

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
FEBRUARY 9, 2017  
REGULAR MEETING  
MINUTES**

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

**ABSENT:** G. Patt, Vice Chairman

**OTHERS:** Stephanie Landgraf, Asst. Law Director; Jim Sayles, City Engineer, Janice Lipscomb, Community Development Director; Darryl Keller; Chief Bldg. & Zoning Official; Vicki Grinstead, Secretary

**Chairman Merhar called the regular meeting to order at 7:02 p.m.**

**MINUTES**

**Regular Meeting Minutes**

**January 12, 2017**

Mr. Cox moved to accept the Regular Meeting Minutes of January 12, 2017 as submitted and Mr. Fiala seconded.

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

**Motion Carried: APPROVED**

**Public Hearing Meeting Minutes**

**January 12, 2017**

Mr. Cox moved to accept the Public Hearing Meeting Minutes of January 12, 2017 as submitted and Mr. Kary seconded.

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

**Motion Carried: APPROVED**

Mr. Cox moved to untable the **Old Business** and Mr. Kary seconded.

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

**Motion Carried:    UNTABLED**

**OLD BUSINESS**

**Chagrin Riverwalk**  
38601 Mentor Ave.  
(Rep.-Vintage Development Group, Chip Marous)

**CUP/ Phase II Apartment Building  
Amended Development Plan, EAS/  
Office Approval Extension**

Mr. Chip Marous of Vintage Development Group, 38025 Second St., Willoughby, Oh is representing Chagrin Riverwalk.

Chairman Merhar explained what a Conditional Use Permit is and what it can contain. One of the conditions will be that any garbage dumpsters will be enclosed with screening/fencing and that they abide by the Environmental Assessment Statement (EAS). Mr. Marous stated he would go over the entire Development from its inception in 2007 until current. In 2007 there was a Development Plan in place that was 400,000 square feet with 140,000 square feet of retail, 90,000 square feet of office and approximately 200 apartments and an assisted living facility that were approved. The original plan included a 4-story office building, garden style apartments and a 3-story assisted living facility. Also approved in 2007 was a landscape plan. In 2008-09 the market crashed and the plan was put on hold due to financing issues. In August of 2009 Vintage Development came before the Planning Commission for discussion of the residential and office components of the Master Development Plan. They received approved in 2009 for the Master Development Plan and a lot split. At this time they came in for approval on the final design for the apartment complex for 179 units. The landscape approval came approximately two months later. In 2010 and 2011 they received extensions. In 2012 they started construction on the approved Master Development Plan for the 179 unit apartment buildings. In 2013, while under construction they were granted an extension for the office building and assisted living. In 2015 he came before the Board for the final design of the office building and was approved along with the outlots, buildings and landscaping. In February 2015 they completed the Master Plan that included the office building which was a 4-story building with 60,000 square feet of office space. There was a total of approximately 33,000 square feet of retail with approximately 20,000 square feet on the first floor of the office building. The square footage for the two outbuildings was approximately 5,000 and 7,000 square feet (he refers to the rendering presented to the Board). There was also an addition of a community center on the plan within the building which added a floor. They also added a basement which made the building 20 units larger. It had an outdoor terrace and one extra story. At the same time they received approval of their commercial piece and these changes on Building 8 as noted above. Approximately two months later Vista Springs received approval to do an assisted living on the property and the H.U.D. financing fell through, so Vista Springs withdrew their proposal. Vintage Development had a waiting list for their current apartment complex so they decided to

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build another apartment building and this is what they are here for approval this evening. Due to the state of the economy they have decided to remove a floor off the original Development Plan for the office thus reducing it to a 3-floor 60,000 square foot office building. Their development and construction companies will occupy half of the building and this will make it easier for them to obtain financing because it is owner occupied. Retail will still be on the bottom floor of the building. There will be approximately 8,000-9,000 square feet of other retail that will be rentable space. The proposed 3-story office building is on the amended Development Plan for approval this evening. Mr. Marous presented before and after renderings of the office building to the Board. Their estimated timeline for the apartment building is May, 2017 and the office building late summer, early fall 2017. Mr. Fiala asked for clarification on the total number of square feet on the project from 2007 to current. He stated in 2007 there was 400,000 square feet for the total development that included 179 units. He asked Mr. Marous to breakdown the occupiable square footage of the building. Mr. Marous stated the retail was 147,000 square feet and the office was approximately 90,000 square feet. Mr. Fiala stated the reason he was asking was the issue of the traffic report because it appears there is less of a traffic impact than the original plan (2007). Mr. Marous stated they have a traffic study from 2007 and have had a consultant look at it from what it was then to what it is now. He found the traffic impact is 75% less than what it was. Mr. Fiala asked about the size of the assisted living in comparison to the proposed apartment building. Mr. Marous stated the assisted living had 110 beds; 30 doubles and the rest were singles and there were approximately 80 units. The new apartment building is approximately the same size as the assisted living and is the same footprint minus a "leg" of the senior development that represented public spaces and entry (which is shown on the 2013 rendering presented). Chairman Merhar asked about the traffic back up concerns in the morning with the school across the street. Mr. Marous stated the traffic was not from the apartment complex. Mr. Sayles stated it was due to parents making a left hand turn to drop off their children to Andrews Osborne School in the morning. Mr. Cox stated that at the last meeting someone asked for a traffic light. Mr. Marous stated in 2007 they did a traffic study and the state would not allow them to put a light there because of the distance between Andrews Osborne School and Kirtland Rd. Mr. Fiala was given this traffic report by Mr. Marous at a previous meeting. Chairman Merhar recalled that there was to be a rear entrance to the property. Mr. Marous confirmed there will be a drive that is not on the current site plan that will be connected to Kirtland Rd. so the tenants can exit out the back way. The road is fully designed. Mr. Fiala stated they started out at 400,000 square feet and asked where they are with the project now. Mr. Marous stated approximately 280,000 or 290,000 square feet. Mr. Fiala stated it is a 1/3 less than the original and Mr. Marous agreed. Mr. Marous showed the Board several before and after renderings of the proposed buildings. Mr. Marous stated he had a meeting with Mr. Fiala and Mr. Patt and they decided to compromise and take off a story on the front of the apartment building, so it will be a 3-story building in the front, along Mentor Avenue, and the back building will be 4-stories high. Mr. Marous showed the Board samples of the materials he will be using on the apartment building. The stone material will be wainscot height; the siding in the front will be a hardy siding and there will be vinyl siding in the back. The wood paneling (Kronospan) will go across the front entrance. There will be a timber frame entrance. There will be metal standing seam roofs above the 4<sup>th</sup> floor balconies. The shingles for the new office building and apartment building will be the same as the existing apartments in Phase I. Mr. Fiala asked if the building in the back is still below 50', which is the requirement of the city's Zoning Code, and Mr. Marous stated it is. During his meeting with Mr. Fiala and Mr. Patt they discussed buffering the parking area near Mentor Ave. They decided to remove the parking along the street and put up a fence and added landscaping to buffer the building. They also discussed adding additional detail and finishes at the end of the building on the Mentor Avenue side which initially

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was mostly vinyl siding. Mr. Fiala stated on the return side in the “V” that faces Pelton Road will be all vinyl siding. The rear roadway discussed earlier is shown on a rendering to the Board and will be installed when the office building is constructed. Mr. Marous shows the Board the detention renderings. Mr. Sayles stated in the EAS statement that Vintage Development made an error. In the EAS statement it said the apartment run off will go to the west retention basin. He stated the split on the commercial parcels is roughly 2/3 and 1/3. Some will go to the new basin and some will go to the existing basin. Mr. Kary asked about Mr. Sayles comments on sanitary. Mr. Sayles stated his concern was the sanitary capacity. He does not have a problem with the city’s sewer because Vintage Development is tying the apartment building and the commercial building into their existing sewer. The city sewer they are tying into has plenty of capacity for the project. Mr. Marous pointed out where the dumpster will be on the rendering. Mr. Fiala stated the only issue is that it is to be enclosed. There was some discussion on the raw timber on the underside of the existing balconies that is causing staining on the existing apartment building. Mr. Kary cited some examples of balcony systems. Mr. Marous presented the Board with renderings of other properties within the city that have the same balcony design. He explained that beside the expense there is no product that will solve the drainage issue for a balcony and if you enclose a balcony the wood will rot and will have to be replaced. Mr. Marous stated his company sends out surveys to his tenants and no one has ever complained about the balconies. Mr. Fiala asked if RDL could explore the Mentor Ave. elevation (right side elevation on rendering). There are two windows and a door and would like them to do something vertical, possibly connecting them with a hardy siding for aesthetic purposes and Mr. Marous agreed. The dumpster will be a self-contained unit.

The Conditional Use Permit will state they will abide by what the EAS stipulates and enclosing any exposed dumpster(s).

Mr. Kary moved to approve the CUP for Phase II apartment building for Chagrin Riverwalk and to abide by the EAS statement and Mr. Cox seconded.

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

**Motion Carried:     APPROVED**

Mr. Fiala moved to approve the revised Development Plan as submitted specifically addressing the office building and the apartment building contingent upon the review of the new traffic study by the City Engineer for Chagrin Riverwalk and Mr. Cox seconded.

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



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**Motion Carried: APPROVED**

**Kirtland Country Club**  
4176 State Route 306

**Installation of Private Road/  
Lot Split**

Mr. Chris Buday, Lake Willoughby Properties, 1110 North Old World 3<sup>rd</sup> St., Milwaukee, WI is representing the Kirtland Country Club for a private roadway and subsequent lot split application.

Mr. Buday presented a rendering on the projection screen and explained it to the Board. Currently the property is one parcel owned by the Kirtland Country Club and is being ground leased to the Red Roof Inn and to Lake Willoughby Properties. The county will only issue one tax identification number because it is currently only one parcel, so this is why they are applying for the lot split to create two parcels and two tax identification numbers. The Red Roof Inn Parcel has no frontage on a road so it would be a non-conforming lot split, however, if they create a private drive it will be reclassified. The drive will be named Lake Health Drive and would provide the Red Roof Inn with approximately 240 lineal feet of frontage make it a conforming lot. This would allow them to go to the county and request the two parcels which would then have two tax identification numbers. The private drive will be part of the Lake Health parcel. The existing drive will still allow the Burger King and Red Roof Inn traffic to be able to access these businesses, as well as semi-truck access. There will be a grass buffer that will delineate the existing drive from the new entrance for the new Lake Health facility. Mr. Sayles would like the record to reflect CT Consultants was hired to do the surveying for this project. Mr. Fiala asked who would be reviewing it and Mr. Sayles responded he would leave that up to the Chief Building Inspector. Mr. Keller can have Mr. Sayles review what the surveyors did and stated that Mr. Keller had no problem with this. Mr. Sayles stated he is looking out for the City of Willoughby's interest. He made sure the road will conform to the minimum standards of thickness etc. These parcels will have cross ingress/egress easements for emergency services. Mr. Buday stated that Lake Health owns the road and will be responsible for maintaining it. Mr. Sayles explained the cross ingress/egress easements exist because of the median on State Route 306. Mr. Buday stated they updated their easement and aligned their drive with the Speedway drive across State Route 306 and shifted their easement approximately 16 feet. They have since updated their easement with Burger King and showed the Board where it is on the rendering. He explained the second easement and landscape areas. There are two independent easements; one which allows Burger King and the Red Roof Inn to use the road perpendicular to S.R. 306 and there is a second independent easement which allows both entities to use the drive which is parallel to S.R. 306. Ms. Landgraf asked Mr. Buday if there was a ground lease and Mr. Buday stated there is one in place. Ms. Landgraf stated that if the Kirtland Country Club ever sells the property that the disclosure will state that this road will be maintained as a private road and would need to be disclosed to the purchaser and Mr. Buday responded that is a term of the lease.

Mr. Kary moved to approve the installation of a private road and lot split for the Kirtland Country Club property at 4176 State Route 306 and Mr. Cox seconded.

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

**Motion Carried:    APPROVED**

**Planning Commission**

**Election- 2017  
Chairman**

Mr. Fiala moved to nominate Jerry Merhar as Chairman of Planning Commission for year 2017 and Mr. Cox seconded.

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

**Motion Carried:    APPROVED**

**Planning Commission**

**Election- 2017  
Vice Chairman**

Mr. Cox moved to nominate Greg Patt for Vice Chairman of the Planning Commission for year 2017 and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

**NEW BUSINESS**

**Planning Commission**

**Election- 2017, Secretary**

Mr. Fiala moved to nominate Vicki Grinstead for Secretary of the Planning Commission for year 2017 and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

**Janice Lipscomb**  
(Community Development Manager)

**ZONING CODE BOOK CHANGES**

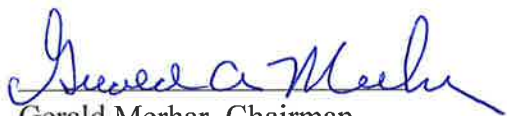
To schedule a Work Session on Tuesday, February 28, 2017 at 6:00 p.m. for Zoning Code Book changes with Council and Planning Commission members per the request of Janice Lipscomb, Community Development Manager.

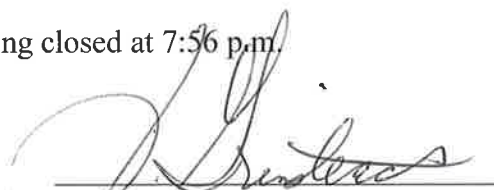
Mr. Fiala moved to schedule a Work Session for Tuesday, February 28, 2017 at 6:00 p.m. with Council and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

There being no further business the regular meeting closed at 7:56 p.m.

  
Gerald Merhar, Chairman

  
Vicki Grinstead, Secretary

*\*Note: Per a post meeting phone call between Curt Garrett and me he clarified that the materials in the front of the apartment building will be a mix of culture stone, vinyl, hardy and Kronospan (wood) sidings.*