

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
SEPTEMBER 22, 2022  
REGULAR MEETING  
MINUTES**

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

**Chairman Norris called the regular in-person meeting to order at 7:00 p.m.**

**MINUTES**

**Regular Meeting Minutes**

**September 8, 2022**

Mr. Kary moved to approve the Regular Meeting Minutes for September 8, 2022 as submitted and Mrs. McCue seconded.

**ROLL CALL:** Yeas: J. McCue; K. Kary; J. Cook; S. Norris, Chairman  
Absent: M. Wildermuth  
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)**

*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**

**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**

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Mrs. McCue moved untangle the Rezone/EAS #13-7-22(a), 38751 Hodgson Rd./PPN#27-B-052-0-00-004, Willoughby, OH 44094 from Airport District to Residential Multi-Family Low Rise for attached condominiums and Mr. Cook seconded.

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

**Motion Carried:    UNTABLED**

Mr. Conti, 2760 Loreto Dr., Willoughby Hills, OH 44094 and Mike Ross, 4735 Wood St., Willoughby, OH 44094 will be representing this application for a rezoning.

Chairman Norris said the commission did receive the traffic study emailed by the applicant for the proposed residential development (dated 9/20/2022). Chairman Norris asked Mr. Conti if he wished to proceed with four out of the five members present and he said yes.

Mr. Kary said this traffic study is based on the thirty-five units presented and Mr. Conti said that is correct. He inquired as to why this study didn't include the surrounding neighborhoods. He said this is just for his proposal and how it would impact the area. He said a full traffic study takes time and is expensive. He spoke with ODOT, and they do not believe they will not meet any of the nine warrants for a traffic signal. Mr. Kary said Hodgson and Lost Nation Roads meet this warrant already.

Mr. Cook asked if he is doing 50' wide lots and Mr. Conti said yes, the original submission showed 40' or 45' wide lots at the street. He said there will be a maximum of thirty-six homes depending on how it lays out pending an engineering review.

Mr. Keller said this R-50 zoning is allowed within the R-MF-L zoning district. Mr. Kary said on 7.72 acres divided by thirty-five homes it comes out to be .22 acres per residence and some will be more or less. Mr. Conti said his maximum per acre will be approximately 4.5 for thirty-six lots. Mr. Kary wants to be cautious in this area because there have been mistakes made in the past. Mr. Conti said he understands, and he knows the board thinks he is doing a few too many homes and this is why they decided to do the 50' wide lots under the R-MF-L.

Mr. Conti said he spoke to the Law Department, and he would put in writing and stipulate in a deed that the only three land use categories that would be utilized are: (1) One-Family Dwellings, (3) Attached One-Family Dwellings and (7) Small-Scale Attached One-Family Townhome Development (submitted into record Exhibit "A"). The law director stated these items could be stipulated in the approval and in the deed restrictions.

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Mr. Ross said they are looking at a fee simple ranch style two-unit attached products. They will do a maximum of thirty-six either detached or attached units whatever lays out the best. Mr. Ross said they will strike (7) Small-Scale Attached One-Family Townhome Development.

Mr. Kary said he does not want to regret his decision and say in the future this is too dense for this area. There was a brief discussion on the denseness of other developments. Mr. Kary wanted to know how close these can be if this is rezoned to R-MF-L. Mr. Ross said 12' combined side yard setback; 5' on one side and 7' on the other. Kirtland Tudor Estates is the same zoning (R-MF-L). The 50x150 lot sizes they are proposing are 7,500 sq. ft.

Chairman Norris said we do have R-50 in our code, and this allows both one and two-family dwellings. A one R-50 dwelling requires a 6,000 sq. ft. lot for a single-story dwelling and Mr. Keller agreed this is correct. Chairman Norris said he is not comfortable with this zoning without having the Law Department review this document first. He would like to see this come back as an R-50 zoning request instead of R-MF-L. Mr. Ross said this would set them back for resubmittals and approvals. Mr. Ross said in his conversation with Law Director Mike Lucas, Mr. Lucas said the Planning Commission cannot impose restrictions onto them, but they can impose restrictions onto themselves and have them read in to the approval. Ms. Landgraf said this is correct and Mr. Conti can impose restrictions onto himself as part of an amendment on the record but would have to state what those restrictions are they would have to be willing to enter into a deed restriction. She said this does not mean the commission has to accept this.

Mr. Kary said the golf course has concerns about this development as they did with Fairway Glen. He is also concerned about fire safety due to density.

Mr. Cook asked if Mr. Ross said they were 900 sq. ft. under an R-60 zoning. If they bumped it to an R-60 it will add another 900 sq. ft. per lot? Mr. Ross said the 50x150 lot sizes they are proposing are 7,500 sq. ft. Mr. Conti said they will not know how many homes they can fit until they have an engineer out to the site and map it. He said they may lose two homes when it is mapped out.

Chairman Norris asked Ms. Landgraf if there would be anything that would stop them from building a different product if they self-impose restrictions unto themselves. Ms. Landgraf said the deed restriction would hold them to their word. He would like the Law Department to review this prior to the commission approving or voting on it. Ms. Landgraf said if the applicant wants the rezone to be based on rezoning from Airport District to R-MF-L with the modification that was presented today (Exhibit "A") to be presented to the Planning Commission and subsequently to City Council with a deed restriction then the Law Department will look at it that way.

Chairman Norris said he believes it will be to the applicant's benefit to table this and have the Law Department review this as a self-imposed deed restriction and the commission can vote at the next meeting.

There was some discussion between Chairman Norris and Mr. Kary regarding the density of this development. Mr. Kary said the administration is against this project. Chairman Norris said there are no comments on the Staff

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Report. Mr. Conti said the Mayor has not seen the new proposal. Mr. Cook asked Mr. Kary if he would be comfortable with an R-60 proposal and Mr. Kary said he was flexible but could not confirm he would vote for that at this time.

Mr. Conti said he would like to give the commission and Law Department time to review these documents and would like to table this rezone application.

Mr. Kary said on North Bay those developers chose to put in a larger product in an R-MF-L and those residents are happy. Mr. Ross said all the homes in the R-50 zone district are also all sold.

Mr. Cook moved to table the Rezone/EAS #13-7-22(a), 38751 Hodgson Rd./PPN#27-B-052-0-00-004, Willoughby, OH 44094 from Airport District to Residential Multi-Family Low Rise for attached condominiums per the applicant's request and Mrs. McCue seconded.


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

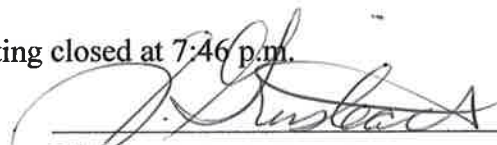
**Motion Carried:     TABLED**

**NEW BUSINESS**

**None**

There being no further business the regular meeting closed at 7:46 p.m.

  
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Steve Norris, Chairman

  
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Vicki Grinstead, Secretary