



MINUTES

PLANNING COMMISSION THURSDAY, AUGUST 3, 2017 6:00 PM

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

1. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux, Welday, King
ABSENT:

2. APPROVAL OF MINUTES

Dr. McKenzie: I've asked Mr. Hood to come in to talk about keeping minutes and I think this would be a good time for you to do that. We've been having this conversation for about 7 months. Why do we keep minutes? What's the purpose of our minutes.

Mr. Hood: It's not a matter of purpose, there's a matter of state codes. The code requires every public body to keep full and accurate minutes. The Ohio public records law requires that. Our charter requires that. I'm there's many other citations that require that. Because you are an instrument of our municipality you are a public body doing public business and because of that you are required to keep a full and accurate meeting minutes that show how it is you do the public's business. They are required to be available for inspection and reproduction. Anybody who may not be able to attend meetings or are interested in attending the meetings, but are interested in your business may look at those after the fact and find out what it is we are doing, all of us.

Dr. McKenzie: The reason I asked that question was that someone who is not here right now made the statement that the type of minutes you keep depend upon the purpose,

Mr. Hood: That's not true.

Dr. McKenzie: so that verbatim minutes were required. If you were going to have a legal record for going to court or that summary minutes could be kept if you just wanted to keep a track of what you were doing within the board.

Mr. Hood: I would disagree with that.

Dr. McKenzie: I will have the open meetings act.

Mr. Hood: If you reviewed it the way I reviewed it, it doesn't talk about purpose. It doesn't talk about what it is the particular business is. There are exceptions built into the public records law for specific boards and specific types of records that may be exempted from

disclosure, but the types of minutes we keep are not determined by its purpose. All public bodies are required to keep minutes.

Dr. McKenzie: That was just my first question. If you have something prepared that you'd like to comment.

Mr. Hood: We had talked a few months ago and I apologize for my tardiness. You all meet once a month. The first time I agreed to meet with you I was undertaking a prosecution in a trial in a municipal court, so I missed that date. The second time I had a conflict with my schedule and I apologize for that. If there are specific other questions I'm happy to answer them, but I could always answer those things out of the public meeting too. If there's something that arises during the course of your business or if you have a question specifically you can either, you would like to address this evening now or some other time. You always have the ability to reach me via email or phone and ask specific questions if the need arises. I don't see this as a difficult issue. The advice I gave to the person who has been transcribing your minutes was the minutes need to be kept verbatim. I didn't think verbatim was a term that was really difficult to understand and even subject to interpretation now that does exceed the requirement of the open meetings law and public records law, so we would rather exceed the benchmark and the standard than fall below it. I am a huge proponent of minutes that not only are full and accurate, but also tend to show exactly what went on, if at all possible. Now if that were not possible I understand that and I think that's one of the reasons why the standard may not be so rigid. There are other municipalities that may not be as advanced with us, may not have the funding that we have and the availability of employees to come and help at different public meetings. We enjoy these luxuries here. We have electronic equipment that we make records contemporaneous with what you guys are speaking every time, if the technology does not fail us, it's supposed to capture everything that goes on and it can be transcribed from that record. Both of which are also available for inspection. There's also and I guess I don't want to go off on a tangent, I did not prepare a statement, but one thing that goes hand in hand with this is the notion of draft minutes. Summary minutes I am opposed to. I know that we keep them for ease and convenience I think for people who may want to know how our elected officials and appointed officials vote, specifically, as opposed to what it is they were, how it is they came to vote, what it is the discussion was prior to the vote. We keep both of those. Draft minutes are a little bit different animal. Those are the things that happen and I see on here that you are going to discuss accepting the minutes from June 1 and July 6, so right now the minutes that have been presented to you would be quote unquote draft minutes until you formally adopt those minutes. Now those are also public records and they are subject to inspection and disclosure. We don't just withhold them from someone who asks for them because they have not been adopted formally by you yet. Your job in contemplating your votes to adopt those is to make sure they are accurate, they are not full of inaccuracies or omissions or things like that and if they are to correct those before they are adopted and move forward. Ok? Understood?

Dr. McKenzie: Yes.

Mr. Hood: Now if there are any other questions I'm happy to try to address them. If I can't, I'll get back you.

Dr. McKenzie: Do any of the other members have questions? Mr. Snowden.

Mr. Snowden: Mr. Hood would you give just the readers digest version of what we discussed about 2509 appeal and what the minutes would be used for. I think it would be valuable for the commission members to understand what that is.

Mr. Hood: So, aside from the requirement that we just talked about, the state code says we have to keep these. A practical application of that is, what I just said, someone who's interested, anyone who's interested, can come and ask for those meeting minutes to find out what it is we do. Fine. Our interest as a city and mine as a city attorney, who may be in a position to defend the decision that we make either collectively as a body or individually as an administrator is the appeal process for administrative appeals, like this body, goes to common pleas court. You all make a decision or recommendation and then it goes to council, then council has deliberations and they make a decision. If the person who is requesting, whatever it is they are requesting, does not get satisfaction through that process and they wish to appeal, they appeal to common pleas court under revised code 2509. That does not mean we go down there with our briefcase and have a trial. I do not call you as a witness. I do not swear you in. I do not say, Mr. King what were you thinking that night. We only use the transcripts of the proceedings leading up to that period of time to determine whether or not the decision by the public bodies were arbitrary and capricious. That's a moving standard kind of like probable cause in criminal law, but the judge will not replace your subjective decision making authority as an appointed official or an elected official like Mr. Luzader, but he will intervene or she will intervene if you make your decision arbitrarily or capriciously, which really comes down to it, did you make it with no justification at all, did you not any reason whatsoever, was there no discussion at all or did you have a couple reasons. Did you find that the proposed development did not fit within the characteristics of the zoning text? Did you find something specific, because of whatever it is was your prerogative at the time? If you do that I feel very confidently and if our council also does that in that quasi-judicial type of hearing, as opposed to like a regular council meeting. If you put that on the record, I feel very confidently that the city will have the strongest position to argue in favor of your decision and basically back your decision making in whatever the purview of the body was. I was troubled because when I first got here, now this was a long time ago, when I first got here, the city council was making decisions in these quasi-judicial hearings without any discussion really whatsoever and luckily for us, we were not hauled into court on an appeal, but some of our sister cities were. The judges would recite we are not replacing your decision making authority, but you didn't give us anything to go on. I have not idea what it is you are thinking when you made your decision, so I'm almost forced to determine that it was unreasonable, arbitrary, and or capricious. For the practical side of the city's interest, that's why I want the fullest record we can get. I am also an advocate for public records and public disclosure and transparency, but the more selfish reason for the city's interest is to make sure we have the most defensible position should we ever be hauled into court. The thing is, you cannot prejudge that. You can't say, this has got a chance to go down there. I think these guys mean business. You always find out after the fact. You never find out prospectively. So, you have to treat them all the same, in my opinion. I don't know if it's readers digest.

Mr. Snowden: I think this is great training. We should do this more frequently with either Mr. Hood or depending on who's with us in the future. I think we should definitely continue this type of thing with future commissions.

Dr. McKenzie: When we talked, you had referenced an online training for the open minutes. Would you like to give some details about that?

Mr. Hood: There is a free online training, that really anyone can take, you don't have to be an elected or appointed official. It's available to all of you. I am required, all elected officials in the State of Ohio are required, to take this training at least once during their term. I take public records training a few times a year to try to keep up on recent trends and case law decisions, but elected officials are required to take at least once during their term. That used to mean we used to get in some auditorium that the attorney general or the state auditor would reserve and get one of their employees to do and give us a power point presentation. Now they've offered that online. If you have any interest in this, if this is something that you would like to learn more about I would suggest that you start there. If nothing else, it's a bit elementary, to be quite frank with you, but it will give you the information that you need to be able to use the sunshine law manual that the attorney general promulgates to be able to use as a reference materials, so if a specific instance comes up where you have an issue or you think you may have an issue, you know where to go to try and find the answer. That's why I think it's valuable. The baseline kind of knowledge.

Dr. McKenzie: I do have some questions that refer to minutes that are in front of us tonight. If I may show this one to you. This is the minutes from the first meeting. And so the question is, the first two items simply state the results and that was two months ago now, so, as our responsibilities to correct that, what are they? I mean, I can paraphrase particularly on the second one, which was a two to one vote. I can paraphrase the discussions that I had two months ago, but as far as dating as a way that would be accurate as something I said two months ago, now I could not. At this point what are my responsibilities to that?

Mr. Hood: Your responsibility is to make sure that the record is as accurate as at all possible. I feel very confident in that. I guess my first question is, is that the tape where these transcribed, is it still available?

Dr. McKenzie: It is not. The tape was not started until those two, the discussion and the votes on those two were taken. So the tape there is nothing, no recording at all.

Mr. Hood: So there's nothing to fall back on other than your collective memories?

Dr. McKenzie: Right.

Mr. Hood: Ok, so then I think that is in this case the best thing that we could do at this point. If there are specific inaccuracies or specific omissions that you recall then a motion to amend the minutes or some type of correction, correction to the minutes, whether it be written or oral I think would be in order before they are formally adopted. Now it could put you in a

position where Mr. King may remember something differently than Mr. McKenzie, but I think that as long as those are reflected in the latest version, I think that's the best you can do at this point without any, some other type of objective record.

Dr. McKenzie: This is more of a technical, very technical thing, but on the second one and you've had some indirect conversation about that. It's a two to one vote and it simply says. I don't have another copy in front of me. But it says forwarded to council and by the both charter and our rules it requires a minimum of three votes and so our purpose by the charter is to advise council. Alright. And by that two to one vote we were unable to meet the minimum standard to advise council to adopt, but because of the Accela System there appears to be no way to show that. It simply says it's forwarded to council without saying it was whether it was with a recommendation to adopt or no decision or recommendation not to adopt.

Mr. Hood: Did you declare the motion passed or the motion failed?

Dr. McKenzie: I at the meeting actually said, motion is approved.

Mr. Hood: Ok. So, that's what should be in the minutes.

Dr. McKenzie: Yes.

Mr. Hood: You need to change that tonight?

Dr. McKenzie: Well, and that's the next question. How can we do that? There was a, I have another one that's from our March meeting in which, often times we request changes to the items before us and we make those changes in motions and when the March 2nd minutes came up, I had said I noticed that there was nothing except for the title of the item from the agenda on there and there was no statement of the complexity of the motion that we approved that night and we had saying that we could make that change and we went ahead and voted to approve those minutes with change. The change was never made.

Mr. Hood: Was that also a failure of our technology?

Dr. McKenzie: I do not know why that was. All I know is that those, that has never been changed. And that gets us to another question that relies on that, is that there are two documents that I have been asked to sign. One of those is the approved minutes and the other is the rules of the commission. I've not been able to find a basis for that.

Mr. Hood: I don't know why you would either.

Dr. McKenzie: Ok.

Mr. Snowden: A basis for what?

Dr. McKenzie: For having the chair sign the minutes after they've been approved.

Mr. Hood: I'm not aware unless there is something in your specific rules and I'm no expert in there.

Mr. Snowden: The rules states that the chairman will sign all documents of the commission. I'll find the citation.

Mr. Hood: There's nothing in the open meetings or public records law that requires you to authenticate it.

Dr. McKenzie: Well, there's is something in the charter it has to do with council, but it's for the president of council to sign all legislation and documents.

Mr. Hood: We have an authentication process for legislation. I'm not aware of anything for an administrative board.

Dr. McKenzie: Right, right. Anyway, I have not yet signed, even though we have approved them that night. I have yet to sign the minutes from and I'm just wondering why is this a big deal. I don't know of anything.

Mr. Hood: I don't think that it is quite frankly and secondarily we're talking about two different things.

Dr. McKenzie: It seems to me that the vote is part of the transcript to approve the minutes is of in itself sufficient?

Mr. Hood: I think so. That's what I'm saying. It's two different processes. I think one is the approval process and then if you want to draw the analogy to the legislative process we have the approval process and then when the Mayor, the clerk, the president of council, sometimes I have to sign things, we authenticate that the legislation was done in accordance with the open meetings law and there is a proper emergency and things like that. That's kind of separate and I don't know of any requirement that you have to do on your minutes at least for this board.

Mr. Snowden: Mr. Chairman, this is Mr. Snowden, to Mr. Hood and other members of the commission I think Mr. Hood is accurate. There's no specific requirement. They simply have always been signed by the chairman and the planning secretary, again, as we've said, that's just how we've done it.

Mr. Hood: Sometimes tradition kind of prevails until someone takes (inaudible) until tradition is probably unnecessary.

Mr. Snowden: Mr. Chairman, what the section 3.2 chairman of the article 3 of the rules of the commission states that the chairman shall sign all documents of the commission.

Dr. McKenzie: Oh.

Mr. Snowden: The chairman shall sign all documents of the commission.

Dr. McKenzie: Ok.

Mr. Hood: I'm sure all documents is not necessarily defined.

Mr. Snowden: It is not defined.

Dr. McKenzie: It is not defined. So, what I'm trying to get at here is that while I had declared passed, because I just, I was the long dissenting vote and quite frankly we generally approve things by unanimous vote except when I don't. So, I had just automatically had forgotten really that it is requires not a majority of member present, but a majority of members to pass and that's consistent for all the (inaudible).

Mr. Hood: Mistakes are one of the reasons you have the right to amend them and correct them later. I think that would be a proper purpose amending the minutes to correct the mistake, whether made in good faith or bad faith, but you have the ability to correct them. That's why you have the time to review them.

Mr. Snowden: Mr. Chairman, this is Mr. Snowden, with regard to the March approval of the minutes it was approved as amended, so the minutes were approved as making the change, so all I need to know is what is the item on that and I can have Stephanie correct that, it's just that simple. Because they were already approved.

Dr. McKenzie: As I stated that night we went ahead and approved them pending, with the understanding that complexities, which we stated that night, we brought up and it wasn't just one, there were multiple.

Mr. Snowden: The condition zone approval did not make it in to an item.

Mr. Hood: That certainly important.

Mr. Snowden: It's important. Absolutely. Which item is that Dr. McKenzie from the March?

Dr. McKenzie: I do. I do not have a copy that I have written down what the changes were.

Mr. Snowden: I have the language that was used and I can go back to the recording if I need to, but I just need to know which item it is so I can direct Stephanie or April's attention to that item.

Dr. McKenzie: So, it was referring to item 3. Item 5.

Mr. Snowden: Item 3 and item 5.

Dr. McKenzie: Yes, those were the two items that we amended. In the motion we made we stated what the amendments to them would be is 3 and 5.

Mr. Snowden: I will contact Stephanie. Have revisions. Have those pulled from the staff report and recording. Have those added to the minutes. Have new sent out and folks can respond to me. We don't need to necessarily approve them because they were approved with that amendment, correct?

Mr. Hood: I just want to make sure I understand. So, subsequently to that, you approved them as amended.

Mr. Snowden: Correct.

Mr. Hood: You just haven't added the amendments yet.

Mr. Snowden: Correct.

Dr. McKenzie: I have been waiting to sign them until those amendments were added. Once again, I'm questioning what's the necessity of me signing them?

Mr. Hood: I think there is none.

Mr. Snowden: Dr. McKenzie, did you come to me and give me the item number to remind me?

Dr. McKenzie: Well we had, I did not remind you of it. So next month the copy, the original copy simply appeared in front of me to be signed and there was no changes made to them the following month. So, I just held that.

Mr. Hood: Eric and I spoke about this yesterday. Not this specific instance, generally speaking, because I know this was an issue because you had addressed it with me months ago. I assumed that's what we want to discuss this evening. I don't want to throw any particular employee under any proverbial bus.

Dr. McKenzie: My point here is just moving forward.

Mr. Hood: I understand that. I hope that with the change in personnel maybe some of these errors will not continue to be as prevalent.

Dr. McKenzie: And so, then there's also the minutes from the July 6 meeting of which there is something interesting happening in them, which I have now seen from the last several minutes that are done that has to get to this idea of what's verbatim or not.

Mr. Hood: It was something that we discussed yesterday. I think, once again, I did not know, I did not expect that term, that is the term that I used more than once to be subject to interpretation. When I said verbatim I meant word for word. I understood when I said

verbatim or word for word that exceeds the standard of full and accurate or full and complete. I was purposeful in that decision because I want the most complete record we can possibly attain. I do not want anyone whether it be the chairman, a member, the development director as ex officio, the secretary, or the transcriptionist deciding what goes in the minutes and what does not go in the minutes. I want the minutes as complete as possible. I want you as the public body to adhere to your responsibility and to review those minutes, make sure they are accurate and do not contain inaccuracies or omissions and then approve them as such. If they need to be amended or changed in any manner that is your duty, responsibility, then vote as a public body in the affirmative and pass them and adopt them as your own. That's what I prefer. Like I said, not necessarily for the requirement of the open meetings and public records law, but to make the city's position as defensible as possible should we ever be in a position where we have to defend your decision, council's decision, or someone else's. I'm sorry, I didn't know that verbatim could be a subject to interpretation. I'm sorry.

Mr. King: If I may, I'm just wondering, so we said there was something for July. I'm just wondering where that was.

Dr. McKenzie: Well there's, ok so, we can certainly undertake July now, if you'd like, but, so one in particular was that there was, once again, we more or less dictated changes to an amendment to code. We did not, we were not satisfied with the code as it was presented and we more or less dictated changing, change of language and Mr. Comeaux made there edit to the phrase that connected the, you know the commercial part with the residential part and that is not in the minutes at all. The wording, the rewording of that is not there.

Mr. Hood: Do we know if once, and I just, I know that sometimes we attempt these things and we've got to get them moving on it, do we know if there was a technology error in that instance or does the recording record Mr. Comeaux's motion.

Mr. Snowden: The recording records Mr. Comeaux's motion, in addition the original document which was drafted in the meeting exists has been attached to the legislation file.

Mr. Hood: Ok, but why isn't reflected in the minutes then?

Mr. Snowden: Good question.

Mr. Hood: Ok. Well then, that's what I was saying.

Mr. Snowden: So, it just needs to be revised to have Mr. Comeaux's reading it, reading the text.

Dr. McKenzie: And so my question is, is that these are rather complicated things. It's not like, you know, it's just that for example, there's a point in here that says unknown or something like that where and that was Mr. King, that's easy to correct, but these things are rather long passages and so my question is what's the best way to do that? I mean if there is a recording that's one thing, but if there's not, if something was not understood, and by the

way, these microphones are on all the time even when you have them. It's just that the sound reinforcement system pops in and out, these microphone for the recordings are on all the time.

Mr. Hood: That's good.

Dr. McKenzie: That's something that's good to know. Anyway.

Mr. Hood: I guess what I would say is, is there's two things that come to mind. First is, because the recording itself is also a public record. Ok. We are required to retain that public record in accordance with our public record retention policy. Ok. We are not allowed to destroy that until. I'm sorry.

Dr. McKenzie: My understanding it's for one year. Is that not correct?

Mr. Hood: I don't know because each department and because these are so complex, each department and then inside each department, each actual record that they keep has an individual schedule, so I do not know them off the top of my head. We have a big binder that basically is a rubric that you go through to find that out. I know my department fairly well, but I do not know what that is off the top of my head. I do know they are not allowed to be destroyed after someone transcribes and then you can throw in the trash or tape record over it.

Mr. Snowden: Given that I was the person that drafted the last re-draft of our records I can tell you from memory that we retain them for six years, which is consistent with all electronic records from the meeting. They are retained for six years.

Mr. Hood: Ok, so, the overarching point is, is that they don't go in the trash can, they don't get tape recorded over after we use them. We can go back to that and subject to any inaudible text that is kind of captured, which does happen, it happens to me in court. You have to work through that. What is the best way? I would say when you're talking about something specific as conditions of an approval if you find the deficiency or the omission with some time prior to the next meeting you could submit in writing what you believe the omission is and then have that for everyone else to read either prior to the meeting or at the meeting to decide collectively whether or not that's an accurate representation or not because ultimately if we have no technology to fall back on and rely upon then you only have your collective memories together to determine what it is that happened and then the majority would rule and I know that's not the best way, but I don't know of any other honestly. That's the only way maybe at that point. I hope that answers your question. So, but I agree that something as specific as conditions of an approval needs to be precise.

Dr. McKenzie: The complexities of both the last, the minutes from last month and the month before that we postpone adopting until next month to give people the opportunity to submit written suggestions for corrections of the thing because right now I would feel very uncomfortable trying to dictate my reasoning for voting no on the second item from the June meeting.

Mr. Hood: I fully understand that and I think that, you know, unfortunately because the time passage, in this instance, Mr. King may, you know, I don't remember. I have to deal, I have to deal with.

Dr. McKenzie: That brings up another thing because I, while I'm terrible at remembering people's names I'm fairly good at remembering conversations, so even though Mr. King or Mr. Welday or Mr. Comeaux might not remember saying something I might remember them saying something.

Mr. Hood: That's fair as long as the collective group says we are going to rely on Dr. McKenzie's recollection of that event and we are going to all vote to approve that or at least a majority votes to approve. I unfortunately because law suits take a very very long time especially civil law suits a lot of times our trial track is either 18 months or 2 years and when you get to depositions, which is basically when we swear someone in and ask them questions sometimes it's 2 years after the event and a lot of times we're stuck with the answer it honest to goodness the answer is I don't recall, I don't remember. I'm sorry it was 2 years ago. It was a normal day until X happened. I remember that very precisely, but I don't remember everything else about it.

Dr. McKenzie: And it's so, for example, the June one, that the answer was I don't remember. What should the minutes then reflect?

Mr. Hood: I think, well, I think at that point we have maybe a larger issue than the minutes and I hope we don't reach that precipice. If we do, if that's what ultimately is decided amongst the board members you may be in a position where you have to recall the item and discuss the item again.

Dr. McKenzie: Ok.

Mr. Hood: And we're talking about a very unique situation now. We're talking about very precise and specific conditions. We're talking about a very long time lapse in between meetings. There's a host of things here.

Mr. Snowden: You're also referring to an item that was a staff drafted item rather than a application draft where the applicant, if they ultimately got denied whether it was through this body or through city council might seek redress through appeal.

Mr. Hood: And there are time elements as to that as well.

Dr. McKenzie: Could you explain that because I'm not quite sure I follow that.

Mr. Hood: Sorry.

Dr. McKenzie: The difference between staff draft and application as for appeal.

Mr. Hood: I think what Eric, well, I don't want to speak for him, but I think what he meant was if you have a an applicant who comes and you put conditions upon their conditional approval and those things are not accurately, this is getting in the weeds, not accurately reflected in the minutes and they thought one thing and you all thought something else and when the minutes came out for the next meeting where the approval or the whatever it is the referral goes to city council is different when, different than what the actual board action was. At that point there are time elements for the appeal and things like that. You may need to readdress it here at the commission level. I don't think that's what's going on right now. Correct me if I'm wrong. There is no chance for an appeal in this particular instance.

Mr. Snowden: No sir.

Mr. Hood: So, I think that was the distinction you were trying to draw unless I was wrong.

Mr. Snowden: Correct.

Mr. Hood: That's how I took it.

Mr. Snowden: No, correct sir.

Mr. Hood: So, hopefully we don't get into a position where we have to unravel that, but I think for this particular one you are on good ground if you still want to postpone and submit either writing in orally or orally something to be considered from the full commission to determine what actually and accurately occurred as far as the condition go on the approval and then have it at the next meeting.

Dr. McKenzie: Do you have a business card with your email address?

Mr. Hood: My email is, yes, I'm on the website too.

Dr. McKenzie: I haven't been able to find your email on the website.

Mr. Hood: Oh really.

Mr. Snowden: I'll email his email address to the.

Dr. McKenzie: Your contact list under the city attorney's office does not list an email for you, which is why I've been only calling you and leaving messages.

Mr. Snowden: Dr. McKenzie and other members of commission I think the easiest path, I'm sorry Mr. Hood.

Mr. Hood: All I was going to say is that all of our emails are our first initial, last name @ci.reynoldsburg.oh.us That's the default for all of us. Sorry.

Mr. Snowden: Oh, no problem. I was just going to give a suggestion, you know it seems like the commission has a good game plan here with what Mr. Hood stated. My suggestion would be take those items in writing and provide them via email to me and Stephanie and can revise it.

Mr. Hood: The other thing. The dirty word email. Those are public records too folks.

Mr. Snowden: Correct.

Mr. Hood: Just because you're appointed officials does not mean that if you email each other or if you email Dan or me or he, but if you are conducting that's when the purpose is, is absolutely critical. If you are emailing any other public official at any capacity about public business that's a public record. Doesn't matter if it's from your yahoo account, hotmail account, ci.reynoldsburg account, does not matter. Mr. King if you email me and say, hey Jed let's go to the football game this weekend, that's not a public record, ok, if you text message me that, if you facebook message me that, that's when you really get into the nasty stuff. Football games are ok, toss it, but if you, say to Mr. Comeaux, hey, I've got this email and that's not what I remember or that's exactly what I remember. Hold on to that stuff. Forward that email to Mr. Snowden so he can keep it under our record retention policy.

Mr. Snowden: Correct.

Mr. Hood: Emails are the bane of any city attorney or municipal law directors existence, let me tell you. So, keep them all is the best way and let someone else determine whether or not we need to keep them or they can be discarded.

Mr. Snowden: Mr. Hood, generally we've had the policy that the members will email with the staff here, but they generally don't email with one another to discuss business other than like are you going to be there.

Mr. Hood: That's not necessarily a problem.

Dr. McKenzie: Or for example, I have emailed the members of this commission several times to indicate here's an article that was in the Dispatch that might be interesting for our future discussion.

Mr. Snowden: But not, hey how are you going to, how are you looking at this particular item, here's my views.

Dr. McKenzie: But nothing that would be discussing the business before this commission.

Mr. Hood: That's where you draw the line. Absolutely, that's correct.

Dr. McKenzie: That's the point.

Mr. Hood: That's absolutely correct of where you would draw the line, but I would say that stuff leading up to it is still probably a public record and here's the position where I don't want you to find yourself in. I give this talk to our electives as well. I don't want anybody to go through Mr. Kings, all of his emails to determine what is a public record and what isn't a public record. I don't want to put you in that position. I don't want any of you guys to ever be in that position because that means they're going through all of it to determine what's private, what's public. Pick up the phone. Pick up the phone, talk to each other. But if you're sure that it is a public record and you're talking about the public business make sure you forward it on to Mr. Snowden and we'll keep them in accordance with our policy. That way you don't have to worry about it. Ok. Anything else? Well, maybe if I show up a little more often I won't have to go as long. I apologize for being so long winded, but you did ask lawyers questions and we tend to ramble.

Dr. McKenzie: For my purpose it was very useful.

Mr. Hood: I'm glad.

Dr. McKenzie: So I appreciate it.

Mr. Hood: And like I said and I apologize about the email. Honestly, I've been telling people that for 10 years, so maybe nobody has any interest in emailing me, but call me, send me an email, drop me a line, stop in. I'm generally here. Stop in and if I don't have the door closed, I truly have an open door meeting whether it be residence, electives, or appointeds. You can, Mr. Luzader drops in on me just to make sure I'm in the office. Come on in, we'll have a cup of coffee and talk. Thank you all. Thank you all for your service I do appreciate that. We truly do. All the administration appreciates your volunteering doing this, we do. Thank you.

Dr. McKenzie: Thank you.

Mr. Comeaux: Can I present record reflecting I arrived at 6:03. My apologies for my tardiness. The east side freeway was a mess.

Dr. McKenzie: Your presence is noted. Thank you.

Mr. Comeaux: One other thing, can I ask Mr. Snowden to check the recording to see if the language is there, so that I don't have to do it from my memory if that's possible?

Mr. Snowden: Is that regarding the March meeting or the July?

Mr. Comeaux: No, the July meeting.

Dr. McKenzie: No, all the points, so Mr. Weldon was the motioner of all the items that were changed, but not recorded as changed. So, that's one way to identify them was what Mr. Weldon made. He took the energy and effort to compose the motions that included all the requested changes, so, or amendments, modifications.

Mr. Snowden: The best thing that you all could do is send me exactly what you're trying to fix. That's the best thing you guys could do for me.

Dr. McKenzie: Well, that's the next thing, is that I realize that the clerks office is getting these minutes prepared relatively short order most of the time and then when they are posted online that they also notify us that they are there, so that we know we can go to the Accela, the IQM2 website and examine them, such as that we can submit change requests prior to the next meeting. What we have been doing is waiting until the next meeting to determine if there's going to be any requests for changes at all and that hasn't been working well for us. If, who is the new person's name?

Mr. Snowden: Stephanie, and in Stephanie's training we have discussed as soon as the minutes are complete for any of our bodies they will be sent out for your review. A PDF will be sent out and a reminder that they will be posted as well will be sent out simultaneously.

Dr. McKenzie: Alright.

Mr. Snowden: But we will send a PDF to you all for your use because that makes it a little bit easier and she has been doing that.

Dr. McKenzie: And although I think we are, if you would like to object that's fine, but, are we are generally in agreement we are going to postpone approval of these 2 months of minutes until the next meeting for the June and July? Are we generally in agreement on that? Mr. Weldon is nodding his head. Any objections?

Unknown: I was not present for.

Dr. McKenzie: That's right and just one thing to be clear if you were not present at the meeting that the minutes are up for approval you really can't make a claim as to whether they are accurate or not, but so it's really the minutes that you were present, the meeting you were present, yes. But is there any benefit, do those people who were here in the July meeting also get an idea of how edited these minutes are. I mean I'm looking at them and they have been, they appear to be verbatim, that is that they have the person's name and what they said, but there is by my memory a great deal of difference between what is here and what actually occurred during that meeting.

Mr. Snowden: Dr. McKenzie I think there's a really simple solution to this, which is, I have Stephanie go back over both these last 2 months. I will address whatever the item is for March.

Dr. McKenzie: Er.

Mr. Snowden: No, hold no please. I will address whatever the item is for March. I don't want to have her going back over minutes that others did, you know we could make

ourselves stupid with that, but lets go back. Let me have her go back to the recording for the last 2 months, redo them, and resubmit them and we'll take your comments as well.

Dr. McKenzie: I was just going to interrupt you that the June meetings there is no recording.

Mr. Snowden: I understand that portion.

Dr. McKenzie: There really isn't any problems.

Mr. Snowden: Only for a portion of it.

Dr. McKenzie: Yes, but there isn't any problems in that section.

Mr. Snowden: Understood.

Dr. McKenzie: Ok. It's just that this meeting has the one that seems to have diverted quite a bit from conversation.

Unknown: The July meeting?

Dr. McKenzie: The July 6 meeting.

1. Planning Commission – Regular Meeting – June 1, 2017

Minutes held.

2. Planning Commission – Regular Meeting – July 6, 2017

Minutes held.

3. APPROVAL OF AGENDA

Dr. McKenzie: So, approval of the agenda, I do have a change that is the item # 5. Request to also postpone that one to the September meeting. The origins of Brookside Huber Housing Developments Presentation by Mark Myers asked to strike that one from tonight's agenda. That's the only change I have. Is there any other request for changes? So those will, if there's none, no. Those will stand approved.

4. SWEARING IN OF SPEAKERS

Dr. McKenzie: I see no one that I do not recognize, so I don't think I'll have to do any swearing in at anyone.

2. COMMISSION BUSINESS

1. ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 0 Graham Road, Reynoldsburg, Ohio, from R-2 Single Family Residence District to S-1 Special District; Applicant Mark Larrimer. (First Reading 6/12/2017; Planning Commission 8/3/2017).

Dr. McKenzie: Item # 1 Ordinance to amend the official zoning map of the City of Reynoldsburg adopted by ordinance # 131-95 on November 27, 1995 and as subsequently amended - 0 Graham Road, Reynoldsburg, Ohio from R-2 Single Family Residence District

to S-1 Special District. Applicant Mark Larrimer and it doesn't appear that there's anyone from the township here tonight.

Mr. Snowden: Mr. Chairman with your permission I would like to just make a brief oral presentation about items 1, 2, and 3; although the commission will need to approve each separately they're all related. I was contacted by a representative of the township and Mr. Larrimer who represents Moody Nolan and is the townships project manager and designer for their proposed new Main Street Fire Station replacement. As a part of that we looked at the zoning districts for three of the townships existing properties and I recommended that the township work with us to re-zone the properties for a couple reasons. For item # 1, it refers to one lot here, which is an integral part of the cemetery, but is a separate lot within the city. The balance of the cemetery parcel is not within the city. This particular lot retains its residential zoning from being cut off of a lot that originally faced Graham Road and in the R-2 zoning district cemetery use is an illegal use. I'm recommending that we change to the S-1 district, which would allow cemetery use and public uses. That makes the most sense especially given that it's adjacent to the school to the north, which is zoned S-1. Items 2 and 3 reflect the Fire Station 162 and 161 respectively on Livingston and East Main Street respectively and the Livingston, both of these properties since they were originally zoned commercial they reflect the commercial zoning that existed there prior to their acquisition by the township. What that causes is a lot of regulations that really should not apply to the townships Fire Station, such as commercial design guidelines, building setbacks design for commercial retail or commercial office, materials requirements, which may or may not be relevant to the townships proposed project. In order to clean things up, I recommended that both these properties be re-zoned to S-1. Every public school in the city, to my knowledge, is zoned S-1 save one, which was developed recently. All of the city facilities and parks are zoned S-1 with a couple exceptions where they retain their previous base zoning prior to them being acquired by the city and I'm working with Director Bauman from Parks and Recreation to correct that as well, for example, folks might not know that a portion of Civic Park is actually zoned industrial because that was the use recommended in a previous plan. So, we're working to correct that. Those are areas that are going to be retained in perpetuity by the city, but it just cleans up the map and helps things work. So, therefore I'm just recommending that you support these three ordinances and send them back to city council with a recommendation. Ultimately, the township will probably come to this body and/or Design Review Board with a site plan approval for their East Main Street new Fire Station. We can discuss being that they are another public body they do have some exemption from zoning requirements of the city. We can discuss portions of that, but they're still going to be bringing us site plan ultimately to this body for approval. This just cleans up the zoning district. With that, I'd be happy to answer any questions.

Mr. Comeaux: The township is in agreement with this change to the S-1?

Mr. Snowden: The township made the application as part of their project. They made it at my recommendation, but the township made the.

Mr. Comeaux: So, we think of these Fire Houses as being there forever and they probably will be. I can't imagine them going anywhere, but if they were to transfer it out to a different,

like if they were to sell that property, they would now not be in a commercial.

Mr. Snowden: Correct, they would have to re-zone, which isn't inherently a bad thing because then they could re-zone to such, to like plan commercial, etc.

Mr. Comeaux: And that's fine.

Mr. Snowden: So there would be more development controls that this body could exercise as part of a redevelopment. That's a great observation Mr. Comeaux.

Mr. Comeaux: Thank you.

Dr. McKenzie: Anything else? If people are thinking, I do have a couple, just quirky questions. I noticed its fees were waived on all these applications. Why? Is that because it's another governmental agency and I was wondering who has the authority to waive the fees on these applications?

Mr. Snowden: In discussions with Mayor McCloud and Director Havener we made the decision to not fee the township for this in order to partner with them on getting this done in the public interest. Given that the review is this bodies and myself and city council, not an outside agency such as the city engineer or something like that where the city was going to incur the cost; therefore, we elected to waive those fees.

Dr. McKenzie: Do you have any clue at all how this might have happened for the cemetery property? I mean, we can't blame, Connell because he's no longer here anymore.

Mr. Snowden: I can only speculate, Mr. Chairman, but I have a feeling that the township needed to acquire, this is their original piece which they've owned for a really long time. This piece here was an original. It's a rear lot off of this home or a previous lot that was there, previous parcel and since it's actually addressed zero Graham Road, what I'm assuming is that the, it was simply zoned as part of the general zoning map that zoned the whole city and when the township needed to acquire some additional land they went ahead and acquired it and no one realized that the zoning didn't work and the township just started using it as a cemetery.

Dr. McKenzie: They probably never applied for a change in zoning. They just purchased it and held it.

Mr. Snowden: They probably, well, I cannot speculate.

Dr. McKenzie: No, no, you were not here.

Mr. Snowden: I cannot speculate. I don't have any record that a zoning change was ever applied for. I don't have any specific record that a use permit was applied for in order the township to operate, but I don't have, I would have to know more, a lot of detail to even begin to research that.

Dr. McKenzie: And at the, I think it was when this came before the committee the first time, I believe in your presentation you stated that they were already making burials in this property.

Mr. Snowden: There are burials and I cannot tell you, I did not go out and search the headstones and say how long they had been making burials, but it's a newer portion of the cemetery when compared to the area towards the front and center where there burials are older.

Dr. McKenzie: So, we're being very, very nice to them then.

Mr. Snowden: Well, you know, it pre-dates me and it was zoned on the original 1955 map, so I don't know that I can really take accountability for it. I'm trying to clean up the existing.

Dr. McKenzie: Ok. And are, you had also talked about the 2 Fire Stations in the S-1. Is there any limitation to activities that they could engage in on an S-1? Remember that, because the Methodist Church was also an S-1, correct?

Mr. Snowden: Correct.

Dr. McKenzie: Yes, and so there, are there, would there be any limitations? I'm, the reason I ask is, I know they're not here. They have their trustee meeting tonight, but the Fire Services have engaged in home visits and these are basically fee for service visits. They only go out and they are collecting based upon insurance coverage and so they are now engaged in what is really a fee for service activity.

Mr. Snowden: Dr. McKenzie, that's irrelevant in this case.

Dr. McKenzie: It's irrelevant. Ok.

Mr. Snowden: Yes, the S-1 district permits a, permits public uses, it's a public use, Fire Station is a public use, the township trustees meeting facility is a public use.

Dr. McKenzie: Oh, no, correct. It's just that they are expanding. This is something new that they've just started doing within the last year and I don't know what really is the basis for this or anything. I just, I, so the question really was are there any limitations for them with this S-1 designation that would not be if they remained a commercial commerce district?

Mr. Snowden: No, I mean, not for what they're proposing. I don't consider whether the township is running fee for service and billing insurance or doing straight fire runs or whatever as a different use.

Dr. McKenzie: Ok. Do any other commission members have questions?

Unknown: So, we need to make a separate motions for these items separately? Is that

correct?

Mr. Snowden: Yes sir. I would just make a motion to approve each ordinance. Recommend approval.

Dr. McKenzie: Mr. Welay, are you ready to move forward?

Mr. Welay: Yes, on the first one. That's just, they've just got a shed.

Mr. Snowden: Correct. It's a two car garage Mr. Welay and some other, I think you see this as a small fenced in area where they have secured storage. This structure does not even have water. I believe it has electricity, but it doesn't have like a hose spigot or anything like that.

Unknown: And there's no other plans to change what they're going to do on there?

Mr. Snowden: Not at this time. They've discussed maybe someday making a small building addition to that for some more storage or trying to get a water pipe run out there somehow, but in terms of what, in terms of any visible change, not really. Nothing meaningful.

Dr. McKenzie: So, you're good with.

Unknown: I'm good with number one.

Mr. Comeaux: I would like to make a motion. I would like to make a motion that we approve item # 1, recommend the change in zoning for zero Graham Road from R-2 Single Family Residence District to S-1 Special District.

Dr. McKenzie: Mr. Comeaux approves. Do I have a second?

Mr. Welay: I'll second that motion.

Dr. McKenzie: Is there any debate? Hearing none. Will Mr. Snowden, would you please call the roll?

Mr. Snowden: Thank you Mr. Chairman, Mr. King "Aye", Mr. Welay "Yes", Mr. Comeaux "Yes", Mr. Cullinan "Yes", Dr. McKenzie "Yes".

Dr. McKenzie: The motion is approved.

RESULT:	APPROVED BY BOARD [UNANIMOUS]	Next: 9/11/2017 7:45 PM
MOVER:	Jim Comeaux	
SECONDER:	Robert Welday	
AYES:	McKenzie, Cullinan, Comeaux, Welday, King	

2. ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 6305 E. Livingston Avenue, Reynoldsburg, Ohio, from CC Community Commerce District to S-1 Special District; Applicant Mark Larrimer. (First Reading 6/12/2017; Planning Commission 8/3/2017).

Dr. McKenzie: Item # 2 Ordinance to amend the official zoning map of the City of Reynoldsburg adopted by ordinance # 131-95 on November 27, 1995 and as subsequently amended - 6305 E Livingston Ave, Reynoldsburg, Ohio from CC Community Commerce District to S-1 Special District applicant Mark Larrimer and this is Station 162. Questions?

Mr. Welday: They've already done...

Dr. McKenzie: Station is already there.

Mr. Welday: Yes, that station's there.

Mr. Cullinan: I'll make a motion to recommend for approval ordinance # 131-95 re-zoning of CC Commercial to S-1 6305 E Livingston Ave.

Mr. King: I'll second.

Dr. McKenzie: Mr. King seconds. Any debate? Hearing none. Mr. Snowden please call the roll.

Mr. Snowden: Thank you Mr. Chairman. Mr. King "Yes", Mr. Welday "Yes", Mr. Comeaux "Yes", Mr. Cullinan "Yes", Dr. McKenzie "Yes".

Dr. McKenzie: A motion is approved.

RESULT:	APPROVED BY BOARD [UNANIMOUS]	Next: 9/11/2017 7:45 PM
MOVER:	Tyler Cullinan	
SECONDER:	Ivan King	
AYES:	McKenzie, Cullinan, Comeaux, Welday, King	

3. ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 6900 E. Main Street, Reynoldsburg, Ohio, from CS Community Services District to S-1 Special District; Applicant Mark Larrimer. (First Reading 6/12/2017; Planning Commission 8/3/2017).

Dr. McKenzie: Item # 3 Ordinance to amend the official zoning map of the City of

Reynoldsburg adopted by ordinance # 131-95 on November 27, 1995 and as subsequently amended - 6900 E Main Street, Reynoldsburg, Ohio from CS Community Services District to S-1 Special District. Applicant Mark Larrimer.

Unknown: Mr. Chairman I have a question. This is for the renovation of their current site, right?

Dr. McKenzie: Well, this is just to change zoning, which was, and the need to change the zoning just came up as part of their plans to redo that station, but as Mr. Snowden already stated they will be coming back to us with a major site plan at a future date.

Mr. Snowden: Correct Mr. Chairman.

Dr. McKenzie: The goal right now I think is not to break ground until after this year is over from what I've heard. It's going to be awhile yet before they're going to be ready.

Mr. Snowden: Dr. McKenzie on my last discussions with the representatives from the township it was that they were going to be working through the approvals process this fall with a goal of next year, but obviously, you know, it's on them. When they choose to apply is up to them. I've had a pre-application meeting where I kind of discuss what the city requirements would be and they're going to be doing some design where they explore what zoning set back and requirements they may not be able to meet and there's some further discussion on what will happen about that.

Mr. Comeaux: I would like to make a motion that we approve zoning change for 6900 E Main Street from CS Community Services District to S-1 Special District.

Dr. McKenzie: Alright, so Mr. Comeaux motions that we recommend council approve design change. Do I have a second?

Mr. Welday: I'll second.

Dr. McKenzie: Mr. Welday second. Any debate? Hearing none. Mr. Snowden would you please call the roll?

Mr. Snowden: Thank you Mr. Chairman. Mr. King "Yes", Mr. Welday "Yes", Mr. Comeaux "Yes", Mr. Cullinan "Yes", Dr. McKenzie "Yes".

Dr. McKenzie: Motion is approved.

RESULT:	APPROVED BY BOARD [UNANIMOUS]	Next: 9/11/2017 7:45 PM
AYES:	McKenzie, Cullinan, Comeaux, Welay, King	

4. ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 6269-6275 E. Main Street, Reynoldsburg, Ohio, from CC- Community Commerce District to CS Community Services District; Applicant Sammy Kanaan, Agent for Owner. (First Reading 6/12/2017; Planning Commission 8/3/2017).

Dr. McKenzie: Item # 4 Ordinance to amend the official zoning map of the City of Reynoldsburg adopted by ordinance # 131-95 November 27, 1995 and as subsequently amended - 6269-6275 E Main Street, Reynoldsburg, Ohio from CC Community Commerce District to CS Community Services District. Applicant Sammy Kanaan, agent for the owner.

Mr. Snowden: Thank you Mr. Chairman. I was approached by this property owner who owns the four tenant bay 8 car/vehicle bay building here on the south side of East Main Street, just immediately to the west of Brice Road and this property is zoned CC Community Commerce it appears that it had been zoned CC Community Commerce in the original zoning map of the city. In this case the CC District makes basically all auto uses special exceptions. What that means is that there's also different types of auto uses. There's auto services, which would be like tire shops and accessories, there's auto repair, which would be vehicle repair specifically, and there's auto sales. The applicant, because these are small tenant spaces, the applicant doesn't have long term tenants is probably the wrong word, but they have different smaller folks using each one of these bays and they're renting to different people who ultimately typically go on to own their own, rent or own their own larger vehicle shop. So, anytime a use changes here they have to go through the process to get a new special exception, for example, this portion of the buildings rented to a repair shop, this portion was also rented to repair shop. I was approached by a gentleman who wanted to utilize that for a accessory shop selling radios and rims and that sort of thing and because it had previously been repairs, which is a different special exception he was going to be required to go through the special exception process. The applicant was having a problem retaining tenants because of that and they're proposing to re-zone to the CS District which would permit auto uses. One of the other permitted uses that is in that district is in CS District is auto sales, which the applicant is not proposing and some adult uses, sexually oriented businesses I believe and I wrote a special limited overlay to state that those would continue to be special exceptions in this case. So, the net effect of this will be that the applicant's property is zoned CS except that it will have a special use limitation making auto sales and sexually oriented businesses still a special exception. Normally they would be permitted uses in the CS District and at that point the applicant will be able to rent, and interchange, repair, and service uses at their convenience, while securing a zoning certificate and any requirements of the building division. That's what the applicant Mr. Kanaan is proposing and I believe he's here tonight if anyone would like to address the commission with any additional questions and I'd be happy to answer any additional questions.

Mr. Comeaux: You identified two other concerns that might arise in the CS services district.

What else does it cover? Is it just autos and adult businesses or are there other things that are off the radar? Bars or?

Mr. Snowden: Mr. Comeaux let me show you the pages in the zoning code.

Mr. Comeaux: Thank you. Apologies for not having looked that up.

Mr. Snowden: No problem. I'll show it to you now. So, in the CC district these are the permitted uses and these are the special exceptions. The applicant is proposing permitted uses. These would be the permitted uses, so yes they would be gaining, eating, or drinking establishment as a permitted use. Adult entertainment businesses and sexually orient businesses and auto sales are going to remain a special exception under the limited overlay, which should have appeared in your packet.

Dr. McKenzie: Could you restate that last part there? I kind of lost track what you're trying to say there. What was going to be remaining special exceptions?

Mr. Snowden: Adult entertainment businesses.

Dr. McKenzie: And that was by a stipulation you were adding to the text.

Mr. Snowden: I wrote a specific limited overlay text for this property in order to keep the concerns about these undesirable uses to a minimum.

Dr. McKenzie: That was the part that confused me again.

Mr. Snowden: Sir.

Unknown: Is hotels, motels part of this? So, underneath here, so, hotels and motels, and mortuaries are also permitted uses?

Mr. Snowden: Correct. Mortuaries are permitted use in both districts. Hotel, motel, I mean I can put additional restrictions on there. My goal is to put, my goal is to have the smallest amount of limited overlay that was required to keep the uses at a minimum. If you have too many restrictions then it's basically just CC with different uses. You see what I mean?

Unknown: I get it.

Dr. McKenzie: Can you scan?

Mr. Snowden: You mean scroll back up again? Sure. Be my pleasure.

Dr. McKenzie: And so right now its.

Mr. Snowden: Right now these are the regulations that apply. Permitted uses in this column and special exceptions.

Dr. McKenzie: So they have a special exception for automotive sales and automotive repairs and under the services district automotive sales and automotive repairs are just permitted uses.

Mr. Snowden: Correct. There's also auto services, which is part of auto repairs. It's a little bit confusing. I've been looking to redo the table, but this is what I have to work with at this time. Automotive sales the applicant does not want in the CS District. All they want is repairs and services. If someone wanted to be very specific they could make the motion to say CC Community Commerce District to CS Community Services District with limited overlay. I'm not sure why I omitted that one. I wrote the ordinance, but it could say with limited overlay. It should be the recommendation we send back to city council and we can correct that ordinance. It just helps with finding in the future.

Dr. McKenzie: So you would suggest inserting that after zoning maps, an ordinance to amend the official zoning map with.

Mr. Snowden: No Mr. Chairman. Look in there, it says from CC Community Commerce District to CS Community Services District with limited overlay.

Dr. McKenzie: Thank you.

Mr. Snowden: Should be the language and we can have that corrected at city council as well, but that should be your recommendation.

Dr. McKenzie: Any questions?

Mr. Welday: I'm putting my notes down after that.

Dr. McKenzie: Ok. I do have one question and there will be no change, so auto repair places, sometimes more often than other businesses, may run afoul of code violations. Having derelict cars parked out front, those types of things. This will not in any way impact our ability to regulate the business?

Mr. Snowden: No, not from.

Dr. McKenzie: I assume not since the classifications are the same, they're just changing from special to permitted.

Mr. Snowden: Not from the standpoint of unlicensed vehicles, vehicle parts or disassembly's. Basically then can have those things if they're actively working, but they can't be storing those on the exterior of the business. The code doesn't allow for that for property maintenance. Yes, you're correct in your assumption they haven't now. They have a special exception for it now the problem I think is in Mr. Kanaan can elaborate if he needs to, but the problem is when these things are changing because you're not having like, for example, like a gas station being a special exception the CC District. You get a gas station

you get Speedway, it's going to be Speedway for a number of years and then maybe they'd sell to Shell and that's going to be Shell for a number of years, but it's not changing tenants; whereas this building is changing tenants, so he's renting for a few years or a few months to somebody selling accessories and then that gentleman or lady gets a bigger building and then he's renting to the next guy who might be doing transmissions and then that guy gets his own building and then the next person wants to go back to doing, you know stereos and each one of these is because they're a separate special exception causes a delay in his ability to rent. At least these folks have approached me looking to rent his building. When I say look, you're use is a special exception, their attitude is like, well the building is set up for it and it's had it before and like well it's true, but when they changes under many circumstances you do have to get a new special exception when it changes. There are ways I can transfer a special exception, but those are not applying in this case a lot of the times because one of the length that goes on between some of the tenants and two when you're changing between two different special exceptions I can't transfer that. Ok, if it goes to repairs to repairs I can do it. If it goes repairs to services now I can't do it. But the point that I think Mr. Kanaan was trying to make in his statement was, look the site is really only set up for auto uses, I mean, it makes sense that this would have the CS zoning in the first place because this is what the site is useful for. You're not going to suddenly convert this to retail sales without pulling down the building.

Unknown: Mr. Chairman, if I may, can I have an example of a commercial recreation facility?

Mr. Snowden: Bowling alley.

Dr. McKenzie: Or the new fad is a trampoline park.

Mr. Welday: By changing, if he wants to add on, is he restricted in level size, stories?

Mr. Snowden: He is still restricted by the same regulations in terms by what we call bolt controls, setbacks, height. I can go to that page in the zoning code, but the CC and CS are not that different, just the CS allows some more intensive uses. He's not suddenly going to be way differently restricted in how his building can expand. I don't think Mr. Kanaan or his owner intend to expand the building at all. I think they're really just, it's very much based on uses and when uses change, but if I recall from the table, and I can look it up if I need to, the setback requirements, the bolt controls height, they're all basically the same. He's not suddenly allowed to do a taller building now. In fact, the CC District actually allows a taller building than the CS District, so in fact we're actually just kind of controlling him a little bit more by giving him some additional uses and I think that's the logic behind it.

Dr. McKenzie: Who hasn't made a motion yet? Mr. King.

Mr. King: I'd like to move to recommend that we pass location 6269-6275 E Main Street, Reynoldsburg, Ohio from CC Community Commerce District to CS Community Service District with the limited overlays as described by Mr. Snowden.

Dr. McKenzie: Alright, Mr. King moves. Do I have second?

Mr. Comeaux: I'll second.

Dr. McKenzie: Mr. Comeaux seconds. Any debate? Hearing none. Mr. Snowden please call the roll.

Mr. Snowden: Thank you Mr. Chairman. Mr. King "Yes", Mr. Welday "Yes", Mr. Comeaux "Yes", Mr. Cullinan "Yes", Dr. McKenzie "Yes".

Dr. McKenzie: Motion is approved.

Mr. Snowden: All four of those items will be sent back to city council for their additional readings.

Dr. McKenzie: Thank you.

Mr. Snowden: Mr. Kanaan, I can send you a written record stating what the next steps will be, but I think I went over the process with you enough.

RESULT:	APPROVED BY BOARD [UNANIMOUS]	Next: 9/11/2017 7:45 PM
MOVER:	Ivan King	
SECONDER:	Jim Comeaux	
AYES:	McKenzie, Cullinan, Comeaux, Welday, King	

5. Origins of Brookside/Huber Housing Developments Presentation by Mark Myers

Per Dr. McKenzie, rescheduled for September meeting.

6. Report from Dan Havener on Comprehensive Plan Meetings

Dr. McKenzie: Item # 6, we passed over 5. We're going to have a place on the agenda for Mr. Havener to report on any of the meetings that are going on about the, anything that's happening with the comprehensive plan. If you had anything, it would be nice to.

Mr. Havener: We really haven't had any meetings per se regarding the comprehensive master planning in the RFQ for professional services and estimates for those services. We have sent out the RFQ to and posted in onto the website for interested firms. We ended up getting five replies back that came in on, that were required to be in on by July 21. On July 25 I put packets together and sent those packets out for review. In scoring by each of the steering committee members and those scores are supposed to be sent back in by August 21. Once I receive all those we'll go ahead and review the scores and typically the firm with the highest accumulative score will be the preferred firm to do the work and it will then go on to city council for their review and approval.

Dr. McKenzie: Could you share with the members of commission the scoring of the categories by which we'll be scoring to make that decision process?

Mr. Havener: Yes, I can definitely provide a copy to the members here, but it's kind of hard

for me to because there's like 10 different items that are listed and I think to really do it justice I would just provide a copy to you for your review.

Dr. McKenzie: Thank you.

Mr. Havener: And then if there's anything else I can add, I think at this point, that's pretty much the extent of the process though.

7. Examination/Update of Strategic Plan for Historic District

Dr. McKenzie: And the last thing I'd like to point out we're running really late and I've just got bad shake heads, so. Did anyone, did you have the opportunity to get a copy of the strategic plan for the historic district? Did people have them?

Mr. Snowden: I'd be happy to send a copy out. I'm going to just jump in here and just tell everybody look this isn't what we call; it was called a strategic plan. It's really what we call an area plan because it deals with a specific area of the city. If we're working on a comprehensive plan for the city, we don't need to redo the area plans off that comprehensive plan as done because that comprehensive plan is going to identify policies and specific action items for the whole city which then can be translated into a better strategic plan for the historic district. So, I'd be happy to send out a copy, but I'm going to just recommend we don't take any specific action on trying to update that while we're working on a comp plan, it just doesn't make a whole lot of sense and that was posted to our website at one point. Our website had issues with the size of some of the files that were on there for these plans because they're pretty heavy duty PDF's. I will work with our IT and try to get them dropped back in there, but some of them exceed the requirements of what I can upload into our website.

3. ADJOURNMENT

Dr. McKenzie: Alright, that clearing our agenda, with no further business, I will close the Planning Commission meeting at 7:21. I thank you for your time and energy tonight.

Chairman



Planning and Zoning Administrator