

**PLANNING COMMISSION
CITY OF WILLOUGHBY
WORK SESSION
SEPTEMBER 8, 2016
WORK SESSION MEETING
MINUTES**

PRESENT: R. Fiala; C. Cox; K. Kary; G. Patt; G. Merhar, Chairman

ABSENT:

OTHERS: Janice Lipscomb, Econ. Devel. Mgr; Darryl Keller; Chief Bldg. & Zoning Official;
Karen Brooks, Zoning Code Inspector; Michael Germano, Asst. Law Director;
Vicki Grinstead, Secretary; Councilmen: Jerry Ranally, Bob Carr, Bob Harrold;
Stephen Norris

Chairman Gerald Merhar called the work session meeting to order at 6:04 p.m.

NEW BUSINESS

Janice Lipscomb

ZONING CODE BOOK UPDATE

Chairman Merhar welcomed City Council to the Work Session meeting and stated the purpose of the meeting is to discuss some proposed changes to zoning. Mr. Dave Hartt of CT Consultants opened the discussion. Mr. Hartt stated he and his associate, Kris Hopkins, worked on the city's zoning code in 1997.

Mr. Hartt stated the document before the committee and Council is possible changes to the current zoning code. Once a consensus has been reached, a final draft will be presented for review and possible adoption.

Mr. Hartt stated he'd like to have the committee/council identify the items in the document they would to discuss.

Mr. Hartt stated that established communities in Ohio are dealing with older building stock, primarily the industrial and retail buildings that aren't meeting "contemporary industrial requirements" and therefore the marketability may be slipping.

Chairman Merhar asked Mrs. Lipscomb if the city has difficulty marketing buildings that are in transition from one business to another. Mrs. Lipscomb stated it depends on the district. She stated

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there are no problems in the downtown district, but in the Mentor Avenue corridor with the vacant auto dealerships there are issues due to vacant auto dealerships. Mrs. Lipscomb stated in some of the older industrial areas it can be difficult as well, noting that proposed properties uses have not matched General Business.

Mr. Patt asked about relaxing the considerations on used car sales. Mr. Hartt stated the used car business has changed over the years, noting some large dealerships which utilize larger buildings. He suggested the city have a minimum project size. Mrs. Lipscomb stated there are already requirements for car dealerships to begin with that require a 3 acre lot size and 20,000 square foot minimum building size.

Mr. Patt stated the city has had problems with loud music in the downtown district recently had complaints with the Kirtland Country Club skeet shooting. Mr. Patt and Mr. Hartt discussed utilizing decibel levels as a means of enforcement.

Mr. Hartt suggested setting hours of operation, levels of acceptable noise and when inside and/or outside noise is acceptable. It was suggested the police carry decibel meters to determine a violation when a complaint is made. Mr. Fiala stated one way to better handle this would be to send a citation on Monday morning and possibly incorporate a fine.

Permitting retail sales in an industrial area was discussed. Mr. Patt asked what the disadvantage is of having a walk in store in an industrial area. Mr. Hartt stated they have structured this two ways: the first is to allow a percentage of total floor area to be dedicated retail sales provided that the products sold are produced at the industrial building and; general retail as a CUP if located within a specified distance from a major artery or limited to a large retail user such as a garden center, patio furniture or large equipment sales.

Mr. Merhar stated the typical difference is in the change of occupancy and tax dollars, and that would seriously impact payroll taxes.

Mr. Carr stated he would like to discuss senior living because the Planning Commission will be holding a public hearing for a text change to Willoughby's Senior Citizen Development. Mr. Carr asked Mr. Hartt what his thoughts were on revised senior development regulations to provide more

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flexibility. Mr. Hartt stated he will review the text amendments that Vista Springs is proposing and give his opinions. Chairman Merhar asked what other communities requirements are for assisted living and Mr. Hartt stated they vary.

Mr. Patt asked Mr. Hartt if he thought it would be beneficial to the city to add housing to General Business, even as a conditional use, so people can live above retail. Mr. Patt stated that it may be beneficial to the Mentor Avenue corridor to allow a residential component. Mr. Fiala stated that you want to reserve some of those corridors as retail corridors and that he doesn't have an objection with the residential being an accessory use to the retail. Mr. Hartt stated there needs to be a sufficient density of retail to make second floor residential work.

Mr. Patt stated he lives across from the old Browning School, which is now the city's Senior Center. Since the Senior Center will be moving in 2017, he would like to discuss adaptive reuse of this building. Mr. Patt stated when he was out west there were two brothers buying up these old school buildings and redeveloping them as mixed use. Mr. Patt asked Mr. Hartt to explain the difference between form-based zoning and use-based zoning. Mr. Hartt stated it was not and this is a problem because the zoning code now is form based zoning. Mr. Hartt stated form-based zoning was not new to the City because the current zoning code is not much different than form-based.

Mr. Fiala asked about creating an overlay district on the north end that would be multi-family and wondered if this was already in our current zoning code or is it just a matter of "cleaning up the language". Ms. Kristen Hopkins, of CT Consultants, stated there is a list of uses in the back of the document they are reviewing and believes multi-family is permitted in the Lakeshore District, but is not defined in terms of what the density is. Ms. Hopkins stated that the city would like the developer to propose what they believe will be marketable, but Ms. Hopkins believes the developers will need guidelines.

Ms. Hopkins stated they are proposing to eliminate the Motor Services and Commercial Manufacturing districts. Chairman Merhar asked if, by eliminating these districts, we would also eliminate any uses. Mrs. Lipscomb stated uses permitted in MS-B and C-M can be incorporated into the remaining zoning classifications. Ms. Hopkins stated under Business Districts they had some suggestions on increasing the list of uses that could be permitted to address things that are up and coming such as breweries and car sales. Mrs. Lipscomb stated the city had a business that wanted to do tastings and manufacture its product, but the city really had no zoning classification for them to do this. The business has since taken up space in a limited industry and is manufacturing their product

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there. Mrs. Lipscomb stated the city wants to be able to accommodate these types of businesses in other areas other than downtown. Mr. Fiala stated they should define how much of the floor space is dedicated to the retail sales and define what they can sell. Ms. Hopkins stated this is in tandem to what they are suggesting under the Industrial Districts, making the distinction between a distillery and a brewery that is primarily production oriented and micro breweries. She stated you need to have some definitions and clarifications as it relates to retail oriented versus more production oriented.

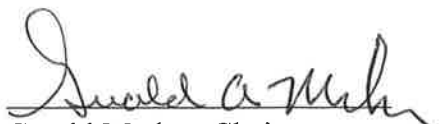
Ms. Hopkins recommended revising the conditions for restaurants that currently go through conditional use approval because of the alcohol and the outdoor dining and live music so there is more consistency in how applications are reviewed.

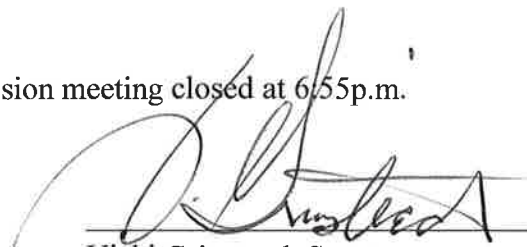
Ms. Hopkins discussed indoor recreation under Industrial District and stated they want to add some additional distinctions on indoor sports.

Ms. Hopkins stated that the raising of chickens is becoming more popular and should be addressed.

Ms. Hopkins went on to say that fences and accessory building requirements should be reviewed further. She stated the purpose statement regarding Manufactured Home Park should be revised to ensure proper maintenance but not foster additional development. She stated that the supplemental use regulations is all about the city's conditional use requirements and if the city eliminates the Motor Service District and allows gas stations in certain places as a use permitted by right the city may want additional requirements on uses that are actually permitted by right and the city can do these by changing this chapter and calling it Supplemental Use Requirements. Chairman Merhar stated you would not want this in too many areas and Mr. Hartt stated that if you do, you may want a different set of development standards for the use compared to your standard use; bigger lot size, bigger setback requirements, different height etc. and this would be the standards but would still be permitted.

There being no further business the Work Session meeting closed at 6:55p.m.


Gerald Merhar, Chairman


Vicki Grinstead, Secretary