



City of Willowick
PLANNING COMMISSION
Monday, February 13, 2023 at 7:30 PM
City Council Chambers

ADA NOTICE

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City of Willowick at 440-585-3700 at least three working days before the meeting.

MINUTES

Call meeting to order

The February 13th, 2023, meeting was called to order at 7:30pm.

Pledge of Allegiance to the Flag

At this time Mayor Vanni swore in members renewing their expired terms: Mr. Houry and Mr. Hren. Mayor Vanni then swore in the new Planning Commission members: Ms. Raymond and Mr. Urwin.

Roll Call

PRESENT

Mark Carden
Robert Houry
Jef Hren
Eric Foisel
Joan Raymond
John Urwin

ALSO PRESENT

Chief Brennan
Law Director Landgraf
Councilman Phares

ABSENT

Adam Fortney

Approval of Minutes

December 12th 2022 Planning Commission Minutes

Motion to approve the December 12th, 2022 Planning Commission meeting minutes made by Mr. Houry, Seconded by Mr. Foisel.

Voting Yea: Mr. Carden, Mr. Houry, Mr. Hren, Mr. Foisel
Voting Abstaining: Ms. Raymond, Mr. Urwin

Development & Plan Review Committee - Mr. Rising

No Report submitted.

Rules Committee – Mr. Rising

No Report submitted.

City Engineer’s Report – Mr. McLaughlin

No Report submitted.

Law Director’s Report – Ms. Landgraf

No Report

Architectural Review Board - Mr. Heckman

No Report submitted.

Community Reinvestment Area – Mr. Carden

No Report

Public Hearings

Public Portion

Public portion was opened and closed at 7:41pm with no public present.

Remarks – Old Business

Discussion on Uniform Design Codes for the City of Willowick and review of Ordinances 1145 and 1141

Mr. Carden recapped that the board has reviewed different design standards for surrounding cities such as the City of Solon and the City of Lakewood during the past couple of meetings. The board took some of the best that they favored from each design standard and then the decision was made to combine and edit out some duplication and make it something we could fit it into our city ordinances for design standards. After the previous meeting Law Director Landgraf took the discussion on the ordinances and narrowed it down to put into a formal format. The ordinances we are discussing are 1141 and 1145. The board reviewed the changes that had been made, those changes can be recognized by the red print to differentiate. Mr. Houry asked if this is still a draft copy, it was advised that yes this is still a draft.

Chief Housing and Zoning Inspector Chief Brennan was present to go over the current ordinances in place as well as the zoning map of the city. He stated that he would like to have some clarification on some items. He stated that under 1145.11 as he has to enforce the ordinances put into place, he would like to be clear. In the first part he sees that this is for retail district and for the rehabilitation of a building, so for new buildings and for existing structures. As an example situation he presented an existing business in the city, saying they would like to come in and do a face change on the building and if you look at some of the standards being presented Chief Brennan would like to know if this would be applied in this situation, such as electrical or if they want to change just the facade do they have to put the electrical underground per the ordinance being submitted, he could understand if this was a new construction, makes sense however would that be feasible for an existing building to have to go through all that for a face change? Mr. Houry stated that he views this as more ascetic then mechanical however that is just his option. Chief Brennan stated that in the presented ordinance under building instructors design color and standards it then gets into the mechanical. The board then all reviewed the area Chief Brennan was referring too. He advised that in that area it states all utilities serving the site including electrical, telephone and all supporting equipment there to including meters, transformers shall be

underground or within the main building leading him back to the initial question of a face change of an existing building do they then need to comply with electrical being underground.

Mr. Foisel stated that if you go to the very last paragraph on page 15, the very end of the addition there is an area of a catch all where Planning Commission has the authority to waive the standards set forth from the section, although it is very specific stating minimum height restrictions however if it was broadened some to allow items by a case-by-case basis, as we want to encourage these standards, encourage them to do so however we are aware that there are going to be extreme burdens in some situations where they are trying to bring a building up to par to make it more presentable and more incline with what we are doing but maybe there will be unique circumstances where everything going underground is not appropriate or feasible financially. He stated that maybe the board should look at broadening the catch all at the bottom to incorporate the opportunity for businesses to still improve their facade in line with what we are looking for, but they can't just do what they want. They can at least for the ascetics' part of it, come up to the par with that without changing electrical and having to put it underground. There was some discussion regarding expanding the catch all to incorporate more due to unique circumstances.

Chief Brennan stated within the same ordinance there is an area where they are all in compliance with the requirements of the ordinance it can be approved by Plan Review Board. However, if they are not in compliance will they then have to come to Planning Commission for approval? Mr. Foisel stated that based on how the ordinance is written up now, that yes if they are not in compliance and it is a unique situation, they would have to go to Planning Commission for approval. Mr. Foisel stated that the only change he would look at on page 15, would be to remove the words "the minimum height" then it will incorporate everything that has been updated as it would then read "Planning Commission shall have the authority to waive the standard set forth 1145.04 if it determines after public hearing that due to unique circumstances restrictions set forth therein cannot be achieved and the adjustment proposed will not have a material adverse impact on the city". He indicated by removing the narrow nature of it, which would be the height restriction only, it expands it and opens it up. Law Director Landgraf stated that this is only saying Planning Commission has the authority to waive standards in 1145.04, which is parking. Mr. Foisel stated that the board would need to expand that to chapter 1145.04 and 1145.11. Law Director Landgraf stated that standardly the board would have the authority over the chapter. There was some discussion regarding the authority of the Plan Review board and Planning Commission approving businesses as Plan Review Board currently has the authority to allow a speedier process. If the Planning Commission board wanted the authority to move forward with the revisions in red that are being discussed Planning Commission would need to give themselves the authority over 1145.11. There was some discussion about the fundamental goals and designs of the development, which talks about the area by the lakefront. Per the zoning map, you can see where Lakeshore Blvd and Vine Street would come into play however, there is also some retail down East 305th street and Euclid Avenue, is that area also going to be factored into this as it all pertains to 1145. There was some further discussion as to designs regarding to lakefront and yes, the board would like to include all areas to tie in the city on a lake aspect. There was some discussion regarding the verbiage under standards.

Ms. Raymond stated that as she is a new member, she has read through everything and has listened to this full discussion as well as speaking with others. She stated that she is confused regarding the roles of the Planning Commission vs. the Plan Review Board vs. Board of Zoning Appeals. She stated for items like adverse financial ability for the electrical to be underground (as an example) who makes the decision on what is feasible and what is not feasible? There was some further discussion regarding ascetics and mechanical. Law Director Landgraf responded stating when a new business wants to come to the city, they submit a plan to Chief Brennan for the Plan Review Board to review, if it is determined at that time that the business does not comply with the standards put into place then it would go to Planning Commission to review. If the business can not comply with the requirements and Planning

Commission does not waive their authority and the business can not comply, then the business would have to go to Board of Zoning Appeals who has the authority to grant variances. There was some discussion regarding Plan Review Board duties and responsibilities.

It was decided that Planning Commission will change the authority to waive standards from 1145.04 to both 1145.04 and 1145.11

It was decided that (similar to 1145.11) Planning Commission will grant themselves authority to waive any standards from 1141.09 at the time of Plan Approval.

It was discussed whether or not we should remove the “with the exception of Vine St.” from 1145.03.

It was discussed regarding the possibility of re-zoning the commercial parcels more than x feet away from Euclid and East 305th Street as commercial / light industrial. There is no immediate deadline here but something to discuss at the March meeting.

There was some discussion regarding the ability to revise the ordinance once it is in place if it is determined it is counterproductive.

Motion made to send the revised ordinance to City Council by Mr. Foisel, Seconded by Mr. Hren.
Voting Yea: Mr. Carden, Mr. Houry, Mr. Hren, Mr. Foisel, Ms. Raymond, Mr. Urwin

Remarks – New Business

There is no new business.

Adjournment

Motion to adjourn the February 13th, 2023 Planning Commission meeting at 9pm made by Mr. Carden, Seconded by Mr. Houry.

Voting Yea: Mr. Carden, Mr. Houry, Mr. Hren, Mr. Foisel, Ms. Raymond, Mr. Urwin