

**PLANNING COMMISSION
CITY OF WILLOUGHBY
FEBRUARY 14, 2019
REGULAR MEETING
MINUTES**

PRESENT: J. McCue; C. Cox; K. Kary; M. Wildermuth, Chairman

ABSENT: S. Norris

OTHERS: M. Germano, Asst. Law Director; Jim Sayles, City Engineer; Vicki Grinstead, Secretary
Darryl Keller, Chief Bldg. & Zoning Official

Chairman Wildermuth called the regular meeting to order at 7:06 p.m.

MINUTES

Regular Meeting Minutes

January 10, 2019

Mr. Kary moved to approve the Regular Meeting Minutes for January 10, 2019 as submitted and Mrs. McCue seconded.

ROLL CALL: Yeas: J. McCue; K. Kary; C. Cox; Mike Wildermuth, Chairman
 Absent: S. Norris
 Nays: None

Motion Carried: APPROVED

OLD BUSINESS

None

NEW BUSINESS

Planning Commission

**Text amendment changes to:
Chapter 1335; Permit and Inspection
Fees (see Exhibit "A")**

Mr. Germano stated this is an increase in the fees for application and plan review.

Mr. Keller said fees have not been increased since 1999. He said they wanted to still keep the fees reasonable. They did also eliminate deposits which created quite a bit of paperwork and eased the burden for the contractors. He hopes Planning Commission would recommend these changes to City Council.

Mr. Kary moved to approve the text amendment changes to Chapter 1335 as presented in Exhibit "A" and recommends to City Council and Mrs. McCue seconded.

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ROLL CALL: Yeas: K. Kary; C. Cox; J. McCue; Mike Wildermuth, Chairman
 Absent: S. Norris
 Nays: None

Motion Carried: APPROVED

Lowes Home Improvement
36300 Euclid Ave.
(Patricia Herczeg, Asst. Mgr.)

**Amend Conditional Use Permit:
Outdoor Storage & Display of
Seasonal Retail Items**

Mr. Charles Theilman of Lowes is representing his application to amend his conditional use permit for Outdoor Storage & Display of Seasonal Retail Items.

Mr. Theilman said that the seasonal business is very important to Lowes and its customers. They do a large amount of sales in this area. Each year they have tried to improve the site and keep it neat and clean. They are requesting the same set up as the previous year. The only thing they are requesting in addition to the normal conditions is the use of the island in front of the pro lumber to place merchandise. The front of the building they store the riding lawn mowers, grills and the wheel barrows.

Mr. Kary said he does have an issue with that island. He doesn't believe they should migrate out into the parking area as far as a traffic pattern. If they agree not to utilize the island, then the Board may consider not putting a yearly renewal date on the CUP. In this case they would not have to come back every year for a renewal. Ms. Herczeg and Mr. Theilman both agreed they would be willing to not utilize the island and have a permanent CUP. The layout of this plan cannot be altered in any way or the applicants will have to come back before the Board and Ms. Herczeg agreed.

The CUP for outdoor sales is not renewal and did not expire, so the Board does not need to amend this CUP.

Mrs. Grinstead read back the conditions for the Outdoor Storage and Display of Seasonal Retail Items:

1. The time limit for outdoor storage and display of seasonal retail items shall be March 1 until October 15 each year.
2. The outdoor display shall be adjacent to the building and shall not extend beyond the concrete area.
3. The "exhibit A & C" plan, drawing "and the pictures submitted this evening (2/14/19) shall be part of this conditional use permit.
4. The wood display at the front west end of the store shall be on the concrete area adjacent to the building and shall not be displayed on the island **Added* (Exhibit "B", dated 2/14/19).
5. The outdoor display shall not at any time extend into the fire lane or parking area.

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6. **Amended:** The amended Conditional Use Permit will allow additional outdoor storage of bagged product and a customer loading zone as indicated in Exhibit "A & C" dated February 14, 2019 and is limited to the use of a maximum of 49 parking spaces and with said location to be approved by the Chief Fire Prevention Official. In addition, maintenance and upkeep of parking lot shall be kept clear of debris and trash on a daily basis. Any outdoor storage on the sidewalk adjacent to the building shall comply with any of the Fire Marshal's requirements. If any changes are made, the applicant must come before the Planning Commission to amend this CUP.

Mr. Kary moved to approve the Conditional Use Permit with the amendments as stated above (Conditions 1-6) by Mrs. Grinstead for Lowes Home Improvement, 36300 Euclid Ave., Willoughby, OH 44094 and removing the annual expiration date and Mr. Cox seconded.

ROLL CALL: Yeas: C. Cox; J. McCue; K. Kary; Mike Wildermuth, Chairman
 Absent: S. Norris
 Nays: None

Motion Carried: APPROVED

Daniel & Deena Nicely
38744 Bell Rd.
(Rep.- David Novak, Barrington Consulting Group)

Lot Split/PPN#27-B-049-D-00-023-0

Mr. Novak of Barrington Consulting Group is representing the lot split for Mr. & Mrs. Nicely.

Mr. Novak said they would like to split off the rear 0.3303-acre parcel and attach it to Sublot 60 in the Melrose Farms subdivision. Mr. Novak's client is adding more property to the rear of his property and will combine it to his current property. Mrs. Grinstead supplied the form to Mr. Novak and Mr. & Mrs. Nicely to combine the lot once the lot split is approved. Mr. Novak will provide proof that the lot has been combined to Mrs. Grinstead as soon as it is filed with the County office.

Mr. Kary moved to approve the lot split of 0.3303 acres for PPN #24-B-049-D-00-023-0 for the Nicely residence located at 38744 Bell Rd., Willoughby, OH 44094 with the stipulation that Mr. Novak provide proof to Mrs. Grinstead once the lot has been combined with the County and Mrs. McCue seconded.

ROLL CALL: Yeas: J. McCue; K. Kary; C. Cox; Mike Wildermuth, Chairman
 Absent: S. Norris
 Nays: None

Motion Carried: APPROVED

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DISCUSSION

Senior Apartment Housing

Southwest corner of Tamarac Blvd. and
Lost Nation Rd.
(Rep.- Robert Sweet, McBride Dale Clarion)

Zoning Code Change

Chairman Wildermuth said the proposed item for informal discussion this evening is for a zoning code change.

Mr. Sweet of McBride Dale Clarion is representing this discussion. They are looking to purchase 7.75 acres of land at the southwest corner of Lost Nation Rd. and Tamarac Blvd. They are proposing to construct 133,000 s.f. apartment building for residents that are 55 and over. It is a 3-story building with 127 parking spaces with 119 units in the building. A majority of the units are two-bedroom, one to one and a half-bath. Each unit has a kitchen and laundry area and has pull cord for emergencies. They are here for discussion to see if the Board would approve a rezone from the GB district to the RMFM district and possibly a Conditional Use Permit to allow a senior citizen multi-family development. They would like comments, questions or concerns.

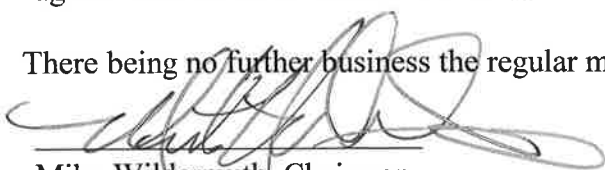
Chairman Wildermuth read into record a letter from a member of the Planning Commission, Dr. Steve Norris, that could not be present this evening (Exhibit "A"). Dr. Norris has concerns and is not in favor of this project.

Mr. Kary is speaking as a Ward 2 Councilman. Mr. Kary said there are 642 apartments just to the west of where they are proposing these senior apartments. There are many apartments in Wards 1, 2 and 3 in the Lost Nation corridor. He understands that this proposal is an age restricted apartment complex. He did a poll of his constituents in a newsletter and the poll showed the residents are not in favor of more apartments. He is not in favor of rezoning because the city is trying to bring more businesses to the north area of Willoughby. There is some economic development beginning in the area and they would like this to continue trend.

Mr. Kary also spoke to the safety forces in regard to these proposed apartments. It would put a strain on the fire/rescue department. He gave some examples of the Willoughby Hills complex. The Fire Chief said they would possibly have to hire additional personnel for the number of calls to the age restricted facility. Mr. Kary is also concerned in regard to the issue of the traffic the facility would create.

Mayor Fiala stated, as a point of clarity, said the administration is not in favor of this project for many of the same reasons Mr. Kary has already mentioned. It provides no economic tangible benefit for the city and will put a strain on the city services. Mr. Wildermuth is also is not in favor of "spot zoning" in this area and agrees with the other Board members.

There being no further business the regular meeting closed at 7:52 p.m.


Mike Wildermuth, Chairman


Vicki Grinstead, Secretary