

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio

December 20, 2018

CALL TO ORDER 7:00 P.M

PRESENT: Vice Chairman John Lillich, Mayor Robert Weger, Councilman David Fiebig, Jonathan Irvine, Michael Kline and James Shannon.

ABSENT: Chairman Christopher Smith.

ALSO PRESENT: City Engineer Pietro DiFranco, BZA Representative Frank Cihula and Clerk Katherine Lloyd

MOTION: Councilman Fiebig moved to excuse the absence of Chairman Smith from tonight's meeting.
Seconded by Jonathan Irvine.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

MOTION: Mayor Weger moved to appoint Jonathan Irvine as the Vice Chairman *pro tem* for tonight's meeting.
Seconded by David Fiebig.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

Correspondence:

- Email dated 12/10/18 from Asst. City Engineer Trepal RE: New house at 36470 Maplegrove Rd.- YMCA Dream House
- Email dated 12/13/18 City Engineer DiFranco RE: Work Session re: ALDI at 2821 Bishop Rd.

Disposition of Minutes: Meeting of December 6, 2018

MOTION: Councilman Fiebig moved to accept the Minutes of December 6, 2018 as submitted.
Seconded by James Shannon.
Voice Vote: 5 Ayes and 1 Abstention (Irvine).
Motion Passes: 5/0.

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:03 P.M.

No Public Input.

Public Portion closed at 7:04 P.M

1.) Lake County YMCA

Agent/Contractor: ProBuilt Homes.

36470 Maplegrove Rd – New house - YMCA Dream House - PPN: 31-A-012-H-00-019-0

Plans received by City Engineer 12/7/18

Plans reviewed by City Engineer 12/7/18

Present: George Davis (President, ProBuilt).

Owner/Representative Comments:

- The dream house is pretty significant to the YMCA, especially since they are in the process of re-doing the West End YMCA with the Willoughby-Eastlake Schools.
- The design theme is the modern farmhouse. It is a blend of rustic chic with contemporary features on the inside. The outside will have white vinyl vertical siding with black accents, stained wood garage and front doors. The roof will be grayish. The inside is a blend of old and new.
- The white picket fence will be brought up by the sides of the driveway.
- The trees will be transplanted.
- Soil & Water approval was received yesterday. Dan Sinclair from the Health Department gave a verbal okay during his visit yesterday. He wants an orange silt fence around the septic field because of construction traffic.

(Lillich) It will go well with the house on the opposite side of the retention pond.

City Engineer's Comments (DiFranco):

- Everything conforms to Code. It is a really nice plan.
- We do recommend moving the house 5 feet further from the pond. It would be a safety factor to protect the basement. The current plan shows the house about 7-8 feet from the top of the bank. Shifting it 5 feet would locate it 12-13 feet away.
- Approval is recommended.

(Lillich) Will that affect their setback from the road?

(DiFranco) It will infringe on the front setback. Right now, the plan shows a setback of 76.33 feet. The requirement is 75 feet. However, the neighboring house is shown on the plan. It also is into the setback. They would be matching the neighbor.

(Cihula) If that is considered a 'built up lot', it would be okay.

(DiFranco) I believe it is.

(Shannon) How far is the neighboring house into the setback?

(DiFranco) On the plans, the setback of the neighboring house is not labeled. Based on the 75-foot line, it looks like about 70 feet. It makes sense on this lot because of the pond and awkward shape of the lot. The homeowner would have the benefit of not having to worry as much about water in the basement.

(Shannon) Will the difference make a difference in site line for the neighbor?

(Lillich) The new house will be about even with the house next door. Line of site onto Maplegrove is a downhill grade. The existing sign at the corner of Maplegrove and Maplehill is also in the line of site.

(Davis) The pond is lined with clay. When the soil borings were done for the septic, the water table was never found. There is a rift of sand. The house and the pond are in the rift of sand.

(Lillich) It is glacial silt.

Owner/Representative Comments, continued:

The siding and the trim is the vertical board & batten style. The soffit fascia, windows and shutters are black. The designer chose stone that it a mix of browns and grays because the front door and the garage doors will be a medium oak stain. The roof will be charcoal gray. Samples were shown.

Board Comments:

(Fiebig) There is concern about how the number of visitors and the traffic will be handled.

(Davis) The YMCA reached out to the pastor of the Maplegrove Alliance Church. Parking will be in the church parking lot. The ingress-egress of the Church will eliminate the usual 'stacking' of cars on the road. The grass area in the front will be 'Handicapped' parking. There are 100 spots in the regular parking lot in the back. In their busiest time on the weekends, there might be 50-60 cars. It is a benefit to the community. When you go to the YMCAs, practically everything has a Dream House tag on it. It complements the new West End YMCA combination with the school districts.

(Fiebig) What is your target date for the Open House?

(Davis) It will be toward the end of June. We will break ground in early January. The drawing for the house will be in August.

(Weger) The new YMCA will also be ready in August.

(Fiebig) The plans look good. Pushing it away from the pond is a good idea. The neighbor's house does look like it is a few feet forward. They are asking for the front setback to be 70 feet?

(DiFranco) Correct. That should be in the motion.

(Fiebig) The driveway will be on Maple Hill but the address will be on Maplegrove.

(Davis) It made more sense than having an ingress-egress onto the main road with the hill.

MOTION: Councilman Fiebig moved to approve the plans for New House - YMCA Dream House at 36470 Maplegrove Rd. using the Equivalency Provision with the stipulation that the setback of the house will be moved 5 feet north to a 70-foot setback off of Maplegrove Rd.

Seconded by Mayor Weger

Voice Vote: Ayes Unanimous.

Motion Passes: 6/0.

PLANNING COMMISSION

Public Portion opened at 7:19 P.M.

No Public Input

Public Portion closed at 7:19 P.M.

1.) George J. Papandreas.

Bishop Willoughby Company, Ltd.

Architect: Adam Pychewicz

2821 Bishop Rd. – Work Session re: ALDI - PPN: 31-A-008-D-00-032-0

Plans received by City Engineer 12/13/18

Plans reviewed by City Engineer 12/13/18

Present: Theodore Gauss (Architect and Engineer for ALDI)

Owner/Representative Comments:

- We will occupy the former American Heritage Motorcycle location on Bishop Road.
- The building will be converted to an ALDI Retail and Grocery store. The 3,000 sq. ft. garden center area from when it was Sears will be demolished. A full size loading dock will be added in the rear for truck deliveries. There will also be a pretty substantial front side renovation,

City Engineer's Comments (DiFranco):

- Mr. Gauss has worked with us to refine this plan. There is a traffic signal at the south entrance already. It is the main drive with full access in and out. But the north drive is currently limited to Right-In and Right-Out by a sign. Installation of a raised concrete divider island is suggested. Having a concrete island will help prevent people from turning left.
- They are adding a truck dock. The existing drive behind the building is currently only 18 feet wide. The Code requires 22 feet for 2-way traffic. They will be widening the drive. The drive will be widened even more at the northeast corner for truck maneuverability. That northeast widened area will go into the side setback. That could be resolved with an 'Equivalency' or an appeal for a variance with the BZA. Approval of the setback under Equivalency is possible with extra landscape to mitigate any effect on the neighbor.
- The Code requires the trash enclosure to be enclosed on four sides. If it does not already have gates, they need to be added.

Board Comments:

(Lillich) If they move into the setback area and they widen it in the rear, I think that when that first went in with the condominium behind it, we had a larger than normal buffer between the condominiums and the retail. They put in a board fence and a landscape planting to muffle some of the noise. You are putting in more loading docks. What are the delivery times? What time does ALDI accept normal deliveries?

(Gauss) The delivery schedule depends on their location and the volume of the store. They may have multiple deliveries in the day and depending on the route. Earliest do come at 6:00 AM. I can speak to them in more detail. If there is an issue, we can discuss revising the schedule.

(Shannon) Can they put large evergreens and landscaping in the setback? That would absorb sound and be more aesthetically pleasing to people in the condominiums.

(Lillich) I think there is some. The question is whether some of that will be taken out if you encroach into the buffer zone. I remember parking being a problem at the old Sears's Hardware.

(DiFranco) They meet the parking code. They are removing a portion of the building. Parking spaces are being added. There is a 'green space' on the north end that will be removed and replaced with parking. The layout is not ideal. I have a concern about cars 'stacking' at the south exit. Some parking spaces were removed so that cars would not back out into traffic. They have done what they could.

(Shannon) Is there any concern about traffic coming from the other directions on Bishop Rd.?

That is one of the reasons we widened Bishop Rd a few years back.

(Fiebig) I remember when Bishop was just a 2-lane road.

(Shannon) So you think it is adequate when adding more cars?

(DiFranco) With the signal at the south entrance and limiting the north entrance to R-In and R-Out, I think it is okay.

(Fiebig) A lot of problems would be solved if Dunkin Donuts would move their drive and come out at the light.

(Lillich) Is ALDI's buying or leasing the property? *They are leasing the property.*

(Lillich) Will there be a 'cross easement'?

(DiFranco) Yes, it is one of my comments to require a cross access easement so that in the future a drive could connect the neighboring parcels. The ultimate plan is to have a drive that goes all the way to Eddy Rd. *Do we need to pave that to the edge of the property?* At this point, it is just a legal document.

(Lillich) We are looking at it down the road.

(DiFranco) A cross access easement was required of Dunkin Donuts which was recently developed. It will be required of whoever develops the vacant lots. *We can accommodate that. Is 2-way traffic required back there? We are doing all the truck traffic on the north side. That is the reason for the big sweep. With the jog on the south entrance we cannot get the truck around.*

(DiFranco) How do you envision trucks coming into the site? *They would enter from Bishop Road. The channelized curb you have there, we would propose it as a mountable curb. A truck could get over it but traffic would be discouraged. They are doing the big sweep on the north side of that before they can back in. That is why the encroachment.*

(DiFranco) What about the dumpster truck? *We are not sure if the vehicle being used would be a front loaded or a rear loaded dumpster. If there is any traffic going the wrong way, it would be the dumpster truck. It would increase our permeable area up a bit and get that buffer against the neighbor's property a little wider and the landscaping and eliminate a retaining wall.*

(DiFranco) I think it is a possibility. We need to review it with the Fire Department to make sure they can get around. *Prior to making it wider, I think ran a truck through on a 43-foot fire truck.*

If that is the way to go, maybe the dumpster can be re-located to the other side so that the truck could do the one way direction. *We will consider that. It will be a bunker. That loading dock is already about half into the ground; it does need a new gate which we will do.*

(Lillich) This is a Work Session. I think they got some things to look at. We have voiced our concerns. We have an option tonight to give Preliminary Approval if that supports the prerogative. Then they can proceed full steam ahead and come back for a Final Review.

(Fiebig) I'm okay with that. Mr. DiFranco, are you satisfied that things are moving forward?

(DiFranco) Yes, they have been good to work with. I think the items we have pointed out are not significant. Are you planning any additional lighting? *We will adjust the parking lot lighting at the north side. The egress lighting that is required over the back door, we can make a full cut out. We are lower than the neighboring property. We have a wall pack above the dock door. We can do a photo map.*

(Lillich) That will be great.

(Gauss) ALDI has not brought it up but I do not know if they envision the south where it is R-In and R-Out as their main entrance. There is a monument sign already at the south entrance. ALDI might consider moving that to the north entrance because the building entrance is at the north and their major parking is at the north end.

There was a brief discussion about the possibility of moving the monument sign to the north entrance because the building entrance is at the north and their major parking is at the north end. Currently, the primary entrance is by the light at the south entrance. Mr. Gauss stated that the monument sign will stay where it is at the south entrance by the traffic light. When someone is travelling Bishop Road in either direction, they are coming up hill so they can see the sign. They are a bit higher so the building signs could also be seen.

(Fiebig) The problem with Dunkin Donuts and the reason the spikes went up is because people were making the turn. If that is the predominant entrance with the concrete block there, people will try to turn left. We want them to go to the traffic light because it has a turning lane and because of safety.

(DiFranco) That is a good point. It could be justification for keeping the sign there.

(Gauss) People have been observe turning right on red and then zipping through the parking lot and turning right again to get through that light.

MOTION: Councilman Fiebig moved to take a vote on granting Preliminary Approval of the plans for ALDI at 2821 Bishop Rd.
Seconded by Mayor Weger.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

Preliminary Approval is granted for ALDI at 2821 Bishop Rd.

Further Discussion:

(Gauss) This location will have the newer national prototype like the one in Wooster and Mayfield Heights.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

Yesterday afternoon, the Mayor, Scott Shield, the owner of the First Merit Bank building, and the Police Chief walked through the building. They discussed the interior renovations, which will include blocking the windows in the large area and new doors in the front and the back. They will start after the holidays and hope to accomplish them in January. We hope to occupy it about the middle to the end of February. They will install a brand new air conditioner. The building is in remarkably good shape. We are working with them to decide what we need to do for safety, cameras. They are willing to pay for as much as they can. We just signed the lease yesterday. They will pay the utilities until the City takes the lease which is anticipated to be about mid-February to March 1st.

COUNCIL REPRESENTATIVE'S REPORT (Fiebig)

No Report.

BUILDING COMMISSIONER'S REPORT (DiFranco)

Produce Packaging Inc.: It looks like the Fire Department will be okay with the aboveground fuel tank. We are working out the details. That would eliminate their need to go to BZA as well. Our Clerk can give us an update on the Public Hearing.

(Lillich) So they do not have to go for a BZA Appeal.

(Cihula) I negotiated a settlement with the Fire Prevention Department. In 1501.07, two sections later, allows the Fire Prevention Office make changes to their Code. Since the tank is UL approved by the national and the BZA would not go against UL, there was no point in having a BZA hearing to waive that requirement. There is no Appeal but they have some stipulations.

I would suggest they would be required to put a wall close to the property line for both visual and sound for the people in the apartments. 25 diesel trucks will make noise. Visual so the apartment people do not have to look at the loading docks. There are a couple ways to do a Sound Barrier including a wall that is sloped slightly inward to deflect the sound upward

(DiFranco) The Public Hearing would be for the Similar Use

The Clerk reported that notices were sent to the News-Herald and Communication today regarding the Public Hearing on January 3, 2019. That is 14 days before the Public Hearing but it is not enough time for the notification to be in print for 14 days. It needed to be in print today. Not enough time was allowed for printing. All of the letters to residents within 500 feet of the property with notification about the Public Hearing on January 3rd were put in the mail today. Delivery is anticipated for tomorrow. There is precedent for the Board to hold a Special Meeting for the purpose of a Public Hearing. If a Special Meeting was called, is it possible to also schedule the Final Review for the same meeting?

(Weger) Whatever you put on the Agenda for the Special Meeting is the only thing you can talk about. You can do both if you put the Public Hearing and the Final Review on the Agenda together. It must be on the Agenda.

Per discussion, the Public Hearing will be rescheduled for Tuesday, January 8, 2019 at 6:30 P.M. at a Special Meeting of the Planning Commission. The Special Hearing will be held before the scheduled BZA meeting at 8:00 PM that same Tuesday. The News-Herald legal notice will state that the Public Hearing on January 3, 2019 has been cancelled and is rescheduled for a Special Hearing on January 8, 2019 for the purpose of Public Hearing and Final Review of the project. Letters to the residents within 500 feet of the property will state the same information. Both the Legal Notice and the letters will be re-sent. The Agenda for the Special Meeting will list only the Public Hearing for Produce Packaging Inc. and a Final Review of the project by the Planning Commission. Because the Public Hearing was advertised for the PCABR meeting of January 3, 2019, its cancellation will need to be announced at that meeting.

MOTION: Councilman Fiebig moved that the Planning Commission will cancel the Public Hearing on January 3, 2019 and will hold a Special Meeting on Tuesday, January 8, 2019 at 6:30 P.M. for the purposes of Public Hearing and Final Review of the plans for ALDI. at 2821 Bishop Rd.
Seconded by Mayor Weger.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

**The Public Hearing RE: ALDI at 2821 Bishop Rd. on January 3, 2019 is cancelled.
The Public Hearing and Final Review of the ALDI at 2821 Bishop will be heard at a Special Meeting of the Planning Commission on January 8, 2019.**

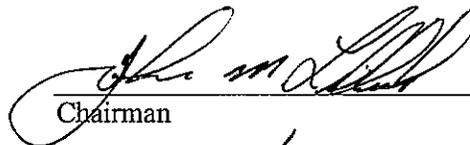
CHAIRMAN'S REPORT (Lillich)

No Report.

MOTION: Mayor Weger moved to adjourn the meeting.
Seconded by Councilman Fiebig
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0

Meeting Adjourned at 8:06 P.M.


Clerk


Chairman

17 JAN 2019
Date Approved