

**PLANNING COMMISSION
CITY OF WILLOUGHBY
OCTOBER 26, 2023
REGULAR MEETING
MINUTES**

PRESENT: J. Cook; K. Kary; Ben Capelle; M. Wildermuth; S. Norris, Chairman
ABSENT: Tim Lannon, City Engineer
OTHERS: Keith Pedersen Asst. Law Director; Larry Puskas, Chief Bldg. & Zoning Official;
Vicki Grinstead, Secretary

Chairman Norris called the regular in-person meeting to order at 7:03 p.m.

MINUTES

Regular Meeting Minutes

October 12, 2023

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for October 12, 2023 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

OLD BUSINESS

KTE Villages Phase 4 LLC
Tudor Dr./PPN#21-A-022-0-00-029-0
(Rep.-Marc Strauss, KTE Villages Phase 4 LLC)

**Development Plan/EAS#11-9-23,
Minor subdivision for 2 bldgs./4 units**

Mr. Kary moved to untable the Development Plan/EAS#11-9-23 for a minor subdivision of 2 buildings/4 unit duplexes for the KTE Villages Phase 4 LLC, Tudor Dr./PPN#21-A-022-0-00-029-0, Willoughby, OH 44094 and Mr. Capelle seconded.

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

Motion Carried: UNTABLED

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Chairman Norris stated per the applicant's request this application will be permanently tabled.

Mr. Capelle moved to permanently table the Development Plan/EAS#11-9-23 for a minor subdivision of 2 buildings/4 unit duplexes for the KTE Villages Phase 4 LLC, Tudor Dr./PPN#21-A-022-0-00-029-0, Willoughby, OH 44094 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: PERMANENTLY TABLED

NEW BUSINESS

Tuda's Playhouse
1356 Lost Nation Rd.
(Rep.- Bryoniya Bell, Owner)

Conditional Use Permit for Daycare

No one is present to represent this application.

Mr. Wildermuth moved to table the Conditional Use Permit for Tuda's Playhouse, 1356 Lost Nation Rd., Willoughby, OH 44094 since no one is present to represent the application and Mr. Capelle seconded.

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

Motion Carried: TABLED

Slabe Machine
4659 Hamann Pkwy.
(Rep.- Mark Leszynski, MVL Construction Services)

**Development Plan/EAS# 13-9-23
for a parking lot expansion**

Mr. Leszynski of MVL Construction Services, 16270 Lake Forest Dr., Strongsville, OH 44126 is representing the Development Plan/EAS#13-9-23 for a parking lot expansion for Slabe Machine, 4659 Hamann Pkwy., Willoughby, OH 44094.

Mr. Kary addressed the EAS.

- City Engineers comments were there are no issues and the plan shows good retention.
- No police or fire demands
- No noise, water, or air concerns

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- No demands on the school system
- No hazardous waste materials on site
- Timeline is 2023 for clearing, moving dirt, and getting storm system in.
- Landscaping will be within 5% compliance.

Mr. Leszynski said they have twelve people parking in the lawn now and this is one of the reasons for the parking lot expansion as well as future growth of the company.

They added an island with two trees that takes up four spaces to comply within the landscaping requirements of 5%. They had to remove four large trees so all trees shown are new but a few pine trees will remain.

Chairman Norris asked if there was a fence on the northern edge and Mr. Leszynski said no. Chairman Norris said he would prefer two or more bushes/spruces on the south western edge of the retention pond. He will let them decide what type of plants to install just so that it shields the pond from the street view. He said the plan is well done. Mr. Leszynski said he believes they meet the ADA requirements for parking spots.

Mr. Wildermuth moved to approve Development Plan/EAS#13-9-23 for a parking lot expansion for Slabe Machine, 4659 Hamann Pkwy., Willoughby, OH 44094 with the stipulation that two or more plantings are added on the western edge of the retention pond and it is up to applicant what type they wish to install and Mr. Kary seconded.

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

Motion Carried: APPROVED

Raising Cane's
5051 SOM Center Rd.
(Rep.- Jamie Wells, OLIO Development Group)

**Conditional Use Permit for
drive thru & outdoor dining**

This application will be tabled per the applicant's request.

Mr. Wildermuth moved to table the Conditional Use Permit for Raising Canes, 5051 SOM Center Rd., Willoughby, OH 44094 and Mr. Capelle seconded.

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

Motion Carried: TABLED

Raising Cane's
5051 SOM Center
(Rep.- Jamie Wells, OLIO Development Group)

**Development Plan/EAS#12-9-23
demo existing bldg./construct new**

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This application will be tabled per the applicant's request.

Mr. Capelle moved to table the Development Plan/EAS#12-9-23 for Raising Canes, 5051 SOM Center Rd., Willoughby, OH 44094 and Mr. Wildermuth seconded.

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

Motion Carried: TABLED

Kirtland Tudor Estates
Stillman Lane/Tudor Dr.
(Rep.- Mike Ross, Paratto-Ross Real Estate)

**Lot split for PPN#21-A-022-0-00-029-0
into 3 parcels**

Mr. Ross of Paratto-Ross Real Estate, 4735 Wood St., Willoughby, OH 44094 is representing the lot split for Kirtland Tudor Estates, PPN#21-A-022-0-00-029-0, Willoughby, OH 44094.

Mr. Ross said this lot split is for a single family home. Parcel "C" on the subdivision map is Sublot 9. They have entered into a contract with a client to build a home on this lot. The thought behind this was to split it as they had with the lots behind it as well as Sublot 11 across the street. The other two lots to the left will be put on the market as well and that is why they are asking to split this into three parcels. The most important one this evening is the corner lot. There was an issue that arose with the condominium portion of the property. He presented the condominium declarations (in record 10-26-23). There are access questions to parcel C. He mentioned Article 3 within the declarations speaks to provisions as to easements, units, and common elements. Section G speaks to the reservation by declarant of easement of ingress/egress, utilities, construction, and sales.

Chairman Norris said there is a note that was in the commissions packets from Tim Hadden of CT Consultants and this has been echoed by Mr. Lannon as well that this piece of land has been split a number of times and would be considered a major subdivision. This could potentially exceed the allowable limit of splits. If the commission were to allow this, there would need to be a release from the condo association of the land in question. This release could require a vote of all the condo owners. Mr. Ross said there have already been conversations with the condo owners. He spoke with Mr. Lannon who said Law Director Lucas could grant one split or all three. Mr. Ross said the home will be a fee simple two-story 2,600 sq. ft. Avalon home built by Payne and Payne.

Chairman Norris said per the Law Director they can proceed once they gain access to the land in question from the condo association and that this item remain on the table until the next meeting to allow the Law Department and the City Engineer time to review this. Mr. Ross said the county would not provide the pre-approval stamp until the city approves it. Mr. Ross asked for this application to be tabled.


Mr. Capelle moved to table the lot split for Kirtland Tudor Estates, PPN#21-A-022-0-00-029-0, Willoughby, OH 44094 and Mr. Wildermuth seconded.

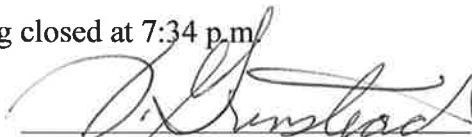
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ROLL CALL: Yeas: K. Kary; M. Wildermuth; J. Cook; Ben Capelle; S. Norris, Chairman
 Absent: None
 Nays: None

Motion Carried: TABLED

There being no further business the regular meeting closed at 7:34 p.m.


Steve Norris, Chairman


Vicki Grinstead, Secretary