

**PLANNING COMMISSION
CITY OF WILLOUGHBY
SEPTEMBER 10, 2020
REGULAR MEETING
MINUTES**

PRESENT: K. Kary; S. Norris; J. McCue; M. Wildermuth, Chairman
ABSENT: M. Merhar
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 7:09 p.m.

MINUTES

Regular Meeting Minutes

August 27, 2020

Mr. Kary moved to approve the Regular Meeting Minutes for August 27, 2020 as submitted and Dr. Norris seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

This item will remain 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 item will remain 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 item will remain tabled per the applicant's request

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

Development Plan

NEW BUSINESS

Townhomes
6 Public Square
(Rep.- Darrell Hershey, Payne & Payne Builders)

Minor Subdivision/4-townhomes

Mr. Hershey is representing this application for Payne & Payne Builders for the Minor Subdivision of 4-townhomes at 6 Public Square, Willoughby, OH 44094.

Mr. Hershey, 7094 Maple St., Mentor, OH 44060, said they had a previous approval for this project and are now requesting to split the lot into four parcels for the purpose of having legal frontage and resale.

Chairman Wildermuth asked if there will be deed paperwork, taking into consideration the cross access easement agreement for the driveway. Mr. Hershey said yes, there will be an access and maintenance easement. Chairman Wildermuth said there will be reciprocal easement rights across all four properties and Mr. Hershey said yes.

Mr. Hershey said they have potentially three out of the four units sold and have submitted construction documents to the Willoughby Building Department, and are hoping to break ground next month.

Dr. Norris asked if these would be considered non-conforming lots. Mr. Keller said no, they would be conforming lots because they are in the Downtown Business District which has very few restrictions for setbacks and no maximum lots sizes etc.

Mr. Kary moved to approve the Minor Subdivision for the 4-townhomes for the Payne & Payne Builders for the property located at 6 Public Square, Willoughby, OH 44094 and Mrs. McCue seconded.

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

Motion Carried: APPROVED

Allure Bistro LLC
38040 Third St.
(Nick Kustala, Owner)

Conditional Use Permit

Mr. Kustala, Owner, is representing this application for a new Conditional Use Permit for Allure Bistro LLC, 38040 Third St., Willoughby, OH 44094.

Mr. Kustala said the current operating serving hours for the restaurant are 4:00 p.m. until 10:00 p.m. Monday through Saturday and closed on Sundays. He said they do catering as well and they would like to request their hours to be 24 hours, 7 days a week.

Dr. Norris's concern is food service deliveries and outdoor maintenance at all hours, disturbing the adjacent neighbors. Mr. Kustala said the earliest delivery they have is 9:00 a.m. and they want deliveries completed by 5:00 p.m. as to not interfere with business. Mr. Kustala agreed to hours of operation being 24 hours, 7 days a week with a stipulation that there will be no outdoor maintenance or deliveries Sunday through Wednesday from 10:00 p.m.-8:00 a.m. and Thursday through Saturday from 12:00 a.m.-8:00 a.m.

Chairman Wildermuth said they will have to conform to city ordinance for outdoor music Sunday through Wednesday until 10:00 p.m. and Thursday through Saturday until 12:00 a.m., and the music must be at conversational level.

Mr. Kary asked what type of music they will have. Mr. Kustala said on Thursday evenings they have two gentlemen doing Frank Sinatra, Dean Martin type of music. He said on Friday and Saturday evenings they would have modern music, but no heavy metal. Mr. Kary said all outdoor music in the downtown area must be at conversational level and gave an example.

The dumpster, which was in a shed/shack type structure will be moved from the rear of the building and will be shared with Fuller Furniture. He said it's not enclosed and sits on a slab and is in the very rear of the property. Chairman Wildermuth said it must be enclosed with fencing/screening of some sort per City Ordinance and Mr. Kustala agreed.

Dr. Norris asked if Allure Bistro had enough parking and Mr. Keller said yes there are no requirements for downtown parking. Mr. Kustala said they also offer a valet service for the convenience of their customers.

Dr. Norris asked about the lighting on the building and wanted to make sure it does not spill over onto neighboring properties. Mr. Kustala said they have ambient Edison bulbs and there are a few lanterns and sconce type of lighting on the building. They do not plan on having moving or motion lighting.

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Mr. Keller asked how many tables Mr. Kustala has in the interior. He said since the pandemic they have eliminated indoor dining, but normally there are 65 tables and 20 seats in the bar area for a total of 85, but with the pandemic he has 25-30 and they have also spaced out their reservation times. The exterior patio has approximately 20 tables (10 tables of 4 patrons and 10 tables of 2 patrons) and 40 bar stools that are covered (100 exterior tables). Mr. Keller said the city ordinance now states the seating in the exterior of the building should be no greater than 30% of the total seating on the interior of the premises. He said Planning Commission has the ability to amend this, taking into consideration they have one of the largest patios in the city. Mr. Kustala said they give their patrons, that make reservations for inside the restaurant, the ability to choose to sit outside if it is a nice evening. There was a brief discussion on this subject of seating.

Mr. Kary had a concern with setting a precedent by allowing this, but Mr. Keller said the Planning Commission should look at each application based on its own merit. Mr. Kary agreed since Allure Bistro has one of the largest patios in the city. Dr. Norris said if this is not precedent setting they should allow them to operate at full capacity and the Board agreed. Mr. Keller suggested stating it as exterior seating shall not exceed 100% of the interior seating capacity, which means he may have to remove a couple of exterior tables.

Mr. Kary moved to approve a new Conditional Use Permit for Allure Bistro LLC, 38040 Third St., Willoughby, OH 44094 with the following conditions: 1) Hours of operation 24 hours/7 days a week with a stipulation that there will be no outdoor maintenance or deliveries Sunday through Wednesday from 10:00 p.m.-8:00 a.m. and Thursday through Saturday from 12:00 a.m.-8:00 a.m. 2) Outdoor music, per city ordinance, Sunday through Wednesday until 10:00 p.m. and Thursday through Saturday until 12:00 a.m., and must be at conversational level 3) Outdoor dumpster must be fenced/screened per city ordinance 4) Exterior seating shall not exceed 100% of the interior seating capacity, and Dr. Norris seconded.

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

Motion Carried: APPROVED

Hola Tacos/Barroco
3941 Erie St.
(Juan Vergara, Owner)

Conditional Use Permit

Mr. Vergara, Owner is representing this application for a new Conditional Use Permit for Hola Tacos/Barroco, 3941 Erie St., Willoughby, OH 44094.

Mr. Vergara said his hours of operation will be 24 hours, 7 days a week because of the brewery and their chefs come in early for prep. He said their deliveries come after 9:00 a.m. to their back door. Their business or serving hours will be Sunday through Thursday from 11:00 a.m.-11:00 p.m. and Friday and Saturday from 11:00 a.m. until 2:00 a.m. He said on the weekends, during the pandemic, they are only open until 11:00 p.m.

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Dr. Norris asked if they will have outdoor music. Mr. Vergara said there are already outdoor speakers installed on the rooftop patio, which will be ambiance/conversational music. Dr. Norris said conversational music must be taken into consideration because of the vicinity to the neighboring apartments. Dr. Norris said no outdoor maintenance or deliveries Sunday through Wednesday from 10:00 p.m.-8:00 a.m. and Thursday through Saturday from 12:00 a.m.-8:00 a.m. and outdoor music, per city ordinance, Sunday through Wednesday until 10:00 p.m. and Thursday through Saturday until 12:00 a.m., and must be at conversational level. Mr. Vergara said the existing dumpster is enclosed with a gate.

Dr. Norris moved to approve a new Conditional Use Permit for Hola Tacos/Barroco, 3941 Erie St., Willoughby, OH 44094 with the following conditions: 1) Hours of operation 24 hours/7 days a week with a stipulation that there will be no outdoor maintenance or deliveries Sunday through Wednesday from 10:00 p.m.-8:00 a.m. and Thursday through Saturday from 12:00 a.m.-8:00 a.m. 2) Outdoor music, per city ordinance, Sunday through Wednesday until 10:00 p.m. and Thursday through Saturday until 12:00 a.m., and must be at conversational level, 3) Dumpster must remain fenced/screened and Mr. Kary seconded.

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

Motion Carried: APPROVED

DISCUSSION

Chagrin Riverwalk Ph. III

Mentor Ave.

(Rep.- Mike Marous, Marous Development Group,
Mr. Jon Stephens, Architect)

Phase III/Apartment complexes

(169 units)

Mr. Marous said they currently have a total of 265 units. Chagrin Riverwalk is 97% full with a waiting list. He said the apartments have been a great success and would like to add Phase III. Mr. Marous shared his screen with the site plan. He said the proposed building will sit off the road 160-170 ft. and will be approximately 300 ft. long and will run parallel with Mentor Ave. There will be 243 parking spaces in the front. He said the back of the site falls 6-7 ft., so the building contours to that line and will sit 6 ft. lower than Mentor Ave. There is two-way traffic for ingress/egress. There will be a 170' x 115' parklike setting in between the buildings with a 30' x 60' pool, cabana, fire pits etc. in the back half of the building. He said it's similar to Building 8, but larger.

Chairman Wildermuth said the apartment building is in alignment with the western units, but it pushes the parking lot right up to Mentor Avenue and is a departure from the way the rest of the site is laid out. He said this may be a downside to the project. He asked if there was any consideration given to moving the building forward. Mr. Marous said in the past there have been concerns in regard to the building height being that close to the roadway. He said this plan gave them flexibility with parking. He said this building, with the community center, and being shared, gives it a nice line to continue the pedestrian traffic flow.

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He said they have had grading issues with the parking up front. He said the east building has parking on the side but also in the front.

Mr. Stephens said it does come down to the efficiency of the plan. He said with the double loaded isles they would be hard pressed to put them in the back. There was a brief discussion on this subject.

Chairman Wildermuth said he wonders if there will be a concern with the number of trains on the tracks behind the building. Mr. Marous said he is unaware of any complaints.

Mr. Kary said he was on the Planning Commission when Riverwalk was created and the plan is quite a bit different then it is now. He said there was an issue with the first building being three floors instead of four. He said this new building is four floors and he may not be in favor of this or the parking in the front of the building. He said they would have to do some significant landscaping to prove it would be beneficial to keep the parking in the front. Mr. Kary said he will be pushing for maximum aesthetics for the building. He's also concerned that every apartment is one-bedroom or studio apartments.

Mr. Kary said both of these proposed apartment complexes are a defining projects for the City of Willoughby. He said in the past the Board has taken the heat for certain projects in the city. Some of the resident concerns are that they do not want any more apartments. He said there have been good comments and suggestions by residents for certain projects and he would like them to have the opportunity to view and comment on these significant projects. Mr. Kary said he would suggest a town hall type meeting for the residents. Mr. Marous said he would be concerned with the timing of the project, but if it could be done in a timely matter he would agree to that.

Mrs. McCue said as the plan develops, she feels it is important to have a strong pedestrian connection from the front of the building to the sidewalk along Mentor Ave. She said one of the attractions to these apartments is the ability to walk to Downtown Willoughby. The landscaping is also a very important factor in these plans.

Marous Development Group

38025 Second St.

(Rep.- Mike Marous, Marous Development Group & Jeff Foster, Architect)

Development Plan/38-unit apartment project

Mr. Marous gave a brief history on this piece of property. He said the site is tough because of the size and consideration for parking. He said they were able to get 38-units, a mix of studios and one-bedrooms, and 38 parking spots and referred to the site plan. Mr. Foster said there is a 25-foot setback that will be addressed at the corner for a right-of-way issue from the intersection.

Dr. Norris said this project will dramatically change this corner in downtown Willoughby. He said when the townhomes went in along Euclid Ave. the public was involved, and he agreed with Mr. Kary's comments to have a meeting to obtain public input. Mr. Marous said if they could do a meeting for both projects at the same time, he would prefer that.

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Mr. Marous said he is unsure if any variances will be needed and Mr. Keller said at first glance it looks like there may be a variance(s) needed.

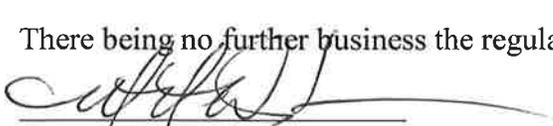
Mr. Marous asked if these are any comments on the design. Mr. Kary said the apartments don't have the look that mimic some of the surrounding buildings as far as architecture. He said maybe they could consider elements like cornices. Mr. Kary said he is against open balconies for the apartments for either apartment complex. Mr. Stephens said the open balconies are typical and solid balconies can have maintenance issues.

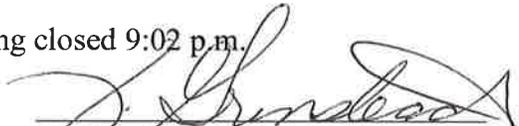
Mr. Foster said the modern look of Second Street was intentional. He said the original submittal to the Marous Development Group did not seem to work for this site, so this is the plan they have come up with. He said this building is an intentional statement and can be successful. He said there is a level of detail and sophistication that the Marous team wants to leave behind on that site.

Dr. Norris can appreciate the idea of dense housing, but he does not want to see an empty building in the future. He said he does not want this to be the only building that doesn't fit in with the historic feel of downtown and doesn't want visitors to the city to feel the same way. He said he's not opposed to this, but wants to make sure this and future buildings are consistent. Mr. Marous said these apartments, although small, will not be a lower price point. He said the modern look and amenities attract people from outside of the Willoughby area.

Chairman Wildermuth thanked Mr. Marous and his team for coming in for discussion for these projects.

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


Mike Wildermuth, Chairman


Vicki Grinstead, Secretary