

**VILLAGE OF CHAGRIN FALLS  
PLANNING AND ZONING COMMISSION  
September 21, 2015**

Members present: Rogoff, Baker, Feniger, Touzalin, Muscenti  
Also present: Lindner, Edwards, Subel

The meeting was called to order at 7:30 p.m. by Chairman Nancy Rogoff.

**APPROVAL OF MINUTES**

Moved by Mr. Muscenti, seconded by Mrs. Touzalin that the minutes of the meeting held August 17, 2015 be approved. Carried. Ayes: Rogoff, Baker, Touzalin, Muscenti. Abstain: Feniger. Nays: None.

**RIVERSIDE PARK DISTRICT - ZONING BALLOT INITIATIVE**

Mrs. Rogoff said I am opposed to the expansion of Riverside Park parking but I am also opposed to the Zoning Ballot Initiative because it doesn't go about it in the right way. It doesn't comport with the rest of the village's zoning. What the author of this initiative did was copy most of the language from the village's Conservation District, which is what covers Whitesburg Park. To have that same language applied to a Riverside Park District we would have to interpret both of those districts the same way and that is why there is the issue with mowing, the issue with Blossom Time, the issue with Art by the Falls, and some of the other things that are there because of the language that was copied word for word from our Conservation District. One of the other problems with it is that it is called a Riverside Park District and our zoning, all of our different districts are called by either their uses or the lot sizes. Residential 100 would be a 100 foot lot in a residential zone and R-50 is a residential zone with a 50 foot lot. They are by business zoning, there is commercial and there is the central shopping district but we have no districts that are actually named for the thing that is being zoned. To a great extent that is called spot zoning so that is one of the other problems with it. This zoning is just kind of floating loose.

Mrs. Rogoff said not everybody in village government wants to turn that space into a parking lot. I don't think anything is going to happen before the end of the year and after the first of the year there will be a new Mayor and new Council members. I would hope that this initiative fails because I think there are better ways to write the zoning and had we been approached on it, the Planning and Zoning Commission, we would have talked about it. You could put a no parking overlay there or you could have an amendment to take out and eliminate Section 1123.02(b)(1). This is what the big debate was about that parking was an accessory use for the Parks and Institutions District. Typically when we are changing zoning, which we are working on all the time, we work on it for at least two or three meetings and sometimes more. There are a lot of ways of prohibiting parking in that spot without causing a lot of confusion, which I think this particular language in this proposal would do.

Mr. Muscenti said at the last Council meeting it was a little disturbing to me that the motives of some of us were questioned. I signed the initiative because I think it was important enough for the electors to decide. From what I heard is that we have an agenda and I am telling you right now we don't. I am offended in some regard when Council is accused of an agenda because we don't. If

something is going to be crafted it needs to be done right. If I had no idea this was a parking issue, and I read this, I wouldn't know it was a parking issue. A comment at the last Council meeting brought up the economics of the parking lot. We bought it for \$346,000, it is \$275 to put the lot in, and it is \$600,000 for 40 spaces. So, whether you are for it or whether you are against it, \$600,000 for 40 spaces is obscene.

Mrs. Rogoff said the initiative will be on the ballot because it is now too late and they have already been printed. If it is withdrawn then they would not count the votes. She said if this fails I promise you that I will do everything I can to find some way to prohibit parking in that space and put that to a vote. The Planning and Zoning Commission will have ongoing discussion to find a solution. She stated several times that this is the first time that this Zoning Ballot Initiative has come before the Planning and Zoning Commission.

There was lengthy discussion and questions were answered. Comments in support of the initiative were heard from John Tressler, 237 Bell Street; Craig Bauman, 46 East Orange Street; Mike Corkran, 108 West Washington Street; Shirley Ashby, 501 Solon Road; Janine Bauman, 46 East Orange Street; Anne deConingh, 50 East Orange Street; Diane Nazelli, 40 Hastings Lane; Edward Gordos, 325 Bell Street, and others.

Mrs. Baker said I brought this up to the village administrator saying I have heard that this is going to happen and is this not something that is relevant to planning and zoning? I was told that it would not be coming to us for discussion and that it was not an issue for us because it was fully consistent with the current zoning of the parcel, which is Parks and Institutional. I disagree and I don't believe it is fully allowed. It is an accessory use but as an accessory use it has to be limited to the people that are using the park. Yes, that is hard to enforce but it is in black and white the way it is supposed to be. So to say that it is allowed under the current zoning, I think is a stretch.

### **SIGNS - CHAPTER 1143**

Mrs. Lindner said she made the changes from last month. This will be sent to the law director for his review.

### **RENTAL PROPERTY REGULATIONS**

Draft #4, Proposed Short-Term Rental Regulations dated September 8, 2015, was briefly reviewed and discussed. This will be sent to the law director for his review.

The meeting adjourned at 9:28 p.m.

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Nancy Rogoff, Chairman  
lgb