

Minutes of the
City of Bay Village Planning Commission Public Hearing and Meeting
Held April 14, 2021
7:30 p.m.

Present: Jeff Foster, Warren Remein, Rick Kirk Sara Byrnes Maier, Kendra Davitt,
Jennifer Lesny Fleming, Dave Maddux

Also Present: Eric Tuck-Macalla (Building Director), Lauren Oley (Assistant to Building
Director), Lydia DeGeorge (Councilwoman), Peter Winzig (Councilman),
Mark Barbour (Law Director), Mayor Koomar

Excused: Rick Kirk

Audience: Jason Russell, Michael Greco

**Full recording of the meeting is permanently available on the City of Bay Village website under
Government/Planning Commission/View Most Recent Agendas and Minutes/Media*

Chairman Foster called the meeting of the Planning Commission to order at 7:30 p.m.

Following roll call Mr. Foster called for approval of the minutes of the Planning Commission
meeting held March 31, 2021.

Motion by Byrnes Maier, **Second** by Ms. Lesny Fleming, to approve the minutes of the Planning
Commission meeting held March 31, 2021.

Motion carried 5 yeas, 0 nays

Remein Abstained

Mr. Foster introduced the next item on the agenda as the mixed use overlay district.

Ms. Maier stated that at their city council met meeting on March 29 and the ordinance was put on
first reading and sent over to planning commission. Planning Commission can massage the
ordinance a little bit more. She is aware that everyone here has seen it many, many times. But we
do have Jason Russell here with us tonight. The idea is to work through any other tweaks that are
needed with planning commission and then send it back to city council.

Mr. Foster inquired of Mr. Russell if there were any changes or substantive updates he wants to
give them about your process with council?

Mr. Russell advised that he has a presentation and he would like to go over a few things since some time has transpired since last time he was in front of the planning commission and things have changed slightly. But more importantly, the process that we're going through just to make sure that's fundamentally clear. He wants to lay out all that for the public too, although he doesn't see too many members of the public. He proceeded to share his screen and re-introduced himself. He then provided a brief outline of the mixed use overlay for the committee members. Advising that Staying Bay is about building a vibrant commercial districts that reflect the existing character Bay Village. We wants to update the building guidelines and commercial districts that encourage more retail and provide additional housing options and new gathering spaces. It is important to remind the commission that this was clearly the purpose that was defined in the in the master plan.

Mr. Russell then provided an update on the timeline. Advising they went through the listing and create phases. Mostly in 2019 and early 2020, then the pandemic hit. Right now they're in the evaluation stage, as Councilwoman mentioned, city council introduced the legislation, and now it's in front of the Planning Commission to review it as well. Right now it's in front of you, the Planning Commission, who has the ability to adopt, as submitted from the City Council adopted with conditions or changes. The commission has the ability to disapprove that legislation. Following your decision, city council must hold a public hearing to further discussion about the legislation, and city council may approve that legislation that you submit to them. They may make changes to that legislation and approve that. If it is approved, then city council would pass legislation to put this issue on the ballot for the residents of Bay Village, who would ultimately decide whether to implement the mixed use overlay. He showed a slide that he talked through with City Council a few weeks ago, and he thinks its important slide to that show the master plan was created by the residents of a village. The plan really has been crafted with feedback from residents, small business owners, obviously all of you on the planning commission as residents as well. The residents will ultimately have the final say on the implementation of the overlay. So just as a reminder, if anyone has forgotten, the areas of consideration are the Clague Parkway area, along the Dover Center corridor, primarily focused at Wolf Rd. and West Oviatt and Knickerbocker.

Mr. Russell advised that the biggest change since their last meeting was the decision to make this a single piece of legislation. They talked about this extensively, internally with the administration and, and the decision was to keep it as a single piece of legislation that would cover both Clague Parkway and Dover center. And that's what's in front of you today. The last time we met, we did have go over a lot of changes that had happened in the code. He's not going to go over these one by one. But a lot had transpired at that point, which is all still intact for what you see in front of you. The biggest piece at the end of the legislation, in front of you, was the process for how it makes use overlays are evaluated, frankly, by you and future members of the Planning Commission was a significant add, that we discussed last time. This is where a couple topics that he's reviewed comments from the last meeting that they had and notes from meetings with city

council members since then, these are some of the outstanding discussion points that he wanted to kind of talk start off with, but then also want to add some more. He believes it might be worthwhile to have a discussion.

Mr. Foster inquired where the additional discussion points came about. Were these from these were from council?

Mr. Russell advised that the conditional use standards Ms. Lesny Fleming actually brought at their last meeting. Because in the code obviously, there are conditional uses, but there was not any defined 'how should this planning commission and future commission's evaluate those conditional uses?' So that should be clearly laid out. He also stated that they've talked about height for quite some time with planning commission, with City Council, and with the administration. And he knows this question has come up several times. Could someone build a single use apartment building? It's certainly open for discussion, but it's clear in the code whether you can do this or not.

Mr. Remein inquired if they could build a single use apartment building in the code?

Mr. Russell advised that if you look at 1189.07 (e) the of the code, there's this discussion of a mixture of uses. Because the whole intention of creating this overlay is to allow for a mixture uses whether it's in within the same parcel or within the same structure. In that section, it gives planning commission the ability to decide whether the proposed project is appropriate. It says 'mixed use development shall be strongly encouraged'. It's not required that it is mixed in nature, but it's strongly encouraged. Planning Commission could say, 'you know what, this single use only apartment building is not appropriate in this location' or 'as a part of this project it is not appropriate, it needs to have a mixture of uses', or the Planning Commission could say, 'no, this, this is appropriate, given the context of the project and the scale, this is appropriate'. So it gives that leeway to the planning commission as they evaluate that proposal in front of them. And the good part is, it's not permitted by right. It's up to the Planning Commission to review the application that's in front of them to move forward.

Mr. Remein remarked that it doesn't sound to him like the word 'strongly encouraged' is a limiting language. Strongly encouraged means that they really want it, but if you don't want to do it that's okay.

Mr. Foster commented that wouldn't that really apply under the principles of the base zoning code anyways? He then provided the Knickerbocker as an example which is an extremely large single use building. To Ms. Lesny Fleming's questions and concerns about the conditional use standards, does the current document have any elaboration on that or any additional language?

Mr. Russell replied that it does not currently, but he has been working on some draft changes to that he had hoped to tie it to Bay Village's existing code, because we allow for conditional uses elsewhere in the city. His hope was that to use that. Code 1124.03 has standards for evaluating conditional uses. However, it only relates to conditional uses permitted in residential districts. So it wouldn't be wouldn't be useful. So the thought was to actually add a section in this code that actually defines what the standards for evaluating conditional uses would be. And the reason why he recommends putting in into the mixed use overlay is because if you look at all your other commercial districts there are actually are not conditional uses listed. There is either main uses or similar main uses. But not specifically conditional uses that language. Does that make sense?

Ms. Lesny Fleming advised that she doesn't have anything else to add, but she thinks she'd want to see what the languages that Mr. Russel is proposing.

Mr. Russell replied that it would be things that the commission would want to consider. For example, what is the location in the site of that proposed conditional use? Is it right up against the commercial corridor? Or is it closer to a residential property? Where the hours of operations are of that proposed use? Are there any delivery zones required for that use? What type of lighting is used in that use? Is there something is that a use that promotes loitering? Or is it something that's going to be a trash generator? What's the parking configuration going to be? What's the traffic generation going to be? Is there privacy concerns for adjacent use? Is it a use that is not appropriate because there's townhomes next door or you're proposing apartments above is not necessarily an appropriate use? So far he has about 15 things that the Planning Commission should evaluate. It doesn't say specifically it should be this, but things that the Planning Commission could sit consider and be asking of those applicants.

Mr. Foster remarked in response to Mr. Russell's slides. One thing comes to mind is obviously this is labeled a mixed use overlay district. Is it wrong spirited to apply the mixed use overlay to a single use building? Is that kind of a back backdoor way into gaining some leniency on the code?

Mr. Russell replied in the negative. We're allowing for the flexibility. If it's a larger parcel and there is an opportunity to do a commercial building that fronts, the commercial corridor, but then you may have a standalone building on the same parcel that's apartments. So the parcel itself has a mixed use, which you can't do under the code today. But each building set on their own is a single use.

Mr. Foster advised that we've had a few discussions about definitions and there's 184 definitions in this. Is there an exposure to these contradicting what's in the baseline code?

Mr. Barbour advised that he has tried to go through them and eliminate or modify the ones that he thought might conflict. He thinks that when you're applying the mixed use overlay, Chapter 1189,

these definitions will be the ones that apply to that application and nowhere else. It would be perfect to have one set of definitions that applied to all of our planning and zoning, mixed use overlay attached residents and everything else. But we don't have the resources to come up with a master definition section at this time. We would have to pay extra attention to make sure we're applying apples to apples, the preference would be to have one master definition section, but realistically, it's not going to occur.

Mayor Koomar added that initially when the Cuyahoga County Planning Commission looked at this, they said, rewriting your whole code and all the definitions was a multiyear project and well north of six figures - a very large investment. Their recommendation was to use a zoning overlay, with separate definitions, because of the complexity of rewriting the whole code just to achieve this. Especially given the fact that we have a limited number of commercial and retail and office areas in the city. That probably was not a good investment of taxpayer dollars.

Ms. Davitt inquired if all the definitions were used in the code.

Mr. Russell replied that they're not necessarily all used in the code itself. But as uses come up it allows you to have a definition for what the city means when they when certain things are questioned.

Mr. Foster advised that the next item on Mr. Russell's list was height.

Mr. Russell confirmed and remarked that this is a discussion that they've had often. He believes that they are all are pretty set on what they think the height appropriateness is along Dover Center, but there's discussion that the height could be higher at the Clague Parkway area. But in doing a single code to cover both there is a complexity of what height limit applies in what area. One of the thoughts was to create a height map for the city that defines what the height is in each zone area. It would give the flexibility. Potentially saying that on Dover Center it's 45 feet or at Clague Parkway it's potentially 65 feet. They chose that number of 65' in that area, because with the height of the bridge and Clague going up to I-90, it would essentially appear as a two story building at the bridge. So that you could have a consistent height where it's not imposing to a pedestrian or a vehicle, and given the lack of residential directly adjacent to it, and the buffer of the trees to the east, that the height could be appropriate in that location. So when trying to figure out the best way to continue to have a single piece of legislation, and to allow flexibility and height in those different locations.

Mr. Remein remarked that a building may appear two story at the bridge, but it's not going to appear that way to any of the local residents. The recreational uses have lighting that is on until very late hours and it's extremely bright. He personally commented in Council about the lights of business. The rest of Mr. Remein's comments were broken up as a result of a technical issue.

Ms. Davitt inquired if it would be easier to have a variance section where we could grant a variance assuming certain conditions were met as opposed to trying to prescribe everything in detail in the code?

Mr. Russell replied that they talked about that. Variances are granted by the board of zoning appeals and you have to show a hardship for a variance. So you'd be hard pressed to show a hardship for needing an increased height. Just a reminder, they're talking about the maximum possible height. There is a different nature of Clague Parkway versus Dover Center and the potential for more height in this location. That's what they are trying to solve. So in direct answer to Ms. Davitt's question, it would really be giving the developer the framework for what to work in. You'll be prescribing this is the maximum height we would allow for, but as you are approving the application in front of you, plus ABR obviously needs to approve the design of the structure, you will be able to, before you gave your approval, say you 'the way you've designed and positioning this building in this location, the 65 feet doesn't work we would rather see this 55' or 'if you move the building to this part on the lot, then it would be more appropriate to have that height.' Between the planning commission and ABR you have a tremendous amount of influence on what the final project will look like. You're just setting what the parameters potentially could be.

Mr. Davitt replied by asking what if some developer comes in and has an amazing plan to develop the Clague Parkway area, but part of it includes a rooftop bar that 75 feet. There's no way they could ever do that because we can't allow them to do something that we haven't already prescribed.

Mr. Russell confirmed that is correct.

Ms. Byrnes Maier advised they would have to, at that time, go through and update the zoning go through basically this whole process again.

Ms. Davitt replied that seems a bit silly to her. It's not just in reference to the height, but to all the things, there's got to be things that they didn't think of or things that change that they would want to be able to grant a variance for that aren't just because of the hardship.

Mr. Byrnes Maier replied that she believes they do need to set quite literally a ceiling on some of these things. And height is, she thinks, something that the citizens are going to take very seriously. Because it affects the scale on how the whole development feels.

Mr. Russell added that the other thing is, as Ms. Byrnes Maier said, you do want to create that ceiling. If they create a code where you can do whatever you want someone's going to come and say, 'Yep, I've created what you allow me to create and now you can't tell me I can't do it.' He

thinks it's important to have the parameters like 'stay within this box'. 20 years from now, you could get that proposal and Bay Village may feel like 'we want that rooftop bar 75 feet up' then let's work to change the code and make sure the residents agree and pass the legislation council approves it. You want that control.

Mr. Foster stated to put 45 feet in context that's only four stories. Our residential code is 35'. It's only 10' more than you could put in a single family residence right now. He's got a townhouse project that's 42 feet, and it's only three stories with a rooftop deck. So 45 feet seems kind of limiting. Even for residential development. Anybody have any thoughts?

Mr. Russell replied that they've always been saying 45', and they've always been discussing that just because they wanted to make sure the scale was appropriate for Bay Village. They wanted to make sure that the scale was appropriate for current for pedestrians, vehicles, and making sure Bay Village is a nice, quaint, small town. They want to make sure the development reflects that and doesn't become some monstrosity.

Ms. Byrnes Maier remarked that it does bring up that the Clague Parkway area has the ability to kind of absorb more height. Because of all the things that Mr. Russell said before. Its circumstances different. Its location is different, it's buffering is different. What is the best way to affect that, while keeping the ordinance and the ballot language, should it get to that point, is make sure it's intelligible to people.

Mr. Winzig inquired if he could ask a question regarding the height. On 1189.09 it says A1 is the minimum of two stories and A2 is the maximum of 45 feet. Can you explain me what A3 means?

Mr. Russell replied that he believes that is where it says a site specific height can be determined by the planning commission.

Mr. Winzig further inquired if that would point to a potential variance at Clague Park?

Mr. Russell replied in the negative. The intent behind that language is to say that on a site specific basis Planning Commission could determine that while the code allows a maximum of 45 feet, the planning commission could say they 'don't feel it's appropriate in this location' or 'the way the building is currently sited'.

Mr. Winzig clarified that it implies less than 45'?

Mr. Russell replied in the affirmative.

Mr. Foster used the Knickerbocker as an example which is certainly more than 45 feet. One of the reasons it doesn't offend people is it's set back off the road. Couldn't number three be reworded such that it'll allow some liberties with how far off of a setback a particular building structure is a certain height.

Mr. Russell replied that it one way to go about it. But if they start prescribing, things like that, if they start looking on a parcel basis then it starts to limit the size of even the buildable area on that site. They are not talking about large acre sites in Bay Village. So once you start doing those things, they start limiting the buildable area. New York City and Washington DC, has a lot to do with the setbacks.

Mr. Foster commented in their case it's hundreds of feet versus right 10's of feet.

Mr. Maddux remarked that as far as the height goes. If they expand that height maximum, would that affect the approvability of getting this past voters? It feels like if we expand that height any higher, it's going to cause potential pushback.

Ms. Byrnes Maier replied that she would think so. She feels that throughout the communication of this, they've held pretty firm at that 45 feet. And although in public meetings and other venues, members of the public and even in the master planning process, there was a different sense for Clague Parkway. She believes that people recognize it is just a little different animal than the rest. But she does strongly feel that if we go higher, if we don't set a pretty firm stance that it would affect the ability for this to be passed, because people will question, what happens if a developer comes in? Are we going to have a 10 story building?

Mr. Maddux agreed.

Mr. Winzig inquired if it possible to define the 45 feet at the Wolf and Dover locations and a higher requirement at Clague and just write it out? Maximum height of a principal structure shall be limited to 45 feet at these locations and potentially 65 feet at this location.

Mr. Russell replied that first they talked about listing it by parcel number, but he believes a better way to do it is to do a map of each individual area and say, 'in this area it's 45 feet in this area it's 65 feet'. Then thinking future, because we're only applying it to certain areas now, saying any other area would only be up to 45 feet. Just doing a very clear like this is where you can do 65' this is where you can 45'. That's it.

Ms. Byrnes Maier advised that she personally likes that approach. Because parcel numbers aren't going to resonate with people and a visual is helpful.

Ms. Lesny Fleming agreed.

Mr. Foster inquired if there were any other maps that were attached to this legislation or to this ordinance? The graphic that Mr. Russell showed with the colors in the three areas is incredibly helpful.

Mr. Russell replied that he thinks it be helpful for educational purposes to members of the community as they're considering if council passes whether or not they would support something like this. But if it was approved and made a part of the codified ordinances, he doesn't know that they would need to because the zoning map will be updated to say like this area is covered with the mixed use overlay. But those figures that show the height should be a part of the codified ordinances very clearly these are the parcels that have certain height restrictions.

Ms. Lesny Fleming advised that one thing she would comment is that she read through the ordinance again, earlier today, and it definitely seems to give a lot of discretion to the Planning Commission. To determine, whether these projects go forward, particularly in 1189.16. We have to find certain things, are compliant, but they're all fairly abstract concepts. Perhaps the location design and proposed uses are compatible with a character of existing structures, talking about an environment of stable and desirable character. There is certainly things that are going to give the planning commission a lot of discretion. She wonders, from experience in other communities, whether this has led to litigation, because there's so many kind of open ended concepts that are going to less clear. There are more nebulous kind of concepts of desirability, and character, and so forth.

Mr. Russell replied that he is currently building a building in Shaker that will end up needing quite a few variances. There are very specific things for example: height, setbacks, uses, but there is a lot of subjectivity to the rest of it. How does it look? Where is it situated? Etc. If those are overly prescribed than they may get a great project that can't be done under the code. It would then require Bay Village to change the code, which will take some time, and builders may move on from Bay Village. There may something, to Ms. Davitt's point, that will need a variance. If there is something prescribed that needs to be changed there is a mechanism with BZA by way of a hardship. He understands her concern, but in his opinion there are some things that need to be abstract.

Ms. Lesny Fleming advised she's not disagreeing, but she is just pointing out that there is a lot more discretion than ability to analyze the project than we currently have. She was just wondering whether he's had experience if that creates litigation down the road. She could see a dispute, among experts, about believing something is compatible and 'desirably compatible' since it is abstract.

Mr. Russel replied that he thinks it's good to think ahead, but he feels the code gives more leverage. When it is very prescribed, if you're a developer, if the code says 35' and the building is 35' then it has to be approved because they're meeting the code. But if it's more subjective they could bring an expert in that may say 'it's very much the Bay Village style' the residents could say 'no its not'. While it's not that cut and dry it gives flexibility. Sometimes if it's too black and white you'd be hard pressed to say no.

Ms. Lesny Fleming acknowledged that it gives a lot of flexibility.

Ms. Byrnes Maier replied that they are hoping, in the way this is designed, that it's more of a complementary process between the developer and the planning commission to co-create. That is the direction that they wanted. If anything ends up happening they want to ensure it fits the community and reflects what people want. This gives it some wiggle room to be able to do that. With recent things that have come before planning commission and they don't have that room.

Mr. Winzig replied that Ms. Lesny Fleming brings up an interesting point. If you look 1189.16 (6) the project provides additional housing options for all people who want to live near their workplace and other residential uses. The Bay Creek development, that is underway, could be challenged that it's viable for 'all people'. Maybe there is an opportunity there to go take a look at that review criteria and make sure that we don't approve something that could later come back and be a problem. Because 'all people' could be different income levels. As he understands, in a mixed use overlay certain residential housing has to generate a dollar revenue per unit that would offset the cost of the overall project. It may exclude 'all people'. It may not be a problem, but he wanted to point it out.

Mr. Russell replied that it was a good point as it could be interpreted in a variety of ways. They could also look into that as being ADA accessible.

Mr. Foster inquired if variety would be a better term to use? He doesn't think that this code really connotes that it provides for affordable or senior housing or any specific type of housing.

Mr. Winzig added that they need to be careful in using words like 'all' or 'every'.

Ms. Lesny Fleming commented while they're looking at 1189.16. She doesn't know if it was purposeful, but if you look at (a2) it seems to be combining two concepts that should perhaps be separated. It says we have to find that the 'plan will produce internally an environment of stable and desirable character' that seems to be one independent concept. The second thing is 'and will not tend to cause any traffic congestion on surrounding or access streets'. It seems to her that they should be separated.

Mr. Russell remarked that is a good point. He knew what he meant when he wrote it, but as she read it back he agrees it needs to be separated out or written clearer.

Ms. Davitt suggested moving it to the second part of 4.

Mr. Lesny Fleming added that one other comment she has, that has been addressed before, but she is concerned with the optics of the fact that this ordinance is one of many that is declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare. As she recalls, there is a reason that is done, but she thinks it leaves a bad taste in a lot of mouths. If she could get clarification as to why it's being done or if there is any alternative to doing it that way. She doesn't think it sits well with people.

Ms. Byrnes Maier replied it's a weird way that the ordinances are structured. It's an emergency measure that can go into effect right now or if it's not an emergency than 40 days after. The meaning and how it reads is very different. It does catch the reader off-guard.

Mr. Barbour remarked that Ms. Byrnes Maier is exactly right. All it means is that if it's not an emergency, upon passage, it goes into effect 40 days after it's signed by the mayor. If it is an emergency then it goes into effect upon signing. He would advise that 99.99% of all our ordinances and resolutions are an emergency for that reason to make them immediately effective. Once in a while there are some mandated revised codes that cannot be declared an emergency, but it is very rare. He understands her point it's become a habit. This won't go into effect unless it's approved by the voters.

Ms. Lesny Fleming commented that it seems to her that given how many months they've been considering this a 40 day delay is nothing. To prevent the optics. It sounds like we're not thinking about this in a contemplative and thoughtful way, but rather they're doing something as a knee jerk emergency reaction which is clearly not the case. She would be in favor of doing it the way they don't usually do it and having that 40 day delay.

Mr. Barbour commented that people may not remember 12 planning commission meetings over a year and a half. The only thing he would suggest, depending on the timing of all of this, is that it has to be submitted by a certain date to the board of elections. This would be the only possible thing that could interfere with the spirit of her request. It may become a time limit restriction, but that probably won't be the case with this.

Ms. Byrnes Maier inquired if there was a different terminology could be use? She is aware that the language is consistent with other cities around us, but it is very confusing to people that are not used to seeing it.

Mr. Barbour agreed that it is jarring. It is in the charter. It would require significant change. They couldn't just change it.

Ms. Byrnes Maier remarked that since it is a standard for how ordinances all across different municipalities are written is there an updated better way of saying it that others have adopted?

Mr. Barbour replied that there isn't to his knowledge. It's the same thing he sees everywhere.

Mr. Foster remarked that to be clear. They've got a few corrections from today. Do we approve with conditions or does it have to come back to approve the final copy?

Mr. Barbour replied that they have time to review this. If these are the changes they want to adopt then they can approve it, with certain modifications, and then it goes to city council. They have to note the modifications in their motion and then that would be incorporated into the body. Or they could have Mr. Russell modify the document and have them come back and look at it.

Mr. Foster replied that he doesn't want to speak for everyone, but it seems like the corrections that they have they really should read before approving.

Mr. Barbour advised that by ordinance they have 60 days. He doesn't anticipate they will need that much time. The public hearing portion of this, that Mr. Russell, mentioned is held by city council. If, for example, they make 5 additions city council can overrule them, but they would need 5 members (or 2/3 of 7). It would require an extra vote over a majority to overrule planning commission should they want to do that.

Ms. Byrnes Maier replied that she would be in favor to of taking the time to review and be comfortable.

Ms. Lesny Fleming remarked that at one point they had talked about getting the draft ordinance to developers or potential developers for any insight that they may have. Was that done?

Mr. Russell replied that it is not something he's done.

Mayor Koomer replied that he has had some options to distribute it, but he did not want to distribute it until they had this meeting and some potential changes. He can go ahead and do that to get some feedback and he's sure Mr. Russell could do the same. They wanted to make sure that they had Planning Commission's input after it got referred from council formally. Because prior to this it has been a series of drafts with feedback and edits.

Motion by Ms. Byrnes Maier, **Second** by Ms. Lesny Fleming, to table the ordinance with corrections, which have been stated, until the next meeting.

Motion carried 6 yeas, 0 nays

Mr. Russell advised that before the next meeting he will ensure the revisions are in the new draft prior to the next meeting.

Mayor Koomar advised that the next meeting is for next week 4/21/21. Would that work?

Mr. Russell advised that he can make it work by the end of the week.

Ms. Byrnes Maier advised she doesn't have much of a council update. When this legislation/ordinance does go through this committee they had discussed that it may be helpful if Mr. Foster would be willing to come to city council and walk through any of the changes.

Ms. DeGeorge advised that she wanted to make a comment. It is sort of in relation to Ms. Lesny Fleming's comments in relation to wiggle room. As a member of council, she often hears comments from the boards and commissions that council did not give them clear guidelines. As they talked about wiggle room that it affords planning commission and how the bulk of this falls tends to fall on planning commission and their decisions. She would behoove the planning commission if they honestly feel they have not been giving clear enough guidelines to make these decisions going forward. They should think about that since, how it is currently written is going to honestly fall to them. They should come back with their honest feedback about the process and the way it's written. She is asking them to please do their best when they scrutinize this ordinance to ensure their comfort moving forward.

Mr. Foster replied that one of the things that reassures him about this process, and the document that came from it, is that the principals that are in this are some of the principals that they have struggled with as a commission. The ordinances that are currently on the books didn't have. They do suffer because they do not have a planning department in our city. They often end up being the first line of contact and first interaction for folks doing development and it can end up being a little late in the game. The way Mr. Russell phrased this document is that it fosters the spirit of development to get them engaged with this board earlier, than later, so that they can really have some input into this and have input at the right time. It's encouraging.

Motion by Mr. Remien, **Second** by Mr. Maddux to adjourn at 8:30.

Motion carried 6 yeas, 0 nays

Meeting of Planning Commission
April 14, 2021

Jeff Foster, Chairman

Lauren Oley, Secretary