

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
JULY 24, 2025  
REGULAR MEETING  
MINUTES**

**PRESENT:** K. Kary; J. Cook; Ben Capelle; S. Norris, Chairman

**ABSENT:** M. Wildermuth

**OTHERS:** Mike Lucas, Law Director; Darryl Keller, Chief Bldg. & Zoning Official;  
Tim Lannon, City Engineer; Vicki Grinstead, Secretary

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

**MINUTES**

**Regular Meeting Minutes**

**June 26, 2025**

Mr. Capelle moved to approve the Planning Commission Regular Meeting Minutes for June 26, 2025 as submitted and Mr. Cook seconded.

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

**Motion Carried:     APPROVED**

**OLD BUSINESS**

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

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

Mr. Capelle moved to untable Old Business for McKinley Community Outreach Center, Inc., Windemere Ave., Willoughby, OH 44094 and Mr. Cook seconded.

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

**Motion Carried:     UNTABLED**

Mr. Jennings of LDA Architects, 5000 Euclid Ave., Cleveland, OH 44103 is representing the Major Subdivision Preliminary Plat/Development Plan/EAS#13-5-25 for the McKinley Community Outreach Center, Windemere Ave., Willoughby, OH 44094.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
July 24, 2025**

Chairman Norris let the applicant know that there are only four of the five members present this evening and he would need three votes in order to pass his application and he has the right to wait for a full board. Mr. Jennings wished to continue.

Chairman Norris acknowledged the receipt of the latest paperwork with updates.

Mr. Kary addressed the EAS.

- Stormwater- Detention basin- City Engineer recommends stormwater removal. If detention basin and testing of soil samples fails then the storm sewer must be extended to Lost Nation Rd. Suggest RID or TIF. For lots 1,2,3,6 & 7 City Engineer requests yard drains connected to storm water system. Need site inspection, letter or report from qualified professional addressing any wetlands and streams.
- Traffic- Speed bumps or traffic calming devices to be installed on north and eastern entrances of Windermere. Concerns as to where to pile snow and should not be pushed to public r-o-w.
- FD & PD- Falls under traffic concerns
- Noise, water, air pollution- Be sure to preserve as many mature trees as possible.
- Minimal impact on schools
- Hazardous waste: No concerns
- Miscellaneous: If existing fencing needs to be replaced or repaired it shall be done.
- Timeline: Start: Mid 2026, Complete: End 2027

Mr. Kary said they went over some of these items at a previous meeting and the applicant complied with most or all of what the commission asked for. They will go over the items again with the latest updates. He said there are seven lots and six lots are being improved with duplexes.

Mr. Kary asked Mr. Jennings to share what they have decided to do with storm water management. Mr. Jennings said they moved the development further from the south property line in response to the comments regarding storm water; this also reduced the amount of pavement. The road is now curved but on the previous plan it was an "L" shape. He said as far as the southern property goes they will not be disturbing as much of the property and trees (50-75' not being disturbed).

Mr. Jennings said for the storm water detention it was previously all the way to the south side of the property and the concern was it going across the property line. In this case they were able to reduce the size of the detention because there will be less volume of water they will need to contain. It comes out and spills out onto their property only. For a normal rain event it will remain within that detention area and will be discharged slowly into the ground within forty-eight hours. This pond will be a dry pond unless there is a rain event.

Mr. Lannon said there are testing procedures for mitigation of storm water but he would not expect that at this stage of a proposal but if this moves forward they would ask them to follow E.P.A. testing procedures. He said there is a line in the soil map that shows the difference between silty sand and sandy soil but as long as it is going in the correct direction it is a plausible method. He said because of the sandy soils it is hard to discharge once there is pavement or roof tops in with development a sandy site and you need a lot of detention. There is a modest increase in discharge but these are very small numbers. His concern is that the downstream property owner(s) would have an increase in volume. This concern comes from years of complaints from long-term residents complaining of drainage issues from new developments after the fact. Mr. Kary asked if the Planning Commission can add the

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
July 24, 2025**

condition that if this detention basin is not sufficient and the neighboring properties are being flooded the applicant/owner would address the situation. Mr. Jennings said the intent is to design it so there are not issues and they would follow any code that requires them to make repairs if there are issues. Mr. Lannon said there is only one chance to get this right because once the development is in, you cannot go back. Mr. Lannon also mentioned doing a RID or TIF to collect money so if there is an issue in the future this would help. The developer needs to sign off on this and City Council also has to approve it. Chairman Norris asked if the detention basin can discharge to Lost Nation instead of infiltration. Mr. Jennings said there is a significant cost involved with that. He said the commission requested they televise the existing sewer line from the property to Lost Nation, which they did, and there was minor infiltration which is common. There were no structural issues or blockages. They also asked them to verify what happens with the current catch basin at the end of Windermere. He said they verified that if there is a rain event it discharges to the creek. He said they would be improving that current condition. Mr. Lannon was not aware of this. Chairman Norris said he agrees with Mr. Lannon and they have one chance to get this right and if the testing shows this will not work they will require this be discharged to the Lost Nation Rd. storm sewer so this will be part of a condition of approval and Mr. Jennings agreed.

Mr. Lucas said this is just the preliminary plan and as the City Engineer stated they will get a better fact sensitive orientation when the final plan is submitted. He does agree with Mr. Lannon that the city should get this right before the development is constructed. Mr. Lucas said the Planning Commission can add the condition that the detention basin discharges to the Lost Nation Rd. storm sewer if the testing shows it will not work but it should be made subject to the approval of the City Engineer.

Mr. Kary asked if they made sure there are no wetland issues on this property. Mr. Jennings said yes it was part of the storm water analysis. Mr. Lannon said if there was a statement in the report that there are no wetlands he did not see it. Mr. Jennings said he did not recall, at a previous meeting, the board asking for a separate wetlands report. Mr. Lannon said any lot wooded or with high grass they require at least a letter from a wetlands professional stating there is nothing there and Mr. Jennings agreed.

Mr. Kary said the sanitary lines were televised and there were no issues. Mr. Lannon said there were no capacity issues.

Mr. Kary said the City Engineer required a Traffic Impact Study and they provided a Trip Generation Study. They asked for this study because they are joining two streets with a private road and creating a road traveling from Lost Nation Rd. to Lakeshore Blvd. and how it will impact these neighborhoods. Mr. Jennings said he spoke to the Traffic Engineer about the request and from the analysis provided he said no further studies would be required by the Ohio Department of Transportation. He said there will be a very minimal impact. The Traffic Engineer mentioned the cut through traffic and that it already exists on the College Court side and is no different than what they are proposing. They are proposing to add traffic calming speed bumps at both ends of the road. Mr. Lannon said everything Mr. Jennings said is true so there is not much of an impact on the neighborhood.

Mr. Kary has concerns about snowplowing. Mr. Lannon said they would either back down on to Lost Nation or continue onto the private drive, which is most likely. Mr. Kary asked about the timeline of the project. Mr. Jennings said construction would start in Mid-2026 and completion end of 2027.

Chairman Norris addressed the Development Plan.

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
July 24, 2025**

Chairman Norris asked Mr. Jennings to talk about the changes to the Development Plan submittal. Mr. Jennings said they already talked about most of the changes. He felt after the comments from the last meeting that they came up with a much better plan. He said the two buildings that were previously on the south side, the floor plans have changed. These are now one-story units and one of the units no longer has the walk out basement so they are more consistent. The storm water basin was the other big change but this was previously discussed.

Mr. Capelle asked about fencing. Mr. Jennings said on the west side there is fencing in the middle of the trees and the consensus is to keep the trees so they were going to keep the existing fence. The same thing for the south side of the property. They will not be adding any additional fencing. Chairman Norris said if the existing fence is compromised will you repair or replace it and Mr. Jennings said yes.

Mr. Kary said he struggles with this project. He said he worries about the preservation of the neighborhoods character. He also has issues with traffic and safety concerns and setting a precedent for dense development. The third item is quality of life because of the foot and vehicle traffic.

Chairman Norris said the landscaping plan is good and adds quite a bit of trees and landscape plantings. He asked about Lot 7. Mr. Jennings said the goal is for a community garden and for outdoor activities for the tenants. Chairman Norris asked if they can add one pine and two sugar maples along that eastern line and Mr. Jennings said yes, it makes sense.

Mr. Jennings said to Mr. Kary's point of concern they have architecturally styled these homes to fit into the neighborhood and they will all be one-story.

Chairman Norris reiterated the three conditions that will be included in the motion: 1) Storm water- that the detention basin discharges to the Lost Nation Rd. storm sewer if the infiltration study shows it will not work the way it is designed and is subject to the approval of the City Engineer, 2) If the fence is compromised then it shall be repaired or replaced, 3) Traffic calming devices to be installed at the north and eastern entrances of the street.

Mr. Capelle moved to approve the Major Subdivision Preliminary Plat/Development Plan/EAS#13-5-25 for the McKinley Community Outreach Center, Windermere Ave., Willoughby, OH 44094 for six duplex homes as submitted but with the following stipulations: 1) Storm water- that the detention basin discharges to the Lost Nation Rd. storm sewer if the infiltration study shows it will not work the way it is designed and is subject to the approval of the City Engineer, 2) If the fence is compromised then it shall be repaired or replaced, 3) Traffic calming devices to be installed at the north and eastern entrances of the street and Mr. Cook seconded.

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

**Motion Carried:     APPROVED**

**NEW BUSINESS**

**Probuilt Homes/Goryance LLC**  
4317 Center Street  
(Rep.- Bob Myers, Probuilt Homes)

**Rezone/EAS #14-6-25A from  
Residential Multi-Family Low Rise  
to Downtown Business**

Mr. Myers of Probuilt Homes, 9134 Tyler Blvd., Mentor, OH 44060 is representing the Rezone/EAS#14-6-25A from R-MF-L to Downtown Business for Probuilt Homes, 4317 Center St., Willoughby, OH 44094.

Mr. Myers said the reason for this rezone is to make these buildings part of the Enclave development. These buildings will share the sewers and storm water improvements. There will be a new road instead of an alley way. The other benefit is these homeowners will share in the cost to maintain the private street etc. He said Mr. Thielman sent a letter to the board in support of this project.

Chairman Norris let the applicant know that there are only four of the five members present this evening and he would need three votes in order to pass his application and he has the right to wait for a full board. Mr. Myers wished to continue.

Mr. Kary addressed the EAS. He informed Mr. Myers that he will be before City Council on August 12, 2025 for EAS approval.

- Stormwater- Can handle storm water demands
- Traffic: No issues cited
- FD & PD- Signs for fire lane and no on-street parking
- Noise, water, air pollution- no concerns
- Minimal impact on schools
- Hazardous waste: No concerns
- Timeline: Begin: Late fall 2025, Complete: Summer 2026

There were no questions regarding the rezone.

Mr. Cook moved to approve the application for the Rezone/EAS#14-6-25A from R-MF-L to Downtown Business for Probuilt Homes (The Enclave, Ph. II), 4317 Center St., Willoughby, OH 44094 and Mr. Capelle seconded.

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

**Motion Carried:     APPROVED**

**Kennedy Group**  
38601 Kennedy Pkwy.  
(Rep.-Rick Thompson, Polaris Eng. & Surveying)

**Lot split/1 lot into 2  
PPN#27-B-054-0-00-022-0**

**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
July 24, 2025**

Mr. Thompson of Polaris Engineering & Surveying, 34600 Chardon Rd., Willoughby Hills, OH 44094 is representing the lot split for the Kennedy Group, 38601 Kennedy Pkwy./ PPN#27-B-054-0-00-022-0, Willoughby, OH 44094.

Mr. Thompson said they are splitting a parcel that is 60'x 232' out of the existing parcel, leaving three acres.

Chairman Norris asked if this maintains access on Kennedy Pkwy. to the residual parcel and Mr. Thompson said yes.

Mr. Capelle moved to approve the application for the lot split for the Kennedy Group, 38601 Kennedy Pkwy./ PPN#27-B-054-0-00-022-0, Willoughby, OH 44094 from one lot into two and Mr. Cook seconded.

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

**Motion Carried:     APPROVED**

**Planning Commission**  
(Mike Lucas, Law Dept.)

**Text Amendment change to  
C.O. 1141.03, Schedule of Permitted Uses  
Retail Sales (adult use cannabis  
dispensary)**

Mr. Lucas said they segregated the dispensary regarding adult use cannabis to two areas within the city; General Business and Retail Business. There was discussion during the Council meeting to pass the original ordinance to add the Lakeshore Gateway District as well and this is what is before the board this evening. This will be by Conditional Use. They passed extensive regulatory authority for the Planning Commission regarding the issuance of a Conditional Use Permit. The regulations are set forth in Chapter 1155 of the city's code. This is just to add the Lakeshore Gateway district to what has already been generally discussed by City Council who thought this was an appropriate area for this type of dispensary use.

Chairman Norris said he wondered what the impetus was for Council expanding this to the area within the city for an adult use cannabis dispensary beyond General and Retail Business districts. Mr. Lucas said in the course of the discussion that Councilperson Kristie Sievers discussed economic development within her district which would encompass this particular zoning classification. He said several members of Council were in support of any kind of economic impetus in that area. Councilperson Sievers wanted to receive some input from her constituents regarding this proposal and ultimately she received positive input from the residents.

Mr. Capelle moved to approve and recommends to City Council the Text Amendment change to C.O. 1141.03, Schedule of Permitted Uses Retail Sales (adult use cannabis dispensary) adding the Lakeshore Gateway District for The City of Willoughby, One Public Sq., Willoughby, OH 44094 and Mr. Cook seconded.


**City of Willoughby  
Planning Commission  
Regular Meeting Minutes  
July 24, 2025**

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

**Motion Carried:     APPROVED**

There being no further business the regular meeting closed at 8:00 p.m.

  
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Steve Norris, Chairman

  
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Vicki Grinstead, Secretary