

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JUNE 12, 2025
REGULAR MEETING
MINUTES**

PRESENT: K. Kary; M. Wildermuth; J. Cook; Ben Capelle; S. Norris, Chairman
ABSENT: Vicki Grinstead, Secretary
OTHERS: Mike Lucas, Law Director; Darryl Keller, Chief Bldg. & Zoning Official;
Tim Lannon, City Engineer; Maria Tomaselli

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

MINUTES

Public Hearing Meeting Minutes

May 8, 2025

Mr. Wildermuth moved to approve the Planning Commission Public Hearing Meeting Minutes for May 8, 2025 as submitted and Mr. Capelle seconded.

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

Motion Carried: APPROVED

Regular Meeting Minutes

May 8, 2025

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for May 8, 2025 as submitted and Mr. Capelle seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Chagrin River Diner
4099 Erie St.
(Rep.- James Turcotte, Owner)

**Conditional Use Permit for
outdoor dining**

Mr. Kary moved to untable the Conditional Use Permit (CUP) for Chagrin River Diner, 4099 Erie St., Willoughby and Mr. Cook seconded.

ROLL CALL: Yeas: M. Wildermuth; J. Cook; Ben Capelle; K. Kary; S. Norris, Chairman

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Absent: None
Nays: None

Motion Carried: UNTABLED

Mr. Turcotte, Owner, Chagrin River Diner, 4099 Erie St., Willoughby, OH 44094 is representing the Conditional Use Permit (CUP) for outdoor dining for Chagrin River Diner.

Mr. Turcotte said he submitted a new rendering which should answer some of the questions the board had at the last meeting.

Chairman Norris reiterated the conditions that were stated on the previous CUP which were as follows: 1) Hours of operation: Sunday 6:00 a.m.-3:00 p.m., Monday 6:00 a.m.-4:00 p.m., Tuesday thru Saturday 6:00 a.m.-8:00 p.m., April 1st thru November 30th yearly, 2) Maximum of 8 tables for a total of 32 seats allowed for outdoor dining, 3) Must obey right-of-way guidelines for outdoor dining, 4) Dumpsters shared with Sol and Barrio must be enclosed, 5) No outdoor trash cans allowed, 6) No outdoor maintenance allowed from 12:00 a.m. until 6:00 a.m., 7 days a week, 7) No music of any kind allowed, 8) This Conditional Use Permit terminates on May 23, 2025. Chairman Norris said Mr. Turcotte does not wish to change anything except for the removal of condition #8 which is the termination date. They previously discussed adding two other conditions which would be the new 8) Owner/operator to power wash/right-of-way every 60 days of operation, and 9) Owner/operator to comply with C.O. 1155.04(hh)(5) bollard placement.

Mr. Cook moved to approve the application for a Conditional Use Permit for outdoor dining for Chagrin River Diner, 4099 Erie St., Willoughby, OH 44094 with the following conditions: 1) Hours of operation: Sunday 6:00 a.m.-3:00 p.m., Monday 6:00 a.m.-4:00 p.m., Tuesday thru Saturday 6:00 a.m.-8:00 p.m., April 1st thru November 30th yearly, 2) Maximum of 8 tables for a total of 32 seats allowed for outdoor dining, 3) Must obey right-of-way guidelines for outdoor dining, 4) Dumpsters shared with Sol and Barrio must be enclosed, 5) No outdoor trash cans allowed, 6) No outdoor maintenance allowed from 12:00 a.m. until 6:00 a.m., 7 days a week, 7) No music of any kind allowed, 8) Owner/operator to power wash/right-of-way every 60 days of operation, 9) Owner/operator to comply with C.O. 1155.04(hh)(5) bollard placement and Mr. Capelle seconded.

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

Motion Carried: APPROVED

Chagrin River Diner
4099 Erie St.
(Rep.- James Turcotte, Owner)

Development Plan/EAS#9-3-25

Mr. Kary moved to untable the Development Plan/EAS#9-3-25 for Chagrin River Diner, 4099 Erie St., Willoughby and Mr. Capelle seconded.

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

Motion Carried: UNTABLED

Mr. Turcotte, Owner is representing the Development Plan/EAS#9-3-25 for Chagrin River Diner.

Mr. Kary addressed the EAS.

- Stormwater- No concerns
- Traffic- New map submitted, no concerns
- FD & PD-No concerns
- School system- No concerns
- Hazardous waste: No concerns
- Noise, water, air pollution: No concerns
- Timeline: Start: Immediately

There was no discussion on the Development Plan since this is an existing business.

Mr. Cook moved to approve the application for a Development Plan/EAS#9-3-25 for Chagrin River Diner, 4099 Erie St., Willoughby, OH 44094 and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

Quality CNC Machining, Inc.
38195 Airport Pkwy.
(Rep.- Joe Katic, Owner & David Novak, Barrington
Consulting Group, Inc.)

**Development Plan/EAS#10-4-25
for a 4,950 sq. ft. bldg. addition**

Mr. Katic, Owner and Mr. Novak of Barrington Consulting Group, 9114 Tyler Blvd., Mentor, OH 44060 are representing the Development Plan/EAS#10-4-25 for a 4,950 sq. ft. building addition.

Mr. Kary addressed the EAS.

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- Stormwater- Retention basin on site.
- Traffic- No issues cited.
- FD & PD-No concerns
- No concerns expressed for school system.
- Hazardous waste: No concerns
- Noise, water, air pollution: No concerns
- Timeline: Start: Immediately Complete: October/November, 2025

Mr. Kary advised the applicants that they will be before City Council at the next available meeting of July 10, 2025 for the EAS. Chairman Norris said Attachment A said not completed by Barrington and asked if they will be completed. Mr. Novak said yes, they had to go before BZA for variances and they need to revise the plans. There is nothing below grade.

Chairman Norris addressed the Development Plan.

Mr. Barrington said they opened this facility in 1998 and this is their second expansion. This addition will be 4,950 sq. ft. and the existing building is 12,185 sq. ft. He said they did receive BZA approved on May 28, 2025. He said for the landscaping they agreed to add four landscaping islands but when they added these islands it reduced their parking to forty-one spaces but forty-four are required. His understanding is it at Planning Commission discretion to reduce the number of these parking spaces. The owner is good with reducing these few parking spaces. They also added four trees along the north property line.

Mr. Barrington said the building currently has split face brick along the east side and it will continue along the parking lot side for the addition. The north and west walls will be painted to match the existing building.

Mr. Wildermuth noted that the dumpster is only enclosed on three sides and normally it is required to be enclosed with a gate and asked why. Mr. Barrington said because the bins they use are very large for the scrap metal.

Mr. Capelle moved to approve the Development Plan/EAS#10-4-25 for Quality CNC Machining, Inc., 38195 Airport Pkwy., Willoughby, OH 44094 for a 4,950 sq. ft. building addition as submitted and Mr. Cook seconded.

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

Motion Carried: APPROVED

Dave's Hot Chicken
36099 Euclid Avenue
(Rep. Nikolas Silea, Artist)

Public Art

Mr. Silea, 15717 Clifton Blvd., Lakewood, OH 44107 is representing public art on a building for Dave's Hot Chicken.

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Mr. Silea apologized that this was done without approval. Mr. Kary asked the applicant to give an explanation in regard to the banding that went around the artwork. Mr. Silea said the artist is a friend of the founder and they paint the interior and exterior at any given location and it is all hand painted. Mr. Kary said the Willoughby Arts Collaborative did review this design and did approve it.

Mr. Capelle moved to approve the public art for Dave's Hot Chicken, 36099 Euclid Ave., Willoughby, OH 44094 as submitted and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

Willoughby Arts Collaborative
4110 Erie Street
(Rep.- Greg Patt, WAC)

Digital Mural on side of building

Mr. Patt, 38005 Brown Ave., Willoughby, OH 44094 is representing a digital mural on the side of the Mullarkey's building, 4110 Erie St., Willoughby, OH 44094 for the Willoughby Arts Collaborative (WAC).

Mr. Patt said the WAC seeks out property owners that are willing to explore the arts and gave a few examples. They approached Mr. Bauers, who owns the Mullarkey's building and they discussed themes and came up with an Irish theme, then they commissioned an artist. He explained that if any city money is being used for public art the Public Arts Committee (PAC) reviews it. These members are appointed by the Mayor and the art is reviewed by PAC and recommends to City Council. In this case the building owner contributed some funds and did some work to prepare the building for the mural. He said the balance of the cost was then submitted to City Council and was approved. This piece of art was meant for the public to be able to take pictures or selfies with it. He explained the application process to the board, which is the same as the mural on the library.

Mr. Cook moved to approve a digital mural on the side of the Mullarky's building located at 4110 Erie St., Willoughby, OH 44094 for the Willoughby Arts Collaborative (WAC) and Mr. Capelle seconded.

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

Motion Carried: APPROVED

McKinley Community Outreach Center, Inc.
Windemere Village
Windemere Avenue
(Rep. Steve Jennings)

**Major Subdivision Preliminary Plat/
Development Plan/EAS #13-5-25**

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Mr. Jennings of LDA Architects, 5000 Euclid Ave./Suite 104, Cleveland, OH 44103 is representing the Development Plan/EAS#13-5-25 and Major Subdivision/Preliminary Plat for seven lots.

Mr. Kary addressed the EAS. He said there are seven lots which will have duplexes and one will remain vacant.

- Stormwater- Stormwater detention basin
- Traffic- See below-Requires a traffic impact study
- FD & PD- Concerns under traffic (see below).
- Noise, water, air pollution- No concerns
- School system- Minimal impact.
- Hazardous waste: No concerns
- Timeline: Start: 2nd half of 2026 Complete: None stated

Mr. Kary said there seems to be mature trees on this property and a task of Planning Commission is to try to preserve mature trees within the city. He said if they can save trees around the perimeter of a lot they would like them to remain. Mr. Lannon said they can preserve a majority of these trees.

Stormwater- Mr. Kary said it is rare to put a retention basin within a home development and he does not care for it. He said standing water breeds mosquitos, midges etc. Mr. Lannon said stormwater management is required but there is no drainage outlet abutting the site. They would need an easement to discharge stormwater south across the adjacent parcel to the stream, or a storm sewer must be extended to Lost Nation Rd. Mr. Kary said another developer had to run his stormwater to Lost Nation Rd. Mr. Jennings said on the northern half and middle portion of the site are all contained to the site. There is a combination system storm sewer and splash block downspouts and open detention basin. The retention basin would be a dry basin, unless it is actively raining and filling with water, and will be serving just the new road and lots 4 and 5 on the south side. These lots will go to the basin instead of going to the creek. Mr. Lannon said there needs to be alternative measures in case the sandy soils get clogged etc. Mr. Kary requested a stormwater study be done on this site. Mr. Lannon agreed because the code requires it and they will require physical testing of soils.

Sanitary sewer- There is a need to have the sanitary sewer on the south section of Windermere Drive to Lost Nation investigated or televised before any additional flow or development is added. Mr. Lannon said it is an 8" clay pipe and if it is in good condition it can handle the capacity.

Traffic- Windermere Rd. that comes in off Lost Nation ends. The Windermere that comes off College goes up to Lakeshore Blvd. and now this development will have a 20' wide private road to connect these two. The proposed private drive connects [South] Windermere with Windermere/College Ct. There would be no way to stop westbound traffic from Lost Nation to travel through to College Court since there is no turnaround. This will likely cause some amount of through traffic that will change the residential section of [South] Windermere. From the above general comment, there is no way to limit through traffic from the south Windermere section since vehicles entering from Lost Nation have no way to turn around other than private residential driveways, the north end of the subdivision can include signage stating, "no through traffic," but the connection of public streets could create a nuisance. Mr. Jennings said at the last meeting they presented three options to the board and they preferred they connect the two streets. He said they could include speed bumps or some type of traffic calming devices on the

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private portion. Chairman Norris said they would require this item. They would also be responsible for snowplowing the private section of the street.

Mr. Lucas said Planning Commission has the authority to ask for additional information but then they have to give the applicant time to obtain this information. They should go through the EAS and the Development Plan in case there are additional items requested by the commission of the applicant.

Chairman Norris said they would require a Traffic Impact Study.

Mr. Jennings said four of the buildings are one-story and two of them are two-story for a total of six homes. The height of the buildings are 12-13'. The two-story homes have a basement. The seventh lot will be used for open space.

Chairman Norris addressed the Development Plan.

Mr. Jennings said these are duplexes and they meet the minimum requirements of the code. There is a T-shape at the end of the private drive so emergency vehicles can turn around. The storage shed can be utilized by the residents for garden tools etc. Mr. Kary said these are rental units and Mr. Jennings said yes. Chairman Norris asked if there will be an H.O.A. Mr. Jennings said they are separate parcels but happened to be owned by the same entity. The common lot will be shared by the community.

Mr. Wildermuth said the survey shows the layout for this development originally showed twenty lots and now they are only utilizing six and the lots are substantially larger.

Mr. Jennings said they were before Planning Commission approximately one year ago and that is where they decided the board would like the streets connected.

Mr. Kary asked about fencing and if they are installing fencing. Mr. Jennings said there is some existing fencing on the property from an old playground. Mr. Kary prefers fencing for this development but not chain link. He would prefer the same style fencing around the entire complex. Mr. Jennings said their intent was to maintain the existing fence or replace it with new. Mr. Kary said no fencing is shown on their plan. Mr. Kary said he wants the fencing shown on the plan. He suggested speaking with Mr. Keller regarding what style, height etc. fencing is permitted.

Mr. Kary would like to see a sidewalk from this complex to the existing sidewalk on Lost Nation Rd. Mr. Jennings said there is an existing sidewalk on the south side of the McKinley Community Center which they would connect to.

Mr. Kary asked where visitors will park. Mr. Jennings said there are spots for two cars in front of each garage. Mr. Wildermuth said engineering recommended parking for three cars and they have provided that and Mr. Jennings said yes. He said with a 20' wide street it should be posted that there is no on-street parking. Mr. Wildermuth asked Mr. Keller if these rentals meet the code and Mr. Keller said yes.

Chairman Norris read into record a letter from Mayor Fiala in opposition to this proposal. There were many questions the commission would like answered from this memo. Mr. Jennings said this is not a group home or

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anything that requires state licensing. There is one family per unit and a potential resident fills out a rental application to see if they qualify. This is the same as an apartment and could be subsidized. The ownership will be a non-profit. Mr. Lucas said this is a permitted use if it is a duplex in an R-50 district, it is also permitted in an R-50 district if it is a small group home but has some additional requirements. Mr. Lucas had Mr. Jennings clarify it is just a duplex and not a small group use and Mr. Jennings said yes. Mr. Lucas said, for the record, there are no state licensing requirements and Mr. Jennings said no.

Chairman Norris read into record a list of names of many residents who were in opposition to this proposal (on file). He said there was one letter that was neutral and one letter in favor of the project.

Chairman Norris said the board would like clarified the following items: Fencing, the sidewalk on the northern edge of lot 6, which storm water option would be the preferred method (an easement to discharge stormwater south across the adjacent parcel to the stream or a storm sewer must be extended to Lost Nation Rd.), traffic- showing traffic calming devices or whatever they plan to use and the submission of a Traffic Impact Study and Sanitary Sewer to be televised/investigated.

Mr. Jennings would like to be tabled to have time to prepare the documents requested by the Planning Commission.

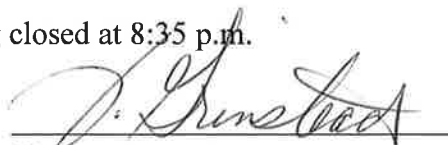
Mr. Wildermuth moved to table the Development Plan/EAS#10-4-25 for the McKinley Outreach Center, Windermere, Willoughby, OH 44094 to give the applicant time to obtain the items as stated above per the applicant's request and Mr. Cook seconded.

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

Motion Carried: TABLED

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


Steve Norris, Chairman


Vicki Grinstead, Secretary