

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JANUARY 23, 2020
REGULAR MEETING
MINUTES**

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

ABSENT: None

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

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

MINUTES

Public Hearing Meeting Minutes

January 9, 2020

Mr. Cox moved to approve the Public Hearing Meeting Minutes for January 9, 2020 as submitted and Dr. Norris seconded.

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

Motion Carried: APPROVED

Regular Meeting Minutes

January 9, 2020

Dr. Norris moved to approve the Regular Meeting Minutes for January 9, 2020 as submitted and Mrs. McCue seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Dr. Norris moved to untable Old Business for Karbella Construction, 38333 Pelton Rd., Willoughby, OH 44094 and Mr. Cox seconded.

**City of Willoughby
Regular Meeting Minutes
Planning Commission
January 23, 2020**

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

Motion Carried: UNTABLED

Karbella Construction
38333 Pelton Rd.
(Shane Pierce, Owner)

Conditional Use Permit

Mr. Keller said this is a construction firm and they will also be doing dumpster leasing and Mr. Pierce did confirm this. He said most of the items are stored in the rear of the property, but he did see a dumpster display in the front of the building, which is not permitted. Mr. Pierce agreed to remove the dumpster from the front of the property.

Mr. Keller said city ordinance, for Outdoor Activities, requires that everything is to be fenced/screened, whether it is vehicles, materials, etc. being stored. He said there is currently no fencing on the property and by Conditional Use it must be fenced/screened if items are stored in the rear of the property, or they must be kept indoors.

Mr. Pierce asked if there was a time frame that he had to install the fence and Mr. Keller said they can work that out. He said he spoke with the owner of the building earlier because he was concerned that fencing may be a requirement and the owner was fine with it and they may split the cost, but he will confirm this information.

Mr. Keller said the area is to be fenced/screened, with slats, the fenced area cannot be any greater than the size of the square footage of the building itself, which is approximately 6,000 sq. ft., and would have to be 10 ft. in height and Mr. Pierce agreed.

Chairman Wildermuth asked what the hours of operation will be for the business. Mr. Pierce said 6:00 a.m. through 10:00 p.m. Monday through Saturday, no Sundays.

Dr. Norris asked if there would be cleaning of any equipment and he said no. Chairman Wildermuth said their personal waste dumpster must remain in the fenced/screened area as well.

Mr. Keller asked when Mr. Pierce would speak with the owner and install the fencing. Mr. Pierce said he would like until April of 2020 to have it installed, in case of inclement weather and Mr. Keller said he would be fine with a six-month time frame from today's date and the Board agreed.

Mrs. McCue moved to approve the Conditional Use Permit for Karbella Construction, 38333 Pelton Rd. with the following conditions: 1) Hours of operation will be 6:00 a.m. through 10:00 p.m. Monday through Saturday, no Sundays, 2) The rear yard must be fenced/screened with a 10 ft. high fence, no larger in area than the square footage of the building, which is 6,000 sq. ft. and must be installed within six months from today's date, 3) All dumpsters must remain inside the fenced area and Mr. Kary seconded.

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

Motion Carried: APPROVED

Mr. Kary moved to untable Old Business for Timperio Roofing, 37211 Ben Hur Ave., Willoughby, OH 44094 and Dr. Norris seconded.

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

Motion Carried: UNTABLED

Timperio Roofing

Development Plan/EAS

37211 Ben Hur Ave.

(Rep.- Hank Penttila, Henry Penttila Architect)

Mr. Penttila said they would like to construct an addition of 4,600 sq. ft. to an existing building, which is 8,000 sq. ft. He said the new construction would entail three smaller spaces that would be rentable as start-up spaces for smaller businesses. The building would require an increased number of parking spaces, which they have added. They will also be adding a landscape buffer, a new sanitary manhole, catch basin, and storm water retention in the large drainage pipes below the new parking area. The storm water management plan, landscaping and sanitary manhole will be in the construction documents which will be submitted to the Building Department.

Mr. Kary asked if the two existing parcels need to be combined and Mr. Penttila said the two parcels have now been combined into one single parcel.

Dr. Norris asked if the twenty-eight parking spaces provided is enough and Mr. Keller said yes, but they are gauging this on what the current use is. The rental units may have tenants and as these tenants apply for occupancy permits they will review each one individually.

Mr. Kary moved to approve the Development Plan/EAS for Timperio Roofing, 37211 Ben Hur Ave., Willoughby, OH 44094 as submitted and Dr. Norris seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

None

DISCUSSION

Former YMCA property
37100 Euclid Ave.
(Rep.- Bill Brooks, Parkstone Development Partners LLC)

**Rezone PPN# 27-A-015-0-00-018-0,
27-A-015-0-00-005-0, 27-A-015-0-00-017-0
and 27-A-015-0-00-004-0 from
R-MF-L to G-B**

Mr. Bill Brooks and Mr. Brian Osborne, both of Parkstone Development Partners LLC and Mrs. Carolyn Tippie, CFO of the YMCA will be representing this discussion.

Mrs. Tippie said the YMCA relocated in a major collaboration with the City and the Willoughby-Eastlake School District. The former building has been vacant since September 16, 2019. She said it is important to the YMCA that the community continues to expand on the corner of the former site of the YMCA and is in support of the transactions being presented this evening.

Mr. Brooks said they are proposing a redevelopment of the former YMCA site and presented the Board with a summary (in record 1-23-2020, Exhibit "A"). He said the building is old and in disrepair. He said they are currently under contract with the YMCA to purchase the building. He said they have restrictions in the contract that another fitness facility is not allowed on that corner, and are looking at a pretty significant demolition of the site.

Mr. Brooks said they have had a tremendous amount of interest in the site. They are proposing splitting the site into three parcels for three separate business. They have been contacted by banks and restaurants for the site and would possibly like to use the back parcel for a medical or educational use.

Mr. Kary said they would like to change the zoning from Multi-Family to General Business and Mr. Brooks said yes, it makes the most sense for the use of the site.

Dr. Norris said he was under the impression that when the Chandler Estate turned over the property from Rt. 84 to Euclid Ave., it was designated for education or municipal uses only. He said, in speaking with the Law Director, the Planning Commission they would request a title and county records search of the property to determine if there is a recorded restriction or covenant on this land. He believes this is why the property is designated Multi-Family.

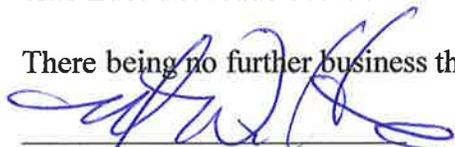
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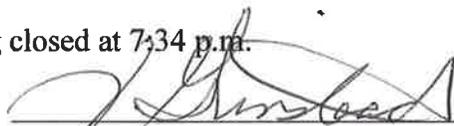
Mr. Osborne said they are not aware if there any restrictions, but they would dig deeper to make sure. Mr. Lucas requested Mr. Osborne send him his findings on the title search and any additional information they may uncover in regard to the deed restrictions on the property and Mr. Osborne agreed. There was more discussion on this possible restriction.

Mr. Osborne stated the YMCA had been at this location for over 40 years and the under the Marketable Title Act of Ohio, old deed restrictions past 40 years get canceled out, but they will definitely investigate further.

Mr. Sayles suggested with the submittal of a Development Plan that they be required to add a right turn only lane onto Euclid Avenue because traffic will be an issue with multi businesses and driveways on this site.

There being no further business the regular meeting closed at 7:34 p.m.



Mike Wildermuth, Chairman

Vicki Grinstead, Secretary