

Special Planning Commission Meeting
March 9, 2016
Minutes

The Planning Commission Special Meeting was called to order by Chairman Stanard at 5:37 pm.

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

ABSENT: Mrs. Cooper

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

Mayor Renda made a motion seconded by Mr. Fritz to approve the minutes from the Regular Planning Commission Meeting held on February 22, 2015.

ROLL CALL:

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

NAYS: None

ABSTENTIONS: Mr. Pogatschnik

MOTION CARRIED

Master Plan Review Committee

Sam Steinhouse, a representative from the Master Plan Review Committee, was present at the meeting to add more background to the Committee's recommendations to the Planning Commission. Mr. Steinhouse stated that the eight-member group had two main points of focus:

- 1) To take the pulse of the residents in terms of what they want for Moreland Hills. McKenna & Associates was engaged to help guide the work, which included a survey and community night, and the general response was that residents like the Village as it is.
- 2) To survey the environment since the last Master Plan review to see if there is anything to be considered or recommended. The issue that surfaced is what is happening with zoning in the area. Mr. Steinhouse cited the Woods of Solon development located at the corner of Miles and SOM Center as evidence that court action can result in rulings against the stated desires of a municipality and its voters if zoning is determined to be too restrictive. Therefore, the Master Plan Review Committee feels the Village needs to be proactive about what it can and cannot control. The resulting conversations focused on the WEB (Wiltshire, Ellendale, and Berkeley) neighborhood, where lots are less than two acres, as well as the concept of Planned Unit Development (PUD) zoning, which seems to be a middle ground between saying that nothing can be done outside of what the Village already has (two acre lots with potentially challenging topography) and "going to war" with a developer.

As presented by McKenna & Associates and in conversations with the Law Director, it seems that coming up with a different approach to dealing with these difficult parcels might allow for better results than

not being proactive. Therefore, the Master Plan Review Committee is making the recommendation to explore these issues further, which would involve hiring a planning expert who understands these issues well and who can ultimately develop criteria for how to pursue these ideas. Mr. Steinhouse emphasized that this is not an endorsement by the Review Committee, but it is a recommendation and next step in dealing with the current environment. The issue of alternative uses not currently allowed by the Zoning Code has come up in the past and can and will come up again. The recommendations are for how best to be proactive in a changing environment.

Mr. Stanard presented additional notes regarding the Master Plan Review Committee, which was originally called the Comprehensive Land Use Committee. It has been ten years since the Master Plan was last reviewed, and it will likely not be reviewed for another ten years. Therefore, it is important to speak toward the future. He also wished to let the Commission know how much he respects the volunteers who have worked on the Committee. These are not frivolous recommendations and came about after a great deal of time and effort. The recommendations being presented to the Planning Commission with the interest of then going to Council are three fold, one of which requires immediate action if the issue is to be presented on the November ballot: specifically, the possibility of allowing PUD zoning. The location being considered is somewhat unique from the rest of the Village. It is located on Chagrin Boulevard next to the Orange School Administration Building and the library, and near the Moreland Town Center retail district located at the intersection of SOM Center Road and Chagrin Boulevard. This location is on the Village's boundary line before getting into the heart of the Moreland Hills residential district.

Mr. Stanard also stated that, if the Planning Commission wishes to accept the recommendations as presented by the Master Plan Review Committee, it is only to recommend that Council continue with researching the process. Mr. Stanard believes there is merit to the Village being proactive and asking Council to continue looking at this issue. As the Village does not have a planning expert on staff, Council would be asked to authorize the mayor to hire an expert to map out options and possibilities for the Council to consider. Eventually, after a series of reviews by the Planning Commission and Council, the issue would be placed before the voters. Because the process is thorough and open to public discourse at Planning and Council meetings, and because Ohio law requires such recommendations be put on three readings at three separate meetings, residents will have multiple opportunities to give input before final recommendations are made and the final language is presented to the Board of Elections.

Mrs. Lane added more information about the timeline of this process. Per the Charter, a matter to be put before voters has to be certified by the Board of Elections for the next general election occurring more than 90 days after Council takes action. Therefore, when calculating the time frame, any issue to go before the voters in the November 2016 General Elections must be certified by the Board of Elections prior to August 10th. Because of the requirements set forth by the Charter and Village Ordinances, including readings, public hearings, and varying notice requirements to both the public in general and the land owners in affected areas, the Village is looking at a roughly four-month process.

Mr. Fritz commented that the Master Plan Review Committee was charged with viewing this process as "looking at the Village from 10,000 feet up." The Committee has, therefore, taken a comprehensive view. Their recommendations to Council are conceptual.

Mr. Bolek said he feels there is good rationale for the recommendations in the WEB area. He asked if the Village will be protected from someone in that area wanting to split a larger lot. Mrs. Lane answered that the intent is to reduce non-conformities in that area by allowing lot consolidations that

result in less than two acres and that the text amendment will be written to be very specific in allowing consolidations, not subdivision of larger lots.

Mayor Renda stated that everyone on the Planning Commission as well as Council members will receive copies of the zoning rewrites; there will be ample opportunity for input and to identify any red flags in the proposed changes.

Mr. Bolek also commented on the Committee's recommendation to consider a PUD zoning district. He wants to encourage everyone to consider the issue carefully and develop criteria to ensure PUD zoning is not inadvertently applied to an area for which it was never intended. He feels it is important to allow for development and opportunity but to do so with care and to anticipate as many interpretations of such zoning as possible when setting criteria.

Mayor Renda stated that the Master Plan Review Committee has been asked to clearly identify why this area is being considered for PUD zoning and what makes it different from other areas in the Village. She feels it is important to note that, as residents requested, this is not a major proposal and applies to a unique, small area. If the voters agree, a PUD could fit into an area that is already more commercial and available for public use than anywhere else in the Village. Mr. Stanard reiterated that, regardless of the actions and recommendations of the Master Plan Review Committee, Planning Commission, and Council, it will be the voters who ultimately decide on allowing rezoning.

Mr. Pogatschnik asked if the reasons for why and how one area was identified as suitable for PUD zoning would be recorded somewhere. Mrs. Lane replied that the discussions around the recommendation would be recorded in multiple sets of meeting minutes and that this will be a new chapter in the Zoning Code to contain purpose language and intent language.

Mr. Stanard mentioned the criteria and development standards that the municipality feels is appropriate to require, such as public utilities and infrastructure, minimum acreage, project area, permitted uses, lot size, density, set-backs, open space requirements, environmental protection standards, architectural design.

Mr. Fritz made a motion seconded by Mayor Renda to forward to Council the Master Plan Review Committee's recommendation to pursue a Planned Unit Development, known as a PUD, zoning amendment and to rezone certain properties located on Chagrin Boulevard to the PUD classification.

ROLL CALL:

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

NAYS: None

ABSTENTIONS:

MOTION CARRIED

Mr. Fritz made a motion seconded by Mr. Pogatschnik to forward to Council the Master Plan Review Committee's recommendation to pursue certain text amendments applicable to the WEB area.

ROLL CALL:

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

NAYS: None

ABSTENTIONS:

MOTION CARRIED

At this time, Mr. Standard thanked the Commission for their efforts and work in understanding these recommendations. He also acknowledged receipt of five issues/questions posted by a resident regarding the neighborhood on Chagrin Boulevard west of SOM Center Road. He stated that the questions merit discussion and answers and invited the resident to come to one of the public hearings where they will be considered and discussed. Another resident asked about availability of the January and February Planning Commission meeting minutes. The Assistant Clerk provided the resident with a paper copy of the January minutes and informed him that all minutes would be available on the Village's website going forward.

Mayor Renda made a motion seconded by Mr. Fritz to adjourn the meeting at 6:20 pm.

ROLL CALL:

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

NAYS: None

ABSTENTIONS:

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, Assistant Clerk