

PLANNING COMMISSION

May 23, 2016

Minutes

The Planning Commission meeting was called to order by Chairman Stanard at 6:47 pm.

PRESENT AT ROLL CALL: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

ABSENT: Mayor Renda

Others present: Jeff Filarski, Village Engineer; Aimee Lane, Law Director; Rick Loconti, Building Commissioner; Theresa Dean, Assistant Clerk

Mr. Fritz made a motion seconded by Mr. Bolek to approve the minutes from the May 11, 2016 Planning Commission Public Hearing.

ROLL CALL:

AYES: Mr. Bolek, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

ABSTENTIONS: Mrs. Cooper

MOTION CARRIED

Austria Residence

36030 Chagrin Boulevard

Patio w/Pergola

Michael Supler of NewVista Enterprises, architects for the project, was present to represent Dr. Mark Austria. Mr. Supler pointed out the details of the proposed patio project, surrounding landscaping, and outdoor kitchen on a raised terrace. The patio portion of the project will be at the existing grade and will be comprised of bluestone. The terrace, which includes the kitchen, will be raised sixteen inches (16") from grade and will have two steps leading up to it. A cedar pergola is planned for over the raised terrace.

Mr. Loconti had no comment on or issues with the design, and Mr. Filarski also saw no problems. This project did not require review by the Village Architect.

Mr. Bolek made a motion seconded by Mrs. Cooper to approve the patio and pergola at 36030 Chagrin Boulevard.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

Miller Residence

10 Falls Creek

Accessory structure - garden shed

Jeff Halpern, the son-in-law of the property owner and also the contractor, was in attendance to represent the project. He explained that the proposed shed will be a sixteen-foot by twenty-foot (16' x 20') shed strictly for storing landscaping materials and large pots. It will be located in the woods and built to grade on a floor joist system/floor deck. The exterior will be painted to match the colors of the existing homes. The shed will only be visible to Mr. Halpern's home to the south. Planning Commission approval is required because the structure is over two-hundred (200) square feet in size.

Mr. Stanard asked if any utilities would be involved in the project; Mr. Halpern replied that the only utility would be electric. There were no comments or concerns from either the Building Commissioner or the Village Engineer. A set of plans was approved by the Village Architect, with the only recommendation being that the exterior should be either be painted to match the existing homes or painted grey to blend in with surrounding trees.

Mr. Fritz made a motion seconded by Mr. Stanard to approve the accessory structure at 10 Falls Creek.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

Voss-Hoynes Residence

3785 Wiltshire

Accessory structure - storage shed

Patrick Hoynes and Kay Voss-Hoynes, homeowners, were in attendance to present their project. They wish to remove an existing steel-framed, polyvinyl storage structure and replace it in the same location with a pre-fabricated shed measuring twelve feet by twenty-eight feet (12' x28'). The shed will have an overhead door on the front and a man door on one side. Planning Commission approval is required because the structure is over two-hundred (200) square feet in size.

Mr. Stanard asked if any utilities were planned for the structure; Mr. Hoynes replied that none were planned. A set of plans was approved by the Village Architect, and there were no concerns expressed by either the Building Commissioner or the Village Engineer. Mr. Loconti did, however, reiterate that the existing structure needs to come down.

Mrs. Cooper asked about the side yard setback; Mr. Hoynes replied that it will remain the same as exists with the current structure, which is twelve feet (12'). Mr. Loconti replied that this is acceptable.

Mrs. Cooper made a motion seconded by Mr. Bolek to approve the accessory structure at 3785 Wiltshire.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

Ungar Residence

32000 Jackson

Relocation of driveway access and change of address

Scott Schleider with Custom Homes was in attendance to represent Dan and Marci Ungar, the new owners of the property. There are two access points to the lot, one to Jackson Road and the other to Sterncrest. Mr. Schleider pointed out the existing drive to Jackson Road as well as the features of the lot, including a barn, house, swimming pool, and circular drive, all to be demolished. He distributed a site plan showing the approximate location for a new house, which will be more in line with other homes on Sterncrest, and a relocated driveway which accesses Sterncrest.

Mr. Schleider stated that he and the news owners are only in the preliminary stages of planning a new house; however, they assume that a new address will be needed if they relocate the driveway as hoped. They wish to know if the driveway relocation and address change will be approved before designing the home so that all permitting and applications for utilities can be done under the new address and the home can be oriented correctly.

There are several reasons for requesting the change. Subjectively, the neighboring drives on Jackson are all located very closely together, and the current driveway is located between neighboring homes that are fairly close together, giving the impression that the house at 32000 Jackson is in the backyard of the neighboring houses. Objectively, the proposed new driveway will be about half the length of the existing drive, it will access a much less busy street, and there is better visibility when pulling out onto Sterncrest. Also, when looking at the contour lines on the topographical map, the drive leading to Jackson is much steeper than the proposed drive to Sterncrest would be.

Mr. Schleider also mentioned that the width of the access leading to Jackson is thirty-four feet (34'), and the width to Sterncrest is fifty feet (50'). The Village's Code requires ten feet (10') from the driveway to the property line, so the Sterncrest access is roomier.

Mr. Stanard asked if the intention is to remove the existing drive to Jackson; Mr. Schleider replied that it would eventually be removed, though he could see using it for construction access. Mr. Stanard also noted that it appeared a minimal number of trees would need to be cut for accessing Sterncrest, and Mr. Schleider replied that what was visible on the aerial photos were actually high branches; he did not feel any trees would need to come down.

Mr. Stanard also asked about the current utility access. Mr. Schleider said that the electric currently comes from a pole on Jackson, and he pointed out an existing well and septic on the property. Both water and gas are available from Sterncrest, but neither are currently used at the property, as the former owner had oil and a well. The new owners plan to tie in to the natural gas line from Sterncrest; the existing well will be tested before determining if they will also tie into the water on Sterncrest.

Mr. Stanard asked the Village Engineer if he has been to the site; Mr. Filarski said that he has driven by but not been on the site; he has no concerns about the grade or steepness of the proposed drive location. Mr. Stanard commented that he likes the idea of a wider driveway access for fire and public services access.

Mr. Stanard asked Mr. Filarski how a new address would be assigned. Mr. Filarski replied that it would be consistent with the adjacent addresses on Sterncrest. He does not see any downside to the proposed drive relocation and commented that he, too, feels it would give easier access to emergency vehicles. Mr. Stanard asked if there were concerns from the Building Department, and Mr. Loconti replied that there were not.

Roger Mallik, the property owner at 32150 Jackson, was in the audience and asked if he could comment. His is the corner lot at the intersection of Jackson and Sterncrest. He stated that the existing drive is ten-feet (10') wide and in very good condition, with wide turn-offs from Jackson. He feels that the slope of the drive coming from Jackson is shallower than that coming from Sterncrest. He has trees on his lot that abut the proposed new driveway location and is concerned that the installation of a new drive will damage the tree roots. Mrs. Mallik was also in attendance and commented that a photo of the trees at this site was featured in a Moreland Hills calendar. Mr. Mallik gave a history of the land at the Jackson Road and Sterncrest intersection - originally a twelve (12) acre site that was subdivided in the 1960's - and explained how the current lot sizes and shapes came about to meet frontage requirements.

Mr. Mallik feels that the existing drive is adequate and does not want a drive and house in his backyard; he said that all of his views are to the back of his property, which is where the new drive will be located. He feels the new owners have three-and-a-half (3.5) acres to work with and that there are other architectural options that could be considered. He and his wife again both expressed concerns about the trees being damaged as well as the potential for drainage problems and possible runoff onto his property.

Mr. Stanard thanked Mr. Mallik for his comments and said that these are points meriting discussion between the two property owners. Mr. Schleider provided a survey showing the flag portion of the lot that extends to Sterncrest; Mr. Filarski reviewed it against the current GIS images and found that the measurements correspond.

Mr. Stanard recommended to Mr. Schleider that he and the new owners work with Mr. Mallik to the extent possible and locate the driveway as far south on that strip of land as they can. Mr. Stanard feels the request is reasonable and sees no good reason to deny it. Mr. Fritz also expressed sympathy with Mr. Mallik's concerns but feels it is reasonable request. He asked that Mr. Schleider discuss these concerns with the new property owners and suggest they consider additional trees or screening to mitigate the impact on Mr. Mallik's views.

Mr. Stanard said he was willing to make a motion to approve the request to change the address from Jackson Road to Sterncrest, with final plans being subject to the approval of the Village Engineer. Mr. Stanard also reminded Mr. Schleider that, once detailed plans are presented, they will be required to comply with all other Village ordinances, including proper drainage and environmental concerns.

Mr. Stanard made a motion seconded by Mr. Pogatschnik to approve the request to change the driveway access and address from Jackson Road to Sterncrest.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

Chagrin Boulevard River Development
551 Chagrin Boulevard
Monument Sign for Chagrin Bluffs Subdivision

Jason Friedman, the developer of the project, began by giving an update on the development, specifically that the road has been cut in and that asphalt is scheduled to be laid later in the week. He expressed his thanks to the Police Department for their assistance in traffic control while the water line was being brought in from Bentleyville Road and to the Village Engineer for his timely help with several complicated, on-the-job issues that needed to be addressed.

At this time, Mr. Friedman is appearing before the Planning Commission to request approval to install a monument sign at the southeast corner of Chagrin Boulevard and Lily Lane. It will be positioned so it can be seen when approaching from both the east and west. He said it was important to install a sign that is representative of the high-end development at this site. Mr. Friedman introduced Anna Juris, with Dimit Architects. Mr. Friedman and Ms. Juris brought samples of the stone and wood to be used and also indicated year-round landscaping would be included as part of the design.

Mr. Stanard asked for clarification of the sign's dimensions. Mrs. Cooper and Mr. Loconti both commented that the sign measures nine feet (9') wide by three-feet, six inches (3'6") wide. Mr. Loconti confirmed that these measurements are for the sign only and meet Code requirements.

Mr. Stanard verified with Mr. Filarski that sign is properly located with regard to sight lines for traffic.

Mr. Loconti confirmed that the design did not require review by Village Architect and is in compliance with all Village ordinances.

Mr. Friedman said that there are no plans to light the sign because the Code prohibits it; however, he would be interested in adding lighting among the landscaping if the Board of Zoning Appeals might be open to that at a future time.

Mr. Bolek asked to see a sample of the wood to be used on the sign. Ms. Juras said it is a thick, Brazilian wood that fades to grey. Mr. Bolek commented that he has used this wood before on a project and feels the grey color behind the silver lettering on the sign may make it hard to read unless the wood is stained. Mr. Friedman said that he and the architects discussed this, and he likes the idea of the natural

wood patina as it ages but will be aware of the maintenance issue in keeping the sign readable. He also indicated that being able to light the sign may help with that issue.

Mrs. Cooper asked if this a publically-dedicated street, and Mr. Friedman replied that it is. It will have a street sign that will be the standard sign design as defined by law.

Mr. Stanard informed Mr. Friedman that he is welcome to come forward to the Board of Zoning Appeals at any future point to apply for a lighting variance.

Mr. Bolek asked if the stone would be natural or synthetic. Ms. Juras replied that they will be using a natural, grey field stone.

Mr. Stanard made a motion seconded by Mr. Bolek to approve the monument sign for the Chagrin Bluffs Subdivision at 551 Chagrin Boulevard.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

CRU Restaurant

34300 Chagrin Boulevard
Lot Consolidation

Richard Kawalek was on hand to represent the new owners of the property. They purchased the four (4) parcels on the southeast corner of SOM Center Road and Chagrin Boulevard, the former site of a landscape business and nursery. It seems to be an assumption that this was one lot but, in fact, no one had ever combined the parcels.

Mr. Stanard reminded members of the Planning Commission that, as part of the application, they received a letter from Jeff Filarski to recommend the lot consolidation contingent upon survey comments that were addressed to his satisfaction. Mr. Filarski confirmed that these issues have been addressed and are reflected in the current plat dated May 20, 2016. He sees no reason not to consolidate the lots.

Mrs. Cooper made a motion seconded by Mr. Fritz to approve the lot consolidation at 34300 Chagrin Boulevard.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

DISCUSSION – Proposed Chapter 1159 - U-5 Chagrin Northwest Residential and Planned Development Conservation District

Mr. Stanard referenced the Planning Commission minutes from the May 11 Planning Commission meeting, specifically Mrs. Lane's comments on page 11, as follows:

"Mrs. Lane reminded the Planning Commission that the document Chapter 1159 is actually Exhibit A to pending ordinance 2016-19. She felt it would be appropriate to make a motion recommending that Council adopt the Ordinance subject to modifications that will be forthcoming after the next Regular Planning Commission meeting. The Village's Ordinances require that both the proposed Ordinance and the Planning Commission's recommendation be available for public inspection in the thirty (30) days prior to the Council's Public Hearing."

Mr. Stanard commented that the Planning Commission's role is to work out the fine details of the Chapter being recommended to Council. Only a handful of items remain to be worked through. It is possible that the Council may make additional changes after their next meeting and the Public Hearing that is scheduled for June 28, 2016.

Several items are to be reviewed during this discussion, including the following:

- Two letters from David Meleca of Meleca Architects, LLC., the architect for Omni Groups. Mr. Stanard said that it is not necessary to accept the recommendations but that it is important to recognize them and discuss them to the extent necessary;
- Eleven recommendations from Stephen Richman, a Village resident and Council President. These recommendations have been forwarded to the Law Director and Mr. Majewski for their review. Several have been accepted as good advice and good language for the chapter, and several are to be discussed by the Planning Commission;
- Questions from Erin Dweick, a resident on Chagrin Boulevard within the area identified for rezoning, along with the answers presented by the Village.
- Comments from resident Ron Janke which were stated publically at the Planning Commission Public Hearing on May 11, 2016.

Mr. Stanard wished to begin with the question of whether the Proposed Planned Development District would include any commercial development, as the answer might obviate the need for discussion on several other items. The specific item in the proposed Chapter is Schedule 1159.05 (a)(4), Permitted Uses - Commercial Uses. Mr. Stanard said he has reviewed notes of previous meetings and the Comprehensive Land Use Plan, as well as had in-person inquiries and conversations with residents, and he finds no recommendations for allowing commercial development. He stated he is inclined not to include commercial development.

Mrs. Cooper added that, during the data gathering process for the Comprehensive Land Use Plan as well as at the Open House, no one suggested more commercial uses when asked, "what things would you change?" In reviewing results from the on-line survey, twelve point fifty-eight (12.58) percent of respondents wanted greater variety in community shopping options, and thirteen point twenty-one (13.21) percent wanted more entertainment and dining options. However, twenty-three point twenty-

seven (23.27) percent said "none of the above." Mrs. Cooper said she is tending to side with recommending no commercial uses.

Mr. Stanard noted that both Mr. Richman and Mr. Janke, in their comments, opposed commercial uses. Additionally, he found Mr. Majewski's comments at the last Planning Commission meeting to be extremely relevant, specifically regarding whether commercial ventures would be supported by the new residents or would attract outside traffic. It is the nature of a retail business to want to attract as much traffic as possible, and this is not something supported by Moreland residents.

Mr. Fritz, who acted as the Chairman of the Master Plan Review Committee, confirmed that it was the consensus of the Committee not to include commercial uses.

Mr. Bolek also spoke to Mr. Majewski's point about whether commercial uses would be sustained by development. He reiterated that the nature of Moreland Hills is the two-acre housing sites and that there are plenty of commercial opportunities in neighboring communities. Mr. Stanard stated that he often heard, in regards to adding commercial uses, that "that's what Solon is for," and that Woodmere and Mayfield have all the commercial uses needed.

Mr. Pogatschnik said his conversations were consistent with the opinions already expressed. Mr. Fritz added that the only pro-commercial comments he received when asking specifically about commercial uses during the Comprehensive Land Use Plan process were that residents wanted to see the intersection at SOM Center Road and Chagrin Boulevard improved; he feels the advent of the CRU Restaurant should address those concerns.

Based on this feedback, Mr. Stanard asked Mr. Majewski and Mrs. Lane to remove commercial uses from proposed Chapter 1159.

The issue of density was discussed next. Four (4) units per acre are currently proposed in Chapter 1159. In his comments, Mr. Meleca recommended a higher density, where some residents would prefer a lesser density of three (3) units per acre. Based on his past experience of living in a neighborhood of quarter-acre lots, Mr. Stanard feels that a quarter-acre lot size is reasonable.

Mr. Richman was in attendance and asked if he could make a quick comment. He stated that he had suggested three (3) units per acre based on knowing what Moreland Mews looks like. He feels it is a bit hard to envision what the density looks like without seeing potential configurations.

Mr. Fritz said he could see Councilman Richman's point a but recognizes that there are so many variables that it may be difficult to come up with an example that is a realistic representation. He said that he, too, has gone back and forth on density but still feels that four (4) units per acres is a good starting number.

Mr. Bolek said it is also important to realize that, in a PUD District, the Planning Commission has more room to work with a developer on architecture. A density of four (4) units per acre feels right, especially considering the input that can be had into plans being submitted to the Commission. Mr. Fritz also commented that, with a PUD, the Planning Commission has a lot more bargaining power to work out configurations, and he feels this a major difference between Moreland Mews and what can be done in the proposed PUD District. Mr. Richman agreed that the configuration of units will make a difference.

Mr. Bolek said he still remains an advocate of the two (2) acre zoning that predominates in Moreland Hills but feels that four (4) units per acre is reasonable in the PUD district. Mr. Stanard acknowledged that this is a substantial jump in density; as one of the residents pointed out at the recent Public Hearing, the Village currently allows one structure on a two (2) acre lot, whereas this the PUD could allow up to eight (8) structures on that same lot size.

Mrs. Cooper commented that density can appear different depending on the amount of green space that is preserved. Currently, the forty (40) acres at the proposed site of the PUD are approximately eighty (80) percent green space. If the rezoning goes forward, the amount of green space could drop to (20) percent. Mrs. Cooper feels it is important to ensure that the percentage of required green/open space and how those spaces are defined are carefully thought through.

Mr. Fritz asked Mr. Majewski if the Planning Commission would have the ability to negotiate with a potential developer of a PUD to require that, in addition to the base open space requirement, existing pockets of green space would also be preserved. He does not want to see something that looks like the Woods of Solon at the intersection of SOM Center and Miles roads. Mr. Majewski replied that there is a lot of give and take in the PUD planning process but also wanted to make it clear that, if property is going to be developed, it will look different. It is not possible to do enough buffering to completely hide a development, but it is important to write in enough tools to create the best buffers possible in the form of setbacks, landscaping, etcetera.

Mr. Stanard asked Mr. Filarski about the hillside at the southeast corner of the property. Mr. Filarski replied that it is a relatively small area but that development would need to conform to current regulations; this is also true for the riparian area at the northwest corner of the property.

Mr. Filarski went on to say that removal of trees can result in the remaining boundary trees dying off, as they become less protected than they previously were. He suggested requiring a tree survey to identify the sizes, types, tolerances, etc. of the existing trees on the property. This is a requirement in some communities and would be done by an arborist.

Mr. Stanard added that Mr. Janke's previous comment regarding this being a wooded area is absolutely correct. The community will need to come to grips with a different look should the area be developed, but anything that can be done to emphasize the importance of trees to the residents of the Village and to encourage development plans that preserve as many trees as possible is worth pursuing. Mr. Fritz felt a required tree survey is worth considering in the Planning Commission's recommendations to Council; it would provide more objective data when negotiating on a potential development.

Mr. Stanard felt that, ultimately, the loss of trees is going to be hardest sell to the community. Mr. Majewski added that different but good planning is a positive thing. Mr. Filarski cited the very detailed tree preservation plan along Cedar Road at Legacy Village.

Mr. Stanard briefly revisited the question of density, and Mr. Pogatschnik felt it was important to remember that the four (4) unit per acre density would not exist throughout the entire development. Mr. Fritz reminded everyone that more input would come from Council's Public Hearing. Mr. Stanard pointed out that, in the purpose statement on page two (2) of the of the May 20 draft, item (d), the density is cited as being "up to approximately four (4.0) units per acre." Mr. Majewski added that the formula that calculates this density, in section 1159.05(b)(1), Maximum Dwelling Units, gives a potential number of units up to four (4); the actual density will shift depending on the amount of open space and

the rights-of-way but will never exceed four (4) units per acre. This also gives the Planning Commission flexibility to remind a developer that they are not guaranteed that maximum density if their plan is not good.

The issue of open space was addressed next. The current recommendation is twenty (20) percent. In their comments, both Mr. Richmond and Mr. Janke were in favor of increasing this percentage; Mr. Meleca did not take exception to this percentage and, in fact, in his initial submission relative to density, encourages common open space. Mr. Richman specifically requested increasing the open space requirement to between twenty-five (25) and thirty (30) percent.

Mr. Fritz asked Mr. Majewski where he came up with twenty (20) percent as a recommendation. He answered that he mostly looked at communities in the Columbus area that use this percentage as a requirement for their planned developments. Mr. Bolek speculated that using the term "approximate" might be helpful in this section as well, allowing the Planning Commission to require a minimum twenty (20) percent open space but also to request a greater percentage upon review of a plan. He looks as this from the point of trying to preserve a rural community that has this development within in.

Mr. Fritz asked Mrs. Lane for her thoughts on verbiage using the term "minimum" - legally, would the Village have a stronger ability to negotiate if a percentage range is defined vs. stating a bare minimum. Mr. Bolek wondered if there was a way to note that nothing less than twenty percent (20%) would be acceptable yet still retain the ability to request a greater percentage.

Mrs. Lane replied that such language could be difficult. As Mr. Majewski has said, one cannot plan for every scenario or what might warrant that type of discussion. She is not familiar with a zoning code giving a range of numbers; an applicant needs the ability to work with firm numbers.

Mrs. Cooper asked if it might be possible to specify a higher open space percentage as a requirement but allow the Planning Commission, at its discretion, the ability to accept twenty percent (20%). Mr. Pogatschnik asked if open space factors into the density calculation; per Mr. Majewski, it does. Mr. Pogatschnik wondered if there was benefit in having more open space if the density is not changing and if more open space might end up being credited to allow higher density in limited areas as long as it looks aesthetically pleasing. Mr. Majewski gave an example of a cluster development that he worked on which located open space in a portion of the community where people could actually experience it, i.e., a village green. Such a plan may be more structured but can have a positive impact.

Mrs. Lane added that she and Mr. Majewski have revised language to section 1159.06(g) - Procedures for Application, Review, and approval of Planned Development - Modifications, that speaks to allowing modifications "if they will result in a higher quality and more sustainable development over what could have been accomplished through strict application of the otherwise application zoning regulations." One of the examples given is open space provisions. She added that voters are delegating some responsibility to the Planning Commission to exercise flexibility in approving plans, and Mr. Stanard acknowledged that it is not feasible to plan for every scenario. However, Mr. Majewski cautioned that it is best not to rely heavily on a provision for modifications. Those should be reserved for more extreme issues, and it is best to stick to established standards.

Mr. Pogatschnik commented that it seems deceiving to increase the required open space percentage if it increases density; he would rather see a less dense development overall rather than more open space in one area and higher density elsewhere to compensate. Mr. Fritz, Mr. Pogatschnik, and Mr. Stanard

discussed the possible implications on the density calculation of increasing the density requirement and how that might impact the geometry of unit placement on the property. Mr. Fritz remarked that a developer will want to fit in as much as they can, and Mrs. Cooper commented that this may skew a plan to the types of homes that would require the smallest allowable setbacks, specifically attached single-family and detached cluster homes.

Mr. Filarski reminded everyone that it is impossible to consider every scenario. Given a twenty (20) acre development area, going from twenty (20) to twenty-five (25) percent only generates one (1) more acre of required open space. Emphasizing the quality of a development's site plan and landscaping will have more impact than spreading out one (1) acre throughout the development area. Compared to the Village's Conservation District, which requires thirty-three (33) percent open space with a goal of preserving environmental features, the open space requirement for a planned development is more to preserve the aesthetic of the area.

Mr. Stanard asked if there were further comments. Mrs. Cooper said she still prefers twenty-five (25) percent. Mr. Stanard said that, all factors being considered, he is comfortable with recommending a twenty (20) percent open space requirement to Council, and Mr. Fritz asked Mr. Majewski if he can provide data for comparable developments for discussion at the Council meeting.

The next item discussed was maximum dwelling width. Mayor Renda had pointed out that a minimum dwelling width was defined but not a maximum. Mrs. Cooper felt that side-yard setbacks might be a control on maximum width, and Mrs. Lane added that there are still spacing requirements between dwellings. However, parcel sizes are not defined, so it would be possible to put a very large home on a lot. Mr. Majewski said, based on suggestions from Mr. Loconti, language had been added to Table 1159.05(b)(2) that addresses separation between structures based on building height, but that nothing has been defined for maximum floor area.

Mr. Bolek feels a maximum dwelling size should be defined to avoid imbalance and wondered if there was some formula that could define dwelling size based on looking at setbacks. Mr. Majewski said that, in his experience, developers are not prone to sell off lots to individual builders, which is when imbalance is more likely to result. Also, since an architectural plan is required for review and approval, there is less likelihood of seeing an out-of-control scale of houses. Mr. Majewski and Mr. Filarski both said that a maximum dwelling size could be defined but it is probably not necessary. Mr. Bolek asked if this meets the Mayor's concerns, and Mrs. Lane reminded everyone that the Mayor's question had to do with defining the maximum width of a structure. Mr. Stanard does not know how that can be determined without knowing the specific lot size and asked why a minimum size was defined. Mrs. Lane answered that this was more to control the size of town homes so they were not too narrow and out of scale with surrounding homes.

Mrs. Lane asked Mr. Majewski for clarification about the term "habitable floor area" - is this the total area or just ground floor? He replied that it is the total area. He also said that he may be able to add a sentence to address these concerns. This would be in the section regarding architectural design and would require a potential developer to provide a standard for floor areas, heights, and massing as part of an overall, general architectural plan.

Mr. Stanard asked Mrs. Lane to elaborate on changes she and Mr. Majewski made to language concerning plan modifications. She stated that Planned Development chapters do not typically include a variance process with the Board of Zoning Appeals; such issues are typically handled through the

Planning Commission to make the process more streamlined and flexible. Therefore, she and Mr. Majewski have clarified the language in 1159.06(g) - Procedures for Application, Review, and approval of Planned Development - Modifications. They have also called out that, though provisions in table 1159.05(b)(2) can be modified, there is a limitation in that modifications cannot result in an increase in the number of dwellings otherwise permitted. Also, 1159.06(g)(4) captures that, to the extent a modification is essentially a variance to one of the other zoning districts, criteria for those districts would guide the Planning Commission in its discussion. Mrs. Lane wanted to reiterate that the Planning Commission has the authority to grant variances under the Village's current subdivision regulations; this language brings that same concept to Chapter 1159.

At this time, Mr. Stanard reviewed the individual correspondence received from Mr. Meleca, Mr. Richman, and Ms. Dwiek to discuss any points that the Planning Commission felt needed review:

- David Meleca: In his comments of May 20, he discussed not allowing streets to be dominated by the hardscapes of driveways and views of garage doors, the concepts of private alleys and pedestrian-only corridors, and how positioning homes, driveways, and garages can develop a more intimate neighborhood feel. He feels that the current setback language is too strict and recommended a decrease to allow more flexibility as well as to not have a negative impact on a comfortable "walk zone." Several arguments were made throughout Mr. Meleca's comments for reducing the setback requirement.

In response to these points, Mr. Pogatschnik said that alleys create another non-green surface that will need to drain somewhere, and Mr. Bolek felt that there are still benefits to having backyard views. Mr. Majewski commented that none of what Mr. Meleca recommends is prevented by the current language in Chapter 1159 with the exception of the reduced setbacks, and he felt that some of the diagrams in Mr. Meleca's presentation were not quite accurate. Mr. Stanard did not think that the setbacks would have a negative impact and added that adjustments to a setback could be addressed through the modification process if doing so would result in an overall improvement in a project.

Mr. Meleca had submitted an earlier set of comments with multiple recommendations, including a density of five (5) units per acre, allowance for decreased distances between mixed-uses and residential uses, reducing the setback required from Chagrin Boulevard, allowing for light retail, entertainment, and outdoor dining uses, reducing building side yard setbacks to a five-foot (5') minimum, and encouraging general planned development best practices.

- Steve Richman: Mr. Richman provided eleven recommendations to the Village and to the Law Director for consideration. These included recommendations for text modifications and additions concerning density, preservation of natural assets and areas, topographic and natural features, minimizing traffic impact and congestions, and the percentage of required open space. He also recommended the elimination of commercial uses and changes to the proposed formula for calculating density, and he questioned why no maximum lot coverage was defined. Mr. Stanard and Mrs. Lane indicated that several of the text changes will be made and that other issues have been discussed and refined at this evening's meeting.
- Erin Dwieck: Ms. Dwieck brought written questions to a previous Planning Commission meeting. She has been provided with answers, and the Village's responsibilities in regards to a development have been explained. Mr. Stanard asked if anyone on the Planning Commission

took exception with the answers. No one expressed disagreement, and Mr. Fritz added that he felt all questions were answered in appropriate manner.

- Ronald Janke: As Mr. Janke made his statements in person at the Public Hearing on May 11, they were not reiterated at this meeting.

Mrs. Lane wanted to clarify a point regarding table 1159.05(b)(2), Additional Setback Standards. She felt there was some confusion in previous discussions as to where a one-hundred foot (100') set back versus a seventy-foot (70') setback was required from the exterior boundaries of a planned development. The setback requirement from Chagrin Boulevard is one-hundred feet (100'), but all other boundaries require a seventy-foot (70') setback.

At this time, Mr. Stanard recapped the evening's discussion resulting in the following changes and recommendations:

- That no commercial uses will be allowed in the PUD;
- That the maximum density will be four (4) units per acre;
- That twenty (20) percent minimum open space will be required;
- That Mr. Majewski will provide a statement requiring a preliminary drawing showing the size, scale, and location of the individual structures as proposed by the developer early in the process;
- That a tree survey requirement will be added.

A recommendation has already been made to Council to advance ordinance 2016-19.

Mr. Fritz made a motion seconded by Mr. Stanard to recommend that the Council would approve Ordinance 2016-19, acceptance of Chapter 1159 of the Zoning Code with the modifications so stated.

Mrs. Lane clarified that the recommendations made this evening would be added to the draft Chapter dated May 20, 2016.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mr. Stanard

NAYS: None

MOTION CARRIED

Mrs. Cooper confirmed that the Council's Public Hearing would be held on June 28.

Mr. Pogatschnick made a motion seconded by Mrs. Cooper to adjourn the meeting at 9:18 pm.

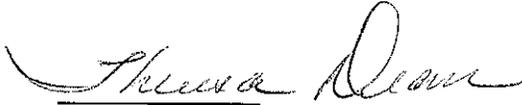
ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnick, Mr. Stanard

NAYS: None

MOTION CARRIED

Respectfully submitted,

A handwritten signature in cursive script that reads "Theresa Dean". The signature is written in black ink and is positioned above the printed name.

Theresa Dean