

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JANUARY 8, 2026
REGULAR MEETING
MINUTES**

PRESENT: J. Cook; M. Wildermuth; K. Kary; Ben Capelle; S. Norris, Chairman
ABSENT: None
OTHERS: Mike Lucas, Law Director; Darryl Keller, Chief Bldg. & Zoning Official;
Tim Lannon, City Engineer; Vicki Grinstead, Secretary

Chairman Norris called the regular in-person meeting to order at 7:00 p.m.

MINUTES

Regular Meeting Minutes

October 23, 2025

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for October 23, 2025 as submitted and Mr. Capelle seconded.

ROLL CALL: Yeas: Ben Capelle; K. Kary; M. Wildermuth; J. Cook; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

OLD BUSINESS

None

NEW BUSINESS

Everett Woods
Kirtland Rd./PPN#21A0220000330
(Rep.- Greg Sommers, Sommers Dev. Group)

**Amendment to Development Plan
to waive steep slope development
restrictions**

Mr. Sommers of Sommers Development Group, 10585 Sommerset Dr., Chardon, OH 44024 is representing an amendment to a Development Plan to waive steep slope development restrictions.

Mr. Sommers explained that, although the project had prior approval, detailed engineering revealed the need for a waiver under C.O. 1151.06 (Development Standards). The company engaged a qualified geotechnical engineer, and the commission received a letter dated December 8, 2025, confirming that all buildings can be safely supported by native clays or properly compacted engineered fill in accordance with "Earthwork Guidelines". The team collaborated with the city engineer to ensure the grading plan is sound and complies with all the stormwater requirements. They are formally requesting a waiver now having met all the city's guidelines up to this point.

**City of Willoughby
Planning Commission
Regular Meeting Minutes
January 8, 2026**

Mr. Lannon noted that city code prohibits roads or buildings on slopes of 20–25%. The applicant provided calculations and a comprehensive geotechnical report, followed by a supplemental review in response to the city’s request. The plan addresses a steep drop-off by regrading the area to create a gradual slope and the report goes into detail regarding compaction. Testing protocols will be implemented and monitored throughout construction. Mr. Keller will review the reports during construction, and this review will be a condition of the permit for the affected unit(s). Mr. Sommers affirmed the project will fully comply with all applicable requirements. Leroy Wertz of Wertz Geotechnical Engineering will provide project oversight and inspection.

Chairman Norris inquired whether Mr. Keller receives engineering reports automatically or if this should be included as a condition of approval, noting that it is standard practice for commercial projects. Mr. Lucas recommended adding it to the official record. Chairman Norris stated that buildings 5, 6, 7, 8, 12, 13, 14, 15, 16, 27, 28 & 29 would all require an engineering report/inspection and Mr. Sommers agreed. Mr. Lannon noted that the site is balanced and the soil will remain onsite, with possible relocation as needed. Mr. Sommers agreed to include this condition as part of the project.

Mr. Capelle moved to approve an amendment to a Development Plan to waive steep slope development restrictions subject to compliance with the proper geotechnical reporting requirements for buildings 5, 6, 7, 8, 12, 13, 14, 15, 16, 27, 28 & 29 as specified by Chairman Norris for Everett Woods, Kirtland Rd./PPN#21A0220000330, Willoughby, OH 44094 and Mr. Cook seconded.

ROLL CALL: Yeas: K. Kary; M. Wildermuth; J. Cook; Ben Capelle; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Planning Commission

**Election – 2026
Chairman
Vice Chairman
Secretary**

Mr. Cook moved to nominate Dr. Norris as Chairman of the Planning Commission for year 2026 and Mr. Capelle seconded. There were no other nominations for Chairman.

ROLL CALL: Yeas: M. Wildermuth; J. Cook; Ben Capelle; K. Kary; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Mr. Cook moved to elect Dr. Norris for Chairman of the Planning Commission for year 2026 and Mr. Capelle seconded.

**City of Willoughby
Planning Commission
Regular Meeting Minutes
January 8, 2026**

ROLL CALL: Yeas: J. Cook; Ben Capelle; K. Kary; M. Wildermuth; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Chairman Norris moved to nominate Mr. Wildermuth as Vice Chairman of the Planning Commission for year 2026 and Mr. Capelle seconded. There were no other nominations for Vice Chairman.

ROLL CALL: Yeas: Ben Capelle; K. Kary; M. Wildermuth; J. Cook; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Chairman Norris moved to elect Mr. Wildermuth for Vice Chairman of the Planning Commission for year 2026 and Mr. Capelle seconded.

ROLL CALL: Yeas: K. Kary; M. Wildermuth; J. Cook; Ben Capelle; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Chairman Norris moved to nominate Mrs. Grinstead as Secretary of the Planning Commission for year 2026 and Mr. Cook seconded. There were no other nominations for Secretary.

ROLL CALL: Yeas: M. Wildermuth; J. Cook; Ben Capelle; K. Kary; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

Chairman Norris moved to elect Mrs. Grinstead for Secretary of the Planning Commission for year 2026 and Mr. Cook seconded.

ROLL CALL: Yeas: J. Cook; Ben Capelle; K. Kary; M. Wildermuth; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

DISCUSSION

Planning Commission

Pedestrian/ADA pathing/sidewalk requirements

Mr. Capelle stated following the recent work session on short-term rentals, he discussed with Mayor Fiala the need to update the city's code regarding pedestrian connectivity between commercial properties and the public right-of-way. He noted that most applicants have complied when asked to add sidewalks and recommended establishing a clear code to ensure consistency, which would benefit the city. There are references in the code to a vehicle network but there are places where the pedestrian network is non-existent. He recommended adding language requiring all new commercial developments, and major renovations, exceeding fifty percent, to connect to the public pedestrian right-of-way, ensuring a consistent and high-quality pedestrian network. He cited the conversion of Hardees being converted into Starbucks where there was friction from the applicant regarding this request. He recommended extending this requirement to residential developments with five or more units, citing its importance for A.D.A. compliance, particularly in areas with significant slopes. He also noted that Cardinal Credit Union was previously asked to implement this measure but has not yet done so.

Mr. Wildermuth noted that accessibility to a site is federal civil rights legislation only enforceable through the courts. We as the State of Ohio do not adopt A.D.A.; we adopt the accessibility standards that are slightly different. The requirement for A.D.A. and therefore under the ANSI guidelines of the state do require connectivity to the right-of-way when there is public access at the right-of-way. If a building lacks a fully connected sidewalk system, state code does not require a connection to the public right-of-way, as the site is primarily designed for vehicular access. We should be cautious, imposing requirements that exceed practical and reasonable standards. Unless we codify the code we cannot require applicants to go beyond the code. He concurs with Mr. Capelle on the need to codify right-of-way access requirements, ensuring alignment with state building code and A.D.A. standards.

Chairman Norris requested the law department draft language requiring pedestrian access to the public right-of-way for new commercial developments for the commission to review. Mr. Lucas will review the city code regarding sidewalk requirements for commercial and residential projects. If such provisions are absent, they should be added. Additionally, the commission seeks to include pedestrian access requirements for residential developments with five or more units.

Chairman Norris raised the issue of requiring pedestrian access when renovations affect 50% or more of a building's exterior. Mr. Capelle said he struggled with the appropriate threshold, and Mr. Wildermuth suggested including changes in use or occupancy.

Mr. Lannon referenced a section of the code regarding pedestrian ways, noting its subjective nature. The provision suggests that in longer subdivisions, paths may be required to provide convenient pedestrian circulation without forcing residents to exit the subdivision to access public sidewalks. Chairman Norris recommended codifying an automatic trigger for this requirement when a cul-de-sac or subdivision road/right-of-way exceeds a specified length and abuts public access. Mr. Lannon noted that C.O. 1175.07 Block Design (d) Pedestrian Ways states

**City of Willoughby
Planning Commission
Regular Meeting Minutes
January 8, 2026**

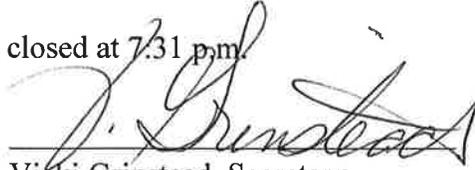
pedestrian ways having a minimum right-of-way of twenty-five feet and in a straight line may be required across excessively long blocks or at the end of cul-de-sac streets for access to schools, playgrounds, or bus stops, or to other public facilities where convenient pedestrian circulation has not been provided by sidewalks and or streets.

There was no further discussion.

There being no further business the regular meeting closed at 7:31 p.m.



Steve Norris, Chairman



Vicki Grinstead, Secretary