

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
MAY 25, 2017  
REGULAR MEETING  
MINUTES**

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

**Chairman Merhar called the regular meeting to order at 7:04 p.m.**

**MINUTES**

<b>Public Hearing Meeting Minutes</b>	<b>April 27, 2017</b>
<b>Regular Meeting Minutes</b>	<b>April 27, 2017</b>
<b>Work Session Meeting Minutes</b>	<b>May 4, 2017</b>
<b>Public Hearing Meeting Minutes</b>	<b>May 11, 2017</b>
<b>Regular Meeting Minutes</b>	<b>May 11, 2017</b>

Mr. Cox moved to approve the Public Hearing of April 27, 2017 as submitted and Mr. Fiala seconded.

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

**Motion Carried:    APPROVED**

Mr. Cox moved to approve the Regular Meeting Minutes of April 27, 2017 as submitted and Mr. Fiala seconded.

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

**Motion Carried:    APPROVED**

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
May 25, 2017**

Mr. Fiala moved to approve the Work Session Meeting Minutes of May 4, 2017 as submitted and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

Mr. Mitchell moved to approve the Public Hearing of May 11, 2017 as submitted and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

Mr. Kary moved to approve the Regular Meeting Minutes of May 11, 2017 as submitted and Mr. Mitchell seconded.

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

**Motion Carried:    APPROVED**

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

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

**Motion Carried:    UNTABLED**

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
May 25, 2017**

**OLD BUSINESS**

**Janice Lipscomb**  
(Community Development Manager)

**W/E Schools/Lot Split**

Mrs. Lipscomb stated the consolidation portion of this application was approved at the last meeting. This meeting she is requesting a lot split of .883 acres so that Point Park will belong to the City.

Mr. Mitchell moved to approve the lot split with the Willoughby-Eastlake Schools (PPN #27-A-029-0-00-001-0) as submitted and Mr. Kary seconded.

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

**Motion Carried:    APPROVED**

**Willoughby-Eastlake Bd. of Education (Career Academy)      Lot Consolidations**

Lot #1 PPN-27-A-023-J-00-033-0 (+)  
Lot #2 PPN-27-A-023-J-00-052-0 (+)

Mr. Cox moved to permanently table this item as it was a duplicate on the agenda and Mr. Mitchell seconded.

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

**Motion Carried:    PERMANENTLY TABLED**

**Willoughby-Eastlake Bd. of Education (Ohio Living)**  
37047 Ridge Road  
(Rep.- John Wiles)

**Lot Split/  
PPN#27-A-007-000-005-0**

Mr. Mitchell moved to table this item per the applicants request and Mr. Cox seconded.

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
May 25, 2017**

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

**Motion Carried:    TABLED**

**Kirtland Tudor Estates**  
Tudor Drive  
(Rep. Chuck Szucs, Polaris Engineering & Surveying)

**Development Plan/EAS  
Phase III-Units 1-6**

Mr. Kary moved to table the application per the applicants request and Mr. Mitchell seconded.

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

**Motion Carried:    TABLED**

**NEW BUSINESS**

**Garage Bar Willoughby**  
37819 Vine St.  
(Frank Gallo)

**Extend Conditional Use Permit  
to new building**

Mr. Frank Gallo, 3991 Kirtland Rd., Willoughby, Ohio is representing Garage Bar Willoughby. They have purchased the building next door to 38725 Vine Street and are connecting the two buildings through two man doors that are already installed. They would like to extend the use from what is currently the Garage Bar Willoughby into the vacant building that was formerly the hookah bar. They would like to keep the same hours of operation, so they could do special events such as fundraisers etc. Chairman Merhar asked Mr. Gallo if this resulted in the removal of the patio for the original building. Mr. Gallo responded that it has changed the plan layout but the patio will still be installed but just uncovered. The first patio has been poured and the iron gate is installed. Chairman Merhar asked Mr. Gallo if he understood that the same conditions that apply to this new building that have applied to the original Garage Bar Conditional Use Permit and Mr. Gallo stated yes. Mrs. Grinstead read the existing conditions of the current Conditional Use Permit into record (attached). Chairman Merhar stated that the zoning code changes that the Planning

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
May 25, 2017**

Commission will recommend the adoption of this evening will allow music outside at conversational level and will limit the hours until 10:00 p.m. Sunday through Wednesday; Thursday through Saturday until midnight. This will then replace your current conditions. Mr. Kary asked Mr. Gallo to reiterate what the new facility will be utilized for. Mr. Gallo stated they may use the space for live music indoors so they wouldn't have to do it outside. They would also like to use it for children's parties, fundraisers etc. He explained at their other restaurant they do various fundraisers generally before dinner time. They would like to generate some additional business earlier in the day, but not necessarily bar business. They would like to extend the bar business into the new facility in the evenings. Chairman Merhar asked if they are planning to add a bar in the new building. Mr. Gallo stated yes, but will be much smaller than the one in the current building; it will probably be a six or eight seat bar. He explained the bar area on the rendering to the Board. They would serve private parties with an additional staff member from this new bar area. Mr. Mitchell inquired as to how they would keep the areas separated. Mr. Gallo stated they have two reinforced locking steel doors.

Mr. Fiala moved to accept the extension of the Conditional Use Permit (CUP) with the only modification from the original CUP being the hours for music which are Sunday through Wednesday until 10:00 p.m.; Thursday through Saturday until midnight and Mr. Cox seconded.

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

**Motion Carried: APPROVED**

**Janice Lipscomb**

**Zoning Code Updates/  
Recommendations to Council**

Mrs. Lipscomb stated based on the last discussion on May 4, 2017 the changes that were suggested were made and copies of the final code were sent to all the Planning Commission members. These will be recommended to City Council, but there are a few changes. Chairman Merhar stated one of the things being changed is the hours for outdoor music, so it will remain consistent with what has recently been approved. When this was originally discussed, Thursday was not included in the weekend hours and this is the only change he is aware of since the last meeting. Mr. Fiala agreed with including Thursday for the weekend hours. Mrs. Lipscomb stated the only other item was on page 156 under Outdoor Dining and not allowing it in the right-of-way, but it does say that in the public right-of-way only upon approval of...and it was left blank. They will add City Administration, which would include the Service Director and the Mayor so they can make that determination. There was some discussion on this issue. Mrs. Lipscomb stated this could also be put into effect in the lakefront area if restaurant went into one of those buildings and wanted to have outdoor dining. Mrs. Lipscomb stated these were the only two changes that she had.

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
May 25, 2017**

Mr. Germano stated once Planning Commission makes its recommendation to Council, than Council can make some changes if necessary. Once it's approved as a whole than sections can be changed as needed.

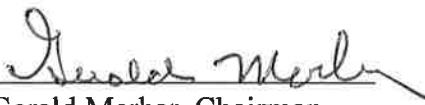
Mr. Cox moved to approve the recommendation of amendments of the zoning text and refers them to City Council and Mr. Kary seconded.

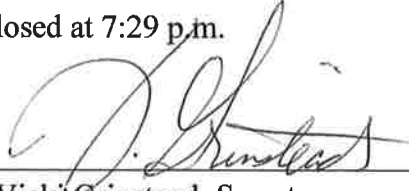
ROLL CALL:           Yeas:           Mr. Mitchell; Mr. Kary; Mr. Fiala; Mr. Cox; Chairman Merhar  
                          Absent:       None  
                          Nays:         None

**Motion Carried:    APPROVED**

Mrs. Lipscomb stated this will go to City Council for a public hearing possibly in July because there may not be enough time to advertise it in the newspaper for public notification.

There being no further business the regular meeting closed at 7:29 p.m.

  
\_\_\_\_\_  
Gerald Merhar, Chairman

  
\_\_\_\_\_  
Vicki Grinstead, Secretary

**COPY**

## CONDITIONAL USE PERMIT

A Conditional Use Permit is hereby granted to:

**Garage Bar Willoughby**

Effective as of 12-8-16 for the following described premises:

**37825 Vine Street  
Willoughby, OH 44094**

*Said permit is granted for said above described premises, and  
is to be used for:*

### SALE AND CONSUMPTION OF ALCOHOL

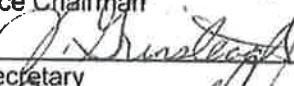
*Subject to the following conditions:*

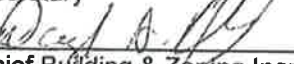
1. Hours of operation:  
7 Days a week/9:00 a.m. to 2:30 a.m.
2. Live outdoor music shall be non-amplified. Outdoor recorded music shall be at conversational level only.  
Outdoor music will not extend beyond midnight.
3. Outside entertainment shall comply with future Zoning Codes in force at that time.

Violation of any of the aforesaid conditions by the holder, or any use of the aforesaid described premises, contrary to any Ordinance, Rule or Regulation of the City of Willoughby, Ohio, applicable thereto shall be grounds for revocation or suspension of this permit.

**PLANNING COMMISSION  
CITY OF WILLOUGHBY, OHIO**

  
\_\_\_\_\_  
Vice Chairman

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
Chief Building & Zoning Inspector