

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

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

ABSENT:

OTHERS: Janice Lipscomb, Econ. Development Mgr.; Mike Germano, Asst. Law Director;
Jim Sayles, City Engineer; Darryl Keller; Chief Bldg. & Zoning Official;
Vicki Grinstead, Secretary

Chairman Merhar called the regular meeting to order at 9:01 p.m.

MINUTES

Public Hearing Meeting Minutes

August 25, 2016

A motion was made by Mr. Patt and seconded by Mr. Kary to approve the **Public Hearing Meeting** minutes of August 25, 2016.

ROLL CALL: Yeas: Mr. Patt; Mr. Kary; Mr. Fiala; Mr. Cox; Chairman Merhar
 Nays: None

Motion Carried: APPROVED

Regular Meeting Minutes

August 25, 2016

A motion was made by Mr. Patt and seconded by Mr. Kary to approve the **Regular Meeting** minutes of August 25, 2016.

ROLL CALL: Yeas: Mr. Kary; Mr. Fiala; Mr. Cox; Mr. Patt; Chairman Merhar
 Nays: None

Motion Carried: APPROVED

**Planning Commission
City of Willoughby
Regular meeting minutes
September 8, 2016**

OLD BUSINESS

Fraden Holdings
(Adam Wojnovich)

Preliminary Plans

There was no one to represent Fraden Holdings, so this item remains **tabled**. Chairman Merhar asked Vicki Grinstead to let Fraden Holdings know they need to appear before their application expires.

Kirtland Country Club
39438 Kirtland Road
(Frank Floyd, President)

Amended CUP- Review

There was no one to represent the Kirtland Country Club, so this item remains **tabled**.

NEW BUSINESS

The Fine Arts Association
38660 Mentor Ave.
(Rep-Adam Parris-Then Design)

(2) One-story additions

Mr. Parris stated he is presenting Phase II, the final phase, of the Fine Arts addition. The addition will be on the north end of the existing building adjacent to the parking lot. The addition will be 5,000 square feet which will give Fine Arts an opportunity to expand their offering to the community. The smaller office addition will be on the east side of the building and will be 800 square feet. They included site plans for this project which included parking and a storm retention plan which is on site at the north end of the parcel and is already in place. Mr. Parris explained the details of the renderings and how they will be built next to the existing building and the materials used will match the existing building as well. Mr. Patt asked which entrance will be used for the new facilities and Mr. Parris stated the main entrance off of Mentor Avenue.

Mr. Kary made a motion to approve the (2) one-story additions to the Fine Arts Association located at 38660 Mentor Avenue as submitted and Mr. Patt seconded.

ROLL CALL: Yeas: Mr. Cox; Mr. Patt; Mr. Kary; Chairman Merhar
 Nays: None
 Abstain: Mr. Fiala

Motion Carried: APPROVED

**Planning Commission
City of Willoughby
Regular meeting minutes
September 8, 2016**

Dairy Queen
34600 Euclid Ave.
(Geoff Baker-Owner)

**Addition/Patio
Traffic Flow Improvements**

Mr. Baker is adding a small addition without changing the original footprint of the building. They have a patio along the side of the building and would like to move the patio to the front of the building. Mr. Baker stated in the back of the building where the garbage trucks come in they would like to add concrete and improve the outbuilding. Chairman Merhar asked Mr. Sayles if this will require anything for drainage and Mr. Sayles stated no. Chairman Merhar asked if these changes would affect the ingress/egress and Mr. Baker stated no. Mr. Baker stated they will maintain the easement and will repave the parking lot. Mr. Sayles stated this will affect it just slightly as the drive thru entrance is now west of the parking spaces and with the changes you will go around the parking lot and not through it and is safer. Mr. Baker explained the design of the materials on the addition and outbuilding. Mr. Patt stated they approved elevations for another business in the city but does not see any for this addition. Mr. Keller explained the other business had an addition in the front that was an expansion, where as this is mostly an interior remodel. Mr. Baker stated the solarium window will be removed and they are building a vertical front. Chairman Merhar asked about the lighting and Mr. Baker stated it would remain the same. Mr. Fiala asked if Mr. Baker would submit the exterior elevations and he stated they are submitted to the Building Dept. Mr. Fiala stated he would view these documents.

Mr. Fiala made a motion to approve the addition to the Dairy Queen located at 34600 Euclid Avenue as submitted and Mr. Cox seconded.

ROLL CALL: Yeas: Mr. Cox; Mr. Patt; Mr. Kary; Mr. Fiala; Chairman Merhar
Nays: None

Motion Carried: APPROVED

Vista Springs
SOM Center Rd.
(Brian Osborne-Parkstone Development Partners
7670 Tyler Blvd., Mentor, OH 44060)

Zoning Code Text Amendments

(Mr. Jordan Berns, Berns, Ockner & Greenberger LLC,
Land Use Counsel to applicant, 3733 Park East Dr., Suite 200, Beachwood, OH 44122)

Mr. Berns stated their goal is to allow a development that will fit within the conditional use to allow

Planning Commission
City of Willoughby
Regular meeting minutes
September 8, 2016
Vista Springs

senior citizen development, but within a smaller configuration than the code currently allows. Mr. Patt asked if this was currently one lot and Mr. Berns confirmed it was. Mr. Berns stated they are also proposing a lot split to allow the assisted living and the skilled nursing facility to be developed separately. Mr. Patt asked if there will be two owners of these facilities and Mr. Berns stated yes and they will be operated separately, but will have a shared driveway. Mr. Patt asked if the proposed text zoning changes apply to the benefit of both facilities and Mr. Berns stated they do. Mr. Patt asked about the "one mile" amendment change. Mr. Berns explained that currently this language prohibits other senior facilities from being located within one mile of each other. Mr. Patt asked why they added a buffering of 20 feet. Mr. Berns stated they thought it was appropriate. Mr. Patt stated he did not believe this item should be in the zoning code. Mr. Fiala stated it was not unusual. Mr. Fiala explained if there is an industrial building adjacent to a residential property, there are setback requirements. Mr. Fiala asked about the data in Lake County and asked Mr. Berns to explain the accuracy of these figures. Mr. Osborne stated you can find this information on-line. Mr. Fiala asked about the Certificate of Need and are these proposed facilities required to obtain this document by the State of Ohio. Mr. Osborne stated it is required to have this Certificate of Need to build a skilled nursing facility. Mr. Fiala stated there were two different data statements presented at the public hearing in regard to statistics for the need of additional beds in Lake County and would like more accurate information. Mr. Fiala wanted clarification on the parking for the proposed facility and does it include staff. Mr. Berns stated it does include staff, but these employees would not be working simultaneously. Mr. Fiala stated that through these text amendment changes they would be adding another use. Mr. Berns stated, in his opinion, they are not adding another use.

Mr. Fiala asked if there would be an age restriction for the skilled nursing facility and Mr. Osborne stated he would agree to that. Mr. Osborne stated he would add the age restriction of 55 and older. Mr. Patt asked if they were able to agree to these changes since they do not represent the skilled nursing facility. Mr. Berns stated they are advocates of the proposed text changes. The representatives at this meeting are the proponents of the assisted living facility if the text changes are approved.

(Mr. Bill Brooks, Director of Development for Vista Springs, 15504 Dale Road, Chagrin Falls, Ohio)

Mr. Brooks wanted to clarify comments made earlier about who would be operating the skilled nursing facility. He stated this skilled nursing facility would be operated by Legacy Health Services, whose headquarters are in Parma, Ohio. Mr. Kary asked if it is possible to build the assisted living without building the skilled nursing facility. Mr. Brooks stated there was a possibility and refers the question to Mr. Lou Andriotti.

(Mr. Lou Andriotti, CEO-Vista Springs Grand Rapids, MI)

Mr. Andriotti stated in order to make healthcare more affordable the government is looking to bundle

**Planning Commission
City of Willoughby
Regular meeting minutes
September 8, 2016**

rates and have higher quality outcomes in the future. He stated what they are trying to do is connect, hospitals, skilled nursing and assisted living. Chairman Merhar stated Medicare has nothing to do with assisted living and Mr. Andriotti stated that was correct. Mr. Andriotti stated that may change in the future and they would like to position themselves for this change. Mr. Patt asked Mr. Andriotti since he keeps referring to the skilled nursing facility, it is or isn't part of their package. Mr. Andriotti explains that these facilities like to be near hospitals in case they are needed. He stated they are not affiliated through ownership but through hospitals, doctors etc. The assisted living is like a person's own home and is privately paid for. The skilled nursing facility is government reimbursed. Mr. Kary asked Mr. Andriotti if his facility is currently partnered with a skilled nursing facility anywhere and he stated no. Mr. Patt asked if the skilled nursing facility is part of our current code in the R-100 district and Chairman Merhar stated it is not and this is why they are requesting to have it added to the R-100.

Mr. Patt wanted to reiterate to the audience that what they are considering tonight are text changes to our zoning code that would allow Vista Springs to make a proposal to the Planning Commission for a development.

Mr. Cox stated Vista Springs wants the city to change its ordinances to permit this facility to go in to an R-100 residential district and what the board needs to consider is how this affects the surrounding neighborhoods.

After much discussion Chairman Merhar stated the Commission is not ready to change the code with the information they currently have without more legal discussion and speaking with Mr. Hartt of CT Consultants who is reviewing our current zoning code ordinances. Mr. Berns agreed he would like the Planning Commission to table this proposal to have more time to consider their zoning text code amendments.

Mr. Fiala made a motion to table this proposal per the applicant's request and Mr. Cox seconded.

ROLL CALL: Yeas: Mr. Patt; Mr. Kary; Mr. Fiala; Mr. Cox; Chairman Merhar
 Nays: None

Motion Carried: TABLED

Mr. Fiala asked Mrs. Lipscomb to speak with Mr. Hartt to discuss these proposed changes and assist the Planning Commission in their decision. He asked her to also keep the applicant informed and Mrs. Lipscomb agreed.

**Planning Commission
City of Willoughby
Regular meeting minutes
September 8, 2016**

Vista Springs
SOM Center Rd.
(Brian Osborne-Parkstone Development Partners)

Lot Split

Perm. Parcel No. 27-A-007-A-00-009-0, Perm Parcel No. 27-A-007-A-00-008-0 and Perm. Parcel No. 27-A-007-A-00-014-0, SOM Center Road, 3 parcels split into 2 parcels creating 2 lots having an area of 7.0 and 8.6819 acres of land zoned Residential R-100.


Chairman Merhar asked Mr. Berns if he would like to table the lot split as well and Mr. Berns stated yes.

Mr. Kary made a motion to table the lot split and Mr. Patt seconded.

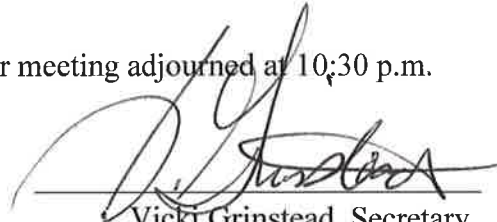
ROLL CALL: Yeas: Mr. Kary; Mr. Fiala; Mr. Cox; Mr. Patt; Chairman Merhar
 Nays: None

Motion Carried: TABLED

There being no further business the regular meeting adjourned at 10:30 p.m.



Gerald Merhar, Chairman



Vicki Grinstead, Secretary