

**CITY OF HIGHLAND HEIGHTS
MINUTES OF A COUNCIL MEETING
AS A COMMITTEE OF THE WHOLE
HELD: MAY 9, 2023
CITY HALL COUNCIL CHAMBER
7:15 PM**

PRESENT: Mayor Brunello; Council Representatives D'Amico, DeLisio, DiLalla, Ganser, Goff, Hargate, Milroy; Clerk of Council Donatelli; Fire Chief Turner; Police Chief Matejic; Finance Director Filippo; Law Director Lograsso; Building Commissioner Grabfelder.

AGENDA

Potential New House Development
2023 Road Program

APPROVAL OF MINUTES: The reading of the Minutes of the Committee of the Whole Meeting held April 25, 2023, was dispensed with. Mr. Goff moved to accept the minutes as written; seconded by Mrs. Ganser. Ayes all; motion carried.

Potential New House Development: Mr. Milroy stated that the prospective new housing development may be considered as a Planned Residential Development, such as other surrounding cities have. Mr. Milroy added that the Planning and Zoning Commission can make language for legislation regarding the issue if Council would like them to. Mr. Milroy would pull together rough language with guidance from the surrounding cities that utilize Planned Residential Developments.

Ms. D'Amico asked if this language would include lot sizes. Mr. Milroy responded that it would and the committee would use surrounding cities' legislation as guidance while writing up their own for Highland Heights. Mr. Milroy stated that there are about five or six plots of land where this Planned Residential Development may be utilized, so the Planning and Zoning Commission wants to have the language in place to handle the situation when it occurs.

Mr. Grabfelder stated that he studied the language of surrounding cities. He added that Council can designate certain areas of the city for the Planned Residential Developments. There can also be limitations made such as a minimum amount of acres and a maximum number of houses.

Mr. Lograsso agreed with both Mr. Milroy and Mr. Grabfelder. Mr. Lograsso stated that the chair of the commission is considering the potential new housing development as a sub-division because of the new road and it falls within the sub-division Ordinances of the City of Highland Heights. Mr. Lograsso added that the Codified Ordinances give the

Planning and Zoning Commission significant leeway in approving variances, but there is a process that needs to be followed. First, there must be a submission to the City Engineer. Mr. Mader confirmed that the plans were sent earlier in the day. Mr. Lograsso stated that the Planning and Zoning Commission is in place to offer recommendations to Council and then Council has the power to accept or deny what the commission submitted.

Mr. DiLalla asked if the extra language gives Council power to influence the decision of the Planning and Zoning Commission. Mr. Lograsso responded that Council already has the power to influence the decision. Mr. DiLalla asked for the positives and negatives of adding this extra language. Mr. Lograsso responded that it gives the city more control. Mr. DiLalla asked if adding the language now will impact the development in discussion currently. Mr. Lograsso responded that he can look deeper into that scenario. Mr. Milroy stated that the commission does not feel comfortable accepting three variances per each 15 lots currently.

Mayor Brunello asked what actions developers take if approved by the commission and denied by Council. Mr. Lograsso responded that he will look more into that. Mr. Lograsso added that the plan of the developer may change between approval by the commission and bring brought in front of council. Mayor Brunello asked if there are any stipulations of putting a street in with only two homes. Mr. Lograsso responded that a couple of members of the commission were uncomfortable with the prospect of this scenario occurring again once it is accepted once. He added that council needs to weigh the positives and negatives of this development and other cities have these developments that have drawn multiple younger families.

Mr. DeLisio asked if the developers are targeting seniors with this project. Mr. Lograsso stated that they could be, but these houses are also attractive to young families.

Ms. D'Amico asked if this issue will go to the Board of Zoning Appeals after Planning and Zoning. Mr. Lograsso responded no the issue will go straight to council.

Mr. DeLisio asked if affected residents have any say in the matter. Mr. Lograsso responded that they will be invited to the public hearing. Ms. D'Amico asked who receives notice of the meeting. Mr. Grabfelder responded the surrounding property owners.

Mr. Goff asked what the leap is from a single family property to a development. Mr. Lograsso responded there would be consolidation of the property. They would take those two lots and sub-divide them. Mr. Milroy added that it is still zoned single family and will not change. Mr. Goff asked if surrounding residents have any power other than to speak at a meeting to object. Mr. Lograsso stated that there is no power unless Planning and Zoning or Council gives their concerns power. Mr. Goff asked if this situation is ever a city-wide voting issue. Mr. Lograsso responded that this is not subject to a vote.

Mr. DiLalla asked if there is a specific lot size specified. Mr. Lograsso responded there is a minimum lot size in the city and there is a variance available for area regulations that is in a different section of the code. Mr. Goff asked how the two sections of the code interact. Mr. Lograsso responded 1123 pertains to area variances while the subdivision section being utilized in this situation gives the commission greater power to decide when to grant variances and is broader in scope. Mr. Lograsso reiterated that Council still has the final say in the matter.

Mr. Hargate stated that this approach has never been well received in the past because it circumvents the voters. He added that the decision should be made by the voters who decided in the past to have larger lot sizes. Mr. Hargate added that he does not support approving the development without the voters' approval.

Mr. DeLisio asked if the plan is as follows: the developers will give plans to Mr. Mader, then Planning and Zoning will make language to put Planned Residential Developments into effect, and then the language will be presented to Council. Mr. Milroy responded that depending on the timeline, this may even affect the development currently under discussion.

Mrs. Ganser asked how much smaller these lot sizes are than the lot sizes on the golf course. Mr. Grabfelder responded that these lots are similar. Ms. D'Amico added that they are close in size. Mr. Hargate stated that the voters approved the rezoning that allowed the smaller lot sizes.

2023 Road Program: Ms. D'Amico opened the floor for questions on the Road Program now that Mr. Mader is present. No questions were asked.

ADJOURNMENT: A motion was made by Mrs. Ganser and seconded by Mr. Goff to adjourn the meeting at 7:45 p.m. Ayes all; motion carried.