

CITY OF HUDSON
PLANNING COMMISSION
REGULAR MEETING OF MARCH 12, 2012
7:30 P.M., TOWN HALL

MINUTES

CALL TO ORDER

The Chair, Mrs. Barone, called to order the Regular Meeting of the month of the Planning Commission of the City of Hudson at 7:30 p.m. in Town Hall, 27 East Main Street, Hudson, Ohio.

ROLL CALL

Present: Mr. Cox, Mr. Dostal, Mr. Drew, Mr. Kagler, Mr. Mulligan, Mr. O'Keefe, Mrs. Barone

Absent: None

Officials Present: Mark Richardson, City Planner, Aimee W. Lane, Assistant City Solicitor, Kris McMaster, Associate Planner, Chuck Wiedie, Economic Development Director

Minutes were taken by Ms. La Lomia, Planning Commission clerk.

OATH OF TRUTHFULNESS

Mrs. Barone, the Chair, placed everyone under oath who would be giving any testimony during the meeting.

CASE NO. 2012-02, SITE PLAN REVIEW, HUDSON HIGH SCHOOL ATHLETIC COMPLEX

Mr. Richardson reviewed the staff report in detail. He suggested adding a condition that the approval include two stadium light poles with antennas inside which is an accessory use.

Christopher Wynn, architect, Osborn Sports + Recreation Architecture, 1300 East 9th Street, Suite 105, Cleveland, Ohio, displayed a drawing board of the project and asked for clarification of landscaping on Stow Road. He asked whether a second row of trees were needed. Mr. Richardson explained the Code requirement was six (6) trees for every 100 feet of frontage between the turnpike and the drive and the tennis courts. He said there were trees by the baseball diamonds. He suggested maybe a double row of trees could be located where the new storm water basin would be or maybe between the athletic field parking lot and the turnpike. He thought no more than 30 trees would be needed. Mr. Wynn said the tennis courts would be expanded to the north. Mr. Richardson said staff did not recommend planting where future phases were contemplated.

Chuck Schilling, Supervisor of Facilities for the Hudson City Schools, said the school was not allowed to plant trees underneath the high tension wires but could possibly

plant something smaller. Mr. Richardson understood that and thought something could be worked out that would address the Code requirement.

Mr. Schilling said in the past the schools have worked with Tom Munn, City Arborist, and besides the retention basin the school was also taking on the Tinkers Creek project. He said the school district would be taking on the plantings in that area, involving students to plant along the detention basin. He said there may be some plantings along the top of the hill too.

Mike Dostal arrived at the meeting.

Mr. Mulligan asked what was the expectation of the future phases. Mr. Wynn replied they would come back when that develops. Mr. Schilling said the master plan was shared earlier. He said they have built the roadway construction into the master plan. He said the permanent improvement fund was up for renewal and as long as that fund was renewed they would go forward. He explained the schools would like to do some of the improvements while the construction was going on with Tinkers Creek.

Mr. Mulligan complimented the idea of the antennas in the light poles. He asked whether these have the potential to add future items on them.

Derek Cluse, Business Manager of Hudson City Schools, said the current plan was to construct two of the poles which would have the antennas and each of those poles would have canisters on top of them which would allow up to three carriers to collocate on those towers. He said the other two poles could also be developed to do that with each having capacity to have three more carriers.

Mr. Mulligan asked in terms of parking, how did the parking for the existing complex compare. Mr. Richardson replied on-site parking was 700-750 spaces, and here there would be almost 1,300 paved.

Mr. O'Keefe's concern was traffic. He said the trips to and from are shown on the study as the highest percentage on Stow Road. He said there will be a lot more traffic on Hudson Aurora Street than on Stow Road. He asked how the traffic was going to be converted to Stow Road so that it is not on Hudson Aurora Street. Mr. Schilling responded that the Relay for Life event held at the high school could be used as an example where they sent maps out ahead of time as to where to enter. He said now some people are restricted on the current site to come in one way. He said the schools are in this situation logistically now and think it can be done in the future. He said a lot of temporary signs are used on event days.

Mr. O'Keefe asked whether a caution traffic light was being considered where traffic would be exiting. Mr. Schilling did not think that had been discussed with Tom Sheridan, City Engineer. He said there was a criteria to provide uniform assistance at certain times. He thought perhaps a flashing light might be helpful.

Mr. O'Keefe asked whether some of the lots were permeable surfaces. Mr. Schilling responded they would be gravel.

Mr. Kagler asked to see where the limits of disturbance were shown. Mr. Wynn did so. Mr. Richardson said the layout page, C1.02, showed all of the work.

Mr. Kagler questioned the total parking calculations and whether the church lot was included in the total. He asked whether there was any relationship with the church where parking is allowed for event purposes. Mr. Schilling responded there was an agreement and the school has been working with the church for years. He said the intention was to put something in writing.

Mr. Kagler asked whether the 397 spaces in the grass lot was used for overall parking. Mr. Schilling replied that would be a new site. Mr. Kagler asked whether people were redirected to go there first. Mr. Schilling explained because of the lack of parking, probably people from the south do go there and people from the north go to the other lot.

Mr. Kagler asked about capacity for events. Mr. Richardson responded the difference between the number of people at 3,200 from the traffic impact study, and in Appendix B was 3,500. He felt confident the parking supply identified was now using the grass field and parking should be adequate. He said seating capacity was for 5,200. Mr. Kagler asked whether this was going to provide enough parking even for tournaments. Mr. Richardson thought it would as far as the Code was concerned. He said traffic concerns and parking spaces were different and would need to be looked at again in a year.

Mr. Kagler asked about the need for an actual parking patrol. Mr. Schilling explained he currently staffed people and used the freshman football team to help people park on a football game night. He said on a soccer game night they only needed about three people.

Mr. Kagler questioned the secondary access being completed at buildout of the site. Mr. Cluse replied part of the master plan included refurbishing all the fields. He said as they move into those fields that would lead into investing in the roadway into Herrick Park.

Mr. Kagler was concerned the traffic impact study did not take into account phasing in the parking and access but phasing in the traffic. Mr. Schilling said the means of ingress were going to change. He said at the end of a game they would also position people to help direct traffic, same as is done now on the existing site. He thought this site would make it easier.

Mr. Kagler questioned the number of spaces shown on the bottom of the map all going to come out on one driveway on Stow Road. Mr. Schilling said it would give more access.

Mr. Kagler asked whether the towers were going to be accessory uses and were they permitted as conditional. Mr. Richardson replied they were accessory uses and they are conditionally permitted.

Mr. Kagler questioned the lights on only two poles being proposed at this point. He asked whether all four poles would be built, only two would have the speakers at this time. Mr. Wynn replied there would be some speakers on the press box and on all four poles directed toward the field.

Mr. Kagler asked whether the light poles were exempt from height restrictions. Mr. Richardson responded they were exempt for a playing field. He said the lights would be off at 11:00 p.m., would be located at the property line, and would be cut-off fixtures. Mr. Kagler asked whether staff had verified the photometrics, and Mr. Richardson replied yes.

Mr. Drew asked to clarify condition 4 regarding redoing the study. Mr. Richardson explained the intent was for applicant to be responsible in revisiting the traffic study. He said the City staff intends to work with the applicant regarding the traffic flow. Mr. Drew asked whether the condition would envision hiring someone to completely redo the study. Mr. Richardson said he would not expect that. Mr. Drew was more supportive to do that and said he was comfortable with the traffic study that had been done. He asked what was the phasing and timing of phase II.

Mr. Cluse responded the Board of Education has stopped using the term phasing. He showed a different drawing of the field, and said depending upon where they end up with the project, and if they raise enough money, they will be able to begin on the next section of the building. He said potentially they may start on that this summer, a phase of the stadium building will be the second project. He said they need the facilities to house both home and away teams on the property, can have two locker rooms, but one would be too small for a football team. He said probably the next component would be the tennis courts. He said the sequencing would be determined by the interests of the donors.

Mr. Dostal asked how did the capacity relate with some of the other schools.

Ray Ebersol, Athletic Director at the high school, said Nordonia had 4,500; Solon had 6,500 and there was a state application process needed to bid for tournament games and host regional locations. He said Hudson would be competitive in that process now.

Mr. Dostal asked about traffic access and traffic concern about egress out to Stow Road. He thought the grass lot would be the last. Mr. Ebersol was not sure how they would sequence. He said they also share the concern of egress and want to minimize the impact on residential areas. Mr. Dostal said getting out northbound was very bad and was concerned with visibility going south on game days. He definitely thought everything should be looked at in a year to see how it is going, after one full season. Mr. Ebersol said this year when they were hosting Findlay, it became traffic patrol intensive and they would do it again when they have that type of event. Mr. Dostal suggested a northbound warning light and after a year revisit on traffic issues.

Mrs. Barone said the lights would be extinguished at 11:00 p.m. and asked how often they would be on. Mr. Ebersol said the longest was on football nights. He said the type of lights were very minimal spill and mainly centralized.

Mrs. Barone opened the public hearing.

Pierre H. Dauby, 7267 Hudson Park Drive, said he lived across from the high school. He said the paper stated the ground breaking ceremony was going to be on March 29 and questioned whether this approval was a "done deal". He handed out a sheet of paper regarding his concerns and read from it (copy attached). He was against this project.

Mrs. Barone closed the public hearing.

The concerns raised by Mr. Dauby were addressed.

Mr. Richardson responded the project did need AHBR approval. He explained staff did analyze the plans according to City regulations which are 3 seats needed for 1 parking space and they have met that requirement. Staff has not evaluated the other comments.

Mrs. Barone asked about EPA approvals required. Mr. Cluse replied there were EPA approvals required and they were obtained.

Mr. Cluse explained they needed to plan the groundbreaking ceremony in advance to set up the time.

Mrs. Barone asked about security issues of searching vehicles. Mr. Cluse responded that as a matter of standard practice they did not search vehicles, only if there was probable cause.

Mrs. Barone asked about a hazardous spill whether there was an emergency plan in place. Mr. Cluse responded the school district did have emergency plans that they work on along with the City, especially with fire, police and EMS. He said they meet quarterly, will meet in April, and thought it was a valid point which they will discuss with the City and work on a contingency plan for that situation. He said it would require significant cooperation from multiple agencies not only in the City, and they would be in touch with the County and start to talk about that.

Mr. Dostal again raised concerns of traffic on Stow Road, parking and access. There was further discussion of the number of spaces and maximum capacity, some kind of sequencing regarding exiting, maybe identifying the grass lot as an overflow lot, the guaranteed use of the actual church lot and getting a formal shared parking agreement, having police assistance on events, and how many driveways were needed. It was stated to be a very important logistical challenge to direct traffic in and out of events and thought to be important to return in one year, after one season of use, to address these concerns.

Mr. Richardson said he expected the school to be back with the next building project and parking and traffic would be evaluated then as well.

Mr. Cox did not think there should be a condition to require uniform police and it should be left up to the school if that is needed. He agreed with having a shared parking agreement.

Mr. Drew did not think the City needed to micromanage this project and said the school had interest in the traffic flow to be successful and thought their best efforts were sufficient.

Mr. Mulligan asked whether having buses running from other parking spots when parking at other lots would be considered. Mr. Cluse said that was a model used in the past. He said they have done that this year with the football team to leave prime spots for guests.

Mrs. Barone asked whether there was on-street parking in the neighborhood nearby. Mr. Richardson said there was a potential that people could park on the streets.

Mr. Dostal did not think there was a parking problem. He applauded the one year review of traffic. He expected attendance to go up.

Mrs. Barone commented that in cities where the high school stadium was somewhere else and not at the high school it was not conducive to being a good program environment.

Mr. Mulligan moved to approve the Site Plan for Case No. 2012-02 for Phase I of the Hudson High School Athletic Complex improvements to be located at Hudson High School, 2500 Hudson-Aurora Road according to plans dated as received January 30, 2012 provided the following conditions are met.

1. Plans must be revised to show landscaping along and within fifty feet of Stow Road between the turnpike and the drive north of the tennis courts to meet the arterial landscaping requirements.
2. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
3. Before a zoning certificate may be issued the applicant shall install silt fencing, polypropylene fencing, and/or other means acceptable to the City to mark and protect approved clearing limits, which shall be maintained by the applicant.
4. The applicant shall meet with City staff and restudy the traffic impact and actual parking functionality and capacity at the time one year of use is established.
5. This approval includes two stadium light poles with concealed antennas as accessory uses to the overall school use.

Mr. Kagler was concerned with approving a stadium with 5,200 spaces when the actual parking was not for 5,200 users. He said a parking agreement needed to be in place.

Mr. Dostal seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Dostal, Mr. Kagler, Mr. Mulligan,

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Mr. O'Keefe, Mrs. Barone
Nay: None
Motion unanimously carried.

**CASE NO. 2012-03, CONDITIONAL USE AND SITE PLAN PRIMROSE SCHOOL,
1295 CORPORATE DRIVE**

Mr. Richardson reviewed the staff report.

Gray Greiner, Director of Developer, Primrose School, said he was in concurrence with all of the staff recommendations and the only question was the sidewalk issue. He thought the sign concerns would be worked out. He said the landscape buffer on the northeast side where it abuts the office park there is a berm between the offices.

Mr. Cox asked whether there was a sidewalk in front of the hospital. Mr. Richardson replied there was not.

Mr. Drew asked where would the sidewalk be located. Mr. Richardson responded fronting this building on Corporate Drive a public site across the street right-of-way from Darrow Road to the west property line.

Mr. Drew asked for an estimate of what the cost would be. Mr. Richardson said the cost was between the owner and the applicant, the applicant would pay, not the City.

Mr. Kagler said it was a Code requirement to have sidewalk on only one side of the street. He thought maybe the City Engineer was the best one to decide which side the sidewalk should be on. He said if it was going to be one side of the street than the other side gets it for free. He thought possibly the cost could be split in half. Mr. Richardson explained the City would take that as a deposit and would require that property developer to install a sidewalk. Mr. Kagler said if there was good reason for the sidewalk to be there, to connect one to the other, he did not think it had to be on this side of the street. Maybe it should be on the other side of street and should be determined from a cost approach. He said maybe the City could connect it in an upcoming year.

Mr. O'Keefe said he would be willing to waive the requirement since they were going into a vacant building. He thought it was a compromise with the aim to occupy a building that is already there.

Mr. Dostal understood why staff was requiring it to be pedestrian oriented. He said this was a dead-end street which terminated with the Summa facility and it was an existing vacant building. He liked the idea but said the City needed to apply it logically and did not think the City was being consistent.

Mrs. Barone asked whether the City had a sidewalk program. Mr. Richardson replied, yes, the City had an annual sidewalk program but it was getting less funding.

Mr. Mulligan said there was not sidewalk there at this point and asked if it was because

the other buildings were developed before Corporate Drive was a dedicated street. Mr. Richardson replied no, he thought the same recommendation would have been made for those buildings but it was not done so at the time of their development. Mr. Mulligan said it seemed inequitable.

Mr. Mulligan asked about parking lot restriping. Mr. Greiner replied there was considerable work to be done to the lot before restriping.

Mr. Mulligan asked about a pick-up and drop-off lane. Mr. Greiner replied the children must be brought inside and signed in. He said all traffic exited toward the hospital side and there would be signage. Mr. Richardson said there was no parking allowed on the front drive.

Mr. Mulligan asked whether it was owner operated. Mr. Greiner replied it was a franchise company and a franchise operator would own the building. He explained some local elementary schools students could be picked up for field trips or before and after school programs. Mr. Mulligan asked whether there was a plan to work with the school board of education to be a Hudson school bus stop. Mr. Greiner replied primarily it would not be a school bus stop.

Mrs. Barone opened the public hearing.

Chuck Wiedie, Economic Development Director, said he had prepared comments why the City should waive these requirements for sidewalks and applauded the Commission for arriving at this decision. He said these people were taking over this building and he thought sidewalks were good and necessary but needed to be approached in an equitable manner. He did not think it would be equitable to ask the applicant to pay for 475 feet of sidewalk and asked the Commission to consider waiving this requirement.

Mrs. Barone closed the public hearing.

Mr. Mulligan thought this was a great re-use of this building and an easy conversion.

Mrs. Barone asked what was previously there. Mr. Richardson replied it was a dentist office.

Mr. Cox suggested deleting condition 2. He was happy someone would be taking over this building.

Mr. Kagler was concerned with condition 7 and suggested approving the zoning certificate subject to approval by the design subcommittee.

Mrs. Lane asked about the signage question. Mr. Richardson was confident signage could be handled but not through this body. Mr. Mulligan asked about condition 6. Mr. Richardson said the condition could be removed. He said applicant was aware of the issue and thought it could be worked out with staff.

Mr. Kagler asked whether the sidewalk was actually a requirement and did the

Commission have the authority to waive it. Mr. Richardson replied yes the Commission did have the authority to waive it.

Mr. Mulligan moved to approve the Conditional Use, Site Plan, and Project Design for Case No. 2012-03 for a day care center to be located at 1295 Corporate Drive according to plans received March 1, 2012 provided the following conditions are met.

1. Copies of the applicable certifications and licenses for this facility must be submitted to the City as soon as they are available.
2. A landscape plan must be submitted. The plan must include evergreen plantings around the dumpster enclosure and a landscape buffer between the outdoor play area and the office development to the northeast.
3. The comments of City Engineer Thom Sheridan must be addressed.
4. The comments of Hudson Fire Department must be addressed.
5. Planning Commission accepts the recommendation of the Design Subcommittee for Development in District 6 and 8 and approves the project design. Further, it authorizes the subcommittee to act on its behalf for signage, fencing, alterations and other design details.
6. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
7. Before a zoning certificate may be issued the applicant shall install silt fencing, polypropylene fencing, and/or other means acceptable to the City to mark and protect approved clearing limits, which shall be maintained by the applicant.

Mr. Cox seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Dostal, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

CASE NO. 2012-06, SITE PLAN FOR GRADING, WESTERN RESERVE HEALTH AND REHABILITATION CENTER, 1212 BARLOW ROAD

Mr. Richardson reviewed the staff report. He explained the areas to be filled were wetlands. He passed out a revised plan since the packet was distributed. He said the applicant was concerned about the timing of a March 15 deadline to clear necessary trees due to the Indiana Bat habitat restrictions.

Mark Leonard, LTC Realty I, said they had secured an Army Corps of Engineers permit and satisfied all their requirements. He said they had also received Ohio EPA storm water plan approval and fully intend on complying with the engineering recommendations and fill according to the grading plan.

Mr. Cox questioned condition 1. Mr. Richardson explained the City needed to have the Permit in their possession.

Mr. Drew asked whether the grading impacted the woodland. Mr. Leonard responded no, the Army Permit required the area not be disturbed and there be no runoff to the

west.

Mrs. Barone asked whether there were any public comments. There were none.

Mrs. Barone commented she liked the second plan better than the first one presented.

Mr. Kagler moved to approve the Site Plan for Case No. 2012-06 for clearing and grading at Western Reserve Health and Rehabilitation Center at 1212 Barlow Road according to plans received on March 12, 2012 provided the following conditions are met.

1. The applicant must submit a permit from the US Army Corps of Engineers approving the fill and the resulting revision to or elimination of the existing wetland.
2. The City Engineer must approve the plans. Plans must be revised to note how the disturbed areas will be restored.
3. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate except for dropping dead trees in place under the City's supervision.
4. Before a zoning certificate may be issued the applicant shall install silt fencing, polypropylene fencing, and/or other means acceptable to the City to mark and protect approved clearing limits, which shall be maintained by the applicant.

Mr. O'Keefe seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Dostal, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

CASE 1012-04, GROWTH MANAGEMENT SPECIAL MERIT ALLOCATIONS, TRAILS OF HUDSON

Mr. Richardson said the Commission approved the final site plan for the Trails of Hudson project and due to the number of units involved, growth management has been challenging for this applicant and for staff. He explained one way to get enough allocations was to apply for special merit or special hardship allocation as allowed for in the Code. In order to do that, the applicant needs the Commission to make a recommendation to City Council to approve a hardship for their circumstances. Staff recommends the Commission do so. He explained the second point was a Code amendment to allow staff to issue the unused allotments on a first come, first serve basis to applicants and staff is suggesting the Commission allow us to do that on May 15 for the next allotment period. He said that would let the Trails of Hudson have whatever is left on May 15 and staff has provided some words regarding procedures to use for these circumstances.

Patricia Rakoci, representing PrideOne Construction was present on behalf of Trails of Hudson. She said they were requesting the PC accept the staff's recommendation granting this Special Hardship so the process could move forward to City Council. She said it was critical to them to have enough allotments for Phase 1 in order to get their

financing and meet the housing demand as well as our financing goals. She said the financing on phase 1 includes some off site sanitary work and there was a deadline involved regarding Indiana Bats in taking down 140 trees.

Mr. Cox asked whether they needed more than thirty (30) allotments for special merit. Ms. Rakoci suggested also getting the allotments that were not awarded. Mr. Richardson said with the thirty (30) Special Merit, and forty-four (44) of the unused allotments, they would still be short of what they need, but at May 15 they would know what they will need at the next deadline time.

Mr. Cox asked whether the Commission would approve thirty (30) as a Special Hardship and the next step would be asking for the extra allotments to be used. Mr. Richardson explained they were not changing the Code only adding a procedure to the process.

Mr. Dostal supported the recommendation for these allotments. He said the genesis of growth management was in the late 90's, when the City's proliferation burden on enrollment of schools and on infrastructure of the City. He said the senior overlay district eliminated families to further that potential option. He thought this was the first apartment project and typically having to meet growth management was not meant for this type of project.

Mrs. Barone said senior housing was something the City had a deficit in.

Mr. Kagler asked whether the restriction regarding the age was in place. Ms. Rakoci replied the documents had not yet been executed. Mr. Richardson thought there just needed to be final review of the words.

Mr. Kagler said there were four criteria in the Code to receive special merit. He said with regard to number 4, it appeared the size of the phase and number of units proposed to be developed in phase 1 are an excellent use of Special Merit or Special Hardship.

Mr. Mulligan thought this was the reason the process existed.

Mr. Drew recollected the age restriction was 55 and the developer stated 62 and thought it seemed odd to have two different age requirements. Mrs. McMaster replied it did not apply.

Mr. Kagler moved that based upon the applicant meeting the criteria of Section 1211.04(h)(4) of the Land Development Code, "Additional Allocations for Projects of Special Merit or Subject to Special Hardship", to recommend Council grant thirty (30) Growth Management Allotments in recognition that the project has unusual conditions with the development of 172 apartment units on the property under a single developer, meeting City requirements for emergency access, clearing, grading, off-site water and sanitary installation on the property creating an increase financial burden for Phase 1. This approval would provide assurance to their financial lender the project has taken all the possible measures to receive the necessary Growth Management Allotments to

begin Phase 1 of their development. Mr. Mulligan seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Drew, Mr. Dostal, Mr. Kagler, Mr. Mulligan,
Mr. O'Keefe, Mrs. Barone

Nay: None

Motion unanimously carried.

CASE NO. 2012-05, GROWTH MANAGEMENT RULES OF PROCEDURE AND ADMINISTRATIVE REGULATIONS

Mr. Kagler asked whether or not allocations could be granted beyond the year since allocations were not being used, the economy being down, development planning approvals extended and expirations waived.

Mrs. McMaster said through the Annual Report City Council took into account Special Merit awards and thought the number going forward was the only way to adjust the numbers. She said some Council members supported a discussion of raising the annual number. She said staff thought the use of special merit and then to receive some of the unallocated allotments was the only way to change the numbers.

Mr. Kagler suggested maybe the time has come due to the economy for a departure from the current policy to allow applicants more time. Mrs. McMaster said that could be discussed with the review of the Annual Report for the new allocation year to change procedures.

Mr. O'Keefe thought the City had to be careful how it would be carried out.

Mr. Drew did not think the City should be tainted by these times and needed to think 5 to 10 years out. He thought the one year rule was reasonable. He said he would not be in favor of opening up allotment to more than what has been scheduled in the last few years.

Mr. Dostal said he would be open to some kind of a carryover and agreed with Mr. Kagler that would be a worthwhile endeavor. He said allotments have dropped off and it was a sensible plan at the time it was adopted.

Mrs. McMaster said there has been consideration to increasing the special merit number to have more flexibility since it is currently restricted to thirty (30).

Mr. Mulligan asked about proposing to adopt this procedure before May 15 for the number of units. Mrs. McMaster said the number of applicants can be checked to the original pro rata formula.

Mr. Cox moved to adopt the following Rules of Procedure and Administrative Regulations to implement the provisions of Section 1211.04(g) of the Land Development Code as authorized by Section 1211.09:

The award of allotments shall be made, one to each applicant who made application for surplus allotments remaining after each semi-annual award of that semiannual application period, then on the following semi-annual award

application deadline, additional remaining allotments shall be awarded on a pro-rata basis to applicants qualifying for more than one allotment according to the procedure of the pro-rata allotment formula of Section 1211.06(b). Applications for surplus allotments will be awarded within the period between the semi-annual award date and the next semi-annual application deadline. Each applicant must qualify under Section 1211.05.

Mr. Kagler seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Dostal, Mr. Kagler, Mr. Mulligan, Mr. O'Keefe,
Mrs. Barone

Nay: Mr. Drew

Motion carried.

APPROVAL OF MINUTES

Mr. Dostal moved to approve the minutes of the February 13, 2012 Regular Meeting, as submitted. Mr. Kagler seconded the motion.

Roll Call:

Aye: Mr. Cox, Mr. Dostal, Mr. Kagler, Mr. Mulligan, Mr. O'Keefe,
Mrs. Barone

Nay: None

Motion carried.

The Chair, Mrs. Barone, adjourned the meeting at 9:50 p.m.

Joseph Mulligan, Vice Chair

Nora La Lomia, PC Clerk