



## MINUTES

### PLANNING COMMISSION THURSDAY, JULY 22, 2021 6:00 PM

PLACE: COUNCIL CHAMBERS  
7232 EAST MAIN STREET, REYNOLDSBURG, OH 43068

#### A. CALL TO ORDER

PRESENT: Cullinan, Zollars, Benner  
ABSENT: Hicks, Furst

##### 2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – July 1, 2021

Minutes Stand Approved

##### 3. APPROVAL OF AGENDA

Agenda Stands Approved

##### 4. SWEARING IN OF SPEAKERS

Speakers for the evening sworn in by Mr. Zollars.

#### B. PUBLIC COMMENT

**Mr. Zollars:** With have a speaker form from Mr. Luzader. Mr. Luzader you have three minutes. I'm happy to listen to what you have to say.

**Mr. Luzader:** Thank you, Chairman Zollars, members of the Commission. On the subject of the zoning code changes additions tonight. On page 189, Section 1109.09 Paragraph F under applications, there's a document referenced as the development handbook. In this handbook there are numerous items listed that are to be submitted with a minor and major site plan application. I understand this is in the process of being updated, I would like to ask that the provisions of this handbook be included and mandated in this section of the zoning code. This should include a traffic study where mandated. A facilities demand study to include water, wastewater and stormwater calculations. It should include when and how all connections will be made to city utilities. It should also include that any and all easements shall be obtained in contingency before submittal. There are numerous other items in the current version that should be carried over to the new version that are too numerous to mention tonight. By incorporating these provisions into the code, it will take action by this board and city council to change it, which is the way any document in this code should be. Thank you.

**Mr. Zollars:** Mr. Bowsher, that's the one section I'm not familiar with. Can you bring us up to speed on that, please?

**Mr. Bowsher:** Yes, thank you, Chairman. So we discussed this a little bit as well at Council when Mr. Luzader had brought that up then. Talked to city attorney Shook earlier today, as well as Director Dorman for the service department. So during this process, we knew we wanted to update that as well. And so we do not want to memorialize that in the zoning code because then any other changes that we would like to make to that document that needs to be made more frequently, especially as things change within the engineering world, that means that we would have to change the zoning code every single time we wanted to change that said document. Those are two separate documents. They do reference one another, but as Mr. Luzader had pointed out to three year old document, at this point, it was updated under the past administration. It does not have the new stuff for the zoning code. Should have been updated a while ago. We are going to get to that. There's a meeting on the books later in August to start that process. It should take a couple of months to get that updated and then they're talking and communicating the two documents together more than what they currently are right now, because there are some discrepancies between the two and what is supposed to be submitted and what is not. A lot of that document, though, has a lot of standard drawings and engineering practices that will not change. So those won't be updated, but where it communicates within the development department and the developers themselves, that's what will change.

**Mr. Zollars:** Mr. Benner, Mr. Cullinan, anything you want to discuss? OK, thank you, Mr. Luzader.

C. UNFINISHED BUSINESS

None

D. NEW BUSINESS

1. 2021 Zoning Code Amendments

**Mr. Zollars:** Mr. Benner, Mr. Cullinan, anything you want to discuss? OK, thank you, Mr. Luzader.

**Mr. Bowsher:** So before you tonight is the zoning code update. We obviously had a work session. Two of our members not here. I know they were present then and they gave some great feedback as well as others when we pushed out some other information. One of the things that you didn't have in front of you was the design guidelines. Mr. Zollars, you had gave some great feedback. We took that into consideration as well as Alex and Mr. Hicks. And so we have incorporated that as well as staff changes as well. So we have taken it down from what was pretty much three pages and we've taken it to a page and a half the stuff that we think is important to keep as standards. What we also did with the design guidelines as well, is we took the garage standards that we did during the last zoning code update and we put those in here. We think that was a better place for those and really pulled it together. There was some overlap where we got into landscaping that wasn't necessary because it was a very thorough landscaping piece into the zoning code. So we like it the way that it looks right now. We did go over with pretty much a fine tooth comb. We think that it gives plenty and a little bit more teeth when residential

planning applications come to you, but not to the point where it would stifle development, but making sure that we're projecting higher standards on developers when they're coming into the city. So that is before you. That was one of the changes from last meeting. And then on briefly, just going to go over the overall changes. So it's on the record. We are changing and adding specific uses in the CC Innovation for conditional use for medical marijuana. As well as attorney Shook writing business regulation ordinance was separate and it's coinciding with the zoning code. Credit for green space. Your last meeting, there was an ad on that you wanted me to take away the fences and some of the other examples. So we went ahead and changed that. That is gone. We just talked about the design requirements. Commercial signage. Emily had made some tweaks, I think that was talked about last time, the elimination of the zoning permit for roof mounted solar. They already have to go get a building permit. So we're basically forcing them to get two separate permits for the same thing. It was doing double duty, it didn't make any sense. You still have to go get a zoning permit if you would like ground mounted solar, though. Moving forward, building height transition. It was removed from the inside district for fear of, you know, the standard one story that's out there, like, for example, the Alliance project and there being a McDonald's that sits there. We, of course, want the Alliance to be able to build their project without having to have a variance just because there's a one story building that's next to him. However, what we did is we transitioned that and applied it to the S.R. and the R.M. I know that was discussed last time and Mr. Hicks had requested a change to 200 percent. So that was put into there as 200 percent from the 150. Then the overlay district, it was also brought up in an email from Mr. Furst to us, I know that Attorney Shook had had written out the new requirements and added it in there. One of the things that I want to talk about while we're discussing this tonight. Number one, I think we can make it even easier and just apply within the certificate of appropriateness. It just calls out that any new build or any additions above two hundred and fifty square feet within this overlay district has to go get a certificate of appropriateness, which means they'd have to come to the board. You would take a look at it and would say yay or nay that it fits in or not. I don't know if we need to have a full other drawn out guidelines or design guidelines for that specific. I also add to if you read through in detail, the design guidelines that's before you plus adding on the height transition, it would eliminate the problem that we had with the Retton Road house. So there is a question that should be had. Do we even want to entertain even putting an overlay district on there if the design guidelines and the height transition would fix said problem of our fear moving forward in the future for some of these older neighborhoods?

**Mr. Benner:** You were originally talking about a Huber and a Brookside overlay, or just Huber?

**Mr. Bowsher:** I think it was just Huber.

**Mr. Benner:** Why? I mean, what's the difference between; they're both old single story developments for the most part, in fact, Huber actually has two story houses.

**Mr. Bowsher:** I think primarily when it was discussed, at least in our zoning code meeting, that we saw a difference between the Huber neighborhood because of the characteristics of the brick facade and where and when and how that was constructed versus what the Brookside neighborhood resembles. It's typically more of a Cape Cod and a vinyl siding than what the brick siding is in the Huber... So it's to separate, even though they may have been constructed in similar times.

**Mr. Benner:** And it's your contention then that because of the changes in the design standards, we no longer need an overlay.

**Mr. Bowsher:** I'm putting that out there as a conversation piece. It was something that Emily and I discussed yesterday, actually earlier in the week, once we really started going all through all of this, understanding that our fear is we don't want a home that's going to be out of place in Huber or Brookside, for that matter, or any other neighborhood that may resemble those single story neighborhoods. Well you fix that because of the high transition, because all of those homes are well within 40 feet of each other.

**Mr. Benner:** Correct.

Right. So that fixes the height problem. And then when you add the design guidelines, no longer will you have a home that has a cinder block frame on the bottom without a facade, you no longer have a door that can be on the side of the house. All the things that we hear complaints about are now fixed. So does this committee want to see every time that somebody wants to add a two hundred and fifty foot sunroom on the back of their home on Huber? You know, sure, there wouldn't be a ton of those applications, but there could be some. If we're fixing the problem, do we want to add additional language that really we're already handling? And that's really a question I think that's for the commission, for the city attorney. It's not something that the city attorney and I have talked about. We didn't have time to discuss this so I apologize for putting that on him at this at this late hour, but it's something that I wanted to talk about because there's no reason adding additional pages to a book if we're already handling the same stuff.

**Mr. Zollars:** Mr. Bowsher, it's always my opinion and commissioners, you know, if it's stated somewhere, I don't think we need to get into the lawyer ease of this. Let's keep it a little simpler to your point so we're not referencing back, you know, if it's covered here a couple of different ways, I think in my opinion, I think we're fine.

**Mr. Cullinan:** I think any time that you have to governing things in the same document that could conflict each other or confuse people, it's easier just to have one if it works from a legal perspective.

**Mr. Benner:** I have no issues with it. I just wanted to be sure that the height restriction should cover.

**Mr. Bowsher:** Chris, I'd really like your opinion, honestly,

**Mr. Shook:** Legal opinion or personal opinion? I mean, my legal opinion is that I'm a little confused because I don't know what language we're adopting tonight. You know, we have language that's in the agenda packet that has been submitted from prior reads before council and then the earlier meeting, a planning commission this month. So I don't know what language we're considering at this point. So that's a legal concern. Personally, I always thought that we were looking at a little bit of a lower height transition requirement for Huber. 200 percent in Huber would mean that you would be able to build a building twice the size of the building that's right next to it. So I always thought that we were going to have a smaller, high transition in Huber than we did citywide. In addition, I think in the overlay district, we also had a design requirement that specified that the material for a new build or additions needed to be similar to adjacent properties. So you wouldn't have like a vinyl house next to a brick house. So those are my thoughts.

**Mr. Bowsher:** So I guess to come to your point, in the architectural design materials, consider the surrounding architecture when building in an established neighborhood, avoid decorative characteristics from different architectural styles into a single building. And so I think when we're talking about those, I think we should really be that should be across the board in all neighborhoods, which is why it's in the standard design guidelines. You definitely don't want a modern type of home that's built even in the midst of a normal neighborhood or the ones that have been built in the last 20 years. But, you know, I leave that up to this.

**Mr. Shook:** I would probably want stronger language than the word consider because they could come in and say, yes, we did consider it, but we rejected it. You know, I mean, I'm a little worried not like overly worried, but we do need to find where we're putting these design guidelines into the zoning because we don't have a number here. So I didn't know where we were going to put these.

**Mr. Bowsher:** Yes. So this here we are going to add to the bottom. We felt like the other districts, like the insight districts, as well as the old Reynoldsburg districts their design guidelines are right after the typologies page. So we're going to put them in there, not put it into the common regulations, but put it underneath of both RM and SR.

**Mr. Shook:** I mean, I think we can do that and I don't have a problem with some of this language, I just think that probably especially with the architectural designs, the word consider, it's probably best to use the word incorporate.

**Mr. Bowsher:** OK. We can certainly change that.

**Mr. Zollars:** Make that change.

**Mr. Bowsher:** Yeah.

**Mr. Zollars:** Mr. Benner?

**Mr. Bowsher:** I'm just wondering, I mean, he raised more than one issue. The two hundred percent, that's actually twice as big as any other building there, correct?

**Mr. Bowsher:** It would be, you know, we went back and forth to when we were talking about this because there are some homes, obviously, as somebody had pointed out, there are some homes that are two story that are obviously in that district as well. This is a great discussion topic. I don't mean to drag the meeting out, but this is why we're here this evening.

**Mr. Zollars:** Let me ask you, does anyone here know the house that we're talking about particularly would qualify as two hundred percent?

**Mr. Bowsher:** It would not actually qualify as two hundred and seventy five percent or two hundred and fifty percent, because it's actually two and a half stories. So it's really out of place because they have their basement that's already above the level. And unfortunately, we didn't have anything that was in place when they were building.

**Mr. Zollars:** I'm personally fine with two percent. You know, I don't I don't see it coming up. I don't I'd be surprised if it comes up. If it comes up, quite frankly, uh, but if it does, you know, neighborhoods change, houses get torn down all the time and rebuilt. So if we put a standard in there two times. Next 50 years maybe we change that neighborhood.

**Mr. Benner:** So am I wrong in thinking this 200 percent, that's zoning code, so it applies throughout the city, correct?

**Mr. Bowsher:** It applies to the residential

**Mr. Benner:** Residential throughout the city. So how would that work up on Priestley if somebody wanted to put 200 percent above a house?

**Mr. Shook:** It probably wouldn't fit the other height restriction that's in suburban residential. So they wouldn't meet that restriction.

**Mr. Benner:** So this is designed really for Huber and Brookside.

**Mr. Bowsher:** Yeah, I think so. I think when city attorney us and we discussed it and we even discussed it when previous applications. It's to prevent single story neighborhoods from being shadowed by larger developments.

**Mr. Zollars:** I think I think we have consensus on the commission to accept two

hundred.

**Mr. Benner:** Inaudible.

**Mr. Bowsher:** OK, that changes made (changing the wording of consider). Major sit plan, we've actually already started doing all of this. This was an added policy that we discussed. So new timelines, major site plan, 21 days. And that is because of the EMH&T staff report separate from the zoning staff report. We're actually already doing that. And this is just memorializing it.

**Mr. Shook:** I did have, I'm sorry. I warned you guys once I start talking, I don't stop. So you want to keep me as quiet as possible. On the major side plan change. I did wonder about the engineering report. Should we have language in there that puts the cost of the engineering report on the applicant?

**Mr. Zollars:** Is it, Mr. Shook, is it vague or unstated right now?

**Mr. Shook:** It's unstated at this point, says I think. Where applicable an engineer staff report will be conducted by the city engineer, where further recommendations could be made.

**Mr. Zollars:** I agree. That's probably a good point.

**Mr. Shook:** And that's just a question not a suggestion that you should or should not do that, but there were some discussions earlier about whether we were going to put that cost on the developer.

**Mr. Bowsher:** Yeah, that we actually that's a great point. We actually went back and forth on what we wanted to do with this. And I have no problem with that. I know we've discussed this year finishing it out and because it's not in there to do so and we've been charging that. But, you know, we do other plan review fees from our city engineer and we have a set standard. And actually, I feel like I've actually already asked Ryan, our city engineer, for what a standard cost would be. And they do this in Grove City as well. So I have no issues adding that language to it and just having us do it.

**Mr. Zollars:** I say we go ahead and do that.

**Mr. Cullinan:** Yeah.

**Mr. Bowsher:** Good catch. Next, small format grocery, this was an added definition because it was not there. This was a Ms. Wheeler request office used in the ORDN. We already have this already operating across from the Redwood product on Lancaster in the neighborhood district offices. We want to make sure that those if they become vacant, they could still refill them. So we've added that. Resident's driveway width and parking set back. I believe this was because of the RV's.

**Mr. Shook:** It was, and the RV regulations that were passed last fall. There was some inconsistent language in there that indicated it had to be three feet from a right of way, but 10 feet from a property line which essentially eliminated the three feet from right of away, right?

**Mr. Bowsher:** Right.

**Mr. Shook:** So we just eliminated the 10 feet from the property line. We have a number of RV's that are already nonconforming uses with this ordinance anyway.

**Mr. Bowsher:** So the new language as it reads. Just so you have it and it's on the record, such recreational equipment and vehicle shall be stored and parked at least three feet from any dedicated right of way walkway and or property line. So which coincides with our accessory dwellings as well. They have to be three feet from either side. The removal of the glass requirement in the insight district, this was a pretty standard one, it basically made even the back and sides of the buildings had to have 60 percent transparency for glass. That didn't make a whole lot of sense, seeing how, you know, different buildings are meant to look different. So we took that away. Side yard setback change from 2.5 from 8, this was something that should have already been in from the original time that we had passed, it is actually coincides with MI Home's development on Springhill. So I wanted to ensure that we are following actually our code and the way that we're allowing for development to happen. And let's get to the map changes. There's three total, the Lancaster one from community commercial to innovation excuse me, the Oak Valley, which was a recording error half of it was in the main street district, the other half and the suburban residential. Our goal is to change it all too suburban residential. It's technically one parcel shouldn't have been split to begin with. Then also the eighty three hundred East Main was an existing home a few years ago, was burnt down and it is being requested from the individual who has it in contract that it be changed to SR from East Main Street District. I believe she's here tonight. I don't know if you wanted to speak. Obviously she came before the BZBA board. We felt it was better not to give any type of variance or use variance, but to have this go through this process. So instead of having her pay fourteen hundred dollars when we're already going through the process, we thought that we would add it in and then we would allow Planning Commission to make a recommendation to council on those three changes.

**Mr. Zollars:** Comments from the commissioners?

**Mr. Benner:** I'm fine with Oak Valley, Ohio Valley was a mistake to begin with, and we're correcting that. Mr. Bowsher, I do I did raise the issue that we will not allow him to put any flag lots in here, is that correct?

**Mr. Bowsher:** That is correct. So we obviously have a front yard widths that they have to they have to already compete with.

**Mr. Bowsher:** So I personally have no issues with Oak Valley changing, like for the innovation district can't be done fast enough. I think that's a smart move. Unfortunately, I'm not really in favor of changing Main Street to a residential. It creates a hole in our zoning. You have this one standalone deal around which everything will be developed as years go by, and I just don't think it's a smart move for this commission to do that. That's my own personal opinions.

**Mr. Zollars:** Mr. Cullinan, do you anything you want to share?

**Mr. Cullinan:** I have those same thoughts.

**Mr. Zollars:** Yeah, and I agree, Mr. Benner, there's a good point and I concur as well on all three of them.

**Mr. Bowsher:** So is your recommendation to strike the 8300 E. Main from the recommendation this evening?

**Mr. Benner:** That is correct.

**Mr. Bowsher:** OK. Is taken out. One other line item of business, this is something that's kind of come up and some recent conversations that we've been having with Ciminello development group, as you know, the East Wood project, they're going to do a variety of different products. The majority are all going to be within the existing zoning code and how it sits the 50 yard front set back and things of that nature and that set setback excuse me, width. A request that I was asked to bring to a planning commission this evening, was is there an appetite to take a look to allow for SR to have a 40 foot front width instead of a 50? There's a product that they are hoping to build that if it does not pass through this, they're going to try to go and get a variance. It's a small portion of the product. The other lots are 50 and 70. And then they will have attached single family all Owner-Occupied through there. But there are a smaller cottage lot that they would like to see. It's got a 35 foot frontage of the building. It typically has a rear facing garage. So they don't need that additional square footage. They'd like to be able to cluster these together in the next phase and phase two. So I bring that up because this is something that's going to come to this board within its major side plan as well as BZBA if they ask for that variance. But I thought we should have this discussion openly this evening.

**Mr. Benner:** I thought we were 100 percent against rear garages in our zoning code. Garages have to be side entry or to the front we're allowed. You're creating an alley basically.

**Mr. Bowsher:** You can have a rear facing garages.

**Mr. Benner:** OK, maybe you can. You're telling me they're going to bring this to us in the form of some drawings and we can?

**Mr. Bowsher:** Correct. They are. So my fear was, I guess when this was brought to me, to my attention earlier this week, was that does not equate in my mind and I think the city attorney would agree as a hardship because monetary value is not necessitate a hardship. And I don't know how they would get there with that. Ultimately, at the end of the day, this is their development and they have a mixture of uses. And I think it's going to be the best looking development that the cities ever had and obviously the developer's very high end and they know what they're doing. And so I bring this forth just because I think everyone should know the facts and the information. We should make an informed decision.

**Mr. Zollars:** Mr. Bowsher. Let me ask you a question. This would be similar to the one that these are condos over behind Culvers, but the same difference, right? You got an alleyway between front and back properties?

**Mr. Bowsher:** Correct. Yeah.

**Mr. Zollars:** All right. Yeah. I'd like to see something on paper before we talk about that, but I'm even with the high end product and I'd like to look at that and think about it on paper.

**Mr. Bowsher:** Yeah. So those ones I think that you're talking about buying Culvers those are attach single family, these ones. And I could be wrong on the detached facing because I haven't seen them in front of me. This was a conversation that we had and I told him that I would bring in before the commission just to get their feelings on it. But yeah, the majority of the product will be 50, 60 and 70 foot.

**Mr. Zollars:** I'm not interested in discussing it one way or the other without seeing something.

**Mr. Bowsher:** Ok. All right. No, of course, you can always come up and if you would like to just sign in and then I think. Yes, please. Actually, you know what, if you just go to the mic and sign and afterwards it'd be even better state your name and address for the record,

**Ms. Kurtz:** Hello, my name is Cassie Kurtz. I live at four hundred eighty West Broad Street, Columbus, Ohio. And I'm the one in the contingent land contract for eighty three hundred East Main. Some of you I realized may not have been privy. I guess I was assuming maybe that some of you had more information than you did about the rezoning request for eighty three hundred. It is true I had come before the BZBA for a variance request and that was because the property is currently zoned commercial. 50 percent of it is a floodplain. Another 10 percent of it is covered by ravine. When I worked out the math between the floodplain, the ravine, the setbacks, the parking, there was less than one tenth of an acre available for commercial space. So that's why I had initially put together the thought that, hey, this isn't suitable for commercial use, but it could be suitable for a residence. But that's why if

it's not transition to residential zoning, it'll just be a vacant lot and sit empty. Right now, there's like fire debris and there's trash and there's beer cans. I just see it as an opportunity to change it to something that could be useful for the city. And I didn't know if everyone was aware of kind of all the circumstances behind the property. So I don't want to take up too much of your time. But I wanted to say my piece and I appreciate the time you guys have spent considering and I'm happy to entertain any questions to.

**Mr. Bowsher:** So as you can see here, this is the lot just so we can walk through it. This is the flood plain in the back that can't be built on. You could see the existing house was there. .59acre. It does have access off of Main Street. I think some of the concerns from BZBA was the in and out of that just being dangerous with the wooded lot, and area. It's septic, correct?

**Ms. Kurtz:** No, there is no city access for four hundred and thirty feet. So it's going to require an alternative septic system. So that was something the water access to the property I have quotes from eight to ten thousand dollars to put water in there. And then it's going require an NPDS system, according to the Licking County Health Department, which is another twenty - twenty five thousand dollars. So we start looking at it. It's highly unlikely to be selected for any kind of a commercial development due to physical space issues, lack of city sewer, there's currently no city water hook up there. In general, you know, geographic features of the property. So this is what I would love to build there. There's a nice little a framed picture.

**Mr. Zollars:** Any questions of the board? OK, thank you for your time. Appreciate it.

**Mr. Bowsher:** Would you like to reconsider that?

**Mr. Zollars:** No, I think we're good.

**Mr. Bowsher:** OK. All right.

**Mr. Zollars:** Are you done Mr. Bowsher?

**Mr. Bowsher:** I'm complete.

**Mr. Zollars:** OK. Do we need to get emotional a second on this?

**Mr. Benner:** It seems as though we have several conditions.

**Mr. Shook:** Yeah, I want to make we get all the conditions in there and what I should have done was draft the recommended language promotion, I apologize.

**Mr. Benner:** We'll give you time.

**Mr. Shook:** Well, if you if you can remember all of my words or write them down and

work out well. So it should be a motion to recommend the approval of these zoning changes. With the following conditions; number one, to remove the Huber overlay language. Number two, to include the design guidelines that were submitted. With the sole change that the word consider be changed to incorporate. In relation to the architectural design standards. Number three, that the major site plans section be amended to reflect that the cost of the engineering report will be taken on by the developer or applicant. And number four, that the map will be amended to reflect that 8300 East Main Street shall remain zoned as Insight district.

**Mr. Benner:** All right. Mr. Chairman, this is Mr. Benner. I'd love to make a motion before I forget what he said. To approve the application.

**Mr. Shook:** Zoning change.

**Mr. Benner:** The zoning changes.

**Mr. Shook:** If you would like Commissioner better, you can just say I'd like to make a motion consistent with the language attorney Shook just said.

**Mr. Benner:** Wow. Is that recorded?

**Mr. Shook:** Yes, that would be a part of it.

**Mr. Benner:** I would like to make a motion consistent with the language that Mr. Shook just put on the record.

**Mr. Cullinan:** I'll second.

**Mr. Zollars:** OK, we have a first and second. Can you call the role, please?

**Mr. Bowsher:** Mr. Benner. Yes. Mr. Cullinan. Yes. Mr. Zollars. Yes.

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|----------------|-----------------------------|
| <b>RESULT:</b> | <b>APPROVED [UNANIMOUS]</b> |
| <b>AYES:</b>   | Cullinan, Zollars, Benner   |
| <b>ABSENT:</b> | Hicks, Furst                |

#### E. OTHER BUSINESS

None

#### F. ADJOURNMENT

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Chairman

\_\_\_\_\_  
Planning and Zoning Administrator