

**PLANNING COMMISSION
CITY OF WILLOUGHBY
AUGUST 25, 2022
PUBLIC HEARING
MINUTES**

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

Chairman Norris called the public hearing to order at 7:01 p.m.

Chairman Norris said DACMM has asked to remain tabled. Barroco/Hola tacos has asked to have their application withdrawn from the agenda.

City of Willoughby
Oakridge Dr.
(Rep.- Stephanie Landgraf, Asst. Law Director)
Rezone 3.90 acres from R-MF-L
to R-60 for PPN#27A0050000080

The legal notice was read into record by Mrs. Grinstead. Chairman Norris asked if anyone wished to speak in favor of this proposal.

Ms. Landgraf is speaking in favor of this proposal on the City's behalf. Ms. Landgraf said this is property that is owned by the City of Willoughby and is subject to a potential purchase by six property owners that abut the property. The city does not have access to maintain this property so the sale will absolve the city of having to maintain it. The potential purchasers have asked for it to be rezoned from R-M-LR to R-60 because their intent is to split it off and adjoin it with their properties which are zoned R-60. There is currently no purchase agreement signed. Mr. Wildermuth asked if this is a land locked piece of property with no access and Ms. Landgraf confirmed it is.

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

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

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

Mr. Patt said he thinks this rezoning is a good idea and is in favor of it. He wondered how did the city acquire this land locked property.

Jennifer Hoch
5303 Hickory Lane
Willoughby, OH 44094

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Ms. Hoch said she is one of the six people looking to purchase a piece of this property. She is in favor of this rezoning. She said there are nine lots but only six people purchasing. She is purchasing two lots. She said the lot was gifted to the city by Franklyn Commons. It was intended to be a community park, but it was land locked and unable to be developed. She said there are a lot of issues with dead trees etc. and it is hard for the city to maintain it. She said three of the nine did not want to purchase it, so it was offered to the adjoining lots.

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

Chairman Norris read a letter in opposition from Rose Harden, 5407 Oak Ridge Dr., Willoughby, OH 44094 (Exhibit "A"). She said, in part, they will lose control of maintaining the park like environment and enjoyment of the easement. She said the neighbors refused to meet with them to discuss a fair agreement. She said the land was never available for sale, therefore not published by the City of Willoughby for bid.

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

Rose Harden
5407 Oak Ridge Dr.
Willoughby, OH 44094

Mrs. Harden said Mrs. Helm told her they would be voted out by the other neighbors and would not include them in the purchase citing that the Mayor and Mr. Lucas supported their decision. She was also told the city was who divided the property. She emailed Attorney Lucas, and he made it clear that her statement was inaccurate/incorrect. The city has no connection or decision making whatsoever as to the formation and number of property owners included within the group. He also stated that at no point in time did the city place the parcel for sale to the general public. Mrs. Harden said if it is not going to be equally and fairly available to the public then she wants it to remain zoned as is.

Chairman Norris asked if there was anyone else that would like to speak in opposition of this proposal (x3) and there was no one. This public hearing is closed.

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

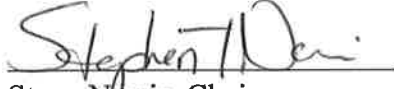
Ms. Landgraf wanted to clarify for the Planning Commission that there is a procedure within the Willoughby Codified Ordinances that authorizes the city to sell surplus real estate without offering it for public bidding. That is what has been utilized in this case and with other property throughout the city. The city had to determine that this property is land locked and inaccessible. Mr. Wildermuth asked if Ms. Landgraf knew what the easement is that is on the property. She said has not seen the easements, but it is possible that the recorded easement runs with the land regardless of who the owner is.


Ms. Hoch said the reason some of the neighbors are doing this is to leave it woods and keep it natural. Most of them do not want to do anything else with it. She is in favor of the rezoning.

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Mr. Patt said why are the owners doing this if they do not intend to do anything with the property. Mr. Wildermuth said they will need to split the land and combine it to their properties and that is the reason for the rezone.

Chairman Norris closed the public hearing for at 7:16 p.m.


Steve Norris, Chairman


Vicki Grinstead, Secretary