

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
FEBRUARY 26, 2025  
PUBLIC HEARING  
MINUTES**

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

Vice Chairman Wildermuth called the public hearing to order at 7:00 p.m.

**Lakeshore Lounge**  
38770 Lakeshore Blvd.  
(Rep.- Andrew Eminger & Patricia Adams, Co-Owners)  
Conditional Use Permit for outdoor dining

The legal notice was read into record by Mrs. Grinstead. Vice Chairman Wildermuth asked if anyone wished to speak in favor of this proposal.

Mr. Eminger, 540 E. Overlook Dr., Eastlake, OH 44095 and Patricia Adams, 8737 Wildflower Way, Mentor, OH 44060. They are partners in this business.

Mr. Eminger stated that they are renovating the establishment to restore its original character. Their goal is to create a welcoming environment for outdoor dining and recreational activities, offering a comfortable gathering space for the community.

Ms. Adams stated that the infrastructure is in disrepair and that interior renovations have begun; this application pertains specifically to the proposed outdoor activities. The existing fencing will be replaced and will install cabanas to provide shade to patrons.

Vice Chairman Wildermuth asked if anyone wished to speak in favor of this proposal (x3) and there was no one else.

Vice Chairman Wildermuth asked if anyone wished to speak in opposition of this proposal (x3) and there was no one.

**Gas Station/convenience store**  
Lost Nation/Tamarac/ PPN#27-B-053-D-00-006-0  
(Rep.- Roy Sujit, Owner)

Conditional Use Permit for a gas station/convenience store with retail sales of e-cigarettes and vape products, outdoor dining, and the elimination of the side setbacks for parking and on-site circulation between two or more lots

Vice Chairman Wildermuth stated that tonight's discussion should be limited to the conditional use items requested which are the same of vape products and e-cigarettes, outdoor dining and the waving of the internal

**City of Willoughby  
Planning Commission  
Public Hearing Minutes  
February 26, 2026**

setbacks between adjacent general business parcels as required by C.O. 1109.05(f)(2)(k). The gas station and convenience store are permitted by right within this zoning district.

The legal notice was read into record by Mrs. Grinstead. Vice Chairman Wildermuth asked if anyone wished to speak in favor of this proposal.

Mr. Sujit, Owner, 34875 Ada Dr., Solon, OH 44139. Mr. Roy stated that additional details would be provided as the meeting proceeded. He noted that the Conditional Use Permit pertains to the sale of tobacco, vape products, and e-cigarettes, which are an integral part of his business, and he is available to address any questions from the Board. He stated that the outdoor dining area is intended to support the facility's quick-service restaurant allowing patrons to take their food outside during favorable weather. Vice Chairman Wildermuth said the code allows for the elimination of the side setbacks for parking and on-site circulation between two or more lots and since Mr. Sujit owns all the parcels, this allows him to have a reciprocal easement agreements across these property lines for circulation.

Vice Chairman Wildermuth read into record a letter in favor from Greg Patt, 38005 Brown Ave., Willoughby, OH 44094 and Steve Norris, Chairman of the Planning Commission.

Vice Chairman Wildermuth asked if anyone else wished to speak in favor of this proposal (x3) and there was no one else.

Vice Chairman Wildermuth asked if anyone wished to speak in opposition.

Ms. Kristina Keptner, 38390 Crossbrook Ave., Willoughby, OH 44094. She noted gas stations are traffic intensive uses with much vehicle activity and being behind homes there will be more pedestrian and vehicle risks. She asked the board to deny the Conditional Use Permit and continue this hearing until the complete traffic and access safety analysis is provided and available to the public. Vice Chairman Wildermuth said the commission did receive a 200-page traffic study and it will be discussed in the Development Plan portion of this meeting. According to the site plan the gas station is 200 feet in both directions from any residential neighborhoods.

John Farley, 863 Tioga Trail, Willoughby, OH 44094. Mr. Farley urged the board to vote against this proposal. He feels this will take business away from the three existing businesses at the corner of Lost Nation and Lakeshore and may also bring a bad element to this area.

Damon Coberly, 38430 Crossbrook Ave., Willoughby, OH 44094. He opposes this permit. He feels that a gas station is a stormwater sensitive use. The Planning Commission is supposed to evaluate impacts on surrounding properties and public welfare and may require additional information and safeguards when homes are immediately adjacent. He is asking for a detailed stormwater plan showing drainage direction, capture and treatment, a spill and response plan, engineered containment features around fueling area and enforceable conditions. Please deny the Conditional Use Permit. Please continue the hearing until stormwater and spill engineering is complete and placed into the public record review consistent with the city's Conditional Use process. Vice Chairman Wildermuth said these items will be discussed during the Development Plan portion of this meeting.

**City of Willoughby  
Planning Commission  
Public Hearing Minutes  
February 26, 2026**

Joseph Whitman, Esq. Real Estate Attorney, 113 N. 20<sup>th</sup>, Columbus, OH but was originally raised in Lake County Ohio (see handout Exhibit "A" dated 2-26-26). The conditional use is supposed to protect the surrounding residents and feels it is incompatible with this location because it is a high activity gas station and convenience store up against a residential neighborhood. There is no local precedent like this and is a potential domino to begin additional development along the Lost Nation corridor. If this is approved homeowners are prepared to pursue litigation by challenging whether the city applied it's conditional use standards in a lawful evidence based way. He respectfully asked the commission to deny this conditional use permit.

Paul Roback, 38422 Sheerwater Lane, Willoughby, OH 44094. Mr. Roback opposes this conditional use permit because of all the intense signage and lighting. The record should include a lighting or photometric plan etc. He respectfully asked the commission to deny this conditional use permit and at a minimum continue this matter until a complete lighting plan and lighting conditions are presented in the record. Vice Chairman Wildermuth noted there is a 200 foot buffer between this site and the development.

Jeff Malecki, 1249 S. Beachview Dr., Willoughby, OH 44094. Mr. Malecki was unhappy with the way the vice chairman was conducting this meeting and will speak with the Mayor.

Dawn Munaretto, 38440 Crossbrook Ave., Willoughby, OH 44094. Mrs. Munaretto said she understands they are supposed to only discuss what the Conditional Use Permit is for but he read into record two letters from people in favor but said nothing about e-cigarettes or vaping. She noted that noise is not a minor inconvenience when a high activity commercial use is adjacent to a residential development. The outdoor dining can extend this noise activity. They want restrictions on noise elements and cited some examples and if they cannot comply with this request she asked the commission to deny this Conditional Use Permit. At a minimum please continue the hearing until the applicant provides a complete operations plan.

Jason Cooper, 38380 Crossbrook Ave., Willoughby, OH 44094. Mr. Cooper opposes this conditional use permit and said this is not a "rubber stamp". He stated the commission did not have all the facts required to approve the conditional use. Petroleum vapors intrusion is a recognized pathway of concern. Please do not approve this Conditional Use Permit on an incomplete record and continue this hearing.

Elizabeth Griffin, 38430 Crossbrook Ave., Willoughby, OH 44094. This gas station will be directly behind her home. She is concerned about underground storage tanks, leakage, spills and vapor intrusion and asked for detailed enforceable documentation per EPA guidance because the neighborhood would bare the consequences. She asked the commission to deny this Conditional Use Permit and at a minimum please continue the hearing until the applicant provides complete expert supported information explaining how it would protect homes.

Patrick Murphy, 38400 Crossbrook Ave., Willoughby, OH 44094. Mr. Murphy was a former law director for a nearby city and agreed with the young attorney that spoke earlier regarding the Conditional Use Permit and thought he had valid points. He trusts the city's law department will give this board good legal advice when it comes time to decide this issue.

Kate Minton, 38463 Sheerwater Lane, Willoughby, OH 44094 (see handout Exhibit dated 2-26-26). Ms. Minton is speaking on behalf of her father Robert as well. They are real estate professionals and she asked

**City of Willoughby  
Planning Commission  
Public Hearing Minutes  
February 26, 2026**

the commission to deny the conditional use permit because it is incompatible with the long term interests of their community. She feels this gas station could negatively affect property values. They submitted into record (Exhibit "B" dated 2-26-26) Estimated Property-Value Impact (Planning-Level). She asked the commission to deny this Conditional Use Permit.

Linda Perlic, 38460 Crossbrook Ave., Willoughby, OH 44094. Ms. Perlic is the fourth home in this subdivision. She is concerned for the wildlife in this area. She noted that the retail sales of e-cigarettes, vape products and outdoor dining encourages gathering, loitering and ill behavior and extends activity later into the evening. She wants restrictions on all outdoor activities that cause noise and litter control. She asked the commission to deny this Conditional Use Permit. Please continue the hearing until complete operation details and enforceable conditions regarding outdoor dining and nuisances are provided for the record.

Stephanie Sabo-Roback, 38422 Sheerwater Lane, Willoughby, OH 44094. Ms. Sabo-Roback is concerned about continuing emissions and exposure opportunities adjacent to homes, vehicle traffic and deliveries. She asked the commission to deny this Conditional Use Permit and at a minimum continue this matter until the record includes complete information addressing air quality and petroleum vapor intrusion concerns for the homes that directly abut this site.

Danny Duguid, 38420 Crossbrook Ave., Willoughby, OH 44094. Ms. Duguid is concerned about late hour activity on the site and a steady flow of transient traffic and violent crime. Her husband is a Lake County Deputy Sheriff and is very concerned about a gas station being constructed behind their home. He has mentioned that the crime at gas stations in Lake County is very high.

Donna Boyes, 38425 Crossbrook Ave., Willoughby, OH 44094. Ms. Boyes understands the need for economic development and is concerned about the environmental impact and traffic issues etc. this gas station will have on the adjacent neighborhood. She respectfully asked the city to reject this proposal and consider alternative businesses that will align with the community and environment.

Donna Arnold, 38432 Sheerwater Lane, Willoughby, OH 44094. Ms. Arnold said she feels disrespected and likes her quiet neighborhood. She is also concerned about the wildlife.

Matt Mociłnikar, 38495 Crossbrook Ave., Willoughby, OH 44094. Mr. Mociłnikar said he opposes this proposal in its entirety. He was a former project manager with experience in identifying risks associated with gas station operations.

Mr. McCauley (first name inaudible) 113 N. 20<sup>th</sup>, Columbus, OH and is a registered nurse. Mr. McCauley has seen the effects of known carcinogens on inhalation. It is a choice to inhale e-cigarettes and vape products but these residents do not have a choice and children are at the greatest risk.

Chairman Wildermuth read into record three letters from residents in opposition to this proposal:


Lori & Chris Flower, 1344 Brooks, Willoughby, OH 44094, Ray and Alana Petroff, 38465 Sheerwater Lane, and Franjo & Drađica Vurusic, 38410 Crossbrook Ave., Willoughby, OH 44094.


**City of Willoughby  
Planning Commission  
Public Hearing Minutes  
February 26, 2026**

Vice Chairman Wildermuth asked if anyone wished to speak in opposition of this proposal (x3) and there was no one else.

Vice Chairman Wildermuth asked if anyone wished to speak in favor in rebuttal of this proposal and there was no one.

Chairman Norris closed the public hearing for at 8:13 p.m.

  
Mike Wildermuth, Vice Chairman

  
Vicki Grinstead, Secretary