

**PLANNING COMMISSION
CITY OF WILLOUGHBY
MAY 11, 2023
REGULAR MEETING
MINUTES**

PRESENT: J. Cook; Ben Capelle; M. Wildermuth; K. Kary; S. Norris, Chairman
ABSENT: Tim Lannon, City Engineer
OTHERS: Keith Pedersen, Asst. Law Director; Larry Puskas, Chief Bldg. & Zoning Official;
Vicki Grinstead, Secretary

Chairman Norris called the regular in-person meeting to order at 7:10 p.m.

MINUTES

Public Hearing Meeting Minutes

April 27, 2023

Mr. Cook moved to approve the Planning Commission Public Hearing Meeting Minutes for April 27, 2023 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

Regular Meeting Minutes

April 27, 2023

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for April 27, 2023 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

OLD BUSINESS

This item remains tabled per the applicant's request.

Townhomes
Shankland Rd.
(Rep.- Greg Sommers, Sommers Dev. Group LLC)

**Development Plan/EAS#17-10-22(b)
PPN#27-A-015-0-00-023-0 & 024-0
to construct 16 townhomes on 2.49 acres**

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Demilta Iron & Metal

3911 Ben Hur Ave.
(Rep.- Jim Hounshell, Evolution Construction &
Mr. Frank Demilta, Owner)

**Development Plan/EAS#4-3-23
36,738 sq. ft. warehouse**

Mr. Hounshell of Evolution Construction Services and Mr. Frank Demilta are representing the application for the Development Plan/EAS#4-3-23 for a 36,738 sq. ft. warehouse.

Mr. Wildermuth moved to untable the Development Plan/ EAS#4-3-23 for a 36,738 sq. ft. warehouse for Demilta Iron & Metal, 3911 Ben Hur Ave., Willoughby, OH 44094 and Mr. Capelle seconded.

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

Motion Carried: UNTABLED

Mr. Kary addressed the EAS. This is a replication of a building that was here fifteen years ago and was recently destroyed by fire. Traffic: no concerns, Police and Fire Departments: no concerns, Stormwater: no concerns because building was existing, Noise, water, air pollution: no concerns because building will operate as before, Hazardous waste: no concerns, No impact on schools. He asked what precious metals will be stored there. Mr. Hounshell said copper and aluminum, more valuable metals. He apologized for putting precious metals on the application. The timeline of the project: Completed by September, 2023. Mr. Hounshell added this building was not previously sprinklered, but the new building will be. Chairman Norris said on Attachment A, it is circled no for the sprinkler system and Mr. Hounshell said that is an error on his part; it should be yes.

Chairman Norris said they will move on to the Development Plan. Mr. Kary said they are going to address landscaping issues with mounding. The city code states there should be concrete block, masonry, etc. It also says they can use mounding, but it must be landscaped with pine trees, low growing shrubs or plantings that create a more aesthetic look. Mr. Demilta said it already has trees and plantings on the current mounds. Mr. Kary asked if there was mounding along the street. Mr. Demilta said there is a fence in the front of the street until before you get to the fence on Ben Hur and there is mounding there with trees, then you come to a gate, and then to a fence. He said there is no room there for mounding. The next area houses a retention pond and is all concrete.

Mr. Kary said it is confusing because the rendering submitted by Polaris Engineering says, “proposed landscape mound area”. Mr. Hounshell said when Polaris did the site plan, they had to make it current, so they utilized an old site plan and put a current date on it. He said the mounding is not proposed and is existing. Mr. Demilta said there is mounding up to the first gate and no mounding after that until you get to gate four and there are mounding/elevations there. There is landscaping on top of the current mounding. Mr. Kary asked if the color of the new building will match the existing buildings and Mr. Hounshell said yes.

Mrs. Grinstead brought up a picture of the current site on Google Earth for the board and applicants to view. Chairman Norris said they can have at minimum an eight foot high fence constructed of concrete block or other masonry construction of a minimum width of eight inches with interior pilasters at twelve-foot intervals on a footer, as specified in the National Building Code, or an eight foot board-on-board fence. Mr. Demilta said the current

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fence is a chain link style. He said the area in front of the truck scale is not very wide and does not believe he can do mounding in that area. They would be willing to do mounding with plantings. Mr. Kary said they need to landscape the retention basin and Mr. Demilta agreed. Mr. Hounshell asked if this requirement is just for in the front of the new building or the entire site. The board decided it would be required in front of the new building only. Mr. Kary explained the code has changed over the years and what was required thirty years ago is now different and they have to apply the current code to this building.

Mr. Hounshell said in front of the truck scale they will do mounding and trees to meet the 8' requirement and will mound and plant trees right up to the retention basin as well. They will also put shrubs or other landscaping around the retention basin itself.

After much discussion it was decided on Sheet 5 of 10, the Mounding & Monument Sign Plan there will be landscaping around the current retention pond, referred to as W1, and areas referred to as, W2 & W3 (along the street) in front of the new building site on the rendering shall have landscaped mounding, concrete or 8' high board on board fence. The site referred to as W2, in front of the truck scale, which is a smaller area, the mound can be 5' or 6', high plus landscaping on top for a total of 8' or the required as stated above. The area to the south referred to as W3 Chairman Norris said will require the same as site W2. Chairman Norris asked if the entrance and exits are gated, and Mr. Hounshell said yes with existing chain link fencing. The board required the applicants to add vinyl slats, so they look solid. Mr. Wildermuth said normally there is a requirement for a landscape plan. The board required the applicant's to submit a revised, up-to-date landscaping plan showing what has been required this evening.

Mr. Cook moved to approve the Development Plan/ EAS#4-3-23 for a 36,738 sq. ft. warehouse for Demilta Iron & Metal, 3911 Ben Hur Ave., Willoughby, OH 44094 with the stipulation that a landscape plan is submitted with the changes stated above and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

Demilta Iron & Metal

3911 Ben Hur Ave.

(Rep.- Jim Hounshell, Evolution Construction Svcs. &
Mr. Frank Demilta, Owner)

Conditional Use Permit

(storage of precious metals)

Mr. Hounshell of Evolution Construction Services and Mr. Frank Demilta are representing the application for the Conditional Use Permit (CUP) for Demilta Iron & Metal, 3911 Ben Hur Ave., Willoughby, OH 44094.

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Chairman Norris said he assumes there will not be any outdoor storage. Mr. Kary suggested this building is solely used for storage and that may be the only condition that will apply.

Mr. Cook moved to approve the Conditional Use Permit (CUP) for Demilta Iron & Metal, 3911 Ben Hur Ave., Willoughby, OH 44094 with the following conditions: This building is used solely for storage and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

Willoughby House Inn & Julia's
37819 Euclid Ave.
(Rep.- Mike Neundorfer-VGM LLC)

**Development Plan/EAS#6-4-23
Bed & Breakfast/Public restaurant**

Mr. Neundorfer of VGM LLC is representing the application for a Development Plan/EAS#6-4-23 for The Willoughby House Inn & Julia's 37819 Euclid Ave., Willoughby, OH 44094 for a bed and breakfast and public restaurant.

Mr. Kary addressed the EAS. Traffic: no concerns, Police and Fire Departments: no concerns, Stormwater: no concerns because building was existing. The only storm water concern was the new or refurbished parking areas or impervious surfaces; hopefully they are taking into consideration neighboring properties, Noise, water, air pollution: no concerns because building will operate as before, Hazardous waste: no concerns, No impact on schools. The timeline of the project: Completed by December, 2023.

Mr. Neundorfer referred to the comment in regard to the impervious surfaces and said they show a plan to grade the parking area into the existing bio swale on the north side of the three parking spaces. They will keep the storm water on their property.

Mr. Kary asked if they have an agreement with the owners of the office property located at 38741 Euclid Ave. to use their parking lot and Mr. Neundorfer said yes, they have a lease with that property owner to use their parking. Mr. Kary said they show the board-on board fence that includes arborvitaes between their property and the Jordon Drive properties. Mr. Neundorfer said that is correct and the plantings will be along The Willoughby House Inn's side of the fence. Mr. Kary asked Mr. Neundorfer to state for the record that if there are any future issues with water on the Jordan Drive properties that he will agree to amend them, and Mr. Neundorfer agreed. He said as designed the parking area is coming back at 2% onto their property and they intend to handle it with the bio swale and release it.

Mr. Kary asked if there will be any lighting in the parking area. Mr. Neundorfer said they are working through that, but they are not showing post lights. The current plan is indirect landscape lighting; path lighting and up and down lighting of the trees. He said they will come back if the plan changes. Mr. Kary asked Mr. Neundorfer to

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commit to remedy any future lighting issues with the adjacent neighboring properties within reason and Mr. Neundorfer agreed.

Chairman Norris asked how many rooms are in the carriage house. Mr. Neundorfer said three suites in the carriage house and seven suites in the main house. There was discussion regarding the two ADA parking spaces that serve the main house. These spaces are closest to the elevator for the main house. It was determined the carriage house is not ADA compliant, but the board asked if he could add a third spot for the main house and Mr. Neundorfer agreed.

Mr. Wildermuth asked if he has a cross access easement with the neighboring property for his parking lease. Mr. Neundorfer said it is in process and will be put in place. Chairman Norris asked Mr. Puskas if there is enough parking for the ten units and Mr. Puskas said yes. Mr. Kary asked about the public restaurant and Chairman Norris asked how many seats were in the restaurant. Mr. Neundorfer said 55-60 seats.

Mr. Capelle asked how pedestrians would access the property from the sidewalk if they were not driving. Mr. Neundorfer said there is an existing sidewalk that was added by the previous business but was going to be removed but Mr. Capelle made a good point. Mr. Wildermuth said there is bus service as well and this sidewalk should be required to remain, and Mr. Neundorfer agreed. He asked if there is a materials requirement. They could pave it when they do the driveway.

Chairman Norris said there are no comments from the zoning department regarding the number of seats in the restaurant and will assume there is no issue. He has gone before the Design Review board for the fence and sign and was approved.

Chairman Norris reiterated they would add one additional ADA spot for the main house or the carriage house, whatever makes sense for them. The carriage house is not part of the development plan.

Mr. Kary moved to approve a Development Plan/EAS#6-4-23, The Willoughby House Inn & Julia's 37819 Euclid Ave., Willoughby, OH 44094 for a bed and breakfast and public restaurant as submitted but with the stipulation that the walkway from the public sidewalk remain or a new one shall be installed from the existing right-of-way to the business 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

Willoughby House Inn & Julia's
37819 Euclid Ave.
(Rep.- Mike Neundorfer -VGM LLC)

**Conditional Use Permit
Bed & Breakfast**

Mr. Neundorfer of VGM LLC is representing the application for a Conditional Use Permit for a bed and breakfast for The Willoughby House Inn & Julia's 37819 Euclid Ave., Willoughby, OH 44094 for a bed and breakfast.

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Chairman Norris asked if the bed and breakfast going to generate trash that needs to be taken outdoors. Mr. Neundorfer said they have a fenced and gated refuge area. It is shown on the main plan between the existing garage of 37841 Euclid Ave. and the main house. He said there will be no music played during breakfast. There is no exterior patio area proposed at this time for the bed and breakfast or the public restaurant. The hours of operation for the bed portion are 24 hours,7 days a week. Breakfast is from 5:00 a.m. until noon and is only for guests. Guests will have the option to have a continental breakfast in their room or have breakfast in the dining room area.

Mr. Wildermuth moved to approve a Conditional Use Permit for a bed and breakfast for The Willoughby House Inn & Julia's, 37819 Euclid Ave., Willoughby, OH 44094 with the following conditions: 1) Hours of operation for the bed portion are 24 hours,7 days a week. Breakfast is from 5:00 a.m. until noon, 2) The dumpster must be gated, enclosed/screened and Mr. Cook seconded.

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

Motion Carried: APPROVED

Willoughby House Inn & Julia's
37819 Euclid Ave.
(Rep.- Mike Neundorfer-VGM LLC)

Similar Use Permit
Public restaurant

Mr. Neundorfer of VGM LLC is representing the application for a Similar Use Permit for a public restaurant for The Willoughby House Inn & Julia's 37819 Euclid Ave., Willoughby, OH 44094 for a public restaurant.

Mr. Puskas said what the similar use is alluding to is that there will be food served for the bed and breakfast but there will also be a restaurant open to the public that is associated with the bed and breakfast. He said conditions can also be added for a Similar Use Permit.

Mr. Neundorfer said the hours for the public restaurant will be from noon until midnight seven days a week. The dumpster is gated, fenced/screened.

There is no plan for outdoor dining, music, or exterior lighting other than what was discussed earlier. Chairman Norris asked if there will be any outdoor maintenance such as power washing and Mr. Neundorfer said no.

Mr. Capelle moved to approve a Similar Use Permit for a public restaurant for The Willoughby House Inn & Julia's, 37819 Euclid Ave., Willoughby, OH 44094 with the following conditions: 1) Hours of operation for the public restaurant are 7 days a week from noon until midnight, 2) The dumpster must be gated, enclosed/screened and Mr. Cook seconded.

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

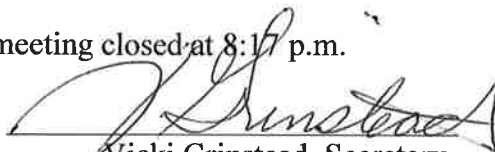
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Motion Carried: APPROVED

There being no further business the regular meeting closed at 8:17 p.m.



Steve Norris, Chairman



Vicki Grinstead, Secretary