

SPECIAL JOINT SESSION

April 20, 2023

The Council and Planning Commission of the City of Chardon met in a Joint Special Session on Thursday, April 20, 2023 at 6:30 P.M. in Council Chambers of the Chardon Municipal Center.

Heather Means, Vice President of Council, and Andrew Blackley, Chairman of Planning Commission, presiding.

The joint meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, David Lelko, Kyle Martin, Heather Means, Daniel Meleski.

Members of Council absent: Christopher Grau.

Members of Planning Commission present: Andrew Blackley, Robert Emmons, Daniel Meleski, Mary Jo Stark, Colin Wantz.

Members of Planning Commission absent: Lene Hill, Dean Peska.

Others present: City Manager Randy Sharpe, Law Director Ben Chojnacki, Community Development Administrator Steve Yaney, Clerk of Council Amy Day, Kristin Hopkins.

Regarding continued discussion of the Planning and Zoning Code update, Community Development Administrator, Steve Yaney, explained that the items to review are unresolved topics from the prior joint meetings. Once the topics are finalized, the zoning code amendments will be ready for formal adoption.

Kristin Hopkins, Manager of Planning Services at CT Consultants, began reviewing the remaining unresolved topics, proposed edits and rationale. The first topic is the proposed code revision that adds a 40' minimum lot frontage around cul-de-sacs, as the current code does not have any lot frontage requirements around a cul-de-sac.

After discussion about snow storage and current radius sizes, there were no objections to the proposed 40' minimum lot frontage around cul-de-sacs.

She noted that she provided an itemized list of the reasons why the clause is being recommended to be eliminated.

Ms. Hopkins stated that the second topic is related to the proposed amendment to remove the reversion clause in the code. The automatic reversion clause (Section 1137.19) states the PRD zoning reverts to the prior zoning district classification 60 days after the termination of approvals.

She added that with the revisions that are proposed, she believes there is enough protection in the code in the event that if a PRD stalls, that Planning Commission and Council can force any new development or any revised plan to respect whatever changes that have been made in the interim.

Mr. Blackley stated that the proposed zoning code changes make it more difficult to go back to the previous zoning. He suggested that giving the developer the option to revert back to the previous zoning may be an option.

Ms. Stark noted that there may be properties that the City does not want to be reverted to their prior zoning classification.

No other member of Council or Planning Commission had any objection the proposed elimination of the reversion clause.

Ms. Hopkins stated that the third topic is related to the proposed deleting of Section 1137.27, requiring architectural review of all buildings and structures within a PRD. She reviewed the itemized reasons to remove the architectural review of the PRD that relate to how the City Architect will weigh-in on the architectural designs of houses and other buildings in a PRD.

Mr. Blackley asked if the City Architect had an opinion about the change.

Mr. Yaney stated that it has been the City Architect's understanding that he does not review individual homes. He added that there are still controls in place that would allow for review of the exterior design of buildings by Planning Commission and the City Architect.

No other member of Council or Planning Commission had any objection to leaving the reversion clause in the proposed text.

Ms. Hopkins stated that the term short-term rentals has been removed from the zoning code to give Council and Planning Commission the opportunity to discuss the regulations in more detail.

Ms. Hopkins stated that questions were raised about the proposed requirement for 10% of the area to be used for common open space in cluster infill development. The concern was that at that size of a project, it may not make sense to have an HOA created only for the purpose of maintaining the common open space. A proposed alternative is that there be deed restrictions so that the property is subdivided into lots but the area is perpetually preserved as open space that is clearly shown on the subdivision plat. The open space would be owned by each property owner.

Mr. Blackley stated that he is concerned that the City would be responsible for enforcing that nothing is built on the open space in the absence of an HOA.

Ms. Stark stated that she is concerned that these types of areas tend to get filled with objects. She is concerned that it will be an ongoing problem and the argument will be there forever.

Mr. Yaney stated that it is something that will have to be monitored by the planning and zoning office, but they are known.

Ms. Hopkins stated that in order to move to the remaining topics, she would include the changes in the update and Planning Commission could modify this at the time of their consideration of the updates.

Ms. Hopkins stated that the review of design standards by the City Architect have yet to be received. She suggested that if the City Architect has any changes, they could be adopted at a later time.

Ms. Hopkins reviewed the regulations for temporary/long-term storage containers (PODS). She stated that the recommendation is for 1 storage container to be permitted on a lot at any one time. The length of time it can be on the lot is a maximum of 30 days throughout one year with a few conditions where they could be permitted longer.

1. If there is a residential home that suffers severe damage.
2. During the entire length of time of new construction in the commercial or industrial districts

Ms. Hopkins reviewed additional requirements for the PODS.

Mr. Blackley asked if the City is notified the POD is on the property so that they can keep track of when the time begins.

Ms. Hopkins suggested that a permit be required so that the start time can be tracked.

Discussion occurred regarding shipping containers behind commercial properties.

Mr. Meleski recommended that there should be a delineation between residential, commercial and industrial areas.

Mr. Wantz concurred.

Mr. Blackley stated that it should be restricted to residential.

Mr. Yaney stated that he would prefer to limit uses in residential areas as it would be difficult to enforce no shipping containers in industrial and commercial areas.

Ms. Means asked what would happen in the event that a storage container is abandoned.

Mr. Yaney stated that this would fall under the category of a health, safety and welfare concern.

Ms. Hopkins stated that she would modify the language so that portable storage containers are permitted for short-term storage in any residential district with conditions.

Mr. Meleski suggested that the code specify that storage containers must be on a non-landscaped area rather than a paved surface.

ANY OTHER BUSINESS TO COME BEFORE PLANNING COMMISSION

Discussion occurred regarding the process for adoption of the zoning code amendments.

Mr. Chojnacki stated that no action is necessary at this time. Legislation will be prepared for consideration at a later date.

PLANNING COMMISSION ADJOURNMENT

Mr. Meleski moved and Mr. Wantz seconded to adjourn Planning

Commission.

Planning Commission adjourned at 7:28 P.M.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL - none.

COUNCIL ADJOURNMENT

Mr. Lelko moved and Mr. Meleski seconded to adjourn the Council meeting. Upon voice vote the motion passed unanimously.

The meeting adjourned at 7:28 P.M.

HEATHER MEANS, Vice Mayor
Vice President of Council

Attest:

AMY DAY
Clerk of Council

ANDREW K. BLACKLEY
Chairman of Planning Commission