

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
AUGUST 25, 2022  
REGULAR MEETING  
MINUTES**

**PRESENT:** K. Kary; M. Wildermuth; J. Cook; J. McCue; 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 regular in-person meeting to order at 7:16 p.m.**

**MINUTES**

**Public Hearing Meeting Minutes**

**August 11, 2022**

Mrs. McCue moved to table the Public Hearing Meeting Minutes for August 11, 2022 because there was an issue with the public hearing meeting minutes being incorrect but will be corrected and resent and Mr. Wildermuth seconded.

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

**Motion Carried:     TABLED**

**Regular Meeting Minutes**

**August 11, 2022**

Mrs. McCue moved to approve the Regular Meeting Minutes for August 11, 2022 as submitted and Mr. Cook seconded.

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

**Motion Carried:     APPROVED**

**OLD BUSINESS**

*This item remains tabled per the applicant's request.*

**Family Dollar**  
38000 Euclid Ave.  
(Rep.- Joe Myers, Myers Architect)

**Development Plan/EAS#4-3-22  
(retail store)**

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*This item remains tabled per the applicant's request.*

**DACMM**

Pelton Rd.  
(Rep.- John Ruple, DACCM & Jeffrey Ruple, Esq.  
Cardenas Ruple & Kurt LLC)

**Rezone from Limited Industrial  
to General Industrial/  
PPN#27B0390000300//EAS#12-6-22**

*This item remains tabled per the applicant's request.*

**Joseph Conti**

38751 Hodgson Rd.

**Rezone/EAS#13-7-22(a)  
PPN#27-B-052-0-00-004  
From Airport District to Residential  
Multi-Family Low Rise for attached  
condominiums**

**NEW BUSINESS**

*Mr. Vergara has asked to have his application withdrawn from the agenda.*

**Barroco/Hola Tacos**

3941 Erie St.  
(Rep.- Juan Vergara, Owner)

**Amendment to CUP**

**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,  
EAS#14-8-22**

Chairman Norris wanted to make clear the commission is only dealing with a rezoning of this property. Ms. Landgraf agreed they are not dealing with a lot split or conditions that happen after the rezone. They are only discussing rezoning the property from R-MF-L to R-60 which was a request of the potential buyers. It is a land locked property. The city has had discussions with these potential buyers to purchase this property but only if the property is rezoned to R-60. This is the same classification as their homes which they intend to split and join to their parcel.

Mr. Kary addressed the EAS. Police and Fire had no concerns in regard to changing of the zoning for this property. WPCC had no concerns. There are not adding any more children to school system for rezone so there are no concerns. No concerns regarding hazardous waste, noise, water, or air pollution.

Chairman Norris said rezoning this allows the residents to purchase this property if the city so desires to go that route and Ms. Landgraf agreed.

Chairman Norris asked Ms. Landgraf to reiterate the process the city would use to offer property for sale. Ms. Landgraf said the ordinance says if the city has property that it deems to be surplus (not needed or necessary) or the potential it had when they acquired it is no longer there, it can be sold. The city as a charter municipality has the authority to offer it for sale without using the public bidding statute. The city has done this several times with other pieces of real estate that it had acquired. If the city chooses to put this property out for bid, anyone in the

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general public could acquire it. This property was not for sale, there were property owners who approached the city asking to acquire it. Mr. Cook asked if other residents could make an offer. Ms. Landgraf said any property owner has the right to approach any potential seller with whatever proposition they have. She does not know how this came to fruition, but she understands that six potential buyers approached the city with an offer.

Mr. Kary said it makes sense, but he does not know how the three property owners to the south were left out, but they have since found about it and are also interested. Mr. Kary said he knows this is about rezoning the property but feels those other neighbors have a right to make an offer with the others, so there is a sense of equality there. He said to exclude those three residents seems unethical. Chairman Norris and Mr. Wildermuth agreed with Mr. Kary's statement. Mr. Wildermuth said the Oak Ridge Estates are all zoned R-60 so there is no split zoning. Mr. Cook said technically the south part of the land it abuts has four property owners; it abuts 5387 5405, 5407 and 5409. He said he is assuming they did not know about this until the legal notice was sent out.

Mr. Cook said the commission does not have a say in this because the city will handle the sale of the property, they are just charged with voting on and recommending to City Council on the rezone portion.

Chairman Norris said rezoning the property from R-MF-L to R-60 could make the property more valuable and could be advantageous to the city. Mr. Kary asked if the board felt it was appropriate to rezone this property to R-60 and the board members agreed it made sense. Mr. Kary would like the Law Department to note he feels all the property owners that abut this lot should be notified and given a chance to purchase a piece of this land. Ms. Landgraf said it is noted but the Law Department cannot force buyers to be included or not, but she can suggest it.

Mrs. McCue wanted to confirm they cannot combine two properties that have different zoning and Ms. Landgraf said you cannot.

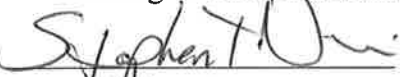
Chairman Norris said he was informed someone on Zoom had their hand up and the commission does not take questions or comments during the public or non-public portions of the regular meeting.

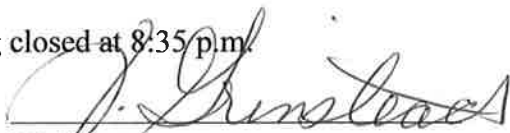
Mr. Kary moved to approve to the rezone of PPN#27A0050000080/Oakridge Dr. from R-MF-L to R-60 and EAS#14-8-22 as submitted for the City of Willoughby, One Public Sq., Willoughby, OH 44094 and Mr. Cook seconded.

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

**Motion Carried:    APPROVED**

There being no further business the regular meeting closed at 8:35 p.m.

  
Steve Norris, Chairman

  
Vicki Grinstead, Secretary