

**PLANNING COMMISSION
CITY OF WILLOUGHBY
FEBRUARY 20, 2025
REGULAR MEETING
MINUTES**

PRESENT: K. Kary; J. Cook; Ben Capelle; M. Wildermuth; S. Norris, Chairman
ABSENT: None
OTHERS: Mike Lucas, Law Director; Darryl Keller, Chief Bldg. & Zoning Official;
Sam Karabec, representing the City Engineer; Vicki Grinstead, Secretary

Chairman Norris called the regular in-person meeting to order at 7:14 p.m.

MINUTES

Regular Meeting Minutes

January 23, 2025

Mr. Wildermuth moved to approve the Planning Commission Regular Meeting Minutes for January 23, 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

Chairman Norris moved Old Business on the agenda until after the New Business was concluded.

NEW BUSINESS

This application has been withdrawn by the applicant.

STA Holdings, LLC
4921 & 4927 Robinhood Dr.
(Rep.- Mr. Slagter, Tucker Ellis LLP)

**Rezone PPN#27-A-007-I-00-013-0 &
27-A-007-I-00-020-0 from Retail
Business to General Business**

STA Holdings, LLC
4927 Robinhood Dr.
(Rep.- Mr. Slagter, Tucker Ellis LLP, Joe Ward,
& Tim O'Toole, American Red Cross)

**Similar Use Permit for
administrative offices & blood related
activities for the American Red Cross**

Mr. Slagter said they will answer any specific questions the commission may have in regard to the proposed use of this facility. He also confirmed that they did withdraw the rezoning application. This property has been vacant for some time and they are excited to have a quality national tenant. They are going to upgrade the front window and door but no other external changes will be made. There is already sufficient parking for the site. They will be doing some internal construction to accommodate their offices etc. because it is currently just an open area.

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Mr. Wildermuth asked Mr. Lucas, Esq. who's name will be on the Similar Use Permit since the permit follows the occupant. The Similar Use Permit follows the applicant not the building owner so when the applicant vacates the property the Similar Use is voided. Mr. Slagter said they consent to the American Red Cross's name being on the Similar Use Permit. Mr. Lucas said the Similar Use is treated the same in the code as the Conditional Use. He said the secretary puts down the name of the applicant but also identifies the owner in case some type of contact is required. The conditions on the permit are fact sensitive only to the American Red Cross.

Chairman Norris asked what the hours of operation will be for this facility. Mr. O'Toole said most of their donor center operate five to seven days a week. The hours may vary from center to center, so they would request 7:00 a.m. until 9:00 p.m., 7 days a week. Chairman Norris asked how they planned to manage their waste and if there is an on-site dumpster. Mr. O'Toole said they typically manage their own waste and have a small dumpster. Mr. Kary asked how much of the building they are leasing. Mr. Ward said the building is approximately 9,000 sq. ft. and they are leasing 4,500 sq. ft. Mr. Kary said their dumpster is at the south end in a visible location and must be enclosed with some type of screening.

Chairman Norris said he assumes there will be no outdoor music and Mr. Ward said no. He asked about outdoor lighting. Mr. Ward said they do not control the outdoor lighting and there is no plan for it. Chairman Norris said all lighting must be contained to the subject parcel. No power washing or cleaning equipment from midnight to 6:00 a.m., 7 days a week. There will be no outdoor storage or blood mobile trucks at this facility.

Mr. Kary asked them to add some landscaping to soften the building; either via potted urns or hanging plants. Chairman Norris said they can discuss this in the Development Plan section of this discussion. Mr. Slager said he would have to talk to his client. Mr. Lucas said the Red Cross does not control the exterior of the building and they may not want anything obstructing this building. Chairman Norris also informed the applicants that the EAS must be passed by City Council in order for the Similar Use Permit to be issued.

Mr. Wildermuth moved to approve the Similar Use Permit for STA Holdings, LLC and The American Red Cross, 4927 Robinhood Dr., Willoughby, OH 44094 with the following conditions: 1) Hours of operation are 7:00 a.m. until 9:00 p.m., 7 days a week, 2) On-site dumpster must be enclosed, 3) No power washing or cleaning equipment from midnight to 6:00 a.m., 7 days a week, 4) All outdoor lighting must be contained to subject parcel and Mr. Cook seconded.

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

Motion Carried: APPROVED

STA Holdings, LLC
4927 Robinhood Dr.
(Rep.- Mr. Slagter, Tucker Ellis LLP, Joe Ward,
& Tim O'Toole, American Red Cross)

**Development Plan/EAS#4-1-25 for
administrative offices & blood related
activities for the American Red Cross**

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Mr. Kary addressed the EAS. There will be no external changes except for the front doors and window.

- Stormwater- Can handle operations.
- Traffic-No concerns.
- FD & PD- No concerns
- Noise, water, air pollution- No concerns.
- No impact on schools
- Hazardous waste- No concerns. Biohazard waste removed by certified hazardous waste collector.
- Timeline- Occupy site in approximately 12 months after obtaining permits.

Mr. Wildermuth has a question on Attachment A, question #6. He believes they circled Mercantile by accident and it should be a Business Use. Also, the type of the building was not circled and believes it would be a Type IIB or Type IIIB but this can be determined by Mr. Keller. Chairman Norris said Question #5 asks if there is a basement and it says unknown and asked if there is a basement and there is not, so the answer is no. He also asked if they could fill in the height of the building for fire suppression for the EAS meeting for City Council. These corrections will be made via this record.

Mr. Kary informed the applicants they would have to come before City Council for the EAS first Tuesday in March. The City Council meets the 1st and 3rd Tuesdays of each month.

Chairman Norris addressed the Development Plan. Mr. Slager said they are in the process of finalizing the interior design and layout of this facility. He said they are replacing the exterior door and window. Mr. Kary said as previously mentioned he would like to see some landscaping with urn or planters.

Mr. Capelle moved to approve the Development Plan/EAS#4-1-25 for administrative offices & blood related activities for STA Holdings, LLC, and The American Red Cross, 4927 Robinhood Dr., Willoughby, OH 44094 as submitted and Mr. Wildermuth seconded.

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

Motion Carried: APPROVED

JPMorgan Chase Bank
36212 Euclid Ave.
(Rep.- Julia Chen, The Mannik & Smith Group &
Vaughn Benson, Feinknopf Macioce Schappa Architects)

**Conditional Use Permit for drive
thru ATM**

Ms. Chen said the hours of operation would be 24 hours, 7 days a week. Chairman Norris asked if there is any music or speakers. Mr. Benson said the only speaker is for the hearing impaired to plug into.

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Mr. Cook moved to approve the Conditional Use Permit for the JPMorgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 with the following conditions: 1) Hours of operation are 24/7, 2) No power washing, cleaning equipment or maintenance of the ATM from midnight to 6:00 a.m., 7 days a week but does exclude snow removal services 3) Any landscaping installed must be maintained and Mr. Capelle seconded.

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

Motion Carried: APPROVED

JPMorgan Chase Bank
36212 Euclid Ave.
(Rep.- Julia Chen, The Mannik & Smith Group &
Vaughn Benson, Feinknopf Macioce Schappa Architects)

**Development Plan/EAS#2-1-25
for new bank bldg.**

Mr. Kary addressed the EAS. Ms. Chen said she missed the type of building on Attachment A which is 5B.

- Stormwater- WPCC requires a sanitary sewer sample manhole. Can handle the storm water run-off.
- Traffic- Right-in, right-out only onto Euclid Ave. w/signage and BZA required signage to not block western drive isle for drive thru ATM and applicant agreed to also add pavement markings.
- FD & PD- Right-in, right-out onto Euclid Ave. (western drive isle).
- Noise, water, air pollution- no concerns
- No impact on schools
- Hazardous waste: no concerns
- Timeline: Start: June 2025, Complete by: Spring 2026

Mr. Wildermuth asked if there are cross easements with the property owners and Ms. Chen said yes in the layout.

Ms. Chen said they have good movement throughout the site and good amount of parking. The expected number of staff members is fifteen and one customer per staff members. This building will replace the current bank that is in the same area. There is a walk in ATM in the vestibule in addition to the drive thru ATM. Mr. Benson said they will be using sustainable materials as well and showed the board samples. The main entrance side, the primary materials will be fiber cement board, wood grain finish and the rear of the building is a precast stone material. The windows for the storefront will be aluminum with a low E coating. The windows are positioned to be in the public areas only. They have some exterior accent light sconces on the building, but no exterior ground lighting. Ms. Chen said there will be parking lot lighting for safety. Mr. Kary asked about signage. Mr. Benson said Chase has a sign branding team that will address signage for wall and freestanding or pylon signs. Mr. Capelle appreciate the pedestrian access to the street.

Chairman Norris said he appreciates the detail in the landscaping plan. Mr. Keller does not currently see any issues. Ms. Sam Karabec of CT Consultants/Verdantas said they previously spoke about the 20% reduction in drainage

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but they now show 18.6% so they can work with that. They were previously at 13% so they would have had to do underground detention.

Mr. Capelle moved to approve the Development Plan/EAS#2-1-25 for a new bank building for JPMorgan Chase Bank, 36212 Euclid Ave., 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: APPROVED

Mr. Kary reminded the applicants that they would be before City Council on March 4, 2025 for the EAS.

OLD BUSINESS

Planning Commission

**Election – 2025
Chairman
Vice Chairman
Secretary**

Mr. Wildermuth moved to untable Old Business for the Planning Commission for the Election of Officers for year 2025 and Mr. Cook seconded.

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

Motion Carried: UNTABLED

Mr. Cook moved to nominate Dr. Norris as Chairman of the Planning Commission for year 2025 and Mr. Capelle seconded. There were no other nominations for Chairman.

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

Motion Carried: APPROVED

Mr. Capelle moved to elect Dr. Norris for Chairman of the Planning Commission for year 2025 and Mr. Cook seconded.

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

Motion Carried: APPROVED

Chairman Norris moved to nominate Mr. Wildermuth as Vice Chairman of the Planning Commission for year 2025 and Mr. Cook seconded. There were no other nominations for Vice Chairman.

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

Motion Carried: APPROVED

Mr. Capelle moved to elect Mr. Wildermuth for Vice Chairman of the Planning Commission for year 2025 and Mr. Cook seconded.

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

Motion Carried: APPROVED

Chairman Norris moved to nominate Mrs. Grinstead as Secretary of the Planning Commission for year 2025 and Mr. Cook seconded. There were no other nominations for Secretary.

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

Motion Carried: APPROVED

Mr. Capelle moved to elect Mrs. Grinstead for Secretary of the Planning Commission for year 2025 and Mr. Cook seconded.

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

Motion Carried: APPROVED

DISCUSSION

Charlton Abbott
37903 Euclid Ave.
(Rep.- Ken Boyd, Owner, Joe Myers, Architect,
& Jim Aveni, Sikora Law, LLC)

**Conditional Use Permit
including interpretation of use as it
relates to the parcel in its entirety**

Chairman Norris noted that the commission members received a letter from Mr. Keller regarding this discussion.

Mr. Boyd and his wife Lisa started this company to service the entrepreneurs, non-profits and residents of this community and have done so much with it in response to the community. They started off being off eccentric inside the building and obtaining members and usage of the patios. There was a point a year ago when they were looking to expand and posted on their website that they would do weddings and that is when they received a notice that they cannot hold weddings. He said they took everything down and discussed how they could do this. They started the process with the Board of Zoning Appeals and during this time they had a private family event which was a graduation party for his son and had a wedding for a relative in the month of June. He was not aware he could not use this for his private use at that time. He said within fifteen days of those events he received a Notice of Noncompliance in July of 2024. He is trying to understand his Conditional Use Permit (CUP) and clearly there was no intent to violate what they were doing. After receiving the revocation of the CUP the communications got exasperated and he takes some responsibility for that and that is why they are here this evening to clear things up.

Mr. Myers said for the Charlton Abbott business you can obtain a membership to use the offices and the services that are provided by the building. One of those services was to have gatherings or outdoor events on the patio. They asked for a Conditional Use Permit (CUP) to allow that service/activity to take place and that was granted on a temporary one year permit and would have to come back to get a new CUP. He said the weddings got brought up but there were a lot of other business uses there that were related that they did for a year and came back to Planning Commission and they made the CUP permanent. He said they overstepped those events which were included in the CUP and advertised things such as weddings and using the barn which is not included on the CUP but also did not say you cannot use it. He said they were aware in order to use the barn it would have to meet the building code but did not go through the process to pull those permits to occupy that facility. They now understand that anything they use the barn for there is another process, as far as the building code goes, to make this a useable part of the property. Mr. Myers said the Conditional Use Permit was revoked and they want to reinstate the CUP and continue to hold professional events like they had been doing previously. They would like to expand those events to include the use of the barn. It was suggested that they come before the board and obtain a new CUP and that is why they are here tonight to discuss how to get the CUP back and move forward. They would apply for the new CUP contingent upon getting the barn up to code.

Mr. Keller said moving forward if they want to use the barn this would require them applying for a new CUP. Mr. Myers said they would be asking for a CUP to use the whole property, which includes the patio and barn. Mr. Lucas said they would need to apply for the new CUP via the application process. He said in discussions with them they wish to have use of the spatial use of the area outdoors which would include the barn. They wanted them to do some preliminary reconnaissance work in terms of, what concerns if any, and just for discussion purposes, the

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Planning Commission may have with expanding this use to the barn area. He said from an administrative stand point they have recommended this approach to obtain the commission's feedback. He said in discussions with them the city stated they cannot have an assembly hall or party center etc. He said, as he understands it, a member can use the facility indoors or outdoors for members and invited guests and Mr. Aveni said that was correct. Mr. Aveni said to make an important clarification the barn would not be rented out separately. Based on the feedback that his clients have received, if the members want to plan for an event out on the patio, which is allowed under the existing CUP, which is now revoked, for inclement weather they would have to order a tent. If they expand the CUP to include the barn it would be in conjunction with the use of the existing outdoor patio. They are not talking about using the barn as a separate space. It would be for a member event but the barn doors would be open and would basically allow the members and invited guests to move between the patio and the barn and have that shelter without having to incur the additional expense of a tent. They view the barn as more of an accessory use of the existing outdoor member use of the patio.

Mr. Wildermuth said the outdoor occupancies that are limited to the outdoor patios would also be limited to the outdoor space including the barn, so that would be 54 people maximum according to the prior CUP. Mr. Lucas advised the applicants that when they apply for the new CUP, to include the barn, that they make the appropriate adjustments. He is anticipating they will increase that number when they submit. Mr. Aveni said the total number is 104, which includes the inside occupancy as well. Mr. Cook asked how many seats are in the barn and it was stated there was a total of 84. Mr. Myers said in order to pull an occupancy permit they would have to list that maximum occupancy for that space.

Mr. Kary said if we go down this path is that barn ever going to be used for a wedding and Mr. Boyd said no it cannot be used for a wedding. They would need to obtain a variance and they do not wish to pursue that. Mr. Kary said they use the word celebrations, showers etc. on the document provided by Mr. Boyd (in record, dated 2-20-25). He asked would they be doing these things and Mr. Boyd said if it was outdoors, then absolutely. Mr. Kary asked Mr. Keller if based on the vocabulary he is using, is he allowed to have a shower there. The memo from the Building Department we received says no events such as wedding, events, parties, celebrations, etc. cannot take place and should not be advertised.

Chairman Norris said after reviewing the code it says conditional uses that are allowed are offices, administrative, professional, and business. Limited Retail in an office building is also allowed by conditional use but specifically not allowed in this zoning are assembly hall, meeting place or a party center. When this was originally presented to the commission in March of 2021 there was a lot of discussion on how the business does not fit into the current zoning. The commission spent a lot of time setting up perimeters for who would have access to the patio and building and what memberships would look like and they defined them and many other items. This was all based on this being a remote office style approach to business. He said this seems like they want to turn this into a member only event center. Mr. Myers said the type of functions taking place there were related to the business use of the members of the offices. Mr. Wildermuth said some of the events that were taking places were not business related. Chairman Norris said if they do another CUP they want it very clear what uses are allowed. He echoes what Mr. Wildermuth said and he has not been to too many business baby showers as an example. These are private type events and would be a hard sell for him. They could apply for a single day event permit that would be handled administratively.

Mr. Aveni said he believed the members thought this would be a benefit of their membership and this is how the use expanded. Mr. Boyd said they will not do weddings, but their members would still like to host baby showers,

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anniversaries and things of that nature because it is a beautiful facility and they want those benefits and are very low key events. Chairman Norris said having a 10 year celebration of a business being in business is more of a business use and is different from someone who is having a baby shower because they are renting an office space on behalf of a business. Mr. Merhar who was on Planning Commission at one time, but is now a Councilman, and in an initial discussion his biggest concern was this becoming more of a party center. He said using the barn for an additional use for a business to host more people would be allowed in the CUP but expanding business use to include renting it out for events, even to a member, is not ok. Mr. Boyd asked if there was a problem with any of the uses he listed. Chairman Norris said he does not know the context of all the events listed on the handout given to the commission this evening and they have not had time to review them. Mr. Capelle asked how often are these events happening on this list. He said if its every day of the week it's a party center, but if it's once a month it may be acceptable.

Mrs. Boyd said a lot of those non-profits on this list are fundraising events that she puts on for local vendors for Lake County. Local business people come who are selling stuff approximately five times a year on a Saturday to sell their products. The ticket sales go to local charities. She is hosting an event for members that sell items. Mr. Myers said those organizations also hold their board meetings there and use this facility on a regular basis. Chairman Norris said for a new CUP then these events need to be very clear and the code needs to be followed. Mr. Keller said they have obtained temporary occupancies for a few of these type events. If these are one day events then he can approve them but if they go three days or more then it must go before Planning Commission and are handled on a case by case basis. Mrs. Boyd said it is not really fundraising; she chooses to give the money to those charities.

Chairman Norris said there would be two issues for a new CUP; one would be, how would you want to incorporate the barn into the CUP for business use and two what do you want the commission to define business use as. If it is a non-permitted use then on a case by case basis.

Mr. Boyd said to address Mr. Capelle's question regarding the frequency of events; they are mostly on Saturdays and Sundays.


Planning Commission

**Capital Improvement Suggestions
for Mayor's Office**

Mr. Kary would like a roundabout on Lost Nation Road. The City Engineer is working on this now and trying to obtain funding from Nowacka. This area requires some serious traffic mitigation from Adkins to Hodgson Road. Mr. Capelle would like to see the city do a pedestrian accessibility study to evaluate where there are gaps in the sidewalk network that the city should prioritize to improve overall pedestrian access. They should do this as a study and prioritize corridors to identify funding. He used Maple Street and Willoughcroft as examples of missing sidewalk connectivity. Chairman Norris said the city did do a city wide sidewalk study sometime between 2014-2018. Mr. Capelle said maybe they could just do an update to that study.

There being no further business the regular meeting closed at 8:49 p.m.


Steve Norris, Chairman


Vicki Grinstead, Secretary