

**PLANNING COMMISSION
CITY OF WILLOUGHBY
OCTOBER 28, 2021
REGULAR MEETING
MINUTES**

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

Chairman Norris called the regular in-person and Zoom meeting to order at 7:10 p.m.

MINUTES

Public Hearing Minutes

September 23, 2021

Mrs. McCue moved to approve the Public Hearing Minutes for September 23, 2021 as submitted and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

Regular Meeting Minutes

September 23, 2021

Mr. Wildermuth moved to approve the Regular Meeting Minutes for September 23, 2021 as submitted and Mr. Kary seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

The River Tavern

Conditional Use Permit

3511 Lost Nation Rd.
(Rep.-Tom Muniak, Manager, The River Tavern)

Mr. Wildermuth moved to untable Old Business for a Conditional Use Permit for The River Tavern, 3511 Lost Nation Rd., Willoughby, OH 44094 and Mr. Merhar seconded.

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

Motion Carried: UNTABLED

Mr. Wildermuth moved to untable Old Business for a Development Plan/EAS for The River Tavern, 3511 Lost Nation Rd., Willoughby, OH 44094 and Mrs. McCue seconded.

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

Motion Carried: UNTABLED

Chairman Norris asked the board members if they had all received the memo (Exhibit "A") Mr. Keller sent pertaining to the Conditional Use Permit for the River Tavern and the board confirmed receipt. Chairman Norris said in accordance with that memo, instead of continuing to carry this on the table he reiterates his support for denying the Conditional Use Permit.

Mr. Wildermuth moved to approve a Conditional Use Permit for The River Tavern, 3511 Lost Nation Rd., Willoughby, OH 44094 as submitted and Mr. Merhar seconded.

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

Motion Carried: DENIED

The River Tavern
3511 Lost Nation Rd.
(Rep.-Tom Muniak, Manager, The River Tavern)

**Development Plan/EAS,
detached deck**

Mr. Merhar moved to approve the Development Plan/EAS for The River Tavern, 3511 Lost Nation Rd., Willoughby, OH 44094 as submitted and Mr. Wildermuth seconded.

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

Motion Carried: DENIED

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Bombay Burrito, Krispy Krunch Chicken, P&P Pizzeria
36944 Vine St.
(Rep.- Santosh Patel, Owner)

**Development Plan/EAS
PPN#27-A-027-C-00-002-0,
007-0**

Mr. Kary moved to untable Old Business for Bombay Burrito, Krispy Krunch Chicken, P&P Pizzeria, 36944 Vine St., Willoughby, OH 44094 and Mr. Merhar seconded.

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

Motion Carried: UNTABLED

Mr. Santosh Patel, Owner, 36944 Vine St., Willoughby, OH 44094 and Mr. Dusty Keeney of Polaris Engineering, 34600 Chardon Rd., Willoughby Hills, OH 44094 are representing the Development Plan/EAS for Bombay Burrito, Krispy Krunch Chicken, P&P Pizzeria for a food court for 36944 Vine St., Willoughby, OH 44094.

Mr. Keeney said the existing site has 5-6 curb cuts to the various right-of-ways. The existing site is 100% impervious with the exception of the right-of-way. He said to achieve the required 20% landscaped area they will close off two existing curb cuts; one off of Vine St. and one off of Moreland. They added interior landscaped islands along the front row of parking. They have added an additional 2.6% of green space within the private site relative to the internal acreage (11% total). They have added 10% with the removal of the curb cuts for a total of 17% green space.

Mr. Keeney said they have also added signage for entry only, no exit for the main entrance closest to the intersection of Vine St. and Lakeland, which is the entrance that allows for fuel deliveries and large vehicle entry which is a large part of his business.

Mr. Keeney said they added a few more parking spaces. The requirement is 79 spaces and with the reconfiguration of the plan they have now provided a total of 66 spaces. He said a majority of parking is short term only and Mr. Patel feels this will be sufficient for his customers needs.

Mr. Wildermuth said if the main entrance was made narrower, they could add more green space.

Mr. Keeney said he also added details to the landscaping plan and proposed elevations to the building and asked for any comments from the board.

Mr. Kary said he would like to make sure the landscaping, especially along Vine St. is maintained. He asked if the plantings presented will be able to tolerate the salt through the winter months. Mrs. McCue said there is a good selection.

Mrs. McCue also agreed with Mr. Wildermuth's previous comment regarding the main entrance. She asked if the two light pole bases along the eastern Moreland Ave. parking spaces will be removed, and Mr. Patel said yes. She

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said her concern is drainage issues where there is green space between that parking space and Moreland and there is a guyed wire, a swale and retention basin and asked if the grading will remain the same. Mr. Keeney said they do not anticipate any elevation changes. She would like the existing plantings on the corner removed and new plantings installed with the rest of new foliage. There are overhead wires running along Vine St. and believes the maples presented may be too large and suggested a narrower caliper tree. She said the limelight hydrangeas on all the drive isle approaches will grow between 6-8' and is concerned about visibility. She appreciates, that they encompassed the whole perimeter and the addition, on the park side, where there is buffering.

Mr. Kary said Mr. Patel agreed to repair and firm up his board-on-board fence that is adjacent to the property behind Mr. Patel's property. He said the front/east elevation is consistent except for the sign boards for each eating establishment will be different and Mr. Patel agreed.

Mrs. McCue suggested curb stops where the sidewalk on Moreland abuts the sidewalk directly.

There was a brief discussion on the curb cuts and traffic. Mr. Patel said this plan is much safer for pedestrian traffic. Chairman Norris said there was previous discussion on signage that states no egress posted for the western most curb cut where the trucks enter; it should be ingress only. Mr. Keeney said they do show a sign on either side on this plan. Chairman Norris asked Mr. Keller if he had any issues with the lot area, landscape coverage, setbacks and parking being non-conforming. Mr. Keller said he does not have any issues, but the parking could be an issue for the applicant, but it does not affect any other businesses or tenants. He would echo Mr. Kary's comments about the landscaping being maintained and suggests the board make that a condition of approval.

Mr. Kary moved to approve the Development Plan/EAS for Bombay Burrito, Krispy Krunch Chicken, P&P Pizzeria, 36944 Vine St., Willoughby, OH 44094 as submitted with the condition the landscaping be maintained and Mr. Merhar seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

New 1-Story Multi-Tenant Bldg.
36001 Euclid Ave.
(Rep.-Leon Sampat, LS Architects)

**Development Plan/EAS,
(demo existing/construct new)**

Mr. Merhar moved to table the Development Plan/EAS for a new 1-story multi-tenant building, 36001 Euclid Ave., Willoughby, OH 44094 per the applicant's request to obtain Board of Zoning Appeals approval and Mr. Kary seconded.

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

Motion Carried: TABLED

Mr. Wildermuth asked Mr. Keller for confirmation that this lot split for Signature Health is not contingent moving forward with the Development Plan and Mr. Keller said it is not.

Signature Health Mentor Ave. (Rep.- Bill Brooks, Wlby. SR 20 MOB LLC)	Lot split (PPN-27-A-032-0-00-015-0)
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Mr. Wildermuth moved to permanently table the Development Plan/EAS for a lot split of PPN-27-A-032-0-00-015-0 located on Mentor Ave., Willoughby, OH 44094 per the applicant's request and Mr. Kary seconded.

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

Motion Carried: PERMANENTLY TABLED

Signature Health Mentor Ave. (Rep.- Bill Brooks, John Lateulere, Wlby. SR 20 MOB LLC)	Development Plan/EAS (PPN-27-A-032-0-00-015-0), (new health facility)
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Mrs. McCue stated she is recusing herself because she is working on this project.

Mr. Bill Brooks, 15504 Dale Rd., Chagrin Falls, OH 44022 and John Lateulere of Willoughby SR 20 MOB LLC are representing the Development Plan/EAS for a new a new health facility for Signature Health located at PPN-27-A-032-0-00-015-0/Mentor Ave., Willoughby, OH 44094. Mr. Brooks also introduced Mr. Joe Myers, architect and Mr. Chuck Szucs of Polaris Engineering.

Mr. Brooks said they are presenting a 45,000 sq. ft. medical building for Signature Health. They (Willoughby SR20 MOB LLC) will be the owner/developer and Signature Health will be the tenant.

Mr. Kary presented comments for the EAS. There were no comments from police or fire. There were no issues with hazardous waste or noise. He asked Mr. Lannon if he had any issues with traffic or stormwater and he had none. The project timeline: start in spring of 2022 and completion in spring of 2023.

Mr. Brooks said they hired a company to access the property and there are no wetlands. The Army Corps of Engineers will review this information and visit the site to confirm.

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Chairman Norris said included in the packet was a topographical map, landscape plans, and a front elevation preliminary sketch. Mr. Myers confirmed there is only one elevation sketch. He said they are still working with the tenant to establish the layout of the interior of the building, offices, window placement etc. with a large group of doctors. He said they wanted to show the character of what the building would look like. Mr. Kary said if something would change then it could change the front façade. Mr. Myers said they agreed on the footprint of the building; roof lines, front canopy entrance way are all established. They did approve the spacing of the front elevation windows as well, but the spacing of the windows on the side and back are still in the works. Mr. Kary is concerned about the look of this building in this location since it is the gateway into the city. He would like to see elevations on all four sides with related landscaping and he does not see it with this submittal. He said the building does not come across as being visually aesthetic. He would like to see them come back with more imagery to make a better decision. They have pushed other developers to do better designs and would like to see that here.

Mr. Lateulere said they used the adjacent chiropractic building as an inspiration for their design. He explained this is a 2-story building and did not want to match the adjacent building. They added gable fronts, partial hip roof to provide different architectural elements and a slightly different color palette. He said as they further refine this it will fit into the fabric of what the city is trying to achieve in this corridor. He said the sides and rear will be very similar to what is on the front elevation with lap siding and will have a residential feel. They want this building to look nice to set up for the future of what may happen behind this building with the other six acres they own. Mr. Kary said the aerial view of the landscaping can be difficult to understand as to how things look in terms of an elevation. They want developers to come in with the best, most powerful images so they can sell their product. Mr. Kary said all the windows look like they are the identical in size. Mr. Brooks said this design is being driven by what his client, Signature Health wants.

Chairman Norris said the front facade is broken up nicely between siding, stone and entrance way canopies. He asked if the side and the back will be the same. Mr. Myers said the back will be very similar to the front as far as the gables and spacing/breaking up the roof. It is all the same materials, siding and windows. Signature Health requested individual windows for the office layout and there is a pattern; the sides have reverse gables. The rear reverse gables will have stone on the bottom and siding toward the top, same as the front. There will be stone from the ground to the roof in the rear as well. Chairman Norris asked about the western side with the fire escape. Mr. Lateulere said it will present a gable end over to the road. He is unsure if it will be encased in stone but will most likely be a mixture of stone and siding.

Mr. Wildermuth said it will be a 4-sided version of what they are seeing on the rendering. He likes the metal roofs on the kick outs along the front roof; it will mimic what is going on with the central portico with the copper roof. He would like to see that along the sides and back. Mr. Myers said the bump outs would have the metal accents as well.

Chairman Norris said if they were to approve this, he would like the condition to be the remaining three sides be architecturally similar in design to the front. Mr. Lateulere said they will have them rendered up.

Mr. Kary wants the landscaping and signage along Mentor Ave. to be fabulous. He said they will have a retention/detention pond that may hold water and may want to consider putting a water feature or sculpture there. Mr. Lateulere said that may be the plan, but there is a seasonal water table that needs to be considered. Mr. Kary said the city does have an art code that is based on the dollar amount of the project. This will be determined through the permitting process.

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Mr. Wildermuth said the landscape plan presented is substantial and the intent of what he sees has a nice boulevard entrance with trees and a nice approach to the landscaping around the building and the general approach areas themselves.

Chairman Norris asked about the placement of the retention/detention ponds. Mr. Szucs said they had a couple different water sheds and the way the property flows it might set the lower ponds too deep and they would not look aesthetically pleasing. Mr. Lateulere said there will be various plantings to provide a nice view. Mr. Kary said the pond will be part of the design.

Mr. Wildermuth moved to approve the Development Plan/EAS for a new a new health facility for Signature Health located at PPN-27-A-032-0-00-015-0/Mentor Ave., Willoughby, OH 44094 as submitted but with the condition the remaining three sides of the building mimic the front elevation as far as materials and usage and Mr. Merhar seconded.

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

Motion Carried: APPROVED

Chairman Norris asked if there were any objections to moving FTJN and the Ohio sports complex up next on the agenda and there were none.

FTJN Ventures LLC
36540 Biltmore Place
(Rep.- Nick Pietravoia, Partner)

**Conditional Use Permit
(Ohio sports complex)**

Mr. Pietravoia, 7124 Erie Dr., Mentor, OH 44060 is representing the application for a Conditional Use Permit for FTJN Ventures LLC, for an Ohio sports complex, 36540 Biltmore Place, Willoughby, OH 44094.

Chairman Norris said the statement submitted said all activities, lighting and notice associated will be contained within the facility. The portion of the building used for training has no windows. Hours of operation will be 24 hours, 7 days a week. There is no dumpster.

Mr. Merhar asked if the members will have access 24 hours a day and will it be staffed. Mr. Pietravoia said they do not have a membership option yet. The main usage will be from 8:30 a.m. until 9:30 p.m. He added the 24/7 hours in case they do decide to offer a membership option in the future. The indoor music will be prerecorded conversational level music, no outdoor or live music.

Mrs. McCue asked about group fitness. Mr. Pietravoia said group classes will be approximately 10 people. He does not foresee any parking issues. He has approximately 12-15 parking spaces. He said there is also on-street parking. The group classes will be a secondary use; teams will be the main use.

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Mrs. McCue moved to approve a Conditional Use Permit for FTJN Ventures LLC, for an Ohio sports complex, 36540 Biltmore Place, Willoughby, OH 44094 with the following conditions: 1) Hours of operation 24 hours, 7 days a week, 2) No dumpster, 3) Indoor music must be at conversational level/no outdoor music permitted and Mr. Merhar seconded.

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

Motion Carried: APPROVED

Mrs. McCue stated she is recusing herself because she is working on this project.

Shepherd's Glen
Euclid Ave./PPN#27-A-006-N-00-OCL-0
(Rep.- Ken Lurie, Orlean Co., Chuck Szucs,
Polaris Engineering, Joe Myers, Architect)

**Conditional Use Permit (CUP)
(48 fee simple townhomes)**

Mr. Lurie of the Orlean Co., 23925 Commerce Park, Beachwood, OH and Mr. Szucs, Polaris Engineering, 34600 Chardon Rd., Willoughby Hills, OH and Joe Myers, Architect, 38030 Second St., Willoughby, OH are representing the application for a Conditional Use Permit for Shepherd's Glen at PPN#27-A-006-N-00-OCL-0/Euclid Ave., Willoughby, OH 44094.

Chairman Norris said these are permitted conditionally per the ordinance.

Mr. Lurie said these units are designed to compliment what is existing. The original development was started in 2005, but stalled in 2009. They had constructed thirty-six units and they would like to complete the next forty-eight.

Mr. Merhar asked if the previously constructed units were condominiums. Mr. Lurie said yes, the new development will be a separate association. There will be a condo association for the original units, a homeowner's association for the new townhomes and a master association that will manage both. He met with the condo association, and they have overwhelmingly approved the designs and layouts of the townhomes.

There was a brief discussion on the match line.

Mr. Keller said there are a few items required by the CUP in a Residential Multi-Family Low Rise development. The first is the separation between the units is required to be 30' and the proposed is 20'. The second is the setback along Euclid Ave. is required to be 60' and they are presenting 48'. It is noted in the Staff Report that C.O. 1155.04(vv)(3) states "the Planning Commission may approve modifications to the lot area, lot coverage, density, parking and setback regulations based upon the proposed development plan." The last item was there is no additional accessory parking provided. Chairman Norris asked if this is a private street and if all night parking is allowed on the street. He said this could help mitigate visitor parking.

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Mr. Merhar asked why he is presenting fee simple townhomes. Mr. Lurie said it is easier for his clients to obtain financing.

Mr. Wildermuth moved to approve a Conditional Use Permit for 48 fee simple townhomes for Shepherd's Glen located at PPN#27-A-006-N-00-OCL-0/Euclid Ave., Willoughby, OH 44094 with a separation between the units of 20' instead of the allowable 30' and the setback along Euclid Ave. is to be 48' instead of the allowable 60' and to comply with C.O. 1109.05(f)(2) and Mr. Merhar seconded.

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

Motion Carried: APPROVED

Mrs. McCue stated she is recusing herself because she is working on this project.

Shepherd's Glen
Euclid Ave./PPN#27-A-006-N-00-OCL-0
(Rep.- Ken Lurie, Owner, Chuck Szucs, Polaris Engineering
& Surveying, Joe Myers, Architect)

**Major Subdivision/EAS
Preliminary Plat,
(fee simple townhomes)**

Mr. Lurie of the Orlean Co., 23925 Commerce Park, Beachwood, OH and Mr. Szucs, Polaris Engineering, 34600 Chardon Rd., Willoughby Hills, OH and Joe Myers, Architect, 38030 Second St., Willoughby, OH are representing a Major Subdivision/EAS Preliminary Plat for fee simple townhomes for Shepherd's Glen, PPN#27-A-006-N-00-OCL-0/Euclid Ave., Willoughby, OH 44094.

Mr. Kary presented comments for the EAS. Police and fire no concerns. There are noise or traffic concerns. Mr. Kary asked Mr. Lannon to comment as to whether the current storm water basins work with the new development. Mr. Lannon said they are minimally designed retention basins for the original development and the code has changed since then. He suggested they should bring up to the current code or improve what was is there. Mr. Szucs said they have discussed this and will see if there are improvements they can made. The EAS does ask about basements, and it was not answered. Mr. Lurie said there are no basements. The timeline for the project fall 2021 through 2022. This is not a phased project because the infrastructure is in.

Mr. Kary requested that all three association bylaws are submitted to the Law Department for review and approval. Mr. Kary is concerned with rainwater running onto, and other issues affecting neighboring properties and asked Mr. Lurie if he would continue to help resolve these issues into the future and he agreed.

Mr. Keller's is concerned with not having additional parking spaces and/or on-street parking and if police and fire would permit overnight parking. He said the street is wide enough to allow overnight parking. He has no issues with the separation between the buildings. Chairman Norris said he would like it to be a requirement, that if they approve this development with no additional parking, that police and fire must give their approval for on-street overnight parking. Mr. Keller will reach out to the police and fire for their approvals.

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Mr. Wildermuth moved to approve a Major Subdivision/EAS Preliminary Plat for 48 fee simple townhomes for Shepherd's Glen, PPN#27-A-006-N-00-OCL-0/Euclid Ave., Willoughby, OH 44094 as submitted with the condition that the police and fire departments approve overnight on-street parking and Mr. Merhar seconded.

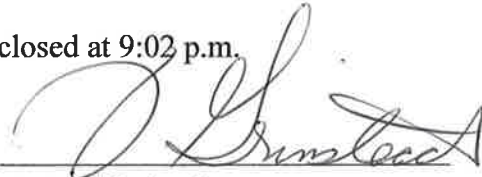
ROLL CALL: Yeas: K. Kary; M. Wildermuth; M. Merhar; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: APPROVED

There being no further business the regular meeting closed at 9:02 p.m.



Steve Norris, Chairman



Vicki Grinstead, Secretary