

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JULY 13, 2023
REGULAR MEETING
MINUTES**

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

Chairman Norris called the regular in-person meeting to order at 7:04 p.m.

MINUTES

Regular Meeting Minutes

June 22, 2023

Mr. Cook moved to approve the Planning Commission Regular Meeting Minutes for June 22, 2023 as submitted and Mr. Capelle seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

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**

Mr. Kary moved to permanently table the Development Plan/EAS#17-10-22(b) to construct 16 townhomes on 2.49 acres for the Sommers Development Group, LLC for the property located on Shankland Rd./ PPN#27-A-015-0-00-023-0 & 024-0.

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

Motion Carried: PERMANENTLY TABLED

Townhomes
Shankland/PPN#27A0150000230 & 240
(Rep.-Greg Sommers, Sommers Development Group)

**Conditional Use Permit/for
townhomes**

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Mr. Kary moved to permanently table the Conditional Use Permit to construct townhomes on 2.49 acres for the Sommers Development Group, LLC for the property located on Shankland Rd./ PPN#27-A-015-0-00-023-0 & 024-0 and Mr. Cook seconded.

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

Motion Carried: PERMANENTLY TABLED

NEW BUSINESS

Eagle Welding & Fabricating, Inc.
1766 Joseph Lloyd Pkwy.
(Rep.- Mareo Paulic- Owner)

**Conditional Use Permit for
bulk nitrogen tank storage**

Mr. Paulic, owner of Eagle Welding & Fabricating, Inc. is representing the application for a Conditional Use Permit for bulk nitrogen tank storage.

Mr. Paulic said they are installing a 6,000 gallon liquid nitrogen tank. He said the nitrogen improves the quality of the 10,000 watt laser. He said he makes parts for his largest client Caterpillar Forklifts. He said they have a large quantity of trucks on backorder and they have increased their orders and he cannot keep up, so he is reinvesting in a new piece of equipment that runs four times faster than his current equipment. The liquid nitrogen makes the laser run faster and will increase productivity. He may even expand his business to include a full-time and part time second shift.

Chairman Norris asked what the dimensions of the tank are. Mr. Paulic said it is a bit taller than his building but is not exactly sure of the actual dimensions. Mr. Paulic said he chose the 6,000 ga. tank over the 3,000 ga. tank in case he does acquire another piece of equipment in the future.

Mr. Kary said the board should include the four stipulations stated in the memo from Fire Marshal Kocab dated June 8, 2023 (Exhibit "A") in the Conditional Use Permit. Mr. Paulic said he is following these guidelines already and has the memo from the Fire Marshal. A fence will be installed around the tank which will be locked. Bollards and the concrete pad are already installed.

Chairman Norris asked what the procedure is for filling the tank. Mr. Paulic said the tanker comes in the evening around midnight, hooks up to the tank, fills the tank and leaves. Mr. Puskas said there are no time constraints as to when they can fill their tanks in this district. Mr. Paulic said they have underground piping that is already installed. Mr. Kary said this is far away from any residential districts and will not cause any noise issues.

Mr. Cook moved to approve a Conditional Use Permit for bulk nitrogen tank storage with the following conditions: Per Fire Marshal Kocab's memo dated June 8, 2023 (Exhibit "A") 1) Plans shall meet the intent of the Ohio Fire Code Rule 53 Compressed Gases and inspected by a representative of the Willoughby Fire Dept., 2) Stationary

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tanks shall be marked with the name of the gas visible from any direction of approach, 3) Piping shall be marked with contents name and direction of flow, 4) A final occupancy inspection shall be conducted by the Willoughby Fire Dept. All inspections and testing are to be scheduled a minimum of two (2) working days in advance for Eagle Welding & Fabricating, Inc., 1766 Joseph Lloyd Pkwy., Willoughby, OH 44094 and Mr. Kary seconded.

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

Motion Carried: APPROVED

Discussion

Sheetz, Inc.
Vine St. & St. Clair
(Rep.- Bruce Rinker, Esq., Mansour & Gavin LPA)

**Rezone from Limited Industrial to
General Business for PPN#:**
27-A-027-D-00-021-0
27-A-027-D-00-020-0
27-A-027-D-00-019-0
27-A-027-D-00-018-0
27-A-027-D-00-017-0
27-A-027-D-00-016-0
27-A-027-D-00-015-0
27-A-027-A-00-003-0
27-A-027-A-00-004-0
27-A-027-A-00-005-0
27-A-027-A-00-006-0
27-A-027-A-00-007-0
27-A-027-A-00-008-0
27-A-027-A-00-009-0

Mr. Bruce Rinker, Esq. of Mansour & Gavin LPA, 1001 Lakeside Ave., Cleveland, OH 44114 is representing the discussion for the rezoning from Limited Industrial to General Business for Sheetz, Inc.

Mr. Rinker said he brought some associates from Sheetz with him if the board had questions he could not answer. He presented the board with a Conceptual Plan (in record 7-13-23). He said there are already two Sheetz facilities in Willoughby. This Sheetz is proposed to be at Rt. 2 and Vine St. St. Clair houses an R-60 residential area and on the zone map across the street and on the south side there is General Business. These parcels, once consolidated, will all add up to over 5.5 acres for the Sheetz site. Sheetz is proposing to construct a convenience store with drive thru service, a single wing canopy with 6 gas pumps, and a car wash. He said because of the triangulation of the property the east portion is not proposed to be developed at this time but may be utilized for future development. They want on the record that they do not want to be bound to the 5.5 acres for the one single use but unsure what use would be allowable on the site. He said the proposed use will yield 55% of green space. On the west margin (across from St. Clair) they are proposing a curb cut that will be full service but the depth there is approximately 15' between edge of parking lot and street. When Sheetz is constructed, the proposal is to have approximately 77'.

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They added a green dark rectangle on the exhibit to show potential mounding. The order point is on the south side near the railroad tracks; there are no speakers, just a touch pad. The site is designed to be compatible with the residential neighborhood. The car wash will be on the east side of the building. They acknowledge the car wash, outdoor dining and drive through will require conditional use permits. They anticipate three dozen jobs between full and part-time positions. They have forty-seven parking spaces and believes this meets the city's code. They have not yet submitted a traffic study but want to capture existing traffic. They have designed a thinner sleeker canopy than the other two current Sheetz facilities. The materials for the site will all be coordinated.

Chairman Norris let the Sheetz applicant's know that Mr. Wildermuth, the boards architect, is not present this evening and will be chairing the next two meetings in his absence.

Chairman Norris has reviewed the zoning map and noted the different zoning areas and this may be considered spot zoning but nearby is some Limited Industrial as well. Mr. Rinker explained the curb cuts and cutting the median to allow left hand turns on Vine St. if allowed by ODOT.

Mr. Capelle said the cities of Willoughby, Willowick, Eastlake, and Lake Tran have been through a very extensive study of the Vine Street corridor which has taken many years and cost a great deal of money and now a draft report has been issued. This report discusses road diets and what the zoning should be along this corridor and is curious if this plan aligns with planning efforts to make Vine St. a cohesive street through all three cities. It also talks about road widths, median locations, and a gateway to downtown Willoughby.

Mr. Capelle has a copy of this study and Mr. Rinker would like to see a copy of this report. Mr. Capelle said the study stipulates what the street scape should be, sidewalk materials, types of trees, street frontage requirements etc. and wants to be sure this would be consistent with what this study requires. Mr. Kary agreed with Mr. Capelle and said the study needs to be looked at intensely before the board makes any decisions on this project. He said he has a bit of empathy for a service station that just invested quite a bit of money to renovate their site one block from where they are proposing to construct this Sheetz and understands competition is good but it can also put another company out of business. Mr. Rinker said that is not their intention but they look at these sites to see if they will support the business. He believes, when all is said and done, the investment in the site will be north of eight million dollars.

Chairman Norris noted for the applicants that as part of the city's code there is a public art code requirement or fund. There is a significant amount of green space which could be utilized to serve as a "gateway" into downtown Willoughby. He gave an example of Citizens Bank donating land for public art. He said if they could envision something in the green space area this may help but they would have to contribute to the fund regardless. He said there is an art committee they could work with separately from this board.

Mr. Kary asked what will happen with the potpourri of items, such as vehicles etc., that are currently on the site. Mr. Rinker said they have to be removed. He said he understands they are looking to relocate their business.

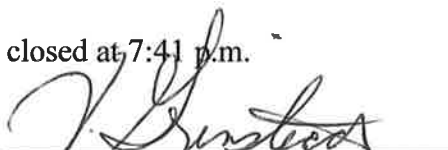
Mr. Kary said they may want to meet with the Mayor regarding the Vine Street Corridor report. Chairman Norris said he would like them to explain how they will follow or deviate from this plan and why, when they come back before the board. Mr. Kary said City Council and the administration have recently felt discomfort with rezoning so many parcels so quickly. He is not speaking for or against this project, but there are so many other locations

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where this project will fit into General Business. They are trying to encourage developers to use the zoning that is already in place.

There being no further business the regular meeting closed at 7:41 p.m.


Steve Nonis, Chairman


Vicki Grinstead, Secretary