



City of Willowick
PLANNING COMMISSION

Monday, October 09, 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

Chairman Carden called the October 9th, 2023, Planning Commission meeting to order at 7:30pm.

Pledge of Allegiance to the Flag

Roll Call

PRESENT

Chairman Mark Carden
Robert Houry
Joan Raymond
John Urwin
Adam Fortney

ABSENT

Jef Hren
Eric Foisel

ALSO PRESENT:

Councilman Phares
Councilwoman Antosh
Councilman Loncala
Council President Koudela

Approval of Minutes

Planning Commission Meeting Minutes - September 11th, 2023

Motion made to approve the September 11th, 2023, Planning Commission meeting minutes by Ms. Raymond, Seconded by Mr. Urwin.

Voting Yea: Chairman Carden, Mr. Houry, Ms. Raymond, Mr. Urwin, Mr. Fortney

Development & Plan Review Committee

None.

Rules Committee

None.

City Engineer's Report – Mr. McLaughlin

None.

Law Director's Report – Ms. Landgraf

None.

Architectural Review Board

None.

Community Reinvestment Area – Mr. Carden

None.

Public Hearings

None.

Public Portion

Chairman Carden opened and closed public portion at 7:33pm with no public approaching to speak.

Remarks – Old Business

Continuation of discussion regarding car repair shops in the retail districts

Chairman Carden advised that at the August and September meetings Councilman Phares provided the board with some possible standards for car repair shops in the retail districts, currently we do not have anything on the books in regard to this topic, ordinance wise. Chairman Carden stated that he provided items such as unsightliness, vehicle storage, positioning of bays as well as the duration of time a vehicle is at a repair shop. The board discussed this during the September meeting and the idea is that in time we would draft up an ordinance for the city to send up to City Council. Chairman Carden advised that due to the absence of Mr. Foisel and Mr. Hren we will only be discussing car repair shops in the retail districts but not voting on anything as we would like to have the full boards opinions, he hopes that we will be able to put something together during the November meeting.

Chairman Carden stated that during the last meeting he had requested that the board go through the ordinances for other cities regarding car repair shops in the retail districts provided by Councilman Phares and note items they would like to use, strike or change. He provided his insight based on what was provided. He stated that at this time he will go through his thoughts on the items as there are some items he would like to strike, some to combine and then some to use.

He stated that these will apply not to any existing car repair shops, they would apply only if a car repair shop were to close and stay vacant for 6+ months or if a car repair shop was built. Chairman Carden stated the board is all in favor of both attracting and keeping the businesses we have in the city while also being interested in some degree of ascetics, cleanliness and implementing some basic guidelines for appearance.

Chairman Carden stated that his views are as follows based on reading some guidelines provided by Councilman Phares from other cities:

Paving, the lot of a repair shop should be entirely paved except for building and landscaping: Chairman Carden stated that to him that seems standard for all businesses parking lots.

Entrance to service bays: He stated to add "where practical" these should not face the public, however there was some discussion regarding the size and location of the shop.

Chairman Carden stated that the next two topics can be combined: regarding the repair activities and enclosure. He stated his change was to read: All repair activities except for minor repairs (we would need to define minor, such as changes to windshield wipers) should be conducted within an enclosed building, scraping the word entirely. There was some discussion regarding scraping entirely and minor repairs.

Premises shall be kept (Chairman Carden added the word reasonably) neat and orderly condition (scraped the words at all times) free of equipment, litter/debris and discarded automotive parts. There was some discussion.

Storage: Vehicles may be stored outside of the building; there was some discussion regarding a timeframe of storage. There was some discussion about timeframes, the definition of a vehicle inoperable.

Storage of used tires: this can fall under the abovementioned of premises be kept in orderly condition.

Vehicle Sales should not be conducted on property of car repair shops.

There was some discussion regarding a screen to block the public's view, Chairman Carden stated he does not think this is necessary.

Chairman Carden does not have any thoughts regarding the lot size.

Illuminating signage should be shielded from adjacent residential districts may be overkill due to the locations of the repair shops.

Chairman Carden stated with regards to overnight storage, he does not have any issues with that.

No auto station within 300 feet of a church or school, he believes that's more of a noise thing and he doesn't believe this would be needed.

Mr. Fortney in response to Chairman Carden's notes stated that regarding the bays facing the street, he does not think it is that big of an issue and provided examples of current repair shops in the city. He stated that if there is a new repair shop that comes in and builds, he thinks then at that time possibly have them face the side. However, if a new owner comes in and buys an existing shop, after 6 months, they are going to be required to then have the bays face the side, that would be a big ask and they would need to tear the building down and rebuild. He stated that as far as doing repairs in the parking lot, he was thinking somewhere along the lines of basic services, batteries, wipers, headlights, there was some more discussion regarding basic services. Mr. Fortney advised the board that he went out and spoke with a relative of his that owns a car repair shop, he stated that regarding tires, the repair shops need to not have their tires stored outside or visible. He also spoke about used oils and fluids; it may be good to look at requiring these items to be stored inside. There was some further discussion regarding the storage of tires in an enclosure. There was also some discussion about storage of a vehicle outside and if the vehicle is "movable" the outside storage is fine. However, the vehicle should not be stored outside on jacks.

Mr. Houry stated that he agrees with the above discussed points. He touched on a few of the topics discussed. He stated the board just needs to get everything into an organized order. He also asked who would be enforcing what we are looking to possibly put into place.

Ms. Raymond stated that she had spoken with a repair shop owner in Willowick and something they were most concerned about was making it tougher to come into the city. She stated the owner advised that the days of a neighborhood mechanic are quickly fading, due to kids not going into the trade and when they do, they are picked up by corporations. She stated as far as storage, the owner asked where the city would like them to put these vehicles/items. The repair shops are doing their best to conduct a business and get the cars on the lot fixed and out. She stated that as long as the car is movable, is plated and has a vin number, she is not sure what the issue is with the car being on the lot. There was some discussion regarding the word movable. She stated that outdoor storage of tires has been like that for some time and changing it now would endure more fees for the shop. Councilman Phares wanted to make it clear that anything that is sent to City Council would not affect the repair shops that are currently operating. Ms. Raymond wanted to clarify that what we are saying is that an existing repair shop can store tires outside and nothing will change for them, Councilman Phares advised that is correct, they would be considered legal non-conforming. However, again if a business is vacant for 6+ months, something happens to a repair shop building, and they have to rebuild they will have to comply with what is put in place. There was some discussion regarding ordinances in place regarding property maintenance, as well as what else repair shops could be if they close and reopen as something other than a repair shop. Mr. Urwin revisited the upkeep of a repair shop and eye sores.

Chairman Carden stated implementing a criteria for being stored outside and some discussion regarding the word operable. He also recapped the bays not facing Vine Street for new buildings, he stated that he is not sure that should be a requirement for a new owner coming into a repair shop after 6 months, however splitting the hairs and making that a requirement for new buildings if they were to be built. Councilman Phares stated that the 6-month rule requirement for all businesses after being vacant for 6+ months. Councilman Phares stated that in his opinion that is what we would want. There was some discussion regarding Expert Auto, Mr. Fortney stated that they are for sale and let's say the business doesn't sell and after 7 months its bought and now the new owner would have to tear down the building to conform to what we are possibly looking to put in place. Mr. Fortney stated that he is unsure and thinking about the building, he is not sure they would even be able to conform and have the bays face the side due to the lot size and location. He stated that while he understands what we are trying to do but these are things that come to mind. Councilman Phares stated that's how you effect change on Vine Street, get rid of the old infrastructure and something new comes in. There was some discussion regarding the tanks possibly being in the ground of these repairs shops as most used to be gas stations. Chairman Carden if we could still allow exceptions or variances, Councilman Phares stated that what we put in place for Council to approve would be in place once passed and would not get past the Plan Review Board once in place. They would have to conform to what we have in place, or they would not be passed to open the business.

Chairman Carden stated that while he understands we are looking for change, we don't want to not allow a business into a building that would then go un-used because they are unable to conform. We don't want to make it unattainable to open a business in the city. However, Mr. Houry stated that this is a real difficult thing to determine to make black and white, while he understands the requirement for change along Vine Street. Councilman Phares stated that if a retail store wanted to go into a repair shop, then they could potentially block off the bay doors to make it a store front. He advised that you can always bring other types of businesses into the repair shop store front. Mr. Houry stated that he understands that but with regards to tearing the shop down if it's been vacant for 6 months and then requiring a new

repair shop to start over and build a new building, it stated that if it has to be then it has to be, which may be something the new business would be looking to do anyway. Councilman Phares reminded that it would only be for a repair shop, any other business that fits the retail zoning can go in there with the way it looks but if it's a repair shop, they would have to conform to what is passed.

Ms. Raymond asked how long it normally takes for a business to come into Willowick and open a business. Councilman Phares asked Councilwoman Antosh as she is the liaison for Plan Review Board. Councilwoman Antosh stated that the timeline varies based on the type of business, requirements per zoning, fire department requirements, the Lake County Building Department permits and inspections. She stated it could be a few months or it could be upwards of 6 months. Council President asked that for example if Expert sells tomorrow to a completely different company, they go to Plan Review Board submit plans and gets the required approval, but it then takes 7 months to open, does that count as a new business opening and having to conform to what is put in place? Both Councilwoman Antosh and Councilman Phares stated that it has to sit empty with no movement for 6 months, Councilwoman Antosh stated that for instance they go out of business, and they are trying to sell or rent the building and it goes past 6 months now they have to conform. Councilwoman Koudela stated that because there is a transfer of ownership within that 6-month period it still conforms. Ms. Raymond and Councilwoman Koudela both agreed we are not trying to set up businesses to fail. The 6-month clock stops once there is a transfer of ownership, Councilwoman Antosh advised that these questions may be best for Chief Brennan, but she is pretty sure that if it's the same type of business buying out the old owner and they are walking in and completing the same business then they are still in the 6-month period with being legal non-conforming. There was some further discussion regarding the 6-month timeline and when a business would need to conform to what is put in place. Mr. Houry asked what about the things that are not seen, the building is being seen, what about the potential of tanks in the ground. Councilman Phares stated that he is unsure if it is required to be disclosed or if it is the new owner's responsibility to find out. It was stated that the relator has to disclose that information. Mr. Houry stated if we are addressing the building having to be torn down (after 6 months), we need to also address the unseen as well. Ms. Raymond stated that by law the tanks underground would need to be disclosed to the potential buyer, there are EPA requirements. The new potential owner has to bear the cleanup from taking them out, Councilman Phares stated that they could be left underground however if they start to leak it's the responsibility of the new owner. There was some discussion regarding the ability to reuse the tanks that are underground if there are any.

Chairman Carden stated that we will get down to a concise paired down version of this, for example the portion talking about the facing of the bays, at some point that may come down to a discussion on keeping that or striking that. He stated that we will not be finishing this discussion today as we have members absent. He stated that there are points the board is agreeing on and others that need further discussion with the full board present. The Chairman circled back to defining basic repairs, used tire stacks and storage and new tires. He asked the board for feedback, Mr. Houry stated that he believes there should be some type of enclosure for outside storage of tires. Ms. Raymond asked if they could do something as simple as private fencing. Chairman Carden stated so it should read along the lines of storage of tires should be inside and if not inside then in an enclosure outside. There was some discussion regarding storage of fluids outside and inoperable vehicles. It was stated that there are EPA requirements for fluids, we would follow the EPA requirements for storage of fluids. Chairman Carden stated that he does not see the need for information regarding lot size as well as illuminated signage, however Mr. Houry stated that we should not rule out putting something in place regarding illuminated signage overnight. Mr. Fortney stated that we should already have something in place regarding illuminated signage and if there is not then we should look at putting something in place. There was a

recap by Chairman Carden regarding what we discussed and pairing everything down to a formal format. Chairman Carden asked about an outdoor hoist, Mr. Fortney explained that is a heavy machine to remove an engine and is not considered minor so it would not be allowed outside.

Chairman Carden asked if there are anything other questions or concerns before we wrap up. Mr. Urwin stated that he has a note regarding the lot size requirement, the board spoke about Yano's and Expert because they are located on corners which may be a reason to leave that in the potential ordinance so we can prevent that type of a business on a corner. On a corner, it is visible all around the building, you can't really hide items and/or follow the potential guidelines. Chairman Carden stated that positioning the bays in a different direction at Yano's would be tricky but if someone were to find a way to meet the guidelines, would that be a suitable location, he stated that if it's a nice-looking establishment on the corner then it wouldn't be a problem no matter the type of business. There was some discussion regarding locations of the repair shops on Vine Street. Mr. Houry asked Mr. Urwin that if we keep the lot size requirement in place then it would be a way to prohibit car repair shops on a corner. Ms. Raymond advised that we have 3 corner repair shops. Councilman Phares stated that M&B can face the church if they were to rebuild, he stated they could also face down Willowick Drive. He stated that Expert would face Willowick Drive if they rebuilt but Yano's would be tough because of their lot size and location. Councilman Phares stated that the ordinance could also read that the bays cannot face Vine Street, which would provide some leeway. Council President stated that M&B does not face Vine Street currently, it faces more Willowick Drive. There was some discussion regarding the location of Yano's as well as the building on the lot. Chairman Carden stated that he doesn't think that, that location would be an issue for a car repair shop if it looks ascetically pleasing. Mr. Urwin circled back to stacked tired and questioned standing water. Councilman Phares stated that he has spoken with Chief Brennan regarding property maintenance and stacked tires. Mr. Fortney advised there is a cost for pickup of used tires. Mr. Houry asked what type of business we would envision at the Yano's lot. Chairman Carden stated that due to the lakefront maybe a pedestrian friendly ice cream/sandwich shop. Mr. Houry stated that we do not want to exclude businesses in the city. Councilman Phares advised Chairman Carden that he is going to research a city that has a nice auto repair shop ordinance set up for viewing at the next meeting.

Prior to adjourning Mr. Smith son of the owner of M&B Services approached the board indicating he was unsure at what point to intervene to discuss car repair shops. Chairman Carden re-opened public portion at 8:24pm.

He stated that M&B has been in Willowick since 1989, he stated that he understands what the board is discussing and what is being proposed. He said that he does not like the unsightly shops either and gives all repair shops a bad name. He went on to say there are a lot of points that were addressed during this meeting such as minor repairs in the parking lot, he understands what we are trying to say such as batteries, wipers are quick repairs. However, he stated that he leaves work on a Friday evening and over the weekend there are cars that are towed in and waiting for him Monday morning, such as a ball joint issue that a tow truck towed in and now it is on a jack stand in the parking lot. He said for him to bring that car in the shop, to pay a town truck to tow the car into the shop, to put in on the rack to do a ball joint or pay his employee \$18/hr. for a half hour to drag an air hose out to the parking lot to do a ball joint, while it's not a basic repair per say and he would rather take care of that inside but cost vs actual repair, he is going to send his guy out to the parking lot to make that repair. He said he has 5 bays and if they are full and he is waiting for parts on the cars in the bays, but he has a car in the lot that needs new tires and he has the tires, he is going to jack the car up in the lot and change the tires, which is still not considered a basic repair. He advised that the board would need to redefined someway. He stated that a simple break job with pads and rotors can also be done in a parking lot. He stated regarding storage, the tires he understands, and he keeps theirs outside in an enclosed area so that they do not get wet as far as

disposal, he advised that he pays \$4-\$5 per tire for disposal and they will not pick up any quantity under 100 tires. He said that for a lot of the shops on Vine Street it is not feasible to store tires inside. There were some points regarding other locations. Mr. Smith also touched on the storage of fluids. He said that based on square footage to say that he would have to store his fluids inside is ludicrous and cannot happen. He said that his antifreeze gets picked up for free, recycled and new is brought back. He addressed the timeline that was discussed for the storage of vehicles in the lot and provided an example of a car on his lot waiting for parts (90 day back order), lack of payment from customer. He said he does not believe that there should be a timeline of a vehicle stored on the property waiting for work. He also provided an example of a car that was not being picked up by a customer, the only way to get that car off the lot would be to endure costs on the business owner to go after an abandoned title. He touched on the bays facing Vine Street, if he were to have to move his bays, they then would face residential homes. He stated that he does his best to keep his business upkept and looking pleasing. He also addressed the 6-month time period and when that timeline stops. Mr. Smith stated there is a lot more that repair shops handle behind the scenes, and he invited the board to come to the shop and take a look at the limited square footage they have. He also talked about the need to have the lot lite up at night to deter theft. He said overnight parking is needed, as he is unable to push a vehicle into the shop at night to then have to push back out in the morning.

Chairman Carden and the board thanked Mr. Smith for coming to the meeting and providing his insight on what we are discussing.

Remarks – New Business

None.

Adjournment

Motion made to adjourn the October 9th, 2023, Planning Commission meeting at 8:52pm by Ms. Raymond, Seconded by Mr. Urwin.

Voting Yea: Chairman Carden, Mr. Houry, Ms. Raymond, Mr. Urwin, Mr. Fortney