

**PLANNING COMMISSION
CITY OF WILLOUGHBY
OCTOBER 22, 2020
REGULAR MEETING
MINUTES**

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

Chairman Wildermuth called the regular virtual Zoom meeting to order at 7:33 p.m.

MINUTES

Regular Meeting Minutes

October 8, 2020

Mr. Kary moved to approve the Regular Meeting Minutes for October 8, 2020 as submitted and Mr. Merhar seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

This items remains tabled per the applicant's request.

Former YMCA
37100 Euclid Ave.
(Rep.- Greg Sommers, Sommers Real Estate Group)

**Lot Split/PPN#27-A-015-0-00-018-0,
27-A-015-0-00-005-0,
27-A-015-0-00-004-0,
27-A-015-0-00-017-0,
Parcel A- 1.0 acres,
Parcel B- 1.031 acres,
Parcel C (Remaining
parcel)- 1.8492 acres**

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This items remains tabled per the applicant's request.

Former YMCA
37100 Euclid Ave.
(Rep.- Greg Sommers, Sommers Real Estate Group)

Rezoning/EAS
Rezoning of front parcels:
PPN# 27-A-015-0-00-018-0,
27-A-015-0-00-005-0,
27-A-015-0-00-004-0,
27-A-015-0-00-017-0
from Residential Multi-Family Low
Rise to General Business

This items remains tabled per the applicant's request.

Former YMCA
37100 Euclid Ave.
(Rep.- Greg Sommers, Sommers Real Estate Group)

Development Plan/EAS

NEW BUSINESS

The Standard on Lakeshore
Lakeshore Blvd/PPN#27B0570000030
(Rep.- George Davis, GD3 Ventures LLC)

Conditional Use Permit
(new residential development)

Mr. Davis is representing a Conditional Use Permit for a 27-unit multi-family development, consisting of 9 buildings, for The Standard on Lakeshore on Lakeshore Blvd./ PPN#27B0570000030, Willoughby, OH 44094.

Chairman Wildermuth asked Mr. Davis to address comments made in regard to the drainage issues. Mr. Davis said his engineer will be working hand in hand with CT Consultants to address the drainage concerns. He said the soil is very sandy and would like to do a green method, which is the infiltration basin. He said they have done a depth analysis on the sewer and they will have to cross the street. He said his engineer did do some field work and are confident they can make it work.

Chairman Wildermuth said the Conditional Use Permit (CUP), under the zoning of the Lakeshore Gateway District, is a permitted use, but permitted subject to a Conditional Use. He said a CUP is less complex for a residential development then it would be for other permitted uses and cited a few examples. He gave a general overview on how the Planning Commission approaches CUPs.

Mr. Kary said the Planning Commission cannot deny the living complex that is presented this evening. Mr. Kary said he does not have an issue with the CUP, but there are concerns with the Development Plan/EAS and some

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concerns that the residents have voiced. He said they can approve the CUP without any issues, but then address resident concerns during the Development Plan/EAS portion of the meeting and Chairman Wildermuth agreed.

Dr. Norris asked if this was the portion of the meeting where they would address dumpster and trash pick-up and Chairman Wildermuth said yes, but they need to ask Mr. Davis how he intends to control trash on the site. Mr. Davis said since the goal is to sell these as individual townhomes the trash will be curbside pick-up using city services.

Dr. Norris asked if this will be normal street and household lighting. Mr. Davis said there will be coach lights on the front of the homes, regular house lights at the rear door, and would have street lights to illuminate the street. They would not be illuminating the walking trail or the dog park. He said typically they do add a few lights in the pavilion, but would add in the HOA documents the restriction that they close at dusk and open at dawn. They do not intend to have people using this at night.

Mr. Kary asked if they could cautious to avoid LED street lights. He said they have strong impact on homes in the surrounding area. They are looking at installing them in industrial areas, but are avoiding residential areas. Mr. Davis said he believes that the Service Department has a street light requirement. Mr. Davis is fine with Mr. Kary's recommendation to not utilize LED street lighting.

Ms. Landgraf said the Law Department is recommending, should the Planning Commission entertain the approval this evening, that a condition be added that any Memorandum of Understanding (MOU) between the developer and the city be implemented and approved by City Council within 45 days of approval process. She said this is not capping the timeframe to turn them to fee simple, but the MOU is to be executed within 45 days of the approval this evening. Mr. Davis said he is fine with that.

Chairman Wildermuth wanted to add the language, as stated in a previous CUP for a similar development, as follows: This project, at all times, shall comply with the laws of the City of Willoughby and all the appropriate building and zoning regulations therein.

Mr. Kary moved to approve the Conditional Use Permit with the following conditions: 1) This project, at all times, shall comply with the laws of the City of Willoughby and all the appropriate building and zoning regulations therein. 2) Any Memorandum of Understanding (MOU) between the developer and the city shall be implemented and approved by City Council within 45 days of the approval process. This is not capping the timeframe to turn them to fee simple, but the MOU, relating to the fee simple ownership, is to be executed within 45 days of the approval this evening, 10-22-20, for The Standard on Lakeshore, located on Lakeshore Blvd./ PPN#27B0570000030, Willoughby, OH 44094 and Dr. Norris seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

The Standard on Lakeshore

Lakeshore Blvd.
(Rep.- George Davis, GD3 Ventures, LLC)

Development Plan/EAS

**(PPN#27B0570000030)
(new residential development)**

Mr. Kary moved to untable the Development Plan/EAS for The Standard on Lakeshore, Lakeshore Blvd./ PPN#27B0570000030, Willoughby, OH 44094 and Mrs. McCue seconded.

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

Motion Carried: UNTABLED

The Standard on Lakeshore

Lakeshore Blvd.
(Rep.- George Davis, GD3 Ventures, LLC)

Development Plan/EAS

**(PPN#27B0570000030)
(new residential development)**

Mr. Davis is representing a Development Plan/EAS for a 27-unit multi-family development, consisting of 9 buildings, for The Standard on Lakeshore, Lakeshore Blvd./ PPN#27B0570000030, Willoughby, OH 44094.

Mr. Kary said he would like to discuss the EAS before the Development Plan. Mr. Kary asked Mr. Davis if this is the storm water pond that is cited in your EAS; is that the infiltration basin at the south side of the property, and Mr. Davis said yes. He asked Mr. Davis to explain the overflow outlet structure traveling from the detention basin on the south side of the property; and if Mr. Davis is saying this will go north toward Lakeshore Blvd. Mr. Davis said that is correct and they will connect to the storm sewer that is on the north side of Lakeshore. Mr. Davis explained that in a rain event, where this is a lot of water, as the water rises up to the opening in the outlet structure, and the water would be piped all the way through the property, north, and into the storm sewer on the north side of Lakeshore.

Mr. Kary asked how would he prevent the storm water that would flow north to south or west to the homes on Eaglewood. Mr. Davis said the detention basin practically runs the entire length of the property. They will also have grading and yard drains as necessary.

Mr. Lannon said they expect sandy soil on this site and this presents opportunities as how to deal with it within the development. He said because it is sandy it keeps the current discharge from the site low. He said the site drops three feet from Lakeshore Blvd. to the south property line. The storm sewer on Lakeshore is relatively shallow; approximately six feet deep. He believes this will be a challenge, but it could mean a larger basin or additional underground storage, if the size of the basin does not work. He said there will have to be soil testing and boring to make these determinations and it is early in the process.

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Mr. Davis said it's a math problem and they are confident, between his engineering team and CT Consultants they can control their water. He assured Mr. Kary that if there were any concerns in the future he would step up and help alleviate this issue.

Mr. Kary said he had a conversation with Fire Chief Ungar and these 27 units will put a strong demand on the fire station services on Lost Nation Rd.

Mr. Lannon added that if the storm sewer on Lakeshore Blvd. is too shallow, the only other option would be to access storm sewers on Plains Ct. or somewhere to the south or west.

Chairman Wildermuth said they will move onto the Development and Landscape Plans. Mrs. McCue said her and Mr. Davis did walk the site and viewed the fence placement, and on the west and south side the fence is right on the property line. She said there are other fences, but the other option was moving the fence in three feet, but were concerned about maintenance. On the east side of the property there is an existing chain-link fence and she left that up to Mr. Davis if he wanted to landscape it. He added plantings and evergreens closer to Lakeshore on the west side where the development abuts the adjacent neighborhood. She approves of the changes that were made.

Mrs. McCue asked Mr. Keller if they met the parking requirements and Mr. Keller said yes. Ms. McCue asked Mr. Davis to explain leasing to two people in a three-bedroom townhome in regard to parking. Mr. Davis said this is something that needs to be worked out between the attorneys and possibly put in the MOU. He said they will be leasing to one-family units (e.g. mom and grandmother or husband and wife), not multiple unrelated parties. Ms. Landgraf said it will be a single family listing and Mr. Davis said yes. Mr. Zeman, Esq. said they will not violate the fair housing act.

Mr. Kary asked what the height of the buildings were. Mr. Davis said approximately 24'-26' to the peak of the roof. Mr. Kary heard Mr. Davis might be open to some design suggestions and Mr. Davis said yes, so they don't all look the same. Mr. Kary said this is a mid-century modern design from the 50's and 60's, and he agrees with Mr. Patt who spoke during the public portion. He said since there are nine buildings and three units on each building, he asked if Mr. Davis would consider taking those three units in one main structure and have each one look different. Mr. Kary said he would share renderings via email of what he is asking for. Mr. Davis said he is open to this, but does not want to go too modern. Mr. Kary said this would be more aesthetically pleasing and would make the development stand out.

Mr. Merhar moved to approve the Development Plan/EAS for The Standard on Lakeshore, Lakeshore Blvd./ PPN#27B0570000030, Willoughby, OH 44094 and Dr. Norris seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

Swenson's (formerly Denny's)

34725 Euclid Ave.

(Rep.- James Martynowski, Osborne Capital Group)

Development Plan/EAS

Mr. Martynowski of Osborne Capital Group, 7670 Tyler Blvd., Mentor, OH, agent for Swenson's, 34725 Euclid Ave., Willoughby, OH 44094 is representing the Development Plan/EAS.

Mr. Martynowski said they are replacing the existing Denny's with a Swenson's restaurant. He said they are using the existing site, pavement and replacing the building that is currently there with the new Swenson's building. They are adding some islands in the back.

Chairman Wildermuth said he stopped at a Swenson's in another city and said it is a 100% car service and is not a walk in restaurant. It is an old style car hop restaurant. He noticed that this restaurant is essentially the same size as the former Denny's but there is substantially less parking. Mr. Martynowski said there will also be take-out orders as well.

Ms. Landgraf said the Law Department's position on this is any approval on the Development Plan/EAS should be conditioned upon the applicant securing any necessary variances from the Board of Zoning Appeals. Chairman Wildermuth said it would be read into the motion.

Mr. Kary said he had a couple of comments on the EAS. He said there was a bit of concern with the site drainage to the north and asked Mr. Lannon to comment. Mr. Lannon said this site drains to the northeast to the shallow ditch along Rt. 91. As a redevelopment the storm water code requires a 20% reduction in peaks etc. He said they may need mitigation on the amount they are discharging at peak flow to the north. Mr. Martynowski said he will have his engineer review this item. He said if there is additional retention required they could do under pavement and will work with the City Engineer.

Mr. Kary asked if there is only right turn entering and right turn exiting the site because that is what the site plan shows and Mr. Lannon said yes. They can also exit out on 345th St. via a cross access easement. Mr. Martynowski said the drive in between is labeled as ingress/egress easement (item #14) and there is a recorded easement for that shared access.

Mr. Lannon said there are sidewalks west of this site and a crosswalk from the south to the northwest corner of Rt. 91 and Rt. 20, but no sidewalk in front of this site. Mr. Kary said the Planning Commission is asking him to install sidewalks in front of the new Swenson's since there are sidewalks to the west of the site. He said the reason for this is Willoughby is trying to become a more pedestrian city, and other sidewalks will be installed in the future. Mr. Martynowski said they will agree to install sidewalks in front of their site in accordance with city specs.

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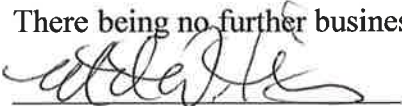
Mrs. McCue asked Mr. Keller about his comment on the EAS that they are not meeting parking requirements. Mr. Keller said that is correct; the interior parking lot landscaping was an original comment, but they have made changes and are now in compliance. They have two variances they are seeking; one is open space and the other is plantings along the public street. Mrs. McCue said there is a substantial grade change from both roads down. Mr. Martynowski said they can install some landscaping along Euclid Ave., but it is not shown on the plan. He said as far as the landscaping required along Rt. 91 there is no setback; the parking is right up to the parking line and there is no room to install landscaping. Chairman Wildermuth said there is a chain link fence right on the property line as well.

Dr. Norris moved to approve the Development Plan/EAS for Swenson's, 34725 Euclid Ave., Willoughby, OH 44094 expressly conditioned on the BZA approval at the meeting of 10-28-20 and Mr. Merhar seconded.

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

Motion Carried: APPROVED

There being no further business the regular meeting closed 8:27 p.m.


Mike Wildermuth, Chairman


Vicki Grinstead, Secretary