

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
MARCH 27, 2025  
REGULAR MEETING  
MINUTES**

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

**Chairman Norris called the regular in-person meeting to order at 7:28 p.m.**

**MINUTES**

**Regular Meeting Minutes**

**March 13, 2025**

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for March 13, 2025 as submitted and Mr. Capelle seconded.

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

**Motion Carried:    APPROVED**

**OLD BUSINESS**

None

**NEW BUSINESS**

**The Villas at Union Pointe**  
25 Public Sq.  
(Rep.- Kevin Hoffman, Polaris Engineering & Surveying &  
George Davis, Probuilt Homes)

**Development Plan/EAS#5-2-25,  
Major Subdivision, Preliminary Plat,  
for nine fee simple single family homes**

Mr. Hoffman and Mr. Davis are representing the Development Plan/EAS#5-2-25 for the Major Subdivision, Preliminary Plat for nine fee simple single family homes.

Mr. Kary addressed the EAS. These homes will not be owned by 25 Public Sq. (apts.) and each of the nine villas will be privately owned and will have a private homeowners association and Mr. Hoffman said yes.

- Stormwater- The existing utilities have capacity to handle demands of the proposed development. Dye testing may be required for existing storm sewer. Code requires 20% reduction in impervious area or equivalent treatment.
- Traffic-Concerns for guest parking.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

- FD & PD-No concerns from PD, but FD wants street to be considered a fire lane w/no on-street parking. No turn around for emergency vehicles. One private hydrant is required.
- Noise, water, air pollution- No concerns
- No concerns expressed for school system.
- Hazardous waste: No concerns
- Noise, water, air pollution: No concerns
- Timeline: Start: April, 2025 Complete: End of 2026

Mr. Davis said he will build the road in April of 2025 and then the model home. These will be sold individually and custom built as sold. It could take up to a year and a half.

Chairman Norris addressed the Development Plan. Mr. Hoffman said they changed the parking lot layout but they will come back to the board for that. Chairman Norris asked Mr. Hoffman to revise and resubmit the EAS not to include the apartments and is only for the villas and noted all items to be corrected, including Attachment A.

Chairman Norris asked Mr. Keller if he was ok handling the parking lot changes and Mr. Keller said yes. This is the only change to the existing structure (apt. bldg.). His zoning inspector had concerns that there will be no additional parking but these homes each have two car garages and only one is required. Mr. Davis said these homes will have basements because there is a significant amount of fill on this site. The homes will be either one or two-story homes and will not be over 35' in height. They would be wood framed and not sprinklered.

Mr. Kary said he feels the design features do not unite/harmonize with Union Pointe or Center Street at all. Mr. Davis asked if the board received the revised elevations, which were done by Mayor Fiala, and the board did receive these. He said Probuilt Homes is willing to stipulate to all these elements provided by Mayor Fiala. He said they will also have to go before the Design Review Board for each home. Mr. Davis said if this board wants him to stipulate to all the items in red on the rendering provided by Mayor Fiala, then he will agree to that.

Mr. Kary said Center Street does not have homes with the rear part of the home facing the street. This is what Mr. Davis is proposing and he does not like it. Mr. Davis said the plan submitted by the previous builder was done the same way. Mr. Davis said the urban dwellers have a different mind set and are not as concerned about having a yard to do family activities and is a different lifestyle. Mr. Kary feels this plan does not fit aesthetically and does not fit in the historical district. Mr. Davis said the rear has a porch just like the front of a home with nice windows.

Mr. Wildermuth said maybe they could flip the design and make the rear look more like the front of the home. Mr. Davis said the Center St. side has more gables and windows than the front. Mr. Wildermuth said it still looks like the rear of the home with the sliding glass door. Mr. Davis said they could do a hinged style door instead of sliding glass doors.

There was a brief discussion regarding the garages. Chairman Norris read Mayor Fiala's comment in the Staff Report. Chairman Norris thanked Mr. Davis for rethinking this project. Mr. Davis said they can do a hinged French door, a front door or front door with double side lights. He would prefer to keep both elevations upscale for the residents because these are expensive homes. He explained that the previous builder did not take into consideration the eight feet of grade for the townhomes and they submitted an architects rendering that did not accurately depict this. He wanted to make sure they accurately depicted this, so they showed the actual height that this would be on the street. They are lowering the grade to make it look less severe on Center St.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

Chairman Norris said the Zoning Department noted items of concern on the Staff Report: While this development meets zoning regulations, some items of concern include: lack of guest parking (only 4 driveways are deep enough to park a car in and the distance between driveways don't leave much room for on-street parking) but there are 2-car garages, rear yards adjacent to Center Street are 10' wide with decks/patios only 2' off public sidewalks, rear yard fencing or screening along Center Street (fence regulations in business districts are vague in comparison to regulations of residential districts). He assumes these items will be in the H.O.A. documents and Mr. Davis said yes and they will be similar to the H.O.A.'s across the street. Chairman Norris asked if there will be fencing restrictions. Mr. Davis said yes and either the Planning Commission or DRB can stipulate these restrictions. Chairman Norris said a condition of approval will be the Center Street facing fence should match the townhome fencing which is black powder coated aluminum. Mr. Hoffman said along the western property line (orange line on plan) they will do a 6' vinyl fence. Mrs. Grinstead said for the first home they should submit the overall design/site plan for the DRB board to show all of these items. Mr. Davis said another condition will be no sliding patio doors allowed on the Center Street facing homes (five units). He said their plan is to not have the same color scheme and a variation from unit to unit. Mr. Wildermuth and Mr. Capelle agree the left side of the rendering looks like what the previous builder submitted but the right side does not, and the weight of the detail should be equal on both sides. Mr. Davis said he will continue to interact with the administration on the design details. Mr. Capelle said as long as the rear of the home has a front feel along Center Street he is good with the plan.

Chairman Norris asked Mr. Lucas if the Design Review Board (DRB) can overrule this board as far as design since it is in the historical district. Mr. Lucas said the position of the administration has always been because this is a specialized area that the DRB would take priority over the Planning Commission itself.

Mr. Capelle asked how trash pick up would work. Mr. Davis said it would be the same as across the street and would be a private hauler. They also truck the snow out because there is nowhere to pile it up and is part of their association fees.

Chairman Norris reiterated the two conditions: No Center St. sliding doors on units 1-5 and Center St. fencing, if installed, will match the townhomes fencing. He also appreciated the very detailed landscaping plan.

Mr. Cook moved to approve the application for a Development Plan/EAS#5-2-25 for a Major Subdivision, Preliminary Plat for nine fee simple townhomes deemed The Villas at Union Pointe, 25 Public Sq., Willoughby, OH 44094 with two conditions: No Center St. sliding doors on units 1-5 and Center St. fencing, if installed, will match the townhome fencing and Mr. Wildermuth seconded.

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

**Motion Carried:     APPROVED**

**The Way Virtual Offices (Charlton Abbott)**  
37903 Euclid Ave.  
(Rep.- Joe Myers, Myers Architect & Ken Boyd, Owner)

**Conditional Use Permit  
including patio & barn for  
occasional events**

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

Chairman Norris reiterated the previous Conditional Use Permit Conditions: 1) Hours of Operation: 5:30 a.m. until 10:00 p.m. Monday-Friday, 7:30 a.m. until 11:30 p.m. Saturday, and 8:00 a.m. until 8:00 p.m. Sunday, 2) The maximum occupancy limit on the 2 separate patios is 30 and 24 for a total of 54. The maximum occupancy limit indoors is 50; subject to use agreement w/neighbors or church to secure overflow parking of 10 additional spaces, 3) Landscape lighting no higher than knee level. No flood lighting permitted. 4) Piped in music must remain at conversational level and is to be controlled by the owner of the building, 5) Dumpster must be screened and have a gate, 6) Patio usage is limited to members and invited guests only 7) Outdoor landscaping around outdoor patios must be maintained as a buffer, 8) This Conditional Use Permit shall terminate one year from the date of issuance (terminates 4-14-23).

Mr. Kary asked if they will be asking for changes to the previous CUP and if so, what are they? Mr. Myers said there are not two patios and this was written as a certain arrangement. They would like to word this occupancy differently and include the whole premises including the barn. If a member rents the space it includes the whole premises. Mr. Boyd said they are asking to use the entire parcel, barn, building and outdoors for a total of 94 people. Mr. Boyd said if they are having an event and they have inclement weather they can use the barn as a similar use. He said in regard to parking they have a long-term lease with the Willoughby Bible Church for overflow parking. They can use their facility from 1:00 p.m. on Sundays until Saturday evenings.

Mr. Keller said the occupant load will be calculated and prescribed by the Building Code. When Mr. Myers submits renderings for the barn he can determine what the capacity will be for that building. It is in combination with the house and some of it is based on bathroom facilities and availability. He feels it would be prohibitive to put a number on the CUP. He suggested putting on the CUP: the maximum occupancy for the premises shall not exceed the combined total of the occupant loads for the barn and for the house. Mr. Cook asked if this includes the patio. Mr. Keller said they still have to comply with the requirements of the facilities. Mr. Wildermuth said the number of bathrooms may restrain the occupant load for the site. There are two upstairs, one on the main floor and one in the basement. Mr. Myers said the basement bathroom is a walk-out with a ramp. Mr. Keller said that Mr. Myers may want to recalculate the occupant load for the house. The use is already prescribed by the code. Mr. Wildermuth said the things they are doing within this building must fall under a business use and are directly related to the business there. Mr. Boyd said there are some co-working spaces that are in a residential area and advertise life events for their facilities but they are a bit larger. Mr. Boyd said they do not want to be a party center and have tried to work with the residents on Jordan Dr. He said he has approached the city when they have had larger events and obtained permits. Mr. Keller said they would issue permits for special events for such things as fundraisers especially if it is for the community, which they have done in the past, however, if they came in for a wedding he doubts that would be approved. The use for the zoning district is a business use, Office; Administrative, Professional but there may be a birthday party for "Mary in Accounting" but rarely is there a wedding for "Mary and her family." Mr. Keller said he did have two complaints that have been mentioned, which caused the CUP to be invalid. He said these events have been addressed and does not see a future problem. He said if Mr. Boyd is asking to have weddings then he should go before the Board of Zoning Appeals. Mr. Boyd said he would agree not to have weddings approved.

Chairman Norris said as he understands the use Office; Administrative, Professional and Business and this use is already specified in the code and would eliminate any attempt to seek Conditional approval for particular uses such as events. Mr. Keller said they could put stipulations when they are utilizing those spaces for business purposes such as the barn, for seminars, sales events, which are many things they have already had with no negative impact. Chairman Norris asked Mr. Lucas if they would have to list these items. Mr. Lucas said the point Mr. Keller is trying to make is the CUP itself is defined by what was applied for under the Schedule of Uses under C.O.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

1141.03(2)(b) Office; Administrative, Professional and Business and that is the conditional use that was applied for and that is the exception in the Limited Residential Business district and this is all they are dealing with. He said he agrees with Mr. Keller that a wedding does not fall within Office; Administrative, Professional and Business and would fall within a special event.

Mr. Kary said the Planning Commission should let it run the way it has been running and let Mr. Keller deal with special permits for events and Mr. Wildermuth agreed and let them operate in accordance with C.O. 1141.03(2)(b) Office; Administrative, Professional and Business, and all other standards and regulations of the Planning & Zoning Code and add the total number of individuals on premises shall not exceed the combined occupancy loads as prescribed on the Certificate of Occupancy for the house and barn. Mr. Keller said these applications for events are not reviewed arbitrarily but are also sent to the administration, community development and occasionally to police and fire to review to see how the event went and if they would allow it again.

Mr. Wildermuth said café is part of the business use and permitted with the Building Code. Mr. Boyd said they have a Class 3 Food operator's license and have gone through the required training. Mr. Keller noted that anything that is prepared there must be consumed there by the members.

Mr. Capelle feels that a coworking special is a definition that is not well defined and is a gray area. The commission decided to remove some of the wording on the new CUP and just say Offices and Barn to describe the premises. Mr. Keller suggested the commission may want to add specific conditions for the barn such as door and windows must remain closed during an event etc. Mr. Lucas suggested adding an expiration date as well.

Chairman Norris said from the seven people who spoke in favor of this CUP he heard them said it was an event or event center language six times and this makes him nervous. He said to be super clear this is not an event center. Mr. Boyd reiterated that he would not do any weddings.

Chairman Norris said there was an issue with the condition for piped in music must remain at conversational level and is to be controlled by the building owner which was admitted to and bothered the abutting neighborhood. Mr. Aveni said when Mr. Boyd became aware of it, he put a stop to it and anyone using the entire facility would be subject to these rules. Chairman Norris asked what consequences do the members face if they violate the rules. Mr. Boyd said they could possibly revoke their membership or be sued etc. Mr. Keller suggested removing the number of people on the patio and stating total number of individuals on premises shall not exceed the combined occupancy loads as prescribed on the Certificate of Occupancy for the house and barn to make it clear. Mr. Keller said constructions plans will be submitted to the Building Department by the design professional which will indicate the occupant load. The plans will be reviewed and he does not think it will be a large number.

Mr. Aveni said after their last discussion he tried to do some research on what is a coworking space and how other communities deal with it. He found that it is a new use and other communities are struggling with it. He found a definition: Facilitated Environment which contains desk or other work spaces and facilities and is used by a recognized membership who share the site in order to interact and collaborate with each other as part of a community. Rules for membership and participation in the coworking space are explicit, transparent, and available to the public. Coworking space may host classes or networking events which are open to either the public or to the current or prospective members. Equipment is limited to that which does not generate excessive noise or pollutants in excess of what is customary within a typical office environment. He said it is a hybrid and this is what a co-work space is.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

Mrs. Grinstead reiterated the former CUP conditions with the amendments below for the new CUP:

Mr. Wildermuth moved to approve the Conditional Use Permit for The Way Virtual Offices (Charlton Abbott), 37903 Euclid Ave., Willoughby, OH 44094 with the following conditions: 1) Hours of Operation: 5:30 a.m. until 10:00 p.m. Monday-Friday, 7:30 a.m. until 11:30 p.m. Saturday, and 8:00 a.m. until 8:00 p.m. Sunday, 2) Parking is subject to a use agreement w/neighbors or church to secure overflow parking of 10 additional spaces , 3) Landscape lighting no higher than knee level. No flood lighting permitted. 4) Piped in music must remain at conversational level and is to be controlled by the owner of the building. No live music permitted. 5) Dumpster must be screened and have a gate, 6) Patio usage is limited to members and invited guests only 7) Outdoor landscaping around outdoor patio(s) must be maintained as a buffer, 8) Use of premises and structures shall be in accordance with C.O. 1141.03(2)(b) Office; Administrative, Professional and Business, and all other standards and regulations of the Planning & Zoning Code, 9) The total number of individuals on premises shall not exceed the combined occupancy loads as prescribed on the Certificate of Occupancy for the house and barn, 10) This CUP shall terminate one year from date of approval (expires May 25, 2026) 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**

**The Way Virtual Offices (Charlton Abbott)**  
37903 Euclid Ave.  
(Rep.- Joe Myers, Myers Architect)

**Development Plan/EAS#6-2-25**

Mr. Myers is representing the Development Plan/EAS#6-2-25 for The Way Virtual Office (Charlton Abbott).

Mr. Kary addressed the EAS.

- Stormwater- No concerns
- Traffic-See FD & PD comments
- FD & PD-Concerns regarding parking for large events and overflow parking on Jordan. There is currently an agreement in place with church for overflow parking.
- Noise, water, air pollution- Addressed in the CUP. Added one year expiration date on CUP.
- No impact on schools
- Hazardous waste: No concerns
- Timeline: As soon as all approvals are obtained.

Chairman Norris asked if the building was sprinklered (answer was inaudible). There were no questions from the board in regard to the Development Plan or EAS. Mr. Keller waived items not needed for this submittal.

Mr. Kary advised the applicants that they would be before City Council Tuesday, April 1, 2025.

Mr. Capelle moved to approve the application for a Development Plan/EAS#6-2-25 for The Way Virtual Offices (Charlton Abbott), 37903 Euclid Ave., Willoughby, OH 44094 and Mr. Cook seconded.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

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

**Motion Carried:    APPROVED**

**Motley 7 Brew**  
35091 Euclid Ave.  
(Rep.- Ryan Roosen, Woolpert & Rick Nader, President)

**Conditional Use Permit  
for a drive thru coffee shop**

Mr. Roosen said they have twenty-one stacking spaces for the driveway and the code requires only ten. He said their ordering system is similar to Chick-fila where they have a team member outside taking orders and then you will pull forward to the canopy to pick up your order. There are no speakers for ordering but there is a speaker for low volume music in the drive thru area. Mr. Kary said that piped in music should be at a conversational level. There will be no live music. Mr. Nader said occasionally they hire a marching band if they present a check to someone. Mr. Kary said any other band, such as the marching band, he can contact the Building Department for a permit. Mr. Roosen said they presented a photometric plan for the lighting. There are two light poles and down lighting under the canopy. All lighting will be contained to their parcel. Hours of operations are 5:30 a.m.-11:00 p.m. 7 days a week/365 days a year. There are no external trash bins for the drive thru. Chairman Norris said as far as outdoor cleaning there will be no power washing, cleaning equipment from midnight to 6:00 a.m., 7 days a week.

Mr. Wildermuth asked how the parking will be affected. Mr. Keller said Mrs. Brooks calculated the parking and there are no issues.

Mr. Wildermuth moved to approve the Conditional Use Permit for Motley 7 Brew, 35091 Euclid Ave., Willoughby, OH 44094 with the following conditions: 1) Hours of operation are 5:30 a.m.-11:00 p.m. 7 days a week/365 days a year, 2) No power washing, cleaning equipment from midnight to 6:00 a.m., 7 days a week, 3) Lighting shall be contained to subject parcel, 4) Piped in music shall remain at a conversational level. No live music permitted and Mr. Cook seconded.

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

**Motion Carried:    APPROVED**

**Motley 7 Brew**  
35091 Euclid Ave.  
(Rep.- Ryan Roosen, Woolpert, Rick Nader, Owner)

**Development Plan/EAS#7-2-25  
for a drive thru coffee shop**

Mr. Roosen and Rick Nader are representing the Development Plan/EAS#7-2-25 for a drive thru coffee shop.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
March 27, 2025**

Mr. Kary addressed the EAS. Mr. Kary advised the applicants that they will be before City Council next Tuesday, April 1, 2025 for this EAS.

- Stormwater- The existing utilities have capacity to handle demands of the proposed development. The sanitary sewer system has capacity. Code requires 20% reduction in impervious area or equivalent treatment.
- Traffic-no issues cited
- FD & PD-no concerns
- Noise, water, air pollution- Drive thru/radio speaker music volume must be at conversational level. No live music permitted.
- No impact on schools
- Hazardous waste: No concerns
- Noise, water, air pollution: No concerns
- Timeline: Start- Summer, 2025 Complete- Fall, 2025

Mr. Roosen said the building is pre-engineered. They did reduce the impervious surface by 20% and are adding in one line for the roof drains to go into the existing system. He showed the commission the materials board. Mr. Wildermuth said the gray is the main part of the building (fiber cement), the blue is the trim at the top and over the canopies, and the black is the base and soffit cap.

Chairman Norris thanked the applicants for the nice landscaping plan. Mr. Kary said they must maintain their landscaping.

Mr. Roosen said there is a walk up window and there is a small amount of seating on the north side but this is all outdoors.

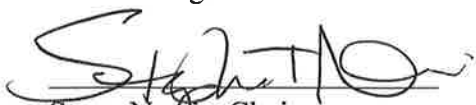
Mr. Capelle said he would like to see a curb around the whole thing because of the cross traffic or some sort of delineators. Mr. Roosen said as part of the agreement with the landlord they cannot do curbs. They do have cross access easements.

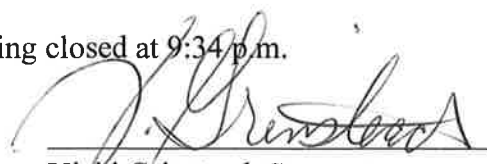
Mr. Capelle moved to approve the application for a Development Plan/EAS#7-2-25 for Motley 7 Brew, 35091 Euclid Ave., Willoughby, OH 44094 as submitted for a drive thru coffee shop and Mr. Wildermuth seconded.

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

**Motion Carried:    APPROVED**

There being no further business the regular meeting closed at 9:34 p.m.

  
Steve Norris, Chairman

  
Vicki Grinstead, Secretary