

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

October 2, 2014

CALL TO ORDER 7:00 P.M

PRESENT: Chairman Charlotte Schryer, Vice Chairman John Lillich, Mayor Robert Weger, Council Representative David Fiebig, Joseph Zawatski and Christopher Smith

ALSO PRESENT: Building Commissioner Fred Wyss, City Engineer Pietro DiFranco, BZA Representative Frank Cihula (arrived 7:37 pm), Economic Development Director Steve Roszczyk and Clerk Katherine Lloyd

ABSENT: Jonathon Irvine

MOTION: David Fiebig moved to excuse the absence of Jonathon Irvine for tonight's meeting.
Seconded by John Lillich
Voice Vote: Ayes Unanimous
Motion Passes 6/0

Correspondence:

Memo dated September 24, 2014 from City Engineer Pietro A. DiFranco RE: Review Updated from September 3, 2014 for Dunkin Donuts

Disposition of Minutes Meeting of September 18, 2014

MOTION: Christopher Smith moved to accept the Minutes of September 18, 2014 as presented.
Seconded by David Fiebig
Voice Vote: 5 Ayes and 1 Abstention (Weger)
Motion Passes

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:04 P.M.

No Public input

Public Portion closed at 7:04 P.M.

1.) Dunkin Donuts

Contractor: RR Behavani, Inc.

Bhavish D. Patel

Heidi Demark

Laura Schwickerath

2801 Bishop Rd. - Final Plan Review - OH 44092- PPN: 31-A-008-D-00-026-0

Plans stamped received in Building Department 8/29/14

Plans reviewed by City Engineer

Present: Bruce Sekanick (Phillip Sekanick, Architects)

(Schryer) This is Final Review. They are seen in Architectural Board of Review for the building and in Planning Commission for the whole project. Please indicate any changes that have been made between Preliminary Review and now.

Owner/Representative Comments:

- Coloring renderings of the building and signage were distributed.
- Basically the building is identical. The awning was discussed at the last meeting.
- This drawing is a clearer depiction of the removable fabric awning over the Drive Thru.
- Page 3 has the Fresh Brew concept which shows the awnings. Front awning with graphics faces the road. The awning that says 'Coffee' and has a small coffee cup on the side faces the Drive Thru. That is the only descriptive change. There is a small coffee cup on top of the awning which is barely visible.
- Siding is an 8-inch exposure painted cement Hardie board. It is very durable and keeps its color when painted.

City Engineer's Comments (DiFranco):

None

Board Comments

(Smith) The building is in keeping with everything that has been show. Hardie plank is a good, durable product. The neighbors had discussed light spillage. The photometric plan shows almost no light spillage off the lot. LED lighting is energy conscious.

(Fiebig) At the last Council meeting, the Law Director mentioned allowing for a back easement, perhaps. *A document has been prepared to permit an easement to run through the back side of the property. It has been reviewed by the Law Director and Mr. Patel's attorney. The City Engineer was helpful in the drafting.*

(DiFranco) The property owner provided an easement to the City along the rear half of the property. The exact location is to be determined later. The 40-foot wide easement will allow a drive to cross the rear of the property. *We do not know what the development of the adjacent property will be. It is vague at this point to allow us to adjust as necessary.*

(Schryer) We will talk about that in Planning Commission.

(Fiebig) The plan shows a wood board or vinyl fence at the rear where it faces the condominiums. *We will do either depending on what the adjacent property owners want. There is a vertical board-over-board that runs down the perimeter over by the condominiums. We are open to the choice of material.*

MOTION: Joseph Zawatski moved to approve the architectural plans for the Dunkin Donuts building at 2801 Bishop Rd. as submitted.
Seconded by Mayor Weger
Voice Vote: Ayes Unanimous
Motion Passes 6/0

PLANNING COMMISSION

Public Portion opened at 7:13 P.M.

No Public Input

Public Portion closed at 7:13 P.M.

1.) Dunkin Donuts

Contractor: RR Behavani, Inc.

2801 Bishop Rd. - Final Plan Review - PPN: 31-A-008-D-00-026-0

Plans stamped received in Building Department 8/29/14

Plans reviewed by City Engineer

Present: Bruce Sekanick (Phillip Sekanick, Architects)

Owner/Representative Comments:

We have been working with the Engineer and with Barrington on the site layout. Information submitted was based on the previous letter, request for additional information and design changes. It has been re-reviewed.

City Engineer's Comments:

All of our engineering comments have been addressed so we recommend approval. Over all, it is a very good plan. To highlight a few items:

- They propose LED lighting with very little, if any, spillage onto the adjoining properties.
- We required them to provide a lot of landscaping which is difficult on a very tight site but most of the green space is landscaped.
- Access to Bishop Road is restricted to Right in-Right out only
- Permeable pavers were required within the island and in the rear of property for parking space to mitigate some of the hardscape on the site.

Board Comments

(Schryer) Fencing was a question from last time. Is it shown on the plan? (Sekanick) *The location of the fence is shown on the plan. Regarding the type of fence, we are still open to whatever the City prefers based on neighbors' comments.*

(Wyss) It is on Pages C2 and C8.

(Schryer) Are we going to wait until another business comes in to start erecting fences? Do you want to do a partial fence?

(Wyss) A partial fence is shown on the south side by the home.

(Schryer) You are saying that we need to make the decision? (Sekanick) *We will do what the City and homeowners prefer. However, from a maintenance standpoint, vinyl does not require much maintenance. We could stay consistent with the condo fence.*

(Wyss) The condo fence is a half lot away. It is weathered wood but in good shape. The condos will not see the fence.

(Lillich) I would suggest something maintenance free. It could lessen issues in the future with maintenance and/or replacement. (Sekanick) *A vinyl fence would match the building*

(Wyss) Vinyl is finished on both sides.

(Smith) White vinyl / PVC seems to be the way to go

(Schryer) The sign and its dimensions are already in the plans. Do they need to come back for the sign if the color rendering for the monument sign is not here tonight? (Wyss) *It is all on there.*

(Schryer) The motion will need to include the sign, landscaping, fence & fence materials and lot coverage. Explanations for all of the different items are in our discussion points over the last six months.

MOTION: John Lillich moved to approve the Final Plans for the Dunkin Donuts at 2801 Bishop Rd. being that Dunkin Donuts has demonstrated to the Planning and Zoning Commission that the provisions of Section 1111.15 Equivalency Provision of the Codified Ordinances of the City of Willoughby Hills regarding the 5-foot side yard parking setback and lot width, lot size and lot coverage, building coverage, signage, landscaping has been satisfied and the fence in the rear to be white vinyl.

Seconded by Joseph Zawatski

Voice Vote: Ayes Unanimous

Motion Passes 6/0

(Schryer) An Equivalency letter will be sent to everyone who has worked on this Dunkin Donuts project. The letter will include the motion and discussion items.

UNFINISHED BUSINESS

1.) Mailbox Ordinance 2014-62: Council sent back the Mailbox Ordinance 2014-62 in place of the original ordinance that Planning Commission sent to them. Copies were distributed.

Mr. Fiebig highlighted some of the changes that have been made and explained some of the Council concerns.

- \$100 fine
- Because the Post Office technically owns mailboxes, detail about fixing numbers to mailboxes and requiring specific sizes and dimensions is unnecessary.
- This ordinance defaults back to the original plan (in the Building Code) which had the house numbered no more than 100 feet from the street line and the words 'numbers shall be plainly legible from the street on the front of the house and building

Changes made came from the Building Commissioner to reflect the actual practice of numbers being assigned by the Building Commission, rather than the Council Clerk.

2.) Rules and Procedures of the Planning Commission: Mr. Zawatski had raised questions about excusing absences of Board members. A copy of the Rules was emailed to the Board. Reasons for absence are private but the absence should be communicated with the Chairman. Concerns about absences should be brought to Chairman. If the Chairman feels it is an issue, it would be discussed with the Mayor or Law Director. Last review of the Rules was in 2007 when rules for Work Sessions were added. Any additional questions will be discussed at the next meeting. Otherwise, the rules will stand the way they are.

NEW BUSINESS

American Heritage Motorcycles, LLC: Does the applicant need to come back or should the Building Commissioner do a Minor Alteration due to the nature of the vehicle itself. [Photo of vehicle distributed]. Their signage is exactly at the allowable guidelines. The new sign balances out the building. All the signs fit together well. It balances out the building. The 'Service' sign has been moved to the side. After brief discussion, Consensus was that the Applicant does not need to return.

MAYOR'S REPORT

Clover is back on track. They got their plumbing permit from the County Health Department.

COUNCIL REPRESENTATIVE'S REPORT (Fiebig)

Mailbox Ordinance 2014-62 will be going for 3rd reading by Council.

Copy was emailed to Planning Commission this week.

Planning Commission plans to have the Ordinance on the Agenda for review and discussion at its October 14th meeting. This plan will be relayed to Council.

BUILDING COMMISSIONER'S REPORT

None

CHAIRMAN'S REPORT

None

MOTION: John Lillich moved to adjourn.
Seconded by Joe Zawatski
Voice Vote: Ayes Unanimous
Motion Passes 6/0

Adjourned at 7:46 P.M.

Katherine Lloyd
Clerk

Charlotte Schuyler
Chairman

Date Approved Oct 16, 2014