

**PLANNING COMMISSION
CITY OF WILLOUGHBY
OCTOBER 11, 2018
REGULAR MEETING
MINUTES**

PRESENT: S. Norris; C. Cox; K. Kary; M. Wildermuth, Chairman
ABSENT: G. Merhar; Jim Sayles, City Engineer
OTHERS: M. Germano, Asst. Law Director; Vicki Grinstead, Secretary
Darryl Keller, Chief Bldg. & Zoning Official, Mayor Bob Fiala

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

MINUTES

Public Hearing Meeting Minutes

September 13, 2018

Mr. Cox moved to approve the Public Hearing Meeting Minutes for September 13, 2018 as submitted and Dr. Norris seconded.

ROLL CALL: Yeas: K. Kary; S. Norris; C. Cox; M. Wildermuth, Chairman
 Absent: G. Merhar
 Nays: None
 Abstain:

Motion Carried: APPROVED

Regular Meeting Minutes

September 13, 2018

Dr. Norris moved to approve the Regular Meeting Minutes for September 13, 2018 as submitted and Mr. Cox seconded.

ROLL CALL: Yeas: S. Norris; C. Cox; K. Kary; M. Wildermuth, Chairman
 Absent: G. Merhar
 Nays: None
 Abstain:

Motion Carried: APPROVED

OLD BUSINESS

None

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NEW BUSINESS

Fairway Glenn, Phase II

Development Plan/Final Plat

Lost Nation Rd.

(Rep.- Barrington Consulting Group, Inc., Dave Novak)

Mr. Dave Novak of Barrington Consulting Group, Inc., 9114 Tyler Blvd., Mentor, OH is representing the application for a Development Plan/Final Plat for the Fairway Glenn Development, Phase II on Lost Nation Road, Willoughby, OH.

Chairman Wildermuth asked Mr. Keller to give an update on the final plat on behalf of Mr. Sayles, City Engineer, who was not present. Mr. Keller stated he spoke with Mr. Sayles who had reviewed the plat for Fairway Glenn, Phase II and had no issues. The Law Department had no issues as well.

Chairman Wildermuth asked what does the open space "C" on the plan represent. Mr. Novak explained that it was wetlands they had to work around.

Mayor Fiala asked Mr. Novak to remind the owner of the development about a previous discussion in regard to a traffic signal. Mayor Fiala said there will be traffic issues on Lost Nation Road as a result of this development and there was previous discussion about sharing the cost of a traffic signal. Mayor Fiala wants to be on the record stating they will be revisiting this item soon with the owner of the development. Mr. Novak stated he would let his client know about the traffic signal at Hodgson Rd. and Lost Nation Rd.

Mr. Kary stated a typical traffic signal costs approximately \$200,000, but because of the airport the cost will be \$400,000. Mr. Novak said he recalls as part of the approval process they did agree to participate in sharing in the cost of the traffic signal, but does not remember the agreed upon participation amount.

Mr. Cox moved to approve the Development Plan/Final Plat for the Fairway Glenn Development, Phase II on Lost Nation Road, Willoughby, OH. 44094 and Mr. Kary seconded.

ROLL CALL: Yeas: K. Kary; S. Norris; C. Cox; M. Wildermuth, Chairman
 Absent: G. Merhar
 Nays: None

Motion Carried: APPROVED

All AXS
4027 Erie St.
(Billy Welker, Owner)

**Conditional Use Permit
Bar/Restaurant**

Mr. Welker, owner of All AXS is representing his application for a Conditional Use Permit to operate a bar/restaurant at 4027 Erie St., Willoughby, OH.

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Mr. Welker stated on his application he originally asked for the hours of operation to be 5:30 a.m. until 2:30 a.m./7 days a week, but would like to amend that to 5:30 a.m. until 3:00 a.m. /7 days a week because he would like to serve a late night menu for his patrons. He would also like to have live 1, 2, or 3 piece live bands at conversational level. Mr. Welker owns another establishment and said the live bands draw more clients. Chairman Wildermuth stated that amplification is not allowed.

Mr. Cox asked about when the outdoor bar will be open. Mr. Welker stated it is not yet built but will most likely be a portable outdoor bar and will open in the spring. Mr. Kary asked Mr. Keller if the Building Department has concerns with an outdoor bar. Mr. Keller said they would have to review zoning procedures, the building code, egress etc. Mr. Keller stated the Conditional Use Permit (CUP) can stated it is conditioned upon the Building Department approval.

Mr. Kary stated the outdoor music is allowed Sunday through Wednesday until 10:00 p.m. and Thursday through Saturday until midnight and would be a condition of the CUP and Mr. Welker agreed.

Mr. Kary asked Mr. Welker to be more specific on what type of outdoor music will be on the patio. Mr. Welker stated he was not sure at this point if he will be able to fit a band until he is able to put up the bar, tables and chairs on the patio. He may have up to a 3-piece band on occasion, but music will most likely remain indoors. He would like to have the option for live outdoor music. Mr. Kary wanted to clarify it must be conversational level music and Mr. Welker agreed.

Mr. Kary asked if he would have the Queen of Hearts game and Mr. Welker stated he would possibly have this game, but no other gambling, just music.

Mayor Fiala said there have been issues with music in the downtown area and they enforce this pretty heavily and if he violates the CUP, it can be revoked. Mr. Welker stated he understood. Mayor Fiala also stated if there is indoor juke box music the doors/windows must remain closed.

Mr. Kary stated any exterior maintenance, such as power washing etc., must be done during normal business hours only. Mr. Kary asked if there is a dumpster, and if so, where is it located. Mr. Welker replied it is in the rear of the property next to the grease dumpster. Mr. Kary asked if it is enclosed and Mr. Welker replied no. Mr. Kary stated it must be enclosed by some type of fencing per city ordinance so it is not visible.

Chairman Wildermuth stated the CUP (music portion) will terminate one year from the date of issuance and must be renewed. Dr. Norris stated there is no seating in the front of the establishment and Mr. Welker stated no. This will be a condition of the CUP as well. Dr. Norris asked if the parking in the rear will remain or will Mr. Welker be expanding the patio. Mr. Welker said he has no plans to expand and the parking will remain as is.

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Mrs. Grinstead read back the conditions specific to this CUP as follows:

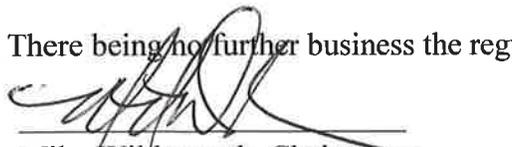
1. Hours of operation:
5:30 a.m. until 3:00 a.m., 7 Days a week
2. The on-site dumpster located in the rear of property must be enclosed by fencing.
3. Outdoor live music must be at conversational level and permitted Sunday-Wednesday until 10:00 p.m. and Thursday-Saturday until midnight.
4. Outdoor bar permitted upon Bldg. Dept. approval. Outside alcoholic beverage service and consumption is allowed on the outdoor patio and to comply with state liquor regulations.
5. Exterior maintenance only permitted during normal business hours.
6. No outdoor seating in front of establishment.
7. Interior music permitted, only with doors and windows closed.
8. Item #3 on this CUP shall terminate one year from the date of issuance, (terminates 10-11-19) and must be renewed.

Mr. Kary moved to approve the Conditional Use Permit based on the above conditions as stated by Mrs. Grinstead, Board Secretary, for All AXS, 4027 Erie St, Willoughby, OH 44094 and Dr. Norris seconded.

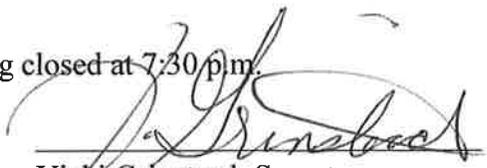
ROLL CALL: Yeas: C. Cox; K. Kary; S. Norris; M. Wildermuth, Chairman
 Absent: G. Merhar
 Nays: None

Motion Carried: APPROVED

There being no further business the regular meeting closed at 7:30 p.m.



Mike Wildermuth, Chairman



Vicki Grinstead, Secretary