

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
MAY 13, 2021  
PUBLIC HEARING  
MINUTES**

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

**Chairman Norris called the virtual Zoom public hearing to order at 7:09 p.m.**

Chairman Norris explained the nature of the Public Hearings. He asked that comments be limited to three minutes unless they represent a group or have a petition and need additional time. If items are brought up by a previous speaker that they not be repeated. The legal notice was read into record for a Conditional Use Permit (CUP) for Browning Place Apartments, 38032 Brown Ave., Willoughby, OH 44094 by Mrs. Grinstead.

Chairman Norris asked if there was anyone that would like to speak in favor of the proposal.

Chairman Norris read letters in favor of this Conditional Use Permit that are in record as Exhibits 1-6. The following are the names and addresses:

<b>Exhibit</b>	<b>Residents Name</b>	<b>Address</b>
1	Concerned Citizen	None
2	Margaret Lann, Cleveland Restoration Society	3751 Prospect Ave., Cleveland, OH 44115
3	Laura Morrison	Union St. (no st. no.)
4	Patricia Lewis	4620 Sherwin Rd.
5	Philip Garbo	29119 Anderson Rd., Wickliffe, OH
6	Paul Korst	38038 Barber Ave.

**Greg Patt**  
 38005 Brown Ave.  
 Willoughby, OH 44094

Mr. Patt has lived directly across from Browning for over 35 years and loves the walkability of the neighborhood. He believes young professionals and baby boomers will be the renters in this apartment complex. He would like to live in these apartments and be a snowbird in the winter months. He said Browning was there before the neighborhood was built. He asked that they keep Browning because it cannot be replaced.

**Maureen Gregory**  
 38227 Wilson Ave.  
 Willoughby, OH 44094

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Ms. Gregory said she is in favor of the proposed project. She owns a home in the Browning neighbor and is ready to leave her home and transition to apartment living. There are no quality apartments that would allow a senior to stay in the Browning neighborhood and continue to enjoy neighbors and friends as well as the various amenities.

**Mark Gerber**  
4176 Clark Ave.  
Willoughby, OH 44094

Mr. Gerber said Willoughby and Lake County is at risk of losing historic structures and historic character, and believes Browning adds to the historic nature of Willoughby. He supports saving Browning.

**Paul Korst**  
38038 Barber Ave.  
Willoughby, OH 44094

Mr. Korst said he did send a letter to Planning Commission (Exhibit 6). He agrees with Mr. Patt that Browning brings character to the neighborhood no matter what it is used for. He understands neighbor concerns but does not believe twenty-six new high-end apartments will change the risk to the city and have a negative impact. He said our property values continue to increase even with all the other apartments within the city. He would like the building to remain and be the familiar background to their neighborhood. He believes the congestion will be much less then it has in the past.

**Dal Jaffray, Browning Willoughby LLC**  
35 Church St.  
Hudson, OH 44236

Mr. Jaffray said he did a lot of research in the area, but a lot of records were destroyed in the fire. He spoke to many residents who have fond memories of the Browning School building that cannot be replaced.

**Larry Perme**  
4627 Highland Dr.  
Willoughby, OH 44094

Mr. Perme is in favor of this proposal. He said he worked with Mr. Dave Knott who restored their home when a lot of people thought it should have been torn down. He did quality work and was aware of what they wanted and has high standards. He believes the people that would rent these apartments want to share the same neighborhood amenities as the homeowners.

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Chairman Norris read letters in opposition of this Conditional Use Permit that are in record as Exhibits A-RRRRRR. The following are the names and addresses:

<b>Exhibit</b>	<b>Residents Name</b>	<b>Address</b>
A	Janice Bleckhert	None
B	Wendy Vittori	4704 Glenwood Ave.
C	Karen Salamone	None
D	Dolores Black	37946 Browning Ave.
E	Mark Mansell	Glenwood Ave. (no st. no.)
F	Mayaelena Jurgenson	None
G	Rececca Werman	4680 Glenwood Ave.
H	Beth Brogan	None
I	Mary Bajorek	38013 Brown Ave.
J	John Tigie, Jr.	4830 Highland Dr.
K	John Tigie, Jr.	4830 Highland Dr.
L	Karen Salamone	4679 Wood St.
M	John Tigie, Jr.	4830 Highland Dr.
N	Beth Brogan	None
O	Mike McCarthy	37920 Barber Ave.
P	Adam Marcia	Wood St.
Q	No name, just email address	<a href="mailto:nanacarolg49@gmail.com">nanacarolg49@gmail.com</a>
R	James Peoples	4620 Wood St.
S	Ellen Peoples	4620 Wood St.
T	June Williams-Webb	4566 Wood St.
U	Mary Bajorek	38013 Brown Ave.
V	Jack McLaughlin	None
W	Autumn Petraus	Roselawn St. (no street no.)
X	Ted Brink	Wright St. (no street no.)
Y	Patrick McLaughlin	4462 Center St.
Z	Robin Brunkala	4428 Center St.
AA	Joanne Junia	None
BB	Tim Mocz	4827 Waldamere Ave.
CC	Brian Clark	4614 Highland Dr.
DD	Rebecca Spudich	Glenwood Ave. (no st. no.)
EE	Debra Farrell Jenne	None
FF	Rick Stacy	37811 Brown Ave.
GG	Sharon Augustitus	37930 Barber Ave.
HH	Skipped	N/A
II	Melanie DeVan Clark	None
JJ	Stacey Langal	4707 Wood St.

KK	Sean McCafferty	38277 Roselawn St.
LL	Scott Gregory	4894 Oakdale Ave.
MM	Bob Turk	37433 Arlington Dr.
NN	Lisa Bencina	Roselawn St. (no street no.)
OO	Sue Mackovjak	None
PP	Kyle Fleming Baker	None
QQ	Scott Gregory	None
RR	Dean and Madelyn Hollingsworth	37818 Brown Ave.
SS	Bobbie Hollingsworth	4840 Glenwood Ave.
TT	Linda and Sam Patrizi	Waldamere Ave. (no st. no.)
UU	Wade Mitchell	4814 Glenwood Ave.
VV	Judy Welker	4628 Waldamere Ave.
WW	John Tigue, Jr.	4830 Highland Dr.
XX	Terry & Claudette Clucas	4608 Highland Dr.
YY	Janna French	Hastings Ave. (no st. no.)
ZZ	Keith McBrayer	None
AAA	Linda Stapleton	Center St. (no st. no.)
BBB	Margelaine Rye	4784 Highland Dr.
CCC	Gina Fiorello	Highland Dr. (no st. no.)
DDD	Sandy Cannon	38014 Wright St.
EEE	June Webb	4566 Wood St.
FFF	Michaela McLaughlin & Nick Gaeta	None
GGG	Karen Eichler	4815 Waldamere Ave.
HHH	Ellen Mastrangelo	37431 Ridge Rd.
III	Ellen Brezic	Highland Dr. (no st. no.)
JJJ	Patrick Sandrey	Waldamere Ave. (no st. no.)
KKK	Susan Podrasky	None
LLL	Jeff & Karen Egan	4803 Waldamere Ave.
MMM	Kelli Breedlove	None
NNN	Elizabeth Sellers	None
OOO	Janna French	Hastings Ave. (no st. no.)
PPP	Gail Ross	Barber Ave. (no st. no.)
QQQ	Kelsey Fahey	Harlow Dr. (no st. no.)
RRR	Scott & Christina Garman	4764 Glenwood Ave.
SSS	Rick & Meg Radtke	Ridge Rd. (no st. no.)
TTT	John Spetrino	None
UUU	Jeff & Cyndi Oviatt	4657 Waldamere Ave.
VVV	William Palmer	4710 Waldamere Ave.
WWW	Nancy Coyne	None
XXX	Wendy Luciano	None
YYY	G. Raffaele	None
ZZZ	Sue Waite	4659 Maple St.
AAAA	Brittany Weisbarth	None
BBBB	Jim & Laurie Donnelly	Waldamere Ave.(no st. no.)
CCCC	Kathy Martin	None

DDDD	Matt Lambo	None (Ridge Acres)
EEEE	Beth & Mark Bumpus	4843 Waldamere Ave.
FFFF	Marieann Forcus	None
GGGG	Kristin Preyss	4543 Center St.
HHHH	Alison Flynt	Wilson Ave. (no st. no.)
IIII	Susie Minor	None
JJJJ	Kathleen Caputo	4859 Crestwood Ave.
KKKK	Samantha Jo Jeffries	4775 Glenwood Ave.
LLLL	Janice M. Engle	37949 Brown Ave.
MMMM	Tracy Stapleton	None
NNNN	Tisha Mann	None
OOOO	Sarah Timms	None
PPPP	Jo Giroux	None
QQQQ	Dan Barnoski	None
RRRR-1	Jaclyn Martin	None (Ridge Acres)
RRRR-2	Sharyn Schmidt	None
SSSS	Sally Lehmann	4788 Wood St.
TTTT	Michael Lehmann	4788 Wood St.
UUUU	Linda Glasser	4550 Center St.
VVVV	Donna Yohe	34259 Beacon Dr.
WWWW	Peter Maurath	None
XXXX	Lauren Vittori	None
YYYY	Mrs. Craig	Glenwood Ave. (no st. no.)
ZZZZ	Jacqui Bundy/Spetrino	None
AAAAA	Sue & Ron Slosar	None
BBBBB	Linda Stapleton	Center St. (no st. no.)
CCCCC	Linda Ross	37819 Brown Ave.
DDDDD	Mark & Amy McNamara	None
EEEEE	Ron Jackson	None
FFFFF-1	Lisa Mayernik	4895 Glenwood Ave.
FFFFF-2	Shawn Mayernik	4895 Glenwood Ave.
GGGGG	Eric Egan	4740 Eldo St.
HHHHH	Patricia Shuler	37554 Jordan Dr.
IIIII	Jeffrey Black	4753 Waldamere Ave.
JJJJJ	Daniel Anderson, Councilman	None
KKKKK	Dolores Black	37946 Brown Ave.
LLLLL	Emily Casane	4734 Waldamere Ave.
MMMMM	Holgar Stapleton	Center St. (no st. no.)
NNNNN	Aric Camp	None
OOOOO	Linda McKay	Center St. (no st. no.)
PPPPP	Nancy Zone	37937 Barber Ave.
QQQQQ	Patricia Border	4730 Highland Dr.
RRRRR	Robert & Nancy Lagucki	None
SSSSS	Colleen Miracle	Waldamere Ave.(no st. no.)
TTTTT	Mark Mansell	Glenwood Ave. (no st. no.)

UUUUU	Kevin & Christine Zaletel	4882 Oakdale Ave.
VVVVV	Ben Speros	5297 Strawberry Lane
WWWWW	Paula Jackson	None
XXXXX	The Ritzu Families	None
YYYYY	Karly Coppola	None
ZZZZZ	Jennifer & John Harvey	4791 Waldamere Ave.
AAAAAA	Bob Campbell	None
BBBBBB	Kim Border	4730 Highland Dr.
CCCCCC	Susan Haffey	37609 Ridge Rd.
DDDDDD	Chad & Nikki Conell	None
EEEEEE	Andrea Tavano	None
FFFFFF	David Thielo	Summit St. (no st. no.)
GGGGGG	Bob & Nancy Martin	4894 Glenwood Ave.
HHHHHH	Beth Brinton & Mark Orlando	38325 Ridge Rd.
IIIIII	Donald & Helen Johnson	4956 Waldamere Ave.
JJJJJ	Barb Connell	None
KKKKKK	James Berndt	37603 Jordan Dr.
LLLLLL	Beth & David Farrington	4813 Glenwood Dr.
MMMMMM	Matt & Carolyn Bendula	4668 Glenwood Ave.
NNNNNN	Elizabeth & Mathew Mocz	None
OOOOOO	Sue Barber	4629 Center St.
PPPPPP	Thomas Myernik, Esq.	4763 Glenwood Dr.
QQQQQQ	Benjamin & Nancy Vance	None
RRRRRR	Olivia & Benny Hinkle	4669 Waldamere Ave.

There is also a letter in opposition from the city administration, Mayor Fiala, One Public Square, Willoughby, OH 44094 (Exhibit Admin. 5-10 -21).

Chairman Norris asked if there was anyone that would like to speak in opposition.

**Joe Palmer**  
4482 Center St.  
Willoughby, OH 44094

Mr. Palmer read from (Exhibit “SSSSSS” sent via email and in record 5-17-21) at the meeting.

**Aaron Kowaleski**  
4683 Waldamere Ave.  
Willoughby, OH 44094

Mr. Kowalski said the multiple signs and 149 letters are proof the citizens of Ward 5 do not want any more apartments. He said condos, homes or a senior facility would be preferable.

**John Tigue, Jr.**  
4830 Highland Dr.  
Willoughby, OH 44094

Mr. Tigue said he would like the Planning Commission to consider, if this Conditional Permit is approved, guidelines that can be established as part of that condition since a conditional use is a privilege not a right.

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**Andrea Tavano**  
4860 Highland Dr.  
Willoughby, OH 44094

Ms. Tavano said she sent in a letter in opposition (Exhibit “EEEEEE”). She stated, respectfully, she does not believe some of the information stated by Mr. Knott in a previous meeting is true. She said they state this is for young professionals and baby boomers but there are no amenities offered here because there is no room. Also, she does not think there is enough parking. She would prefer homes instead of apartments.

**Scott Gregory**  
4894 Oakdale Ave.  
Willoughby, OH 44094

Mr. Gregory said the city has designated areas for apartments (R-MF-L) and apartments do not belong in an R-60 district. He read from his letter submitted to the Planning Commission. (Exhibit “LL”).

**Lawrence Vittori**  
4704 Glenwood Ave.  
Willoughby, OH 44094

Mr. Vittori said his family urges the Planning Commission to reject this project. He said on the Building Departments zoning map Browning is outside the boundaries of both the current national registered district and the local landmark district; on that basis it does not meet the criteria as historic. The city has demolished other older buildings such as the Lincoln School, the Mary Clark building, and the property next to city hall with a plaque.

**Dan Anderson, Councilman**  
4830 Willoughcroft Rd.  
Willoughby, OH 44094

Mr. Anderson said he sent a letter as a Councilman (Exhibit “JJJJ”). He said, as a resident, he is against the CUP. He said Mr. Palmer said it best and his is the same reasoning behind his opposition.

**Gia Raffaele**  
4955 Waldamere Ave.  
Willoughby, OH 44094

Ms. Raffaele said the people for this project did not state any hard facts, only nostalgia. She referred to the city’s comprehensive plan (Page 14) and says the intent of the city is to reduce the number of multi-family dwellings.

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**Jim Barber**  
37639 Harlow Dr.  
Willoughby, OH 44094

Mr. Barber said he agrees with all the opposition stated by previous residents. He believes these apartments may drive the established residents out of this community.

**Wendy Vittori**  
4704 Glenwood Ave.  
Willoughby, OH 44094

Ms. Vittori said the investors are inserting a commercial business into their residential community. The developer said they will be investing three million dollars into the building and corporation, and per their estimates, will be returning approximately \$30,000 a month. Appraisers and lenders consider apartment buildings to be a commercial investment since they are sold strictly for their ability to produce income.

**Mayor Bob Fiala**  
One Public Square  
Willoughby, OH 44094

Mayor Fiala said the Planning Commission has received three pieces of information from the administration; one being the Staff Report, a memo (Exhibit "Admin 3-22-21") and a memo (Exhibit "Admin 5-10-21"). The May 10, 2021 memo is especially important because the retained an expert in historic preservation, Berardi Associates. In this memo it states the building is not historic by right and is outside the district. It only meets one criteria for historic preservation. It also includes that the top rent in Willoughby is \$1.70 a sq. ft. and \$2 sq. ft. is not sustainable, especially with the lack of amenities. He spoke with the Director of the Lake County History Center Amy Kapostasy that stated there may be an issues with the submission from the developer. The owner of the building did not apply for the designation; secondly the exhibit included in the submission has been altered from the original exhibit delivered to the development team. He said Ms. Kapostasy indicated she is working toward rescinding the historic marker. He urges the Commission to vote no.

**Kristen Preyss**  
5453 Center St.  
Willoughby, OH 44094

Ms. Preyss said she is a new homeowner and has lived in Tremont etc. and her concern is traffic and street parking. She feels this parking will spill onto the surrounding streets as well.

**Lynne Killgore**  
37639 Arlington Dr.  
Willoughby, OH 44094



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Ms. Killgore said she agrees with the previous testimonies against the project and wants to reiterate they are against these apartments.

**Melanie Clark**  
4614 Highland Dr.  
Willoughby, OH 44094

Mrs. Clark said she is against the apartments. She said if the building is historic why didn't the school or city do something to save it a long time ago. She does not want apartments and believes it will decrease home values in the area. It will set a precedent to put apartments when they should not be.

**Dean Ward**  
4934 Waldamere Ave.  
Willoughby, OH 44094

Mr. Ward asked if Mr. Jaffray would speak to Mayor Fiala's comments. Chairman Norris reminded the audience they are to speak to the Planning Commission members, not the applicants.

**Krista Garman**  
4764 Glenwood Ave.  
Willoughby, OH 44094

Ms. Garman thanked the Planning Commission for their help on this issue. Her family prefers not to have apartments in their neighborhood and are happy with single family housing.

**Linda Ross**  
37819 Brown Ave.  
Willoughby, OH 44094

Ms. Ross said she is disturbed by Mayor Fiala's comments and the way this organization may conduct their business should be a red flag. She believes a no vote would show respect for their community.

Chairman Norris asked if there was anyone else that would like to speak in opposition (x3) and there was no one.

Chairman Norris asked if there was anyone else who wished to speak in favor in rebuttal.

**Greg Patt**  
38005 Brown Ave.  
Willoughby, OH 44094

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Mr. Patt said he would like to correct a few comments made during the public portion. The need for no more apartments. The City itself commissioned a marketing study last year that stated within a ten-mile drive of Willoughby there can be an additional 970 apartments because the demand for Willoughby is so high. He said within this neighborhood there are currently eight apartment buildings in existence for a long time without any issues. He said as far as the letter submitted, he was acting as their agent and has since removed his name from the letter because it was not him, they were responding too, it was the corporation. He said the four partners gave him written authorization to speak on their behalf.

**Dal Jaffray, Browning Willoughby LLC**  
35 Church St.  
Hudson, OH

Mr. Jaffray has the letter Mr. Patt referred to dated March 3, 2021, that he was duly authorized to speak on behalf of Browning Willoughby LLC. He was authorized to sign all documents related to the Browning Apartment project. He said they did not become aware of this issue until 5:00 p.m. this evening and have had no time to clarify these items. Mr. Patt was dealing with a Vicki Robb. He went through all the resident emails and there were items that were not correct. He said, for example, the HVAC noise. He said there are currently twenty-one window units in the building, a 20-ton unit in the courtyard, a large exhaust fan in the gymnasium, and a 10-ton unit on the roof. He said these will all be replaced by twenty-six self-contained 1 ½-2 ½ ton units and a 7 ½ ton unit on the roof. He said the engineers told him the noise level will go down. He said as far as parking they are following the city code and have more spaces than what is required. They are also creating a green space between the home they are constructing and the parking lot. He said their plan "B" is to tear the building down and construct ten homes, similar to tract housing.

Chairman Norris explained to the public that the Planning Commission will not talk about Section 8 housing. Legally it is inappropriate to restrict housing from people from certain social economic status's or ethnicities. They will not discuss the housing choice voucher system and whether they would be allowed to restrict it, which they are not capable of doing.

Chairman Norris asked if there was anyone else who wished to speak in favor in rebuttal (x3) and there was no one.

Chairman Norris asked if there was anyone who wished to speak in opposition in rebuttal.

**Joe Palmer**  
4482 Center St.  
Willoughby, OH 44094

Mr. Palmer said one of the criteria the Commission needs to consider is the impact to the neighborhood and would it be detrimental to property values. He was a former apartment owner and understands what vacancies do to marketing etc. He referred to Pine Ridge Apartments which started out as a high-end apartment complex, but today sits as an expensive property for the city to police, not because of any ethnicity, cultural

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or economic disadvantage, but because vacancies are high, and with vacancies come trouble. He believes the criteria of future economic viability is important for the Board to consider.

**Kristen Preyss**  
5453 Center St.  
Willoughby, OH 44094

Ms. Preyss said she did not hear it noted and asked whether the Board received a petition from the community in addition to the letters. Chairman Norris said yes.

**Karen Egan**  
4803 Waldamere Ave.  
Willoughby, OH 44094

Ms. Egan asked if Mr. Patt is on the Planning Commission and what is his role since, he is not the developer. Chairman Norris introduced the Planning Commission members, the Law Director, City Engineer, the Planning Commission Secretary, the Chief Building Inspector, Mayor Fiala; and some members of Browning Willoughby LLC which are Dal Jaffray and Greg Patt. Mr. Patt is also speaking as a private citizen.

**Mayor Bob Fiala**  
One Public Square  
Willoughby, OH 44094

Mayor Fiala said as a point of order the only items that can be discussed in rebuttal in what the applicants spoke of in rebuttal and another discussion cannot be started. Law Director Lucas said that is correct, the sir rebuttal is limited to what has been presented in the rebuttal. Mayor Fiala said they mentioned the 970 apartments over ten years, but it does not say rental residential, it just says residential. He would interpret it to mean single family homes or rental units. Secondly, whoever signed the document and whether they were agents of the owner, the question remains, why was the document submitted to the Planning Commission for review different or altered from the original document submitted by the Lake Historical Society.

**John Tigue, Jr.**  
4830 Highland Dr.  
Willoughby, OH 44094

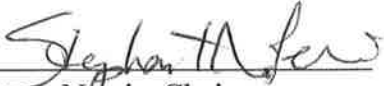
Mr. Tigue said his comment is regarding Mr. Jaffray's statement about exceeding the parking requirements. This is a Conditional Use Permit, not just a regular development. In this case if there are circumstances that indicate reasons to have additional parking, then those items can be addressed under the Conditional Use Permit. He urges the Commission to look carefully at what parking should be imposed for these units if this proposal is approved.

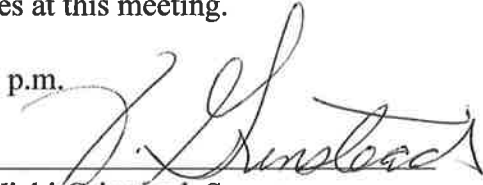
Chairman Norris asked if there was anyone else who wished to speak in opposition in rebuttal (x3) and there was no one.

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Chairman Norris thanked the public who was in attendance for this project. He appreciated the respectfulness and the depth of knowledge brought forth by both sides at this meeting.

Chairman Norris closed the public hearing for at 9:17 p.m.

  
\_\_\_\_\_  
Steve Norris, Chairman

  
\_\_\_\_\_  
Vicki Grinstead, Secretary