

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

PRESENT: C. Cox; K. Kary; R. Fiala; G. Patt, Vice Chairman
ABSENT: G. Merhar, Chairman
OTHERS: Mike Germano, Asst. Law Director; Jim Sayles, City Engineer
Darryl Keller; Chief Bldg. & Zoning Official; Vicki Grinstead, Secretary

Vice Chairman Patt called the regular meeting to order at 7:09 p.m.

MINUTES

Vice Chairman Patt would like it noted in the record that at the October 27, 2016 meeting the minutes of October 13, 2016 Mr. Fiala was absent and should not have voted. There was still a quorum and the minutes were approved.

Regular Meeting Minutes

October 27, 2016

Mr. Kary moved to accept the minutes of October 27, 2016 as submitted and Mr. Cox seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Fraden Holdings (Adam Wujnovich, Mark Katcher)

Preliminary Plans

There was no one present to represent Fraden Holding so this item remains tabled.

Vista Springs

Zoning Code Text Amendments

SOM Center Rd.

(Brian Osborne-Parkstone Development Partners)

There was no one present to represent Vista Springs so this item remains tabled.

**Planning Commission
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December 8, 2016
Vista Springs**

Lot Split

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

There was no one present to represent Vista Springs so this item remains tabled.

NEW BUSINESS

Garage Bar Willoughby
37825 Vine Street
(Mr. Angelo Gallo)

**Conditional Use Permit (CUP),
Development Plan, EAS (addition
and patio)**

Mr. Angelo Gallo is representing Garage Bar Willoughby. Mr. Patt explained the hours of operation and asked Mr. Gallo to state what his hours of operation will be. Mr. Gallo stated he has a Sunday liquor license and would like his hours to be Monday through Sunday 9:00 a.m. to 2:30 a.m. There will be conversational level music on the outdoor patio. Mr. Patt reiterated recorded music not live music and Mr. Gallo confirmed this was correct. There was some discussion in regard to the ordinance being changed for outdoor music. Mr. Fiala asked Mr. Germano how to proceed in regard to the Conditional Use Permit conditions. Mr. Germano stated to set some requirements now and if the code changes he can come back to request a modification. Mr. Gallo asked if there was a possibility to have non-amplified live music. Mr. Fiala stated we would enter the conditions into the motion. There was discussion about the conversational level and non-amplified live music hours and Mr. Fiala proposed it be allowed until midnight and Mr. Gallo agreed. There was some discussion about outdoor music complaints. Mr. Fiala advised Mr. Gallo to take the information back to the bar and restaurant owners and discuss the issues of outdoor music. If the code changes they will need to come before the Planning Commission to have their Conditional Use Permits amended to whatever the language of the zoning code states. The dumpster will go directly behind the building. Mr. Fiala stated Mr. Sayles had a cautionary note at the Council meeting about the ramp. Mr. Sayles stated the ramp is in the public right-of-way. He stated that Mr. Gallo would have to obtain a Right-of-Way Occupancy Permit from Council and it has been initiated by the city's Law Department to draft legislation. There was more discussion on the outdoor juke box/amplified conversational level music and live non-amplified music. Mr. Germano stated that the motion should include that the music portion will conform to the new legislation/law once it goes into effect.

Mr. Kary moved to accept the Conditional Use Permit (CUP) for the Garage Bar Willoughby at 37825 Vine Street under the conditions that the hours of operation are from 9:00 a.m. to 2:30 a.m. Monday through Sunday. Live outdoor music shall be non-amplified and shall not extend beyond midnight. Outdoor recorded music will be at conversation level only and shall not extend beyond midnight. Outside entertainment shall comply with future Zoning Codes in force at that time and Mr. Fiala seconded.

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

Motion Carried: APPROVED

Mr. Fiala moved to amend the motion for Garage Bar Willoughby to include the sale and consumption of alcohol on the outside patio and Mr. Kary seconded.

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

Motion Carried: APPROVED

Mr. Dave Black
5455 SOM Center Rd.

Lot Split/P.P. 24-A-07-A-01-022-0

Mr. Dave Black of 34975 Aspenwood Lane is representing his application. Mr. Black is the owner of the property located at 5455 SOM Center Road. Tom and Deb Petrick of Aspenwood Lane will be purchasing a piece of this property located at 5455 SOM Center Road from Mr. Black. Mr. Patt stated that Mr. & Mrs. Petrick would have to join the two lots and Mr. Black stated they are aware of this. Mr. Fiala asked if the Planning Commission should be doing a lot split and consolidation and Mr. Sayles stated yes, but it should be reviewed by the City Engineer. Mr. Fiala stated that if the lot split and consolidation are not done together then they will create a non-conforming lot. Mr. Black stated they already have a purchase agreement and a surveyor is ready to go as soon as he gets approval.

Mr. Fiala moved to make a motion to approve the lot split of permanent parcel 27-A-07-A-01-022-0 as submitted this evening by Mr. David Black with the stipulation that the lots will be consolidated and per the approval of the City Engineer and Mr. Kary seconded.

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

Motion Carried: APPROVED

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4th Generation Automotive Services, Inc.

Conditional Use Permit (CUP)

1171 Lost Nation Road
(Mr. William C. Simpson IV)

Mr. William C. Simpson IV is representing 4th Generation Automotive Services, Inc. Mr. Patt stated his concerns were with outdoor parking. Mr. Keller stated there should be no outdoor parking overnight. All storage should be behind or inside the building. Mr. Patt stated vehicles can be moved outside during business hours, but must be moved inside if not being worked on and Mr. Simpson IV stated he understood. Mr. Fiala asked where the garbage dumpster is located. Mr. Simpson IV stated there is an existing dumpster and it is to the right of the building. Mr. Simpson IV stated his customers will be dropping cars off in the evening for the next day. Mr. Keller stated there is a two car maximum and he should have these cars parked as close to the building as possible. There was some discussion about the dumpster location. The dumpster is to be enclosed. Mr. Keller stated there have been complaints in the past in regard to the lack of visibility on the corner near the sidewalk when cars are parked there and refers to Codified Ordinance 1169.06 Visibility at the Corner. He would like the cars parked at the south end of the property and to also add this in the Conditional Use as a requirement. Mr. Simpson IV stated his hours of operation will be 8:00 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 1:00 p.m. on Saturday and closed on Sunday. Mr. Fiala stated for the dumpster enclosure they require a board on board fence or a chain link fence with slats and Mr. Simpson IV agreed.

Mr. Kary moved to accept the Conditional Use Permit (CUP) for 4th Generation Automotive Services at 1171 Lost Nation Road with the conditions that the hours of operation are as follows: 8:00 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 1:00 p.m. on Saturday and closed on Sunday. The dumpster will be an enclosed structure. There will be no outside storage of vehicles and if there are customer drop offs there is a limit of two (2) vehicles and these vehicles will be parked as close to the building as possible to comply with Codified Ordinance 1169.06 and Mr. Cox seconded.

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

Motion Carried: APPROVED

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Willoughby-Eastlake Board of Education
Grant Elementary School
(Rep.-20th Century Construction, Michael Spellacy)

Lot Split/P.P. 27-B-048-0-00-014-0

Mr. Michael Spellacy, 4561 Center Street, Willoughby, Ohio is representing 20th Century Construction. Mr. Patt asked Mr. Spellacy which parcel is to be split and Mr. Spellacy stated Parcel A and his understanding was that a previous surveyor prepared a plat of lot split and legal descriptions and all parties were satisfied with it, but for some reason the split was never executed. It was approved at the tax map department and was not sure if the City of Willoughby took any action on it. The future owner, 20th Century Construction employed them to do a minor subdivision on it which has been approved. In the course of preparing that they found out the lot split that the minor subdivision was to go on had never been executed. There was some discussion on a previous approval of the lot split which had expired and the Development Plan that was approved.


Mr. Fiala moved to make a motion to approve a lot split and consolidation for Parcel A as submitted and per the approval of the City Engineer and Mr. Cox seconded.

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

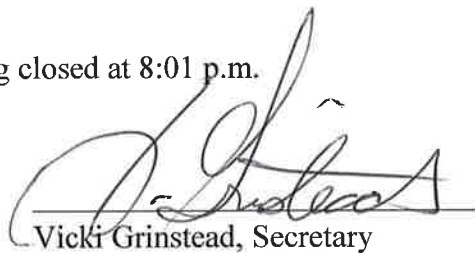
Motion Carried: APPROVED

There was some discussion on Fraden Holdings and when their application will expire. Mr. Sayles stated there was a request for a traffic study and they did provide a trip generation study, however, they did not do a warrant analysis for where the road intersects to Rt. 84. This warrant analysis was requested by the city, but not provided. Mr. Sayles did make a comment as to warrant analysis, but he now believes it will not be necessary. Mrs. Grinstead will contact Mr. Wujnovich of Ryan Homes and let him know.

There being no further business the regular meeting closed at 8:01 p.m.



Greg Patt, Vice Chairman



Vicki Grinstead, Secretary