

Planning Commission Public Hearing

May 11, 2016

Minutes

The Planning Commission Public Hearing was called to order by Chairman Stanard at 6:06 p.m.

PRESENT AT ROLL CALL: Mr. Bolek, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

ABSENT: Mrs. Cooper

Others Present: Jeff Filarski, Village Engineer; Aimee Lane, Law Director; Theresa Dean, Assistant Clerk

Introduction: Chapter 1159 U-5 Northwest Residential & Planned Development Conservation District

Mr. Stanard opened the meeting by reviewing the reason for this Public Hearing. In the second quarter of 2015, the Village commissioned a Comprehensive Land Use Plan which will be considered for acceptance by the Village Council at their meeting later this evening. The Plan was commissioned to study, evaluate and assess the current land uses and current land characteristics and, most importantly, to look forward to evaluate and assess the future needs and characteristics of the land use of the Village of Moreland Hills. The last Comprehensive Land Use Plan was completed in 2003.

The current Plan was done with the help of the community planning consultant McKenna Associates and a committee that was formed specifically to develop the 2016 Comprehensive Land Use Plan. As stated in the Plan's Executive Summary, the committee engaged the Planning Commission, the Village Council, the Mayor, residents, the Law Director, and the Village Engineer to study demographics and housing data and trends at the local, county, and national levels to contemplate potential future housing stock and housing stock requirements.

A critical step of the plan was to gather public input, and a considerable amount of data was collected from the residents. The Committee did not recommend sweeping changes to the Village's Zoning Code. They did, however, make a recommendation to allow a mixed-residential Planned Unit Development in the northwest corner of the Village off of Chagrin Boulevard. There were several other recommendations made, but this evening's meeting will focus on this potential development area (PDA).

Three PDAs were identified in the 2016 Comprehensive Land Use Plan. PDA 1 is the area being discussed, which is located west of the Moreland Town Center and north of Chagrin Boulevard. The Committee's recommendation is to change the Zoning Code to allow mixed residential housing within PDA 1. A mixing of housing types and densities is encouraged, including smaller homes on smaller lots and town homes.

The Planning Commission acted upon the Committee's recommendation by forwarding it to the Village Council for consideration. Approval was granted to the Mayor to hire a consultant who would establish the language creating a Planned Development District to be added to the Zoning Code. Once this is done and the Zoning Code prepared for modification, the matter will be put before the electorate. The goal is to meet the deadline of the Cuyahoga County Board of Elections and put this matter to a vote within the regular 2016 election cycle, as the Committee, the Planning Commission, the Village Engineer, the Law Director, the Village Council, and the Mayor all feel that it is of enough significance to proceed expediently.

A certified city planner was hired to draft the appropriate language, which is now known as Chapter 1159 of the Zoning Code of the Village of Moreland Hills. Ordinance 2016-19 has been introduced for consideration by the Council and the citizenry of Moreland Hills.

Mr. Stanard stated that this evening's discussions should center around Chapter 1159, U-5 District, as the rules, conditions, and details of the U-5 Development District are being defined and refined. The actual creation and existence of the U-5 District will be decided upon by voters in November. Mr. Stanard specifically emphasized that this is **not** a development project; it is a chapter in the Zoning Code that might someday allow a development project. It is a change, by addition, to the Zoning Code.

Going forward, Ordinance number 2016-19 is scheduled to be placed on second reading at the May 11 Village Council meeting happening later this evening. If and when the Planning Commission recommends a public hearing, the Village Council will schedule one. After the Public Hearing by the Village Council and further input from the Planning Commission, the ordinance will be ready for its third reading. At that point, the ordinance will be put into language to be transferred to the Board of Elections for the November ballot.

At this time, Mr. Stanard invited Mark Majewski, certified city planner and author of Chapter 1159, to briefly summarize the Chapter for the audience.

Mr. Majewski explained that Planned Development zoning is a different tool than what the Village currently has. It allows for creativity but also creates rules for a potential developer. It is a different process than that used for traditional development, and the process allows for some negotiation. It is specifically tailored to the community.

Mr. Majewski pointed out highlights of the Chapter:

- It contains a set of Purpose Statements which include language about preserving the character of the community but which also address the issue of providing different types of housing for the community as identified in the Comprehensive Plan. Mr. Majewski stated that it is important to understand that properties existing within the area identified for potential rezoning will retain their existing U-1 Dwelling District zoning unless and until the property owner(s) or someone acting on behalf of the property owner(s) makes a choice to undertake development. It is also important to understand that the U-5 Zoning will only be available within this one specific area of the Village.

- The Chapter lists qualifying conditions for a Planned Development, including that it can only be undertaken in the identified area of the Village and that a potential developer must have control of at least eighteen (18) acres.
- The Chapter also lists standards for development, including required setbacks and control of the Chagrin Boulevard frontage, a minimum twenty-percent (20%) open space requirement, and standards for the character of the development such as maintaining wetlands, watercourses, and infrastructure improvements.
- A formula for calculating what *may* be the maximum density is included in the chapter. The proposal is to allow up to four (4) units per acre; the actual density allowed will depend on the quality of the proposed development and negotiations with the developer.
- Chapter 1159 references many of the Village Zoning Code's existing chapters and standards, such as landscaping and buffer requirements and environmental regulations.
- A Home Owner Association will be required due to the existence of common property.
- The Chapter includes a list of permitted uses by right. Most of these mirror the uses in the current U-1 Dwelling District, and a few uses have been added which are still open for discussion, specifically the inclusion of small commercial uses which may be appropriate to the U-5 District.
- Three types of dwelling units are proposed: detached single-family on minimum lot sizes of ten-thousand (10,000) square feet; attached single-family homes with up to four units per building (i.e. townhouses); and single-family detached cluster homes.
- Height standards are specified which are consistent with what is already established in the Village.
- A developer will be required to present an architectural design package for the entire development that would be subject to review and approval.
- Chapter 1159 also defines a two-part procedure that requires both Preliminary and Final Development Plan review and approval. The Preliminary Development Plan is a general, conceptual plan that spells out the types and locations of uses, streets, and overall design of a proposed development. This general plan is done because a developer may not have certainty that their concept will be accepted. The Planning Commission will review the Preliminary Plan and can make suggestions and/or require additional information or changes. If and when a Preliminary Development Plan is recommended to Council by the Planning Commission, Council's review will include a Public Hearing. If the Preliminary Plan is approved, the developer can then move ahead with more detailed design plans to present to the Planning Commission for Final Plan approval.

Mr. Stanard thanked Mr. Majewski for his review and asked for approval of the minutes from the previous Planning Commission Meeting.

Mayor Renda made a motion seconded by Mr. Fritz to approve the minutes from the Regular Planning Commission Meeting held on April 25, 2016.

ROLL CALL:

AYES: Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS:

ABSTENTIONS: Mr. Bolek

MOTION CARRIED:

At this time, Mrs. Lane swore in all those who wished to speak at this evening's meeting. Mr. Stanard asked that, to the extent possible, those speaking limit their comments to two minutes, and he declared the Public Hearing open at 6:24 pm.

Public Discussion

Victor Cohn: Mr. Cohn said he was confused as to what was really being discussed; he thought this was about rezoning approximately forty (40) acres. Mr. Stanard replied that yes, this is about a rezoning, and then explained the process and mechanics of what needs to be done to allow such a change. He explained that the change to the Zoning Code can be approved by the Planning Commission and Council only to the point where it can go to the voters in November; if approved by the voters, the new Chapter will outline what a developer can do within the Planned Use Development area. Mr. Cohn stated that he thought a developer was already on board with a project and that he had questions about topography, wetlands, environmental issues and sewage. Mr. Stanard replied that the new Chapter will address each and every issue.

Mr. Cohn said he did not understand how a use could be deemed appropriate without seeing maps defining the topography and wetlands of this zone. Mr. Stanard replied that all of these issues will be fleshed out and rules set. Mr. Cohn wanted to know when this information would be available. Mr. Stanard again explained the process and timeline and how nothing would proceed without approval from the voters in November. He reiterated that a developer will be bound by the rules in the Zoning Code and, specifically, that there is no project at this time. What is being discussed is simply a chapter to be added to the Zoning Code that might allow such a project.

Ronald Janke: Mr. Janke submitted written comments to members of the Planning Commission and read them at the meeting. (See Appendix 1)

John Kehres: Mr. Kehres commented on the use of the term "unique" to describe the area proposed for rezoning. He feels that either everything is unique or nothing is, and that the term is not being used properly to describe a beautiful, old neighborhood in the Village. He commented on the Mayor's pledge during her campaign to preserve two-acre zoning and said he now feels the pledge was a deliberate

deception. Mr. Kehres went on to say that he was a resident in 1977 when the townhouses behind the gas station at Chagrin Boulevard and SOM Center were approved and that these were then used as a lever to approve the townhouses on the other corner of Chagrin and SOM Center. He feels that both of these developments are now being used as a lever to allow this rezoning, that this is how urban sprawl occurs, and that this is why the community is no longer unique. He stated that the calculation for Maximum Dwelling Units allowable in the new Chapter under 1159.05(b)(1)A4, Dwelling Standards, should read "Divide difference by 2" rather than "Multiply difference by 4" if it is to be said that the best effort has been made to uphold two-acre zoning.

Gregory Taber: Mr. Taber lives on Chagrin Boulevard, neighboring the Anderson property being redeveloped as Chagrin Bluffs. He wanted to echo the sentiments already expressed about maintaining two-acre zoning in the Village. He commented that, when his parents wished to downsize, they moved to a nearby ranch home in Chagrin Falls. He does not feel it is the Village's job, as a community, to develop to the needs of everyone who may wish to live here. He also commented that he felt the survey was leading in terms of trying to draw a conclusion; he does not recall seeing a question as to how residents feel about the current two-acre minimum. He feels that approving this zoning would be a slippery slope leading to urban sprawl.

Mr. Kehres spoke again and asked if a traffic survey had been done. He said it appears to him that after the twenty-percent (20%) allowance for green space is taken into account, thirty-two (32) acres remain to be developed. By his calculations, this could allow for up to one-hundred forty (140) new homes. He asked if traffic lights will become necessary and how access to these units will be created without causing traffic congestion. Mr. Stanard replied that he does not feel there is a potentiality for that many homes once all considerations for open space, driveways, setbacks, etc., are factored in. Mr. Stanard said that, to his knowledge, no traffic study has been done yet, but that traffic considerations will need to be presented to and satisfy the Village Engineer before any project will be approved.

Mr. Stanard again stated that none of the Village's existing laws and ordinances go away. The new Chapter 1159 is being written with all of those same restrictions; however, it does give a developer more flexibility if they wish to build in the Village. The study done for the Comprehensive Land Use Plan does show an interest in smaller homes and lots. The Chapter, if approved, is only a tool; it does not mean that such a development is mandated in the area or that a proposed plan will be approved.

Mr. Kehres stated that there already is a developer that has come forward and presented tentative plans to the Planning Commission. He said that Chapter 1159 is "a developer's dream." Mr. Stanard said that anyone who wishes to propose a plan to the Planning Commission can do so.

Mr. Stanard again emphasized the desire to be proactive and recognize a need and interest for younger and older people who want to stay in the Village. The intent was only to address that interest and present this issue to the voters. Mr. Stanard also remarked on the need to be proactive and have a plan for potential development versus telling a developer that they cannot build and then losing that argument in court. Courts generally will rule in favor of a developer; if a community is not successful in defending their position in court, there is much less control over issues such as density, architectural style, buffers, and open space requirements.

Mr. Kehres replied that Moreland Hills is a wealthy community and can afford lawsuits. Mr. Fritz stated the Village must consider the legal ramifications of not having a seat at the table if a lawsuit is lost. He spoke to the Comprehensive Land Use Plan process and efforts to involve the community at all points in its development. The Village needs to be considerate of legal and engineering issues as well as future trends. National trends show an increasing need for downsized housing, and the local demographic data provided by McKenna and Associates shows a lot of future need for downsized housing in the Chagrin Valley.

Mr. Stanard reiterated why the Master Plan Review Committee feels this particular area is special or "unique." It is on the fringes of the Village, the border of Pepper Pike is to the north, to the west are the municipal uses of the library and school administration building, to the south is Orange High School, and it is adjacent to the Moreland Town Centre to the east. Therefore, it is not "normal" in terms of the rest of the Village. Finally, there are the other, denser developments of Heathermore and Moreland Mews in that area. Mr. Stanard feels that, if this property was in the heart of the Village without such surrounding conditions, this conversation would not be happening. This area was identified as a potential development area if a developer is interested, if the land owners are interested, and if the Village feels it is an appropriate use of the land.

Cynthia Taber: Mrs. Taber spoke up to say that she agrees that the Village needs to be proactive but feels that it should be to stand up for existing zoning and against bullying by developers.

Mr. Kehres stated that people who live in this neighborhood are being put in a position either to cave to a developer or else the developer will come in and cut down their neighborhood. He feels they will have to make a decision almost immediately, probably within six months, as the value of their properties will change dramatically. It will be very expensive for these land owners if they do not make the right call, and if they do, they will probably need to leave the Village. He feels this is very unfair.

Gary Sherck: Mr. Sherck commented to say that he has been involved on the sidelines of the rezoning process. He said it is important to trust the Planning Commission that, if this issue passes, any development that occurs will be of high quality. He feels it is important to acknowledge that a number of the parcels in the target area are under tentative contract with a developer and that this developer has presented sample plans. Mr. Sherck feels that the Village can no longer maintain two-acre zoning everywhere in the Village, as a developer or builder cannot make money developing smaller lots.

At this time, Mr. Stanard mentioned two sets of written questions that were submitted by a resident to the Planning Commission as well as one set of recommendations from David B. Melecka Architects, an interested party. Mrs. Lane stated that responses have been provided to both the resident and Mr. Melecka. As these questions and answers are part of the Planning Commission's record, they will be available to anyone who wishes to request them.

As there were no more comments from the audience, Mr. Stanard declared the Public Hearing closed at 7:02 pm.

Planning Commission Discussion of Chapter 1159

At Mr. Stanard's request, Mr. Majewski reviewed the changes made to the Chapter since the last Planning Commission meeting:

- 1159.05(b)(2), Dwelling Standards - Mr. Majewski has reorganized the table from the first draft and corrected dimensions and setbacks.
- 1159.05(d), Architectural Design - Language has been added, as requested, to indicate more clearly the desire for diversity in housing types and architectural design.
- 1159.06(b), Preliminary Development Plan - A "catch-all" sentence has been added to allow the Planning Commission to request any additional information deemed necessary during the Preliminary Plan approval process.
- 1159.06(c)(3), Final Development Plan, Application - A number of required items to be submitted as part of a Final Development Plan have been added. Also, adjustments have been added to the requirements for the project narrative, including that a developer supply a schedule for approvals to ensure an efficient process.

Mrs. Lane mentioned that the minimum project area has been changed from twenty (20) acres to eighteen (18) acres since the last Planning Commission meeting. This came about after the Village Engineer pointed out that the actual area identified for rezoning is slightly under forty (40) acres. The change to eighteen (18) acres for a minimum project area allows for up to two development areas.

Mrs. Lane also reminded the Planning Commission of several unresolved issues, one being whether areas proposed for public or private rights-of-ways should be captured in the density calculation. The other item concerns the chart of permitted uses, which currently includes commercial uses. Those uses were taken from the existing Retail Business District zoning and identified as less intense uses. Ms. Lane feels that the Planning Commission needs to make a definitive decision as to whether commercial uses will or will not be allowed and, if necessary, refine which uses would be acceptable.

Mr. Stanard then reviewed changes and areas for further discussion point by point:

- 1159.04, General Standards for Planned Development - Mr. Stanard thanked Mr. Majewski for clarifying language in section (a) regarding Chagrin Boulevard Frontage Design Standards. Mr. Fritz commented that he is in favor of maintaining the setbacks and landscaping requirements of this section to maintain a more positive aesthetic.
- 1159.03(d), Qualifying Conditions for Planned Development - Mr. Stanard cited the reduction from twenty (20) to eighteen (18) acres for a minimum project area. From a development standpoint, he hopes this will not be a significant shift, and the change may allow for two (2) development areas. He also mentioned that a total aggregate frontage of two-hundred feet

(200') will be required. Mrs. Lane interjected that an illustration of the area will be added to the parcel list in section 1159.03(a).

- 1159.04(b)(2), Common Open Space Requirements, General Standards - A fixed number of fifty feet (50') has been defined as the minimum width for common open space in item D.
- 1159.04(b) goes on to define other minimum open space requirements, including what shall not be included in meeting the twenty percent (20%) open space requirements. Mr. Fritz and Mr. Stanard reviewed each point to respond to a resident's earlier comments regarding roadways being included in the open space calculation.
- 1159.04(b)(3) - Mr. Stanard revisited this point, which specifies that the frontage along Chagrin Boulevard can be considered part of the open space requirement as long as it does not exceed twenty-five percent (25%) of the required twenty-percent (20%).
- 1159.04(c) and (d) - Mr. Stanard asked if anyone had had the opportunity to review the cross references to Chapters 1175, Landscaping and Screening, and Chapter 1173, Environmental Regulations. Mr. Majewski replied that he had done a quick review and not found any discrepancies.
- 1159.04 (e), Infrastructure - Mr. Stanard explained to the audience that there is an interest in not creating too many new streets for the Village to maintain. Therefore, there is some desire to incentivize private streets to be maintained by a Homeowners Association within the development. The Planning Commission is trying to determine the best balance when considering whether to include private streets in the open space calculation.

Mrs. Lane pointed out that other sections of the Zoning Code prohibit private streets. Mayor Renda explained that the prohibition came about because there have been instances of private streets where no strong Homeowners Association exists, but the Village cannot legally fix problems with the roadways when they arise.

Mr. Stanard pointed out that this section references and upholds the language in Chapter 1111, Procedures for Subdivision Approval, with the exception that limited private streets may be approved by Council with certain legal requirements and guarantees for maintenance.

- 1159.05 (a), Specific Standards for Planned Development Uses, Permitted Uses - Mr. Stanard stated that, when reviewing the Comprehensive Land Use Plan, he did not see a recommendation to allow commercial uses in this district. Mr. Fritz replied that the Master Plan Review Committee suggested commercial uses not be permitted, but further conversation led to keeping them in as a potential use while Mr. Majewski wrote the Chapter. Mr. Majewski said that he, too, has reservations about allowing commercial uses and suggests certain considerations: 1) If allowed, would the Planned Development create a sufficient market to support these uses. If not, it is likely that such uses would need to be supported by by-pass traffic on Chagrin. 2) If, in fact, it is pass-by traffic that would support any commercial uses in this district, is that what the community has in mind for this area? Would the Village allow

commercial zoning in this area without the Planned Development? 3) If commercial uses are approved and constructed but one or more fails, what happens then? It often happens that a developer ends up with a significant investment in commercial property and, if the original use was not supported by the market or location, they may wish to add a different use that the Village may then not want.

Mr. Stanard suggested that the Planning Commission come back to this conversation at the Regular Meeting in two weeks. It was his suggestion that a recommendation can be made to Council to advance Chapter 1159 through the approval process and that Council schedule their public hearing with the stipulation that these points will be refined at the next Planning Commission meeting. Mr. Fritz reminded members of the Planning Commission to do their due diligence in preparing for that meeting, particularly as it pertains to the decision surrounding allowance of commercial uses.

Mr. Pogatschnik asked if it is possible to restrict commercial use by square footage or building size; Mrs. Lane said that it is. Both Mr. Stanard and Mr. Majewski indicated that there are multiple restrictions on commercial uses that the Village can define.

Mr. Pogatschnik also asked if a community building be considered a commercial use. Mr. Majewski indicated that it may be listed as a permitted use for the development as opposed to being a private athletic club, which would be more of a commercial use. Mrs. Lane felt it would be an accessory use as shown under item (5) in the table.

- 1159.05(b), Dwelling Standards - This section includes the formula for determining Maximum Dwelling Units. Previously, the Planning Commission discussed whether to exclude acreage for both public and private rights-of-way when calculating density or only consider acreage for public rights-of-way, thereby incentivizing developers to include private streets. It was decided to allow private rights-of-way to be included in the density calculation, but Mr. Filarski requested that item (b)(1)A.2 be amended to read "Subtract acres in existing *or proposed* public rights of way."
- 1159.02(b)(2), Standards for Permitted Dwelling Types - Mr. Stanard and Mr. Majewski reviewed additions and corrections to this section. Mr. Fritz pointed out that there is an error in the setback requirements in the section regarding Additional Setback Standards. Seventy feet (70') is listed as the requirement in this section; it will be changed to one-hundred feet (100').

Mrs. Lane commented that language was added to limit the percentage of attached single-family units in a development but that no limit is set for detached home. She and Mr. Fritz both feel this is consistent with community survey results that show a strong preference for detached single-family homes. Mr. Majewski added that, if someone proposed an entire development of single-family detached cluster homes, that would be allowable under this Chapter.

- 1159.02(b)(3), Dwelling Height Standards - Mr. Majewski and Mr. Fritz reviewed changes to this section with Mr. Majewski to made additional edits.

- 1159.02(b)(5), Minimum Dwelling Width - Mayor Renda noted that a minimum dwelling width is defined and asked if there is a need for maximum dwelling width. Mr. Pogatschnik suggested adding a maximum allowable percentage of lot coverage. Mr. Majewski said that such a percentage does not work with detached cluster homes, and Mr. Stanard suggested that this in an item to be revisited.
- 1159.02(c), Standards for Non-Dwelling Uses - This section addresses which commercial uses may be allowable as defined specifically by Chapter 1159. Both Mr. Majewski and Mr. Stanard remarked that this section may be removed based on further discussion about permitting commercial uses in this district.
- 1159.02(d), Architectural Design - Mr. Majewski added item (3) to reiterate a desire for diversity in architectural designs per Mrs. Cooper's request during the Planning Commission's last meeting.
- 1159.06, Procedures for Application, Review, and Approval of Planned Development - Mr. Stanard reviewed changes made in this section, many of which were clerical or which clarified or expanded upon points previously discussed. Additional requirements have been spelled out as part of the Final Development Plan application process.
 - Mr. Filarski requested that item 1159.06(c)(3)A iv be modified to read, "A storm water facilities plan in accordance with Chapter 973, Comprehensive Storm Water Management."
 - Mrs. Lane made a recommendation that the language in section (g), Modification of Minimum Requirements, Variances, be modified. In reviewing other Planned Development Zoning, she found language to the effect of "allowing the modification upon a finding that the proposed Planned Development incorporates creative site design such that it represents an improvement in quality over what could have been accomplished through strict applications of the standards, including but not limited to improvements in open space provisions and access, environmental protection, tree preservation, efficient provision of streets, roads, and other utilities and services, and choice of living and housing environments." Mrs. Lane felt that adding similar language to Chapter 1159 would give the Planning Commission a stronger position when reviewing variance requests.

At this time, Mr. Stanard thanked Mr. Majewski for his review and continued work on the Chapter and asked if there were any other items the Planning Commission wished to discuss.

Mr. Fritz stated that, during the public comment portion of this evening's meeting, he heard the term "deliberately deceitful," which he found to be personally offensive. Mr. Fritz said that the scope of work that has gone into the Comprehensive Land Use Plan and the beginnings of drafting Chapter 1159 for the residents to consider was undertaken after considering environmental, engineering, and legal concerns and after reviewing data about local, regional and national trends; multiple methods of gathering residential input were undertaken, including surveys, an open house, focus groups, and phone

interviews. Mr. Fritz went on to cite Mrs. Taber's point about being a community that defends itself and is not afraid to do so. He spoke to how he and then-Councilwoman Renda have done exactly that, including defending the Village's interests in a lawsuit before the Ohio Supreme Court. He strongly stated that there is nothing that Mayor Renda has said in relation to the protection of the Village and maintaining its character that she has defaulted on. He said that he will not accept anyone coming in to Council Chambers and using the term "deliberately deceitful" to a Mayor who overwhelmingly supports the Village in ways that many people will never know. Mr. Fritz requested that he wants it on the record that he found the comment offensive and requests that future comments from residents remain professional and civil, as they have overwhelmingly been in the past.

Mr. Stanard thanked Mr. Fritz for his comments and seconded his opinion.

Mr. Stanard reminded the Planning Commission that they be reviewing Chapter 1159 again in two weeks at the Regular Planning Commission Meeting on May 23, 2016. He would like to move the document forward to the Village Council for their review and so they can schedule their Public Hearing. Such Hearing would be no less than thirty (30) days from the date of advertisement, which may happen within the next few days. This still leaves ample opportunity to review the Chapter and make any desired revisions, including several that have been identified at this evening's meeting. He does not feel that any potential changes are significant enough to prevent a recommendation to Council. Mr. Fritz commented that the most significant issue remains the allowance of commercial uses within the district.

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.

Mayor Renda stated that she would like to make that motion but first wished to point out several items that were not specifically reviewed this evening. One was a submission by David Melecka commenting on and making suggestions about the proposed Chapter 1159. Another was the submission of questions by a resident who was not in attendance at tonight's meeting. The Mayor would like these questions and comments to be reviewed at the next Planning Commission meeting. In addition, there needs to be continued discussion about the allowance of potential commercial uses, defining maximum dwelling sizes, and the addition of language regarding variances as described by Mrs. Lane.

At this time, Mayor Renda made a motion seconded by Mr. Pogatschnik to recommend to Council that Ordinance 2016-19 be approved subject to modifications which will be formalized by the Planning Commission at its meeting on May 23, 2016 and submitted to Council, and that Council schedule its public hearing.

ROLL CALL:

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

NAYS:

MOTION CARRIED

At this time, Mr. Stanard asked if there were any final comments or items for discussion.

Mr. Bolek thanked everyone for their attendance and comments. He acknowledged that Planned Development zoning is a complicated and often frustrating issue but emphasized that the overall objective is to do what is best for the community. He said that he is a long-time resident who appreciates and wants to maintain the two-acre zoning in the community but recognizes the reality of potentially being forced into something that no one wants. He believes it is important to establish a framework for acceptable development, and he encouraged the Planning Commission, Council and residents to continue to educate themselves on this issue, as it will be going to a vote.

Mayor Renda reiterated that the overall intent in the Village is to keep the two-acre zoning. However, there is this one, relatively small, different area in the Village that has been identified as suitable for a different type of development. The goal is to maintain the Village's character even in this area and still maintain two-acre zoning elsewhere in the Village. She emphasized the efforts to be proactive and protective of the Village's character, to do good planning, and to shore up the Village's Zoning so it is defensible. Finally, Mayor Renda offered to meet personally with anyone who wished to have face-to-face conversations about their concerns or questions.

Mr. Stanard closed by reminding the audience that the Planning Commission and Council work for the residents; it is the residents who will make the final decision. He commended the Master Plan Review Committee for their work. It is available on the Village's website for anyone who wishes to see it.

Mr. Bolek made a motion seconded by Mr. Fritz to adjourn the meeting at 8:05 pm.

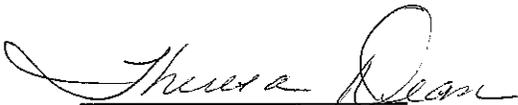
ROLL CALL:

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

NAYS:

MOTION CARRIED

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Theresa Dean".

Theresa Dean, Assistant Clerk