

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

MEETING MINUTES
March 5, 2020

CALL TO ORDER: 7:00 P.M.

PRESENT: Chairman Tom Elliott, Vice Chairman John Lillich, Mayor Andy Gardner,
Council Representative Tanya Taylor Draper, James Shannon and Ron Lewis, Jr.

ABSENT: Jonathan Irvine

Clerk: Katherine Lloyd, Clerk

Also Present: BZA Representative Frank Cihula
City Engineer Pietro Di Franco

MOTION:

John Lillich made a motion to excuse Jonathan Irvine from tonight's meeting.

Seconded by Tanya Taylor Draper.

VOTE: 6 AYES (6-0). Motion Passes.

Jonathan Irvine is excused from tonight's meeting.

Correspondence:

- Email dated 2/18/20 from Asst. City Engineer Trepal RE: 2747 SOM Center
- Email dated 2/24/20 from Ron Lewis RE: City Graphics in News-Herald.
- Email dated 2/26/20 from Asst. City Engineer Trepal RE: 30100 Kristen Ct
- Email dated 2/18/20 from Asst. City Engineer Trepal RE: 2857 Hayes Rd
- Email dated 2/27/20 from Asst. City Engineer Trepal RE: 2217 Rivers Rd

Disposition of the Minutes for the Meeting of February 6, 2020

Minutes are not ready yet,

MOTION: James Shannon moved to postpone review of the Minutes of February 6, 2020 until next meeting.

Seconded by Tanya Taylor Draper.

VOTE: 6 AYES (6-0). Motion Passes.

Minutes of February 6, 2020 are postponed

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:02 p.m.

No one spoke in Public Portion.

Public Portion was closed at 7:03 p.m.

1. The Lobster Pot (1A)

Owner: 34900 Chardon LLC

Agent/Contractor: Christian Haffey/Northcoast Fish House/The Lobster Pot

Architect: Signarama

Engineer: N/A

2747 SOM Center Road – Signage – PPN: 31-A-004-0-00-022-0

Plans received by City Engineer 2/14/20

Plans reviewed by City Engineer 2/14/20

A plan packet of this project was provided to each of the Commission members prior to this evening's discussion by the presenters.

Present: Kevin Johnson, minority business owner of the Lobster Pot. Christian Haffey is the majority.

Owner/Representative Comments:

- We misunderstood what was acceptable and what was not. We understood that if we were not changing the structure, we did not have to submit. When we called in June, 2000 about putting in a digital sign, the lady read off the ordinance which said we could not do a digital sign. We said that we would replace the glass inside which did not need anything.
- We decided to improve the primary sign which was atrocious and ineffective. This past November, 2019, we talked with Mr. DiFranco. Based on past conversations, we misunderstood. We understand that we are at fault. We did improve that sign quite a bit. We also improved some signage along the back side of the building. We put an extra 'Lobster Pot' across the front.
- Numerous people have walked in thinking we were a brand new business but we have been in business since April 17, 2017. We are getting a lot of traffic out of the signs. He cited about 23% growth and revenue in January, 2020 over January, 2019. Foot traffic was up 40%.
- He asked the Board to consider the variance and look at what we have done and approve what we have done because it is helping.

City Engineer Comments:

- These signs are already installed. We split them up into two packages. In the second package, they will need two variances. We did not want that to hold up approval of the first package. Other than the variances, we did not have any issues
- This Board does not approve variances. The applicants will go the BZA for those.
 - The first variance needed is for a wall sign on the back of the building (east elevation) which exceeds the area allowed. It does not face the street. It is barely noticeable.
 - The second variance is for the free-standing sign on a post. *(Johnson) We are trying to direct people to our parking lot. We are on the back side of the building. That is a large contributor to failed restaurants.*

Board Comments:

- The free-standing sign on a post on the east side is more of a 'wayfinding' to a bigger parking lot than 'advertising'. It is 240 square inches.
- The sign on the north side of the building facing Rt. 6 is on the back of their kitchen. It is posted with the hope of catching the eye of someone who is purposely going in other buildings. It is 140 square inches. It is smaller than the sign on the east.
- The Code does not limit the quantity or number of wall signs. It limits the overall area, the square footage.

- o The Board is looking at the appearance of the signs. Approval would be contingent upon BZA approval of the two variances. BZA will review the variances.

MOTION: James Shannon moved to approve the Signage at 2747 SOM Center Road, contingent upon the BZA approving the two variances.
Seconded by Ron Lewis.
VOTE: 6 AYES (6-0). Motion Passes.

2. The Lobster Pot (1B)

Owner: 34900 Chardon LLC
Agent/Contractor: Christian Haffey/Northcoast Fish House/The Lobster Pot
Architect: Signarama
Engineer: N/A
2747 SOM Center Road – Signage – PPN: 31-A-004-0-00-022-0
Plans received by City Engineer 2/14/20
Plans reviewed by City Engineer 2/14/20

Plan packet (1B) was reviewed with plan packet (1A). See above discussion and approval, contingent on the BZA approving the two variances.

3. Tony and Vicki Miller

Owner: Leah Anne Vincent
Agent/Contractor: Tony and Vicki Miller
Architect: N/A
Engineer: N/A
2857 Hayes Drive – Accessory Structure – PPN: 31-A-002-B-00-011-0
Plans received by City Engineer 2/26/20
Plans reviewed by City Engineer 2/26/20

No one was present. This project was tabled until the next meeting.
Vice Chairman Lillich read from Section 5.23 regarding review guidelines for the Architectural Board of Review. He noted that this accessory structure is already up. It is not a temporary building.

4. Diane Daiber

Owner: Diane Daiber
Agent/Contractor: TBD
Architect: Custom Home Design/CAD NW
Engineer: TBD
30100 Kristin Court – 20' x 30' Garage – PPN: 31-A-005-H-00-010-0
Plans received by City Engineer 2/19/20
Plans reviewed by City Engineer 2/26/20

Present: Diane Daiber (home owner) and Greg Cooley

A plan packet of this project was provided to each of the Commission members prior to this evening's discussion by the presenters.

City Engineer Comments:

This is an accessory structure. It conforms to Code in terms of area, height and setbacks.
We have no issue.

Owner/Representative Comments:

Included under Board Comments.

Board Comments:

(Elliott) On the foundation plan, there is an alternate shown. *(Cooley) We are talking to two builders. Both intend to build a conventional cement block foundation rather than a poured foundation.*

(Elliott) The plan that shows the height of the stem wall was shown directly on top of the slab instead of being raised. Sheet 8 of 11 shows the sill plate directly on top of the concrete. *(Cooley) In the package, that was the proposed method but that is not going to happen. Her builders say they won't use it.*

(Elliott) So the '2-by' sill plate will be raised above the floor by at least 4 inches? *(Foley) If that's what needs to be, certainly, yes.* (Elliott) Based on the other drawing, it won't be constructed with the plate directly on top of the concrete. *(Cooley) Okay. I am waiting for the return from the builder. They will do it however we instruct them to do it.*

(Lillich) Putting it right on the concrete, you will have problems.

(Lewis) Does the requirement of brick to grade' apply to accessory buildings?

(Lillich) Yes.

(Lewis) We would like to see 'brick to grade'

(Lillich) In other words, you build the concrete block foundation and you face the outside above grade with brick.

(Cooley) Just below the siding.

(Elliott) Anything exposed. You can't have exposed CMU. It has to be face brick and preferably to match the house.

(Daiber) There is a little bit of brick on the front.

(Lillich) It's an attractive building.

(Elliott) It is very functional.

(Cooley) The siding will match but will be a little bit darker so it will blend in with the woods.

(Daiber) The house is a lighter gray.

(Elliott) Is this utility extension area going to happen? *Yes.* What does that entail?

(Cooley) They currently have an external shed. We did not want the garden stuff inside the garage. It is an extension on the back with a concrete floor 6-foot wall and slant roof.

(Elliott) All the finishes will match the garage? *Yes.*

(Elliott) Make when you talk with the builder, that they use detail: this would be CMU, face brick to grade. [He marked the plans on page 5 of 9 and indicated needed detail.] This other detail is what we would not approve. It is bad practice to have the wood in direct contact with moisture.

MOTION: John Lillich moved to approve the drawing for the accessory 20' x 30' Garage at 30100 Kristin Court with the notations that the sill plate cannot rest on the concrete, it must be above and you have CMU with face brick to grade to match the existing house.

Seconded by James Shannon

VOTE: 6 AYES (6-0). **Motion Passes.**

The Building Department will want a set of plans that show that correction actually in the plans. The plans should show exactly what you plan to build. Then you can specify all the colors. You will apply for a Zoning Permit at the City. Then you take the Zoning Permit to the County to apply for a Building Permit.

5. Dustin and Jessica Dykstra

Owner: Dustin and Jessica Dykstra

Agent/Contractor: Green Shamrock Construction

Architect: Timothy Frank Dick Inc.

Engineer: Barrington Consulting

2217 River Road – New Single Family Home – PPN: 31-A-016-0-00-010-0

Plans received by City Engineer 2/26/20

Plans reviewed by City Engineer 2/26/20

Present: Kevin Foley of Shamrock Construction - for Dustin & Jessica Dyksta.
He is the contractor for the house.

A plan packet of this project was provided to each of the Commission members prior to tonight's discussion by the presenters.

Owner/Representative Comments:

The proposed 2,900 SF, two story home with a first floor master suite will be built on a substantial piece of property that the Dystras already own. Location of the house on the property was shown on site plan. Samples and a color rendering were presented. Locations of the stone were shown on drawing and rendering. There will be white siding on sides and rear and white batten siding in the gables, along with black Pella triple pane windows and casings on all of the exterior windows. The roof is GAF Timberline architectural grade shingle. The aluminum soffits and fascias are black

City Engineer Comments (DiFranco):

- This house is set well back from the road.
- One of the Code requirements is that new homes must be within 1,000 feet of a fire hydrant. The setback created some issues. They plan to install a new, private fire hydrant in order to conform with the 1000-foot rule. The WH Fire Department confirmed that they will be testing the hydrant as a courtesy occasionally as they do all the fire hydrants in the City. They have been required to provide easements to the City for access to that fire hydrant. The easements have already been provided.
- Two conditions still must be done because of the deep setback.
 - We will require that the portion of drive up to the hydrant is a hard surface for the safety of the fire fighter and so the truck does not get stuck in the mud. That is only up to the fire hydrant. It is not the entire driveway.
 - They are disturbing more than one acre which kicks in an EPA requirement regarding Stormwater Management. We are waiting for their engineer to conform with that rule as well.
(Foley) (The Lake County Stormwater Permit has been issued. We, additionally, have to submit to Ohio EPA. That is what is holding things up.
(DiFranco) Lake County left out some items in their approval. So they sent an updated Plan Review to Dave Novak today.
(Foley) We received a letter from them approving it. Did they rescind that? Yes.
- We are fine with the plans. We would recommend approval based on those two conditions: that they provide the hard surface up to the hydrant; and that they meet the EPA Stormwater requirement.
(Foley) Is the driveway requirement codified?
It is related to the hydrant. A hydrant is required within 1000 feet of the house. The hydrant is useless' if you do not have a drive up to it. The hard surface is required from the road to the hydrant which is 300 feet back from the road.

(Foley) Is that ordinance codified? Yes, it is up to the City Engineer's discretion. (Foley) It was my

understanding that there was some questioning of that. I think the owners were looking for Counsel on it.

(Foley) So it can be approved subject to those two items? Yes.

(Foley) You will need an additional approval from Lake County Soil and Water? Right.

Sometimes they bounce things back and forth. Right.

Usually they do not issue an approval on it and then rescind it.

(DFranco) Right. Ultimately, I am responsible for the Stormwater. Lake County acts as an advisor to me. So ultimately if they approve it, I can still turn it down.

(Foley) What were the conditions? You are proposing a filter strip to catch any pollutants before they get into the river. But, in my opinion, there was not enough information. It did not have the size of the filter strip. Whatever that strip needs to be, I want to know what the size is. There is ongoing maintenance requirement. They will add a maintenance schedule to the drawing telling the owner that they need to inspect that filter strip on the schedule described. It must be maintained and kept clean, etc.

Board Comments:

(Gardner) A technicality came up in my office today. Apparently the water line easement was signed by the home owner but not by the City and filed. There are blanks where the City should have signed. We will need to get that refiled. (Foley) I will look into that.

(Applicant) The county did not require it but you are requiring it?

(Gardner) They take documents in for recording. It is not their job to decide if it is sufficient. If we are supposed to be a party to it, we should be signing it. The Law Director made us party to it.

(Foley) The pavement that is required, are there any specifications on that?

(DiFranco) It needs to be strong enough for a fire truck. That is up to your engineer to design. It can be asphalt. These comments were given to your engineer back in November, 2019.

(Foley) We will discuss with the owner. Part of the issue here is; I am contracted to build this house. The driveway and extension are another contractor's. I am trying to make sure everyone is on the same page.

(Lewis) Regarding continuous insulation, you have an 8-foot basement but only 7 feet of insulation. What happens with the extra foot?

(Foley) The extra foot does not get insulated. We do a 'Res Check' violet. Because we do 6-inch walls, triple-pane windows, etc, it is compliant with only 7 feet of insulation. We do not do the alternate method. We do the 'Res Check.'

(Lewis) The alternate method creates other issues with the stone.

(Elliott) "Res Check" is like 'Com Check' (Lewis) Yes

(Elliott) What about the stone you have above the drain tile? How far up is that going? (Foley) The drain tile is usually about 18 inches. How far up is the stone going? About 18 inches. In addition to that, there is a 2-inch drainage and insulation board that is applied to the wall after a coating of Marflex. Then the stone or adhered veneer goes right down to the grade? The adhered veneer will go the ambient grade. Not just above grade? The decorative stone will go to the ambient grade. It is attached to the foundation wall with mortar. The type mortar depends upon the type of stone.

(Elliott) Landscapers will pile the mulch up high. Mulch will retain the water

(Lewis) Big thing to remember about adhered veneers is moisture management. It is only a thin veneer.

It's concrete which soaks up moisture. The Manufacturers' Veneer Association (MVA) recommends the stone should be 2 inches above finished grade. A parking lot should be 4 inches above finished grade. That would be my only recommendation.

(Foley) Usually there is a slight differentiation between 'to grade' in a perfect world and landscapers.

(Lewis) When it fails in the house, the owner comes to the builder, not the landscaper.

We do a solid poured wall which is not impervious to water. But I have never dug up a poured wall.

The prepared substrate is critical but it is the adhered veneer being attached to the substrate.

We use the manufacturer's recommendation.

You may want to use a material that is pliable and may move a little bit more.

(Gardner) Is any of this on a slope? Are there protected slopes?

(DiFranco) They are outside of the Protected Area.

MOTION:

John Lillich moved for architectural approval of the New Single Family Home at 2217 River Road pending the approval of the EPA Stormwater requirements and the hard surface on the driveway which will continue at least to the hydrant

Seconded by Ron Lewis.

VOTE: All AYES (6-0). Motion passes.

The Architectural Board of Review portion of this meeting was closed at 7:47 p.m.

PLANNING COMMISSION

Public Portion opened at 7:47 p.m.

No comments from the public

Public Portion was closed at 7:47 p.m.

No Pending Business for Planning Commission.

The Planning Commission was closed at 7:48 p.m.

New Business:

None

Unfinished Business:

None

Mayor's Report:

- The Dyksta home brought up a concern with the Fire Department specifically with respect to inspection of private fire hydrants. The City would like to approach the private owners and Homeowners' Association and enter into agreement with them which would allow the Fire Department to inspect the hydrants and hold us harmless if they have not been maintained for a long time. When they are opened up and let the water pressure hit them, bad things can happen. The goal is to sign an indemnity agreement, so if we do inspect them and something happens, they do not blame us. We want to be sure that they are all in good working order.

- I attended a meeting with Mayor Fiala (Willoughby) and Mayor Morley (Eastlake) and The Lake County Development Council (*function is to promote economic development county wide*). Discussion was very interesting.
 - Everyone always think about attracting and promoting business in the community.
 - Now they are also promoting attracting new residents. Population is aging.
 - Willowick is updating homes so they appeal to ‘millennials’ with and lower maintenance. Eastlake, Willowick and Willoughby have many post-World War II bungalows.
 - They all appreciate Regional thinking. They will steer businesses to the neighbor if they are not a fit for the business.
 - Port Authority is appointing a new director.
- WH Master Plan discussion raised by Mayor Gardner at the meeting.
 - Regional thinking and planning was discussed. Similar situations are being discussed in the area. Areas are looking for new identities and ways to market them.
 - The current draft of the budget has room allocated for professional assistance for the Master Plan with the Planning Commission.
- The Humane Society is looking for a new home with 3-5 acres that, hopefully, backs up to a park-like area.

(Taylor Draper) Would the Fire Hydrant Initiative also include condominiums and townhouses?

(Gardner) *It would include any private hydrant in the City including industrial and Residential. They would all need to be inspected.*

(Elliott) Do we have a number of the private hydrants in the City? (Gardner) *Best estimate is 18-24.*

(Cihula) On Lamplight there is an extension of the water line with a valve to ‘bleed’ that line. It extends to White Rd. to provide a loop for another source.

(DiFranco) *The Lake County Dept. of Utilities maintains that. There is also a connection from Lamplight to Gatsby which provides a loop.*

(Taylor Draper) Is there any information on the Prime trucks? Their new ‘hovering’ position seems to be behind the PNCV Bank and also in the plaza of the Shoppes of Willoughby Hills. They are very loud at 6:00 – 7:00 AM. It is disturbing to the neighbors.

(Gardner) *We have had other complaints. The Service Director has gone out with a decibel meter.*

Council Representative’s Report (Taylor Draper):

No Report.

Building Commissioner’s Report:

No Report.

Chairman’s Report:

No Report.

Adjournment:

John Lillich move to adjourn. Seconded by Ron Lewis. Voice vote. All in favor. **Motion Passes.**
The meeting was adjourned at 7:56 p.m. by Chairman Tom Elliott.

Respectfully Submitted:

Katherine Lloyd
Katherine Lloyd, Clerk

[Signature]
Chairman
4/16/20
Date Approved