the Mayor and gets his opinion.

A motion was made by Bob Fiala and seconded by Rick Hart to table this text amendment pending input from the Mayor.

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

Motion **CARRIED**           **TABLED**

There being no further business the regular meeting closed at 7:30 p.m.

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Gerald Merhar, Vice Chairman

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Betty A. Nardelli, Secretary