

**PLANNING COMMISSION
CITY OF WILLOUGHBY
DECEMBER 10, 2009
REGULAR MEETING
MINUTES**

PRESENT: R. Hart; B. Fiala; G. Merhar; C. Cox; B. Irvine, Chairman
ABSENT: No one
OTHERS: Mike Lucas, Ass't. Law Director; Jim Sayles, City Engr.;
Jerry Ranally, Ward 3 Councilman; Betty A. Nardelli,
Secretary

Chairman Robert Irvine called the regular meeting to order at 7:06 p.m.

MINUTES

November 12, 2009

The minutes were approved with the following correction for paragraph four on page two: Jim Sayles advised Planning Commission that by waiving hard surface for the entire property will **decrease** storm water run-off. The minutes reflected "increase".

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 ALL TABLED ITEMS**

OLD BUSINESS

PLANNING COMMISSION
(Mike Lucas)

**Text amend. -
Asstd lvg fclt'y
as CUP In other dist
Besides D-B dist.**

Mike Lucas requested Planning Commission table this item until the next meeting.

A motion was made by Jerry Merhar and seconded by Rick Hart to table this text amendment.

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

Motion **CARRIED** **TABLED**

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MALISH CORPORATION
(Jeff Malish)

4260 Hamann Pkwy

CUP
Gen'l strg (bulk
Raw plastic)
C.O. 1145.03(c)(3)
L-I dist.

Jeffrey Malish represented this conditional use permit application for general outside storage.

A motion was made by Jerry Merhar and seconded by Rick Hart to approve this conditional use permit for general outside storage.

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

Motion **CARRIED** **APPROVED**

MALISH CORPORATION
(Jeff Malish)

4260 Hamann Pkwy

Site/elev. plans
for **silos** for strg
L-I dist.

Jeffrey Malish represented this site plan and elevations plan for two silos for raw plastic material. The silos will be placed on a cement pad behind the building and won't be visible from the street.

A motion was made by Jerry Merhar and seconded by Rick Hart to approve this site plan and elevations plan for general outside storage.

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

Motion **CARRIED** **APPROVED**

CHAGRIN RIVER WALK LLC
(John Spear)

P.P.#27B-37A-6
P.P.#27B-37A-7
Mentor Ave.
P.P.#27B-39A-11
Kirtland Rd.

Mstr overall Devel.
Plan for mixed use -
Resid./Office/
Retail/Asstd Lvg
D-B dist.

Chip Marous and John Spear of Vintage Development represented this development plan for the overall development for mixed use for

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residential, office/retail and assisted living. Ingress Egress approved this development plan at their December 3, 2009 meeting.

Chairman Irvine said that this overall plan creates a benchmark for any future development. Chairman Irvine said that Planning Commission needs to determine that this new overall plan fits within the confines of the original deed restrictions.

Mike Lucas said one deed restriction limits more than 1/3 retail development. The other limitation is if this development fits within the architectural style consistent with Downtown Business. Mike Lucas stated that these deed restrictions from the previous plan are still in affect. Mr. Lucas said that the approval of this overall plan locks in the uses. It is a footprint in terms of uses. Mr. Lucas said that the deed restrictions do not lock in the number of buildings or the area.

Rick Hart said that other than the 1/3 retail it can vary what's here starting with assisted living but the other portions of the site change when they come for approval. Chairman Irvine stated that only 1/3 retail and mixed uses is binding.

Chuck Cox stated that the way he reads the deed restrictions document it goes away when the site is developed. Mike Lucas stated that the declaration runs with the land until it is fully developed.

A motion was made by Jerry Merhar and seconded by Rick Hart to approve this development plan for the overall site for mixed use.

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

Motion **CARRIED** **APPROVED**

CHAGRIN RIVER WALK LLC (John Spear)	P.P.#27B-37A-6 Mentor Ave.	Lot split - (Asstd Lvg fclty) Split = 3.4780 acres Residu. = 11.7154 acres D-B dist
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Chip Marous and John Spear of Vintage Development represented this lot split.

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Jim Sayles stated that the metes and bounds were approved for the revised legal descriptions.

Mr. Marous said that they are going to put a service road at the rear of the development connecting to Pelton Road.

A motion was made by Jerry Merhar and seconded by Rick Hart to approve this lot split.

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

Motion **CARRIED** **APPROVED**

Bob Fiala arrived at 7:45 p.m.

CHAGRIN RIVER WALK LLC	Part of	P.P.#27B-37A-6	Phase I -
(John Spear)	Mentor Ave.		Dev/elev. plans -
			Asstd lvg fcilty
			83 units (103 beds)
			D-B dist.

Chip Marous and John Spear of Vintage Development represented this development plan for Phase I for assisted living use.

Due to a recent text change a conditional use permit application is needed before this development plan for assisted living use can be approved.

Mr. Marous said that the building is one-story in the front and three stories in the rear. Mr. Marous said that there is a 35' valley on the east side of the 3-story building. This valley contains 1.25 acres of land that can't be developed.

The materials for the building are white trim for the windows, stone window sills, red brick walls with some vinyl siding. The siding will be either white or beige. The pitched roof will be shingled.

Mr. Marous said that there are no walkways around the perimeter of the building in response to Chairman Irvine's question.

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John Spear submitted a landscape plan this evening for the Phase I project. The landscape plan shows a patio with a waterfall and a dementia court located at the left of the 1-story building. The dementia court will be fenced in. Mr. Spear said the building is 40' high to the top. It is 35' high to the ridge. Mr. Lucas said that if the height is greater than 35' high it can be approved with a conditional use permit.

A motion was made by Rick Hart and seconded by Jerry Merhar to table this development plan for Phase I for assisted living.

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

Motion **CARRIED TABLED**

A motion was made by Jerry Merhar and seconded by Rick Hart to schedule a special meeting for approval of a development plan, elevations plan, conditional use permit and a landscape plan for December 23, 2009 at 5:30 p.m.

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

Motion **CARRIED APPROVED FOR SPEC'L MTG 12/23/09 @ 5:30 P.M.**

There being no further business the regular meeting closed at 8:05 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary