

**CITY OF MENTOR-ON-THE-LAKE
PLANNING AND ZONING COMMISSION
MARCH 7, 2022**

The regular meeting of the Planning and Zoning Commission for the City of Mentor-on-the-Lake, Ohio was called to order by Ms. Cason on March 7, 2022 at 6:00 p.m. in the Community Room of City Hall, 5860 Andrews Road.

Mr. Eva swore in Brent Moore to the Planning and Zoning Commission.

ROLL CALL: Suzanne Cason
Dave Chabut
Mike Sweeney
Brent Moore
Al Buescher

ALSO PRESENT - Mayor Eva
Rob Johnson, Council President
Kevin Bittner, Council Vice President
Jim Lunder, Councilperson
Paul Morris, Councilperson

APPROVAL OF MINUTES – December 6, 2021

MOTION by Mike Sweeney, and seconded by Al Buescher to approve the minutes as submitted.

ROLL CALL

Suzanne Cason - AYE
Dave Chabut - Abstain
Mike Sweeney - AYE
Brent Moore - Abstain
Al Buescher - AYE

MOTION CARRIED 3/0/2

Open to The Public:

OPEN PUBLIC HEARING:

Proposed zoning changes for parcels
19A093B000170/19A093B000180/19A093B000190/19A093B000750/19A093B000150/
19A093B000200/19A093B000210 (Corner of Andrews Road and Lakeshore Blvd.)

Representatives from CT Consultants: Jim Sayles, Kris Hopkins presented the details and background of the proposed Planned Unit Development (PUD) zoning change.

Discussion of proposed PUD changes:

- Table 1255.04(c), Lin1 1, Maximum units per acre: change to 6
- 1255.05 (1) change to 50%
- 1255.05 (6) Multi Family Dwelling: change to 65% -
- 1255.06 (b) Front setback no less than 35' setback
- (e) Remove (1). Number of required paces, as provided in section 1280.03
- Number of parking spaces as noted in 1280.03. 180 SF, minimum width of 9'
-
- 1255.07 Add section (d)
- 1255.07 Add section (e) - Development plan and zoning request concurrently

Kris Hopkins explained regarding the minimum lot size in relation to using the development plan. Lot size generally refers to per single unit being built, whereas the development plan would specify the minimum space between buildings upon the lot.

Jim Sayles discussed the relation of building code and fire code and the separation of buildings within a development. The fire code would specify minimums that the plan could not deviate from.

Suggested adding an absolute minimum for setbacks.

Development plan and approval - Section 1242.025.

Suzanne Cason explained her language suggestion, adding specificity to the development plan requirements as noted below:

REVISION TO PROPOSED 1255.07 to align to other MOL zoning requirements (1253.10 – Garden & Elderly, 1257.12 – Garden Condo, 1256.12 – Condo,)

1255.07 Approval of Site Development Plans and Development Agreement

- (a) Development Plans drawn to a reasonable scale depicting the location of main buildings and all accessory uses shall be submitted to the Planning and Zoning Commission for approval and/or modification as related to the promotion of public health, safety, convenience and general welfare of the City. Development plans shall be submitted in compliance with Chapter ~~1242.1222~~ The plans shall show the relationship of the proposed development to surrounding streets and contiguous properties and structures. ~~[If council is to be involved, then this section should be expanded.] ?? Expanded to say what ?~~
- (b) No permit shall be issued for the erection or alteration of a building in the Lakefront Planned Unit Development (PUD) District unless there has first been filed with the Commission preliminary plans and other data. Such plans and data shall be approved by the Commission if it finds that they provide for an integrated and harmonious design of buildings, appropriate entrances to suites, adequate and properly arranged facilities for internal traffic circulation, provisions for primary access, landscaping and screen planting, public water, sewers, storm water drainage and other facilities, all as may be necessary or appropriate to prevent the

discouragement of proper development or use of other properties surrounding or in the vicinity of the Lakefront Planned Unit Development (PUD) District and to preserve and protect the public health, safety, convenience and comfort.

- (c) When the Commission has found that the preliminary plans and other data for the buildings under this section comply with the requirements of this Zoning Code, it shall approve such preliminary plans. Final plans of the project shall also be submitted to and approved by the Commission before construction is started, if it finds that the plans meet the requirements of this Zoning Code. The Zoning Inspector shall issue the required zoning permits upon payment of the standard fees after the final plans are approved by the Commission.

(bd) Development Agreement. All PUD plans shall be accompanied by a Development Agreement that specifies all conditions of approval including but not limited to:

- (1) Maximum permitted density by dwelling unit type and for the overall development.
- (2) Applicable development setbacks specified for all principal and accessory buildings, structures and uses.
- (3) Minimum open space in acres.
- (4) The approved development plan.
- (5) Any other conditions set forth by Planning Commission and City Council.

(ee) The Development Agreement shall be executed by both City and Developer prior to final approvals and issuance of permits required to commence construction.

Kris Hopkins discussed the development plan and applying it to the district. Option to submit the plan along with the rezoning request.

The planning commission and council would be able to see the development plan as part of the rezoning application at the same time. Would eliminate the premature rezoning unnecessarily. The development plan and the rezoning request would be submitted together.

Mayor Eva pointed out that the development plan would still need to be approved by council. It allows council final approval and the developer would not be able to change the plans once approved.

Suzanne Cason- add the development plan and rezoning request must be submitted concurrently for review by the commission and recommendation to council.

Motion to approve as reviewed by Brent Moore and seconded by Dave Chabut

ROLL CALL

MOTION CARRIED 5/0

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

Paul Morris stated historically, some of the city was rezoned to light industrial at the end of Marine Parkway. That did not work out due to non access to the highway. He would prefer the area to be zoned commercial in hopes of a restaurant / shopping. He feels it would be a better fit and hopes the city would reconsider.

Skip Gray indicated items that are not addressed: additional parking for extra traffic. He feels it will become dangerous. Should at least have a traffic light/ turning lane at the corner. EMS and fire concerns as well.

Dorinda Myers stated the last hope is to keep as commercial. She does not agree with any type of apartments and agrees with Mr. Morris.

Jim Lunder stated that he is tired of looking at the mess at the end of the road. For more than 40 years, it has been poorly maintained. Developing high end living areas is far better than what is currently there.

Ron Dohnal stated that apartments have not worked in the past. If the developer can't sell them, they end up renting them out and the city then has more renters. There was a VFW under construction that went bankrupt three quarters of the way through. He feels the development plan should have a deadline. The city should get paid if it doesn't get completed. The Mayor indicated that the bond requirements would cover any incomplete projects.

Mayor Eva stated that he was optimistic regarding the possibility of a restaurant still going in at Mentor Beach Park. He has met with numerous developers and no one has been able to move forward with the current owner of this property until now. The current owner has indicated that she wants to sell to the Sommers Group and that this project is what she's interested in seeing happen at the corner. The Mayor also stated that all of the developers that he has met with in recent years have all given him the same concerns: when you draw a 5 mile circle from the center of the city, more than half of that circle is in the lake. There's not a huge draw for commercial development without people to support it. The other question that is always asked: do you have a 4 lane highway with direct access? No, we don't. We never will. We can wait forever, but now is the time to get this done.

Al Buescher stated that he's not 100% sold on this yet, but we are here to look at the zoning, not the development. The city's asset in this is the small lots. They offer more convenience. This offers the option to take selected areas in the city and work with them. The proposal of the development comes down the road, this change allows it to move forward. He sees this as a positive step in the right direction. He is for the ordinance.

Motion to review and approve as amended to submit to council for review by Brent Moore and seconded by Dave Chabut

ROLL CALL

MOTION CARRIED 5/0

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

Closed Public Hearing
Closed to the Public: 7:25PM

OLD BUSINESS

NEW BUSINESS: Review of the Rules, Suzanne proposed a new section, 4 (a) to include the following: The Chairperson of the Planning and Zoning Commission shall preside at Commission meetings. Vice Chairperson shall preside at Commission meetings in the absence of the Chairperson. The Chairperson and Vice Chairperson of the Planning and Zoning Commission shall serve for one (1) year. The Chairperson and Vice Chairperson of the Planning and Zoning Commission must be currently appointed Commission members and shall be elected by a majority of the Commission at the first meeting each Calendar year.

Current section section 4 will change to (b).

Recording of Minutes and Meetings, page 6: remove 'in shorthand or tape' Change to:
The minutes are taken by the clerk and digitally recorded.

Motion to accept the changes to the rules by Brent Moore, seconded by Dave Chabut

MAYOR'S REPORT: Mayor Eva announced this is Andrea's last meeting. She has another opportunity she is pursuing and we wish her well. He attend a focus group at the library and they discussed programming, classes, options, etc. He was able to discuss some information from the P&R meeting regarding the additional needs for senior programming.

Council Report: Zoning committee will look atMr. Buescher's request regarding 1240.05. Reviewing the Right of Way, objects, issues relating to it.

ROLL CALL

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

MOTION CARRIED 5/0

ROLL CALL

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

MOTION CARRIED 5/0

ELECTION OF OFFICERS

MOTION by Brent Moore, second by Mike Sweeney to elect Suzanne Cason as Chair

ROLL CALL

MOTION CARRIED 5/0

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

MOTION by Suanne Cason, second by Brent Moore to elect Al Buescher as Vice-Chair

ROLL CALL

MOTION CARRIED 5/0

Suzanne Cason - AYE
Dave Chabut - AYE
Mike Sweeney - AYE
Brent Moore - AYE
Al Buescher - AYE

Community Reinvestment Ordinance - Mr. Johnson requested the committee review the ordinance and it's effectiveness. Mr. Moore stated that he is against new builds getting a full 100% abatement for the entire 15 years. He supports improvements and remodels at full abatement, but new builds should be considered for a declining scale instead of a blanket exemption.

Al Buescher, disclosing that he is biased, and will be building a house shortly. He feels it's a matter of economics. Discussed the previous owner-occupied vs builder exemption. The builder sold the house under the premise that the house came with the abatement. Mr. Buescher feels that full abatement under the CRA program improves the city more quickly than a program with reduced options. He also feels that we should include builders. The intent is to improve the city as quickly as possible. Homeowners do it for the long term, as they have other commitments. The builder should be able to advertise the program. The Mayor indicated that the possibility of the builder inflating the purchase price base on the fact the taxes are abated. Mr. Johnson indicated that council updated the code to allow the homeowner to apply for the abatement after they purchase the home. The builder can not advertise the abatement is already applied to the house. Recommendation for a time limit for the owner to apply for the abatement. Mr. Chabut indicated that we do have people who apply that have not done improvements that do not increase the property value, which is not a qualifying improvement.

Mr. Buescher discussed POS inspections. His concern stems from doing a walkthrough of a home recently and noting that the structure will not last the life of the mortgage for the buyer. Mr. Moore indicated that a POS inspection is a basic safety inspection, not a

full home inspection. Al is concerned that the city is not catching potential major issues. Mr. Moore replied that the buyer should be getting a full home inspection. The city inspection is for basic safety needs. Mr. Chabut noted that Council is considering the POS program currently. Mr. Moore noted the items that we used to check when we were going inside the homes, prior to COVID. Since COVID, we have performed exterior, safety and zoning based inspections only. The clerk advised that the certificate notes that the POS inspection is not intended to replace a certified home inspection. Mr. Sweeney noted that changes can happen during the ownership and if we inspect certain things, they may not be the same next time it needs inspected.

Discussion to wait until Council addresses the program.

ANNOUNCEMENTS AND SETTING OF MEETINGS: April 4, 2022

MOTION to adjourn by acclamation

MEETING ADJOURNED – 7:52 pm

APPROVED April 4, 2022 _____
Date Chairman

ATTEST David R. Ew _____
Planning and Zoning Clerk