

Minutes of a Public Hearing and Special Meeting
of the
City of Bay Village Planning Commission
Held June 20, 2012

Present: Bruckman, Dzienny, Fleming, Krause, Majewski, Miller, Persanyi

Also Present: Law Director Ebert, Mr. John O'Neill, Mr. Ken Martin, Architect
Carl Hammer, Councilman Tadych, Bruce Geiselman, Eric Hansen,
Jerry Phillips

PUBLIC HEARING
Bradley Bay Health Center
605 Bradley Road
Expansion of Facilities

The public hearing for the Bradley Bay Health Center Expansion of Facilities Project was called to order at 7:30 p.m.

Mr. John O'Neill, Bradley Bay Health Center, addressed the Planning Commission and members of the public, advising that they are proposing to construct a 36 one-bedroom unit Alzheimer's Care Center to care for the mentally and cognitively impaired. The unit will have 20 ft. wide hallways with life stations in the halls outside the residents' rooms and a common area. The unit is designed for cognitive redirecting and addressing daily living needs rather than medical care.

Mr. O'Neill displayed a site map indicating the unit to the south of the existing parking lot, coming off of the existing assisted living unit in the back, traveling south and to the west lining up with the visitor's center. A new reading area, lounge and rehabilitation area will be constructed in the front of the facility. All of the services for the facility will be provided by the existing kitchen and laundry administration.

Mr. O'Neill introduced Ken Martin, the architect for the project. Mr. Martin presented an aerial view of the project, taken from the south at the Norfolk and Southern Railroad tracks, looking north.

A rendering, as requested by the Planning Commission, of the Bradley Bay Health Center expansion was displayed. Mr. Martin explained that the older building will be brought into a more current look. The purpose of the design with two glass towers is to identify where the main entry would be. The second tower will be in the rear of the building and will indicate the entry to the Memory Care Unit. Building materials for the new building are identical to the existing building. A sample of the materials was brought for inspection by the commission.

A plan layout was shown by Mr. Martin who pointed out the locations of Bradley Road, the visitor's center, the parking lot, the physical therapy section, and the new Memory Care Unit. He noted that there are 50 feet from the property line to the south wall of the new building, and in the rear there are approximately 40 feet from the rear property line to the face of the new

building. The existing building requires 80-car parking. The new addition has 8 additional spaces. The parking lot has 31 spaces, based on the use being experienced at this time and anticipating the new addition. Handicapped parking spaces are provided. A retention basin is shown on the plan that will be used to gather storm water and improve the quality of the water before it goes into the storm sewer. There is new landscaping along the south boundary, and landscaping is placed along the rear property line to buffer the adjacent residential area. Privacy fencing and lower types of growth will be included in the landscaping. Photographs of the proposed species of Douglas fir and White fir trees were displayed. A cut-sheet of the lamp post lighting, sample of the siding, roofing shingles, and PVC fence rails were provided to the commission.

Mr. O'Neill stated that the previous project that was proposed in 2005 was a two-story addition at one point, and then phased down to a one story building. There was access from Crestview Drive to provide emergency fire entry. That has been eliminated in this proposal. This project is 32 units less than the former proposal, with 30,000 less square feet.

Mr. Dzienny asked for comments from the public.

Mr. Gerald Phillips, 461 Windward Way, Avon Lake, Ohio, stated that he is present on behalf of Alex and Karen Dade, and Eric Hansen. He stated that, "Whatever he says really doesn't matter. It doesn't matter that the zoning for this property isn't proper. It doesn't matter that this property needs a conditional use permit. It doesn't matter that the variance for this new property is granted. It doesn't matter that it doesn't comply with the Planning Code. And, it doesn't matter that Gary Ebert told Alex Dade that this property had to be rezoned in order to move forward. It doesn't matter that Council passed legislation eliminating the contiguous property condition and that this project lapsed and is no longer grandfathered. There is no need to cite cases, specific code provisions or legal authority like you did last time, because this is a done deal."

Mr. Dzienny asked Mr. Phillips if he had commentary about the project, or is this a speech. Mr. Phillips stated that these are his comments and asked Mr. Dzienny if he is interrupting him. Mr. Dzienny stated that he does want to interrupt him because he is looking for comments central to the project. Mr. Phillips stated that he has a right to criticize this project. He asked Mr. Dzienny, if he wants to interfere with his first amendment rights and his client's first amendment rights, if he wants him to go to Federal Court, get an injunction, and sue him. He asked Mr. Dzienny to let him speak.

Mr. Dzienny told Mr. Phillips he was done. He stated to Mr. Phillips that Mr. Phillips would not be permitted to yell at the commission. Mr. Dzienny stated that this is not the way for Mr. Phillips to conduct himself, and he is not to be yelling at him. Mr. Phillips asked Mr. Dzienny to treat him with respect. Mr. Dzienny stated that he is not going to listen to speeches. Mr. Phillips stated that if Mr. Dzienny did not want him to speak that was fine.

Mr. Dzienny thanked Mr. Phillips for his comments and asked if there were any further comments from the audience. He added the words "Constructive commentary."

Mr. Phillips stated that when Mr. Dzienny only likes the content, then he lets someone speak.

Mr. Dzienny invited Mr. Phillips to put his paper down and speak to him. Mr. Phillips stated that he was done. Mr. Dzienny thanked Mr. Phillips.

Mr. Dzienny asked if there was anything else from the Commission before the public hearing is closed.

Mr. Persanyi asked if the Fire Department has looked at the plans specifically for access issues and fire hydrant placement. Mr. O'Neill stated that they have reviewed the plans and referred to a letter from Fire Lieutenant James Walts dated June 14, 2012 stating that he has reviewed the documentation provided regarding the Bradley Bay Memory Care addition, and listed his concerns regarding the proposed addition as follows:

“1. Is there adequate fire flow using the existing Fire Department Connections (FDC) to support the proposed addition, including the new wall hydrants? Some initial testing was conducted on 6/13/12. This testing yielded a promising result, but further evaluation and testing is in order. Bradley Bay is scheduled for their quarterly fire protection systems maintenance later this month. This will provide an ideal time to conduct such testing.

2. The visitor center addition combined with relocating the front FDC increased the hydrant to FDC distance from 40 feet to more than 200 feet. NFPA 14 section 6.4.5.4 states that the distance is to be no more than 100 feet. The rationale for maintaining this distance is strong, particularly in light of the limited number of fire department personnel that would initially respond to this structure. My recommendation is to relocate the FDC so that it is close to the hydrant on Bradley Road. Additional testing will be needed to confirm the suitability of this hydrant for this purpose.

3. The FDC outside the kitchen is not on the plans. What is the role of this FDC in the overall system, including the addition?

4. As currently proposed, access appears to be adequate for fire apparatus. Given the narrow tolerances of this space, particular attention needs to be given to this issue should changes be made.

Lt. James Walts
Fire Prevention Officer
Bay Village Fire Department
cc: Doug Milburn, Dave Volle, File”

Mr. O'Neill noted that there was some confusion on the drawing. Currently, there is a Siamese connection, and an existing fire hydrant that is going to stay that regulates the requirement of distances no greater than 100 feet. Mr. O'Neill pointed out the hydrants and fire department connections on the site as displayed on the plan. Mr. O'Neill stated that they have not yet engineered the sprinkler system but there are two risers in the building. One riser is able to

contain 50,000 square feet. If the system can be extended to cover the building, the fire department connection will satisfy the requirement. Until all the engineering is done through the plan process, it is not known how many risers there will be. Shown on the drawing displayed this evening are the hydrant locations on the side of the building.

Mr. Martin stated that Drawing No. 13 on the plans submitted indicates where all the hydrants are located. The last addition that was built is the assisted living building and has fire hydrants mounted on the exterior walls of the building. The same thing is proposed for the new Memory Care addition so that there will be equally spaced out around the back of the new addition other fire hydrants also attached to the walls.

Mr. Miller asked if the plans before the Planning Commission are the same documents the Fire Department reviewed. Mr. O'Neill stated that they are the documents the Fire Department reviewed.

Mr. Persanyi asked for an explanation of a wall hydrant. Mr. O'Neill stated that it is a two-inch connection that is connected directly to the water supply that runs the distance to the building entrance where there is an eight-inch line connection. The Fire Department can connect to it and pump through that and connect the hoses at the other end. If you opened it today, you would get two inches of water rushing through the building. It is a wet system. If a pumper truck needs additional capacity they connect to that and can use the piping system to connect the hoses at the other end instead of dragging hoses to the site.

Mr. Majewski asked if the retention basin is a dry retention basin or if water will be in the basin at all times. He was informed that it is a dry retention basin.

Mr. Dzienny closed the public hearing at 7:55 p.m.

Special Meeting of Planning Commission

Chairman Dzienny called the special meeting of the Planning Commission to order at 7:48 p.m. in the Council Chambers. The following members responded to roll call: Bruckman, Dzienny, Fleming, Krause, Majewski, Miller, Persanyi. Absent: None.

Mr. Majewski noted a miscommunication regarding highlighting and underlining of certain of his comments at the last meeting. The secretary has corrected the formatting of those comments in the original document.

MOTION by Fleming, second by Miller, to approve the minutes of the meeting held June 6, 2012, as prepared and distributed. **Motion carried 7-0.**

**Bradley Bay Health Center
605 Bradley Road
Expansion of Facilities**

Mr. Dzienny called for any additional commentary from the Planning Commission for the Bradley Bay Health Center expansion project.

Mr. Bruckman referred to the cut-sheet for the lighting, and noted that one of the concerns brought up at the last meeting was regarding glare. He stated that he just wanted to see if this is a hooded fixture with light casting downwards. Mr. O'Neill stated that there is a hood on the fixture, but also you can block off sides so the light doesn't go over to the neighbor's property. There are different lens to direct the lights downward. The plan is to have the lighting designed with the right fixtures and wattage so no light goes into the neighbor properties.

Mr. Bruckman asked if this lighting will be in addition to the existing lighting, noting that this is a new parking lot addition. He asked if there has ever been any comments about light spill in the past. Mr. O'Neill stated that the woods are adjacent currently. There have never been any comments about light spill. The new lighting will match the existing lighting.

Mr. Dzienny asked if people coming in for the night shift are in the parking lot at various times throughout the night. Mr. O'Neill stated that the night shift starts at 11 p.m. with those employees coming in about 10:45 p.m. The afternoon shift leaves at approximately at 11:15 p.m. There is no activity after that time until the cook comes in at 6 a.m. and the cook's helpers arrive about 6:30 a.m.

Mr. Majewski stated that at the last meeting Mr. Miller asked about the possibility of redesigning the new wing of the building so that the setback variance wouldn't be required. He asked if there has been any thought given to that. Mr. O'Neill stated that they did discuss the possibility but there is a certain turn-around distance required for the Fire Department. Also, taking into consideration the age of the population that will be visiting, wide and deep parking spaces are required.

Mr. Majewski noted that the new building is being situated on a vacant lot, and he is curious why a setback variance would be required when there would be the ability to design something that would fit in with the setbacks. Mr. O'Neill noted that the placement of the building coordinates with much of the programming that occurs inside the building.

Mr. Miller asked if it is certain that the sideyard meets the setback requirement. Mr. Milburn responded that they have a 50 feet sideyard and it does meet the requirements of the zoning code.

Mr. Dzienny advised that the application will need to be referred to the Architectural Board of Review for review of design and materials. The application will also need to be referred to the

Board of Zoning Appeals for a 10 ft. variance on the rear of the lot, and permission to have two entrance signs. The Architectural Board of Review will be reviewing the signs for the appearance and design of the signs, and the Board of Zoning Appeals will be considering the request for two signs. Mr. Milburn noted that the request for a separate second sign is an appropriate variance request for the Board of Zoning Appeals. After the Board of Zoning Appeals hearing for the second sign and the rear yard setback, the matter will move to the Architectural Board of Review for the aesthetics of the project and the signs.

Motion by Miller, second by Bruckman, to refer the application of Bradley Bay Health Center for an expansion of their facilities to the Board of Zoning Appeals for a 10 feet rear yard variance, and to review the quantity of signage proposed on the application, and secondly, to the Architectural Board of Review for a report of the determination of the design of the signage, and that the Building Department confirm that the final design drawings comply with all the NFPA codes for the sprinkler system. Mr. Milburn commented that when Bradley Bay submits their construction plans and documents the Ohio Building Code will require the Building Department to make sure they comply with NFPA and the Ohio Building Code as far as fire alarms and fire suppression, and all construction aspects of the building. They will have to submit plans for the fire suppression system with all the calculations and metering enclosed. Those will be tested to make sure it delivers what is promised. The Fire Department and Building Department will conduct the testing and review the plans together.

Roll Call Vote: **Yeas – Bruckman, Dzienny, Fleming, Krause, Miller, Persanyi**
 Nays – Majewski

Motion carried 6-1.

Carl Hammer

Open Air Produce Market

27401 Wolf Road (former Shell Gasoline Station property)

Mr. Carl Hammer addressed the commission, advising that a tented open air market is being proposed. Mr. Hammer distributed a plan drawing indicating the layout of the proposed market which will contain two (2) 10 ft. by 20 ft. camping tents without sidewalls. Eight (8) posts will secure the tent as indicated on the sign. A small 10 ft. by 10 ft. cash register tent is shown in the center section between the two larger tents.

Fresh fruit and vegetables will be offered for sale on Fridays, Saturdays, and Sundays, from 10 a.m. to dusk.

A memorandum from Doug Milburn dated June 14, 2012, has been distributed to the Planning Commission stating that the property is zoned Retail Business District. Two (2) canopy tents without sidewalls will be placed and removed on the days of market operation. Parking is proposed on site. Overflow parking is available at the existing lot near the bank kiosk. Chapter 1173 "Retail Business District", Section 1173.01(c) "Permitted Uses" states, "Retail sales and services dealing directly with consumers, conducted wholly within enclosed buildings." Retail sales are required in enclosed buildings. Following the Planning Commission public hearing, this must proceed to the Board of Zoning Appeals for variance request to allow retail sales in other than an enclosed building. The applicant would then return to the Planning Commission for final approval. Mr. Milburn further noted that the popularity of these retail sales is evident in surrounding communities and has been welcomed by their residents, thus the Building Department has no objects to this request.

Mr. Dzienny asked if the tents will go up and down every day or will be up for the season. Mr. Hammer stated that the tents will go up once and be taken down at the end of the season. The lot is a combination of four inch concrete and four inch asphalt. Each one of the individual poles has a bracket, or boot, that gets mounted to the concrete with three inch concrete anchors, which is a sleeve that goes down into a hole and is secured with concrete construction adhesive and is secured with four screws. A Cotter pin goes through for additional securing. There are eight posts for each of the 20 ft. tents and four posts for the ten ft. tent. The tables are 4 ft. x 9 ft. folding tables which will be put away each night. The unsold produce will be stored in a refrigerated van.

The tents take up approximately 45 feet at the widest point, as shown on a sketch provided by Mr. Hammer. There are two driveway aprons coming off of Wolf Road. One apron has a guard rail along one side that separates the lot that has been leased from the rear access driveway for Heinen's. The driveway is approximately 130 feet. There will be about 30 feet on the Walgreen's/Minotti's/Key Bank side for cars to travel, and about 25 feet on the ravine side for cars to travel. Mr. Hammer stated that cars could move in two directions very safely. His goal is to horseshoe the traffic around. Cars could be parked diagonally along the ravine, with space for ten cars. Five spots and a handicap parking spot are shown along the south line of the lot. Five spots of parallel parking are shown along the Walgreen's/Minotti's/Key Bank side. This is a total of 21 parking spots. Mr. Hammer noted that he believes the location of the market is perfect to meet the needs of the foot traffic in the community. The refrigerated truck will be parked on site. If the truck needs to be offsite, Mr. Hammer has made arrangements with a restaurant owner in Westlake to move the truck to his site after it is unloaded. In the evenings, the truck is kept in Bedford Heights.

Mr. Hammer noted that he envisioned possibly in the future having a sign on the truck advertising the presence of the market. Mr. Dzienny noted that this would be an issue with the signage laws.

Mr. Hammer noted that the truck is plugged into a generator. The scale for weighing produce is battery powered, is charged at night and the charge lasts for 15 hours.

Mr. Bruckman asked if there will be banners for the market. Mr. Hammer stated that the way the market is designed, the two front posts would be perfect to hang a low, counter-height banner. He asked if he would be permitted to hang a banner.

Mr. Bruckman stated that even though the Architectural Board of Review looks at signage questions, given the temporary nature of this endeavor and the accelerated time frame, he would suggested that if Mr. Hammer does have an appropriate banner that it provides some indication as to the name of the market and how long it will be in operation this season.

Mr. Dzienny suggested conversing with Mr. Milburn about the code requirements for signage.

Mr. Majewski stated that he thought Council could authorize temporary banners. Mr. Milburn noted that authorization by Council for temporary banners is for a period of thirty days. Mr. Milburn commented that any signage would have to be approved by the Architectural Board of Review. Mr. Hammer stated that he could operate without a banner.

Mr. Dzienny commented that there will have to be some indication of entrance and exit for parking, even if it just a sandwich board type sign. That may require Architectural Board of Review approval. Mr. Dzienny stated that Mr. Hammer may be able to start the market without the sign, but it is something that he may have to follow up on later. The public will need to know who they are, and how to come in to make purchases.

Mr. Hammer expressed his desire to make the driving arrangements around the lot as safe as possible, noting that there is enough width to accommodate two- way traffic should someone enter on the wrong side. Mr. Bruckman advised that there are providers of vinyl banner signage who create a small print of a design on paper, with the dimensions noted. This print can be taken to the Architectural Board of Review or an administrative person in the city for a quick assessment as to whether or not it would be in compliance.

Jennifer Lesny Fleming asked if this venture has done markets in other communities. Mr. Hammer stated that he just started a market in North Ridgeville at the Blue Barn on Center Ridge Road, east of Lear-Naigle, and west of Bradley Road. There are three partners, with a fourth

potential partner who has done several of these markets on the east side. The fourth partner is being used in an advisory capacity at this time.

Mr. Persanyi asked if the generator will be running the entire time the market is in session. Mr. Hammer stated that it is a Centurion 5000 generator, with a decibel level a little higher than the average outdoor conversation, approximately 85 or 90 decibels. The generator, tables, and food will be placed in the refrigerated truck and moved away from the site to Bedford Heights in the evenings. A dumpster will be on site and will be emptied Thursday evenings, Friday evenings, and Sunday evenings.

Mr. Miller asked if the operators are farmers or distributors. Mr. Hammer stated that their produce is purchased from the Northeast Ohio Food Terminal. A Planning Commission application has been submitted to the Building Department. The owner of the Bay Square Shopping Center and the former Shell Station property has submitted a letter of permission and approval for the venture. Mr. Milburn will supply the Planning Commission with a copy of these documents prior to the public hearing.

Mr. Miller advised Mr. Hammer to provide the Planning Commission with drawings of the proposed plan to scale. If this area will be used for temporary, permanent retail space, the Planning Commission will have review potential parking arrangements. Mr. Milburn added that the zoning code has a parking chapter that specifies size, parking areas, and width of driveways. The plan before the Planning Commission was just submitted this evening and there has not been an opportunity to review it in accordance with the requirements of the zoning code. That will be done prior to the public hearing.

Mr. Dzienny stated that a public hearing for this project will be held on July 11, 2012. Section 1129 of the Planning and Zoning Code sets out a list of requirements for submissions. Mr. Dzienny reviewed the list, noting that a traffic study or buffering will not be required. A scaled drawing will be necessary. Mr. Hammer's provision for a parking spot is short about 5 feet. Mr. Krause noted that angle space is a different dimension. A brief, written description of the project will also be required for the project, as well as a site plan in context and site plan indicating the actual sizes. Building elevation requirement can be satisfied by reference to the tent. A signage plan, if there will be signage, is to be forwarded to the Architectural Board of Review. Color photographs, renderings and sample material will not be necessary.

Mr. Majewski asked Mr. Milburn how Heinen's handles their temporary tent when they sell seasonal flowers outdoors. Mr. Milburn stated that the Fire Department works with Heinen's to make sure the material is fire resistant. The fire department will want to make sure that the tent

material proposed for this project is fire resistant. Mr. Hammer noted that fire extinguishers will be on site, and smoking near the tents will not be permitted.

Mr. Milburn asked if there are specifications for the installation of the tents. The zone for this area requires 90 miles-per-hour wind resistance. Mr. Dzienny questioned the need for anchoring cables. Mr. Persanyi commented that those cables may create a safety hazard for the shoppers. Mr. Milburn advised that documentation will be required that the tents will withstand 90 miles-per-hour winds. Mr. Bruckman suggested that Mr. Hammer visit the website of the company that manufactured the tent and obtain technical information and specifications as to the wind load which would then need to be provided to the Planning Commission.

Mr. Bruckman asked if the fabric of the tent is secured to the frame. Mr. Hammer stated that it is secured to the frame. Mr. Bruckman asked if Mr. Hammer has had experience having to move the fabric quickly due to threatening weather conditions. Mr. Hammer described the manner in which the fabric is attached to the frame. The fabric can be removed within five minutes. Mr. Hammer stated that he has liability insurance for the operation of the market. Mr. Hammer expressed that it may be more favorable to take the canopy down each evening, rather than risking the possibility of high winds causing it to break away from the frame. He described the look of the frame without the fabric.

Discussion followed concerning the make-up of the Crocker Park Farmer's Market. Mr. Krause stated that the Crocker Park Market is a consortium of farmers selling their produce. The City of Westlake Planning Commission did not review the project, although they do have some semi-permanent structures such as portable sanitation facilities. Signage was installed because it is necessary to cross a lane of traffic within Crocker Park to access the market. They did come to the city for support of the market, but review of the Planning Commission was not required.

Mr. Miller asked if the Bay Village Code requires any type of Port-O-Lets in a retail business district. Mr. Milburn stated that the Building Code requires sanitation facilities depending upon the number of occupants which is arrived at in accordance with the size of the building. It does give an option if there are public restrooms within 500 feet. Mr. Miller stated that his personal opinion would be that the Port-O-Lets might be tampered with in off-hours. If they are not cleaned out frequently, they become a nuisance. Mr. Hammer will consult with Walgreen's to see if they will accommodate the employees of the market with their washroom facilities.

Mr. Miller asked if a permit for operation will be required from the Cuyahoga County Board of Health. Mr. Hammer related that a permit is only required if food is being prepared on site.

Director of Public Service and Properties Galli informed Mr. Hammer of the Cahoon Aerial Sewer Project that will begin this summer in the area. However, the distance from the site will most likely not have an impact on the proposed market, other than for one weekend in late August or September. There is a manhole located between the bridge and the west driveway apron. The activity in the area will be during the daytime hours, Monday through Friday. Mr. Galli further noted the 25 feet driveway widths indicated on Mr. Hammer's plan are not the typical residential street width of 26 feet from curb to curb which allows 24 feet of two-way driving traffic. He suggested Mr. Hammer provide a scaled drawing.

Motion by Bruckman, second by Fleming, to forward the proposal of Carl Hammer for an Open-Air Market to public hearing to be held July 11, 2012, with the following stipulations:

The applicant will produce documentation in advance about the tent, including technical specifications that speak to specifics as to how the tents will withstand adverse weather conditions, a site plan drawn to scale, signage mock-up to be forwarded to the Architectural Board of Review so they would have an opportunity to see it, and an agreement with other businesses in the area for use of restroom facilities.

**Roll Call Vote: Yeas – Bruckman, Dzienny, Fleming, Krause, Majewski, Miller, Persanyi.
Nays – None.**

Motion carried 7-0.

After the public hearing on July 11, the applicant will proceed to the Architectural Board of Review on July 18, if signage is to be included. The applicant will be referred to the July 19 Board of Zoning Appeals meeting for the necessary permit of an outdoor retail business. The applicant will return to the Planning Commission for final approval on August 1, 2012.

COUNCIL UPDATE

Mr. Miller reported that Council did extend the time for review of the Bradley Bay Health Center application by sixty days from August 5, 2012, due to Council recess for July and August, and in the event more time is needed. The new deadline is October 4, 2012.

Council recently passed Vicious Dog/Pit Bull legislation eliminating the designation of the specific breed of Pit Bull as a vicious dog. The legislation now refers to behavior of an animal when designating a dog as dangerous or vicious.

Council is reviewing the peddlers and solicitors ordinance for modifications. Solicitation and peddling will not be permitted on Sundays and holidays, the time for solicitation will end at dusk

or 8:30 p.m., whichever is earlier, and there will be an increase in the permit fees. The background checks will be more extensive, and renewals of licenses will be required annually.

Mr. Miller reviewed changes discussed by the Charter Review Commission for the length of time allowed for the Planning Commission to review applications. The question was raised as to whether 60 days is enough time for review, and if there even needs to be a period of time established for review. There was discussion about an appropriate period of time, and whether the city should be forced into approving an application regardless of any action by Planning Commission or Council. If the language is revised taking away a period of time, then due process might not be given to the applicant for review. Sixty days at this time seems to work, especially with the ability of the Planning Commission to meet the challenge of that time period. If sixty days is not enough time, Council can be asked to extend the time needed for review.

Mr. Majewski stated that it needs to be made clear that when the rewriting of the process occurred with the Cuyahoga County Planning Commission, the approval process was written to fit into a sixty day time period. At that time the City Planning Commission had two meetings per month. When you look at the schedule of meetings of the Architectural Board of Review, Board of Zoning Appeals and Planning Commission, the flow fit in to approval of a normal, or standard, application being processed in sixty days. There will always be circumstances where an approval process may take longer and the extension from Council is always a possibility to use.

ADJOURNMENT

Meeting adjourned at 9:11 p.m. The next meeting of the Planning Commission will be held Wednesday, July 11, 2012 at 7:30 p.m.

Andy Dzienny, Chairman

Joan Kemper, Secretary