CITY OF REYNOLDSBURG

MINUTES

PLANNING COMMISSION
THURSDAY, SEPTEMBER 3, 2015 6:00 PM

PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDBURG, OH 43068

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux, Wren
ABSENT:

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – July 2, 2015

Minutes Stand Approved

3. APPROVAL OF AGENDA

Agenda Stands Approved

4. SWEARING IN OF SPEAKERS

Chairman McKenzie: We have no speakers to swear in.

B. PUBLIC COMMENT

C. UNFINISHED BUSINESS

1. **Rules of the Reynoldsburg Planning Commission**

Chairman McKenzie: Has everyone had a chance to read through the proposed "Rules of the Planning Commission?" Does anyone have any questions for Mr. Snowden?

Mr. Wren: Would you please point out the differences between the two versions?

Chairman McKenzie: Let me point out that I have taken the opposition position. And so, after Mr. Snowden speaks, if you have questions for me, I will be willing to entertain them.

Mr. Snowden: Mr. Wren, the specific answer is, if you look at Section 7.1 on page 3, under "Order of Business", in Version 1 there is Staff's proposed "Order of Business" which is consistent with what has been implemented on our Boards and Commissions for many years. If you look at Section 7.1 on Version 2, it was Dr. McKenzie's position, and he can interject if I summarize it incorrectly, it was Dr. McKenzie's position that there does not need to be separate "New", "Unfinished", and "Other Business" items. This was Staff's interpretation of what he was trying to explain, but if he would like to put a finer point on it, that would be his prerogative. All I will say about that is that Staff's preferred version would be to have the separate headings for "New", "Unfinished" and "Other Business", since this assists Staff and the Council Clerk's Office in preparing the Agenda, and the separate headings also maintain continuity with the Agenda for the other Boards.

Chairman McKenzie: We have after many years, a new Clerk of Council and she is attempting to update the Minutes in a way that is different from what has been done for years, and they are not following this format. Also, this goes back to our first meeting when we had those categories on the Agenda, and even as the Chair I had no idea what the content of those categories was, and I was just as blinded as everyone else as to presentations under those items. In this particular instance, I had to request business of the Commission simply state, "Business of the Agenda" instead of having categories such as "Unfinished Business". For example, tonight, instead of the category "Unfinished Business", number "1." would have just been "The Rules of the Planning Commission."

Mr. Comeaux: Is that the entirety of your objection, or are there other objections that you have to the proposal?

Chairman McKenzie: There were.

Mr. Comeaux: Were there distinctions between Version 1 and Version 2, or is that the only difference, Mr. Snowden?

Mr. Snowden: This may have been done in a manner in which the Chairman had some issues, so I will just request that maybe he state what his concerns are and then Staff could respond to those.

Mr. Comeauz: That's fine. But, the only difference between Version 1 and Version 2 is Section 7.1? Is that correct?

Mr. Snowden: that is true of these two versions.

Chairman McKenzie: And to my knowledge, there are no other versions.

Mr. Comeaux: I do have a couple of additional questions. So, you mentioned that the current Clerk does not use the "New", "Unfinished" and "Other Business" nomenclature, is that right?

Mr. Snowden: I truthfully do not know the answer to that question, but if you will allow me to ask our Assistant Clerk of Council, who is here tonight, I can confirm that. Rochelle, is that the manner in which Clerk Beggerow is doing the minutes for Council?

Ms. Menningen: The current way that the MinuteTraq system is set up, is as represented in Version 1.

Mr. Comeaux: I am ambivalent because at the end of the day, it is all the business of the Commission. Do you all have any other questions regarding Version 1 or Version 2?

Mr. Cullinan: I'm ok with either one and matching the other organizations in the City makes sense to me.

Mr. Comeaux: That being said, I would like to hear from the Chair regarding other areas of concern he had.

Mr. Wren: My understanding is that the new Clerk is using Version 2, but she stated they are using Version 1.

Chairman McKenzie: She stated in the tracking system that they use Version 1. But, however, as you see it posted at the Council meetings, I have never seen those headings appear. It is simply the business before the Council that appears. But, in the tracking system, that may still be there. I do not know the back end of the current tracking system that is used for establishing those documents. That was news to me.

Mr. Wren: So what is available to the public is Version 2? Is that a fair statement?

Chairman McKenzie: As being proposed here, if we adopt Version 1, what will be available to the public through IQM2, which is where the public will go to see the agendas of the meetings and stuff, would be Version 1, if we adopt Version 1. If we were to adopt Version 2, based upon the fact that the Council does not have those set categories appearing in the public document, I would assume that then the public would see Version 2. This is all about, for me, it is all about appearances, particularly in relation to the various aspects of the bureaucracy of the City, and the public. And so the major change that I objected to was the, what I considered to be, a much more formalized version of the "Rules of the Commission" than have been ever previously shared with us. And, it was that formality that I was objecting to. The formality, in particular, was to have Articles, followed by Sections. Instead, if you can remember a month ago, when I sent out that numbers series, this makes this document much more like the Charter. Much more like the eleven or thirteen pages of the "Rules of Council". It was also formatted this way with Sections and Subsections, and all that. And so, it is that formality that I wanted to get away from. To put it bluntly, to have the documents that support this Commission to be as close to plain everyday language as possible. And, that was it. When it comes right down to it, that's the whole thing. You can't fight City Hall. I was trying to avoid that.

Mr. Cullinan: With that, I have a question for you Eric, the other Boards, such as BZA, how are their rule documents structured?

Mr. Snowden: Mr. Cullinan, to answer your question, there is not a DRB document in place that Staff is aware of. The particular document in front of you, Version 1 or Version 2, is based off the last version of he BZBA rules that Staff is party to, and has a copy of available. That document also needs to be revised. Staff took what felt like the best information from the previous versions, which did include the items that Dr. McKenzie did redline in that document that was emailed, and incorporated them into the format. And, it was Staff's position, and Staff and Dr. McKenzie disagree, which is perfectly ok, that the article titles which organize related information into a single article, was superior in format to the other version where some related items were scattered, in some cases, in different places. To answer your question, what you have in front of you is as close to what is existing for BZBA, as possible. Needless to say, their document needs to be revised and updated as well. So, Staff is going to be going through this process with BZBA. But, the format is from BZBA.

Mr. Cullinan: So, this will probably set the precedence for their document?

Mr. Snowden: It probably would. Because their's is going to have to be revised as well.

Chairman McKenzie: And, if I may, a little history... During the organizational meeting the first night, I was the one to point out that we did not have a document, as it related to differences that we might note between Robert's Rules of Order and how we ran the Commission. So, it really is at my instigation that we developed a "Rules of the Commission." How are people feeling? Do you feel comfortable at this point attempting to bring some closure to this "Unfinished Business?"

Mr. Comeaux: A couple of quick questions... One of the questions you raised at the organizational meeting, which was very well taken, and I'm trying to see if it is in here, whether or not the Chair votes.

Mr. Snowden: Section 3.2.

Mr. Comeaux: For my own commentary, for what it is worth. While I share your concerns, they come across as very formal, I think I am not put off by the formality because I know the history of the Commission, that it is conducted as informally as possible. In my eyes, it is a fine balance to address some of the vary good organizational questions you had at the first meeting. Things like, "What does a Chair do?", because it had not been spelled out, and to not have it come across as overly formal. While I understand your concerns, I think that people come to the meetings, such as they are, when we start to develop other parcels, and we have up zoning, or down zoning, or what have you. I think that they will not look first to this document, but to you and the manner that you conduct the meetings, in terms of whether or not they are welcome, etc... While I understand you concerns, I don't necessarily share them to the same degree. But, that is just my opinion and it is capable of being swayed.

Mr. Wren: I think it is formatted in a very legal format, but that the wording is not as such. It is in layman's terms and is very easy to understand. I agree, I think it is possibly over formatted, but I don't think it is to an extant that it concerns me moving forward.

Chairman McKenzie: So, would anyone like to make a motion?

Mr. Cullinan: If we are making a motion, are we accepting the different agendas also?

Mr. Comeaux: You would make a motion regarding Version 1 or Version 2.

Mr. Snowden: Gentlemen, if I could interject for one moment. You could also make other changes either now, or in the future, there is a process for that. If there are any changes you would want to make now, you could make them by saying, "Version 1, as amended.' Just so you know you have that option.

Chairman McKenzie: I didn't want to preclude anything since I wasn't hearing it.

Mr. Comeaux: I would make a motion that we approve Version 2 of the "Rules of he Commission" that were distributed. Again, it does not bother me because it is all "Business of he Commission". If you want to create a subheading for record keeping purposes, at the end of the day, it is all business of the Commission, so I don't see a need for a separate line item there.

Mr. Cullinan: I second that motion.

Chairman McKenzie: So, we have a motion, and a second. Any additional discussion?

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jim Comeaux, Chairman, Design Review Board
SECONDER:	Tyler Cullinan
AYES:	McKenzie, Cullinan, Comeaux, Wren

D. NEW BUSINESS

1. **<u>Chapter 1143 of Zoning Code; Discussion Regarding Revisions</u>**

Chairman McKenzie: Discussion regarding revisions, and there is a document. Mr. Snowden, you probably have a presentation, yes?

Mr. Snowden: I do. Thank you Mr. Chairman. Would you like that presentation now.

Chairman McKenzie: If I may, this is a little bit off and I apologize for this, but, if the IQM2 packets are working, and you put your report in the packet, would Commissioners find it sufficient to read the packet and then just ask for clarifications? Or, would you like the Staff to read the report into the record.

Mr. Wren: To go forward, meaning after today we will read it before the meeting and ask for clarification if needed.

Chairman McKenzie: So, Mr. Snowden, would you like to go ahead and give your report?

Mr. Snowden: In response to the dialogue between the Commissioners, Staff would appreciate the opportunity to give some basic highlights. Understanding that giving these reports does not have to be the way that Staff gives reports to DRB and BZBA, where Staff reads through that report. Staff would just appreciate that opportunity. Understanding that the Commission wants to reduce the amount of repetition of the same information over and over. In this situation, what Staff is proposing here, along with a variety of Code Amendments, this is the beginning of a Code Amendment that Staff is proposing, it really is editing the sections that deal with the Zoning Code and Site Plan Approvals. Most of these are very basic in nature. The main one that Staff would like to call to the Commissions attention would be Section 1143.03, Site Plan. These site plans are currently reviewed by BZBA, and Staff is going to be proposing that this Commission review that. The reason is, that is more consistent with what many other cities do, and this would allow BZBA to focus on their primary duty which is to hear appeals and special permits, rather than hearing preliminary development, which this Commission could hear. Staff feels that would be a positive step forward for the City. Staff wanted to bring this item to the Commission to get the Commission's feedback. The process here is that this proposed amendment is going to be compiled with an extensive packet of amendments. The process at that point is that it will go to City Council and then referred back to the Commission for a more formal review. The caveat to that statement is that the compiled packet may contain some zoning and some non zoning section reviews that staff is going to be taking through together. But, the Charter requires that this Commission review any zoning changes. So, Commission will be reviewing that portion, when that comes. With that, I will be happy to answer any questions, and I will turn it back over to our Chairman.

Chairman McKenzie: Do any of the Commissioners have questions for Mr. Snowden, or do you need a minute to think?

Mr. Comeaux: You are giving this to us for a vote, or for our consideration, our input? What is the process? Does it go back to City Council and then come back to us?

Mr. Snowden: The process is that tonight is an informal review, but Staff wanted this item because Staff feels it is very central to the philosophy that was discussed with members as they were in the process of being reviewed and appointed to the Commission. Staff wanted to bring this to the Commission to ensure the Commission is supportive of Staff moving forward with that particular change because it is going to change the type of things that the Commission is getting. We have done maybe three or four Site Plan Reviews this year, so the Commission should not expect a deluge of a half a dozen every meeting. But, it is a significant change that staff wants the Commission to review instead of waiting until it goes to City Council for first reading, along with a lot of other material. In addition to that, once that process begins there is a very time sensitive process that is gone through as far as additional hearings and so forth. So that is Staff's rationale for bringing this to an informal review by the Commission.

Mr. Comeaux: The main change was for Major Site Plans, instead of going to BZBA, they will be coming to us, is that correct?

Mr. Snowden: Correct, Sir.

Chairman McKenzie: There are a number of changes that you made and I am not sure that I understand all the potential ramifications, and there are some changes in verbiage and word usage that in the original plan seem to be leading toward a meaning, and I am not sure what the new meanings are. For example, 1143.03 Site Plan and d. Minor Site Plan. Number 1., a Sketch Plan and you have eliminated "sketch". What are the rankings of plans? Is there a Plan and a File Plan? What is that getting to when you decide to strike out "sketch".

Mr. Snowden: That's a great question, Mr. Chairman. The term "sketch" there is unnecessary to the point . It is probably referring to what we call a Plot Plan or a Mortgage Survey. That is really what it is referring to because it is referring to boundaries and easements and right of ways also know as a plat. The term "sketch plan" is also used in the Platting Code to refer to informal plans brought to this Commission to review as a preliminary plat.

Mr. Cullinan: I agree with the City on that. If I was ready this to prepare a site plan for submission to this Board, I could infer "sketch" to be a hand drawn type sketch. Compared to a more detailed and exact document.

Chairman McKenzie: On 1143.04 Utility Plan, he has stricken out a "detailed plot grade utility plan." As I said, these are all interrelated, and it wasn't that I was criticizing, I'm just trying to follow.

Mr. Snowden: Mr. Chairman, the rationale behind that particular decision is that this is simply a descriptor. It does not refer to a formal type of plan. It was put there, in Staff's opinion, for emphasis. The fact that the Engineer wants a good amount of detail when they review this type of plan, but it really doesn't change the fact that the items under Section 1143.04, b., those are the items that are required for plot grade utility, and that is essentially not changing. If I could pull the Commission's view to Item number 15, under the very last sentence of that section, you will see that the current number of copies that needs to be submitted for a Plot Grade Utility Plan, true of many plans in the code, was actually prescribed by code. Staff's view is that this is something that should be promulgated in the development handbook because administrative processes over time can change. For example, our Service Department today requires six copies and one Mylar copy. But, there could come a time where review is done electronically and the Service Department only wants to require one Mylar formal copy at the end of the process. So, rather than prescribe that in code, and have to amend the code again, Staff is proposing to change that to a "Director Rule Prorogation", which means that the Development and Zoning Staff, and the consulting Engineer would develop the Development handbook, and then the Development Department and Service Director would develop the Development Handbook. And the Development Director and Service Director would jointly state that as a rule, under their rule making power, that is given to them as part of their positions. So, Staff is proposing changing that from a Code prescribed process to an administrative type process.

Chairman McKenzie: I even saw some inconsistencies in the old version. The last sentence is now talking about six copies of the Plot Grade Utility Plan, but they start out saying "detailed plot grade." So it was inconsistent before as well. That is what I was getting at. I was getting lost in all the inertia of the changes and not really understanding what the purpose or intent was.

Mr. Wren: Does staff feel there are any changes within the code that are being stricken or added that we should focus on?

Mr. Snowden: Other than that, which is Staff's main change. Staff would just pull your view over to the revised minor site plan, which begins on the fourth page, about halfway down. Staff is basically proposing in that section, to strike the current site plan requirements and reorganize that information under individual headings for each type of plan. You will see that Staff has "General Requirements", "Environmental Landscape Plan" Rather than have the way it is listed now, which is just a list of requirements, Staff is actually going to be requiring individual types of plans. The reason for that, and Mr. Cullinan probably deals with this, is to make our plan review process more consistent with how engineers, architects, and landscape architects talk about plans. If I tell Tyler, or someone at his firm, that I need a Parking Transportation Plan, they are already going to have an idea as to what I am looking for. So, under that subheading, I have listed the specific things that Staff or the City's consulting Engineer needs to see, in order to do that approval. The fundamental change, the only thing the Public or Commissioners would see from this, would be that this body would be reviewing the site plans instead of BZBA.

Mr. Comeaux: I am not encouraging you to plagiarize from other cities, but I suspect you have looked at other cities?

Mr. Snowden: Especially the 1143.03, is very consistent with what other cities are doing.

Mr. Comeaux: We are not asking for more onerous procedures, or what have you?

Mr. Snowden: Absolutely not. With the exception of BZBA reviewing the plans, our procedure is consistent with other cities, other peer cities, similar type, similar size, similar system of government, similar pattern of development, and so on.

Mr. Cullinan: To that point, I work for a Civil Engineering Firm and skimming through this, it does appear that it matches a lot of the neighboring suburbs. We would bring similar plans to Commissions like this.

Mr. Comeaux: You saved me some Google searches later today.

Mr. Cullinan: I am going to do a more thorough reading. I have marked a few things, but, overall I believe it does.

Mr. Comeaux: That is all I have. Thank you.

Chairman McKenzie: So, is the discussion over? Would you like us to take some action tonight? Do we feel comfortable with it?

Mr. Snowden: The Commission does not need to take any formal action. Staff could be satisfied with a nod of the head in this case because the process that is prescribed by Charter is that any Code Changes for Zoning have to go to City Council first, for first reading. The purpose of this is so that Staff could feel comfortable. That way when Staff returns with this and more information, the Commission will already have considered, or at least reviewed what is going to be an important part of the overall change. If the Commission would like to provide any feedback, either here, or via email, Staff can incorporate that into future versions.

Chairman McKenzie: I have one other document here, Chapter 1135, what was that?

Mr. Snowden: Mr. Chairman, that is part of this revision. I do not know why the copier sent that out as a single sheet. It is related to this because it is dealing with the expiration of zoning applications and approvals. What I have written in the proposed section is consistent with what has been happening. But, in some cases there are types of permits that do not have any expiration date. Let me give you an example as to why that is a problem. Fence permits have no expiration date in Reynoldsburg. So, there could be a situation where someone was attempting to construct a fence based on a fence permit that they secured ten years ago. The situation may be that some detail of their lot utility easement or neighboring fence condition has changed. And then constructing the fence in that way is no longer appropriate, and Staff would not approve that today. Building permits through our Building Division expire after six months of securing the permit. No matter the type, commercial or residential. So, Staff has tried to dove tail the zoning portion of the process into their process rather than have zoning permits flapping out here in the wind that are good forever. Staff's position is, if the applicant has not moved on with the next step of the process, within one year, that the approval should not continue to be valid. That is consistent with what has been continuing to happen. That regulation is contained in some other portions of the Code for specific permit types such as variances and site plans. Staff is just trying to take that information from different portions of the Code and relocate that into one central location, and make it consistent for all the different types of zoning permits. Unless there is a separate statement for another permit type in another location of the code.

Chairman McKenzie: I assume we don't need to take any action on this also? This is something you will be taking to Council?

Mr. Snowden: Yes, Sir.

Chairman McKenzie: Any other questions?

E. OTHER BUSINESS

F. ADJOURNMENT

Eric Snowden

Chairman

Planning Administrator