

**VILLAGE OF CHAGRIN FALLS
PLANNING AND ZONING COMMISSION
December 16, 2013**

Members present: Rogoff, Baker, Herdman, Feniger, Touzalin
Also present: Himes, Lane, Edwards

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

APPROVAL OF MINUTES

Moved by Mrs. Feniger, seconded by Mrs. Baker that the minutes of the meeting held November 18, 2013 be approved. Carried. Ayes: Rogoff, Baker, Herdman, Feniger, Touzalin. Nays: None.

SPILLWAY PARKING PLAN AND LANDSCAPE PLAN

Mr. Himes said Spillway was here at the September meeting and you had asked them to get their zoning cleared before they came back. Their zoning is now approved, except for one variance that they are requesting for a fence along the parking lot on Low Street. They are requesting to put in a solid fence on the property line (in the same spot that the fence is currently) so they have applied for that variance. Mrs. Rogoff said I do not see that impacting what we need to do.

Bob Darden explained the proposed parking plan and the proposed landscape plan. Mr. Himes said both the police and fire departments have reviewed the site plans and the parking plans. The police chief is not particularly concerned about the parking lot across the street. He feels if they are using that mainly for employees they will become aware that it is a difficult spot to cross and maybe use care. He felt that most users of the site, most customers, will park onsite and if they are unable to they will probably go somewhere else. He didn't feel that it would be an ongoing problem. If that is a large concern, some type of traffic and pedestrian engineering study of the area or the site plan would be the best way to go. The Planning and Zoning Commission could make that a condition of the parking plan approval.

Mrs. Lane said there is a uniform traffic control manual which actually requires an engineering study just to even determine whether signage is necessary. Mr. Himes said we are required by state law to follow the Ohio Manual of Uniform Traffic Control Devices. So, if there were an improvement to be installed we would have to do that traffic study anyways. If the developer is creating a situation where there needs to be improvements in the right-of-way that could be a condition of their parking plan approval. They are proposing parking on the opposite side from their development so if there are improvements in the right-of-way that were required, flashing signals, crosswalks, and those types of things, those could be a requirement of the parking plan approval. Mrs. Rogoff said I am not inclined to require something without knowing whether it is required. I know people are concerned about safety of crossing and there is going to be a new sidewalk going in there so people

are going to tend to cross the street anyway because you come down the sidewalk on one side and if you want to get to the other side you have to cross somewhere along there. I am also concerned about the neighborhood, the people who live there, and having all kinds of flashing lights and stuff going on. That is disruptive to them. If a study is something that you think that they need in order to determine whether there should be a crosswalk someplace or not I don't think the village should have to pay for it. Mr. Himes said I agree with the police chief; I don't think there is going to be a huge pedestrian demand for crossing that street. It was noted that this parking lot has been used for parking since the 1980's. Mrs. Rogoff said you really have to be careful crossing the streets even though there may be a marked crosswalk; it gives some people a false sense of security. There was further discussion regarding pedestrian safety. Mrs. Baker said I think there should be some personal responsibility. You can cross any street and you could have an accident. You can't say this property shouldn't be developed because there is a potential that somebody is going to be on a crosswalk and a car is not going to stop. Mrs. Rogoff said it would be nice if the police conducted random traffic control here when it is developed.

Mr. Herdman asked if they can refer this to the Safety Committee and the Streets and Sidewalks Committee. Mr. Himes said you can refer the safety considerations to the Safety Committee. Mr. Herdman asked, can that be part of our approval of the parking plan that it be referred to Safety and Streets and Sidewalks? Mr. Himes said yes.

Mrs. Lane said it would be wise for the Planning and Zoning Commission to include all the conditions they are speaking of that are already being considered by the applicant just to reiterate what already is being considered.

Mrs. Baker asked about the valet service. Mr. Darden said our plan was to utilize a valet service at least on Thursday through Saturday nights.

Mrs. Rogoff asked about the landscaping. Mr. Darden's architect explained, more in detail, the proposed landscaping and lighting plan.

Mr. Herdman said we should condition the parking plan approval with the conditions that the Low Street parking lot maintain the signage that it is for employee parking and that we refer the potential safety issue or need for additional studies to both the Safety Committee and the Streets and Sidewalks Committee. Mrs. Rogoff said generally though, I really don't like to do that. We should have done that if we wanted it referred to those committees before we approve it because if they come up with something then it would have to be part of the parking plan so we should refer it before we make a final decision on the plan. That is what we would normally do. We don't normally make things contingent or conditioned on anything.

Mrs. Baker asked, can the village be held liable for, if something did happen, an accident occurring? Could somebody come back and say you created this situation that was unsafe? Mrs. Lane said no.

Mrs. Baker said having a study done would be a hard study to do because it is not in existence so

they can't count how many pedestrians there are and they can't see how the pedestrians are behaving so you would be predicting in the future and you would be guessing.

Mrs. Lindner said it might be as simple as asking them if you were to require a crosswalk where would you put it or how effective are the lights? She said Section 1141.18 tells you you can do walkways, crosswalks, stop signs, directional arrows, and a lot of things like that. It is just that we don't know which of those would be effective, if any.

Mr. Himes mentioned that the police chief did recommend that there be a directional arrow for traffic exiting the Spillway property that they make right turns only. He said Mr. Darden was planning on doing that anyways.

Moved by Mrs. Rogoff, seconded by Mrs. Feniger to ask the applicant to get a pedestrian survey or a survey to determine pedestrian crossing safety and what, if anything, we should put there, a crosswalk or not, or what have you. Carried. Ayes: Rogoff, Baker, Herdman, Feniger, Touzalin. Nays: None.

Mrs. Rogoff said maybe the recommendation will be that nothing is required and that is fine but we would just like to have a recommendation from an engineer who has reviewed the line of site and stuff like that.

REVIEW CODE FOR CONSISTENCY

No discussion.

CHICKENS

There was brief discussion; no action was taken.

SIGNS AND MURALS

Chapter 1143, proposed sign code revisions dated December 10, 2013, was reviewed and discussed; no action was taken.

The meeting adjourned at 9:55 p.m.

Nancy Rogoff, Chairman
lgb