



## MINUTES

### PLANNING COMMISSION THURSDAY, JULY 7, 2016 6:00 PM

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

#### A. CALL TO ORDER

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

#### 2. APPROVAL OF MINUTES

##### 1. Planning Commission – Regular Meeting – April 7, 2016

Minutes stand approved.

#### 3. APPROVAL OF AGENDA

Agenda stands approved.

#### 4. PUBLIC COMMENT

Chairman McKenzie: We have people speaking tonight. We ask you to take an oath. Please stand and raise your right hand. Do you swear or affirm that the testimony that you give in front of the Commission will be truthful? If so, answer, "I do." (Audible I do's.)

#### B. BUSINESS OF THE PLANNING COMMISSION

##### 1. **1636 Graham Rd; Application #173912; Reynoldsburg United Methodist Church; Major Site Plan**

Chairman McKenzie: Mr. Snowden, do you have a Staff Report?

Mr. Snowden: Mr. Chairman, I do. 1636 Graham Road This is for Phase One of the Reynoldsburg UMC Family Life Center, it is a Major Site Plan. Application: #173912. Location: Property is located on the east side of Graham Road between Palmer Road and Burkey Drive. Existing Zoning: S-1 - Special District. The request is for the review of a major site plan in order to construct a building addition and related improvements. Current Use: Semi-Public Use (Church). Applicant: Osborn Engineering. The applicant is requesting the Board review and approve a major site plan in order to construct an addition to an existing church building and expand the related parking facilities. The site, you will probably recall, was rezoned previously in 2016, in order to conform the Zoning District to S-1. At the request of Staff, the applicant conformed all of the parcels at the site to the S-1 Zoning District by action of the Commission and Council earlier this year. This proposed major site plan represents phase I of the applicants overall project. The applicant intends to return in September with a subsequent major site plan application for the proposed building. In this phase I project, the applicant proposes to add 52 parking spaces in a lot immediately

to the south of their existing front parking lot. Given that no building area is being added by this phase, the parking requirements for the existing building do not change. The applicant meets the minimum 5FT setback for all parking spaces, and has provided the required screening and interior lot landscaping for this new phase. So understand, in this case, they are proposing a new parking lot. Their existing parking lot does not comply with the Code because it was existing, and much of it was built before our current landscape code, and various parking regulations were enacted. But their new parking addition needs to comply with the interior lot landscaping. That is why they have the tree islands within that parking lot. In the S-1 District, the minimum setback for a parking lot is five foot from the public right-of-way. That is pretty short. In the Commercial Districts it is the same setback as the building, or twenty feet in some cases. This is a shorter one, but it is in compliance with the Code. Pedestrian Circulation - The applicant has shown a concrete walk from the proposed new ADA parking to proposed new drive. They have added five handicap spaces there, and they have added a concrete walk. In order to provide a clear pedestrian path, Staff recommends that applicant provide an internal crosswalk across the main east/west drive to allow access to the building. Staff also recommends that the proposed sidewalk be connected to the existing public sidewalk along the east side of Graham Road to create a clear pedestrian path. Landscaping & Buffering - The main landscaping issues are the following: they have a large number of trees that they are proposing to retain. All of the trees that are not in the way of the proposed building footprint, so that is positive. Secondly, since they have residential immediately to their south, they need to provide minimum screening there. They are providing minimum screening which complies with Section 1180.10. That is consists of a three foot high earth and mound with shrubs, the smallest of those shrubs matures to a three foot height. That gives them six and a half feet to comply with the six foot regulation. Given that buffer, that permits the Commission to approve their proposed new driveway, the southern most driveway on the site, to be twenty-five feet from the existing lot line. If they did not have the required buffer, Section 1175.08 of the Zoning Code, would require a fifty foot setback for the drive. So, in this case, it is up to the discretion of the Commission, but they are meeting the letter of the Code to allow that lower setback for the single family. They have not shown it on there, but the reason that they are constructing that drive in that manner is to allow additional future parking expansion, on the site. With that, the Board should determine if the applicant has met all the criteria for major site plan review and approval as outlined in Section 1143.03(c) of the Zoning Code, and if the site plan as proposed will have a negative impact on the public health, safety, morals, comfort and general welfare. Staff finds the proposed site plan in compliance with those standards and recommends approval of the site plan on the following condition: That the applicant provide revised plans to Staff creating clear pedestrian path from sidewalk along Graham Road to the building entrance. Whether that means extending the current sidewalk, or providing a defined hatch crosswalk across those drives. With that, I will turn things back over to our Chairman, and I will be happy to answer any questions.

Chairman McKenzie: Ok, thank you. If any of you would like to address the Commission, this would be the time to do that. If you would, please give your name and address.

Mr. Greenway: My name is Jeff Greenway. I live at 2781 Country Brooke Lane, here in Reynoldsburg, and I have been the lead Pastor of Reynoldsburg United Methodist Church for

almost the last ten years. Our congregation has been a vital part of this community for 185 years, and we have had buildings on four different locations. The last three buildings that we have had, have all been built together on the present footprint, which is the round building in the front, the Sanctuary type looking building across the front, and the large worship center in the back. This is a proposal that we believe is going to be a hub for positive community impact. That is the goal of our church is to be a positive force in our community, especially to provide a place for children and youth to congregate in a healthy kind of way. We are very excited about what the future holds for us, and we think it is going to be good for Reynoldsburg. All of the technical questions that you will have are going to be answered by Brian Lundgren. But, I just wanted to be here. Our Site Director, Karen Wagonette, also the Chair of our Finance Committee, Ruth Noensactionous, we are whole heartedly behind this as a church, for our community. Thank you.

Mr. Snowden: Just let me clarify what I was saying. You see in this area, on the screen in front of you, they have modified this parking and they are adding drives going to the new southern parking lot. What I am saying is, taking that concrete walk which they are proposing along the south side of that, and basically having a defined path across there to the street, and then having a defined path across this drive to the building. Is that making sense? I think they are not being totally clear here with this building addition entrance is going to be, and that may not be fully developed yet, but I just feel we should have some sort of defined path from the public street to the building.

Mr. Lundgren: Brian Lundgren with Osborn Engineering. I am the Civil Engineer of record. 990 W. Third, Columbus, 43212. Eric did a great job summarizing the project. I will be happy to answer the questions. I believe the church is ok with that extension to the sidewalk along Graham Rd. The reason for not showing more detail on the connection to the future building is that we planned to address that when the future building plans were submitted with the next phase. We absolutely would need some sort of ADA connection shown to the new building. With that I would be happy to answer any questions you may have.

Mr. Snowden: Mr. Chairman, a good strategy in this case might be to require the applicant to extend that, or to have a defined crosswalk to the public street, as part of this phase, from that ADA. And then, address the ADA connection from the ADA parking, to the building, as part of the Phase Two. They are showing a proposed building footprint, but there are going to be parking islands, and walkways, to actually get you to the doors when that building is designed. That may be something, if we address the connection to the public street as part of this phase, since it is dealing with site work, and maybe address that at a secondary phase. The secondary phase is going to require a Major Site Plan approval again because of the size of it. They will be back to the Commission with the building architecture, design, so we will all be seeing each other again.

Chairman McKenzie: Any questions from Commissioners? This, by the way, is our first time for the Planning Commission to be dealing with a Major Site Plan review. I will have questions, maybe more for Mr. Snowden, than for you.

Mr. Comeaux: It looks like you are removing a few handicap spots from the overview that

Mr. Snowden has. So you are removing a few, are you adding any additional with the parking you have here. I know there is a ratio of occupancy, or a ratio of spaces to that.

Mr. Snowden: If I can respond to Mr. Comeaux; if you look here only these first two or three spaces are ADA, and these are general parking. What they are showing here is to go to five or six ADA at that location, and then remove the general parking to add the drive. You are removing one or two ADA spaces here. You have additional ADA here and here. To be clear, with our code for parking, this is a great learning opportunity for the Commission, our Code for parking, does not specifically require a number of ADA spaces. It simply states that everybody should comply with the ADA. It does not specifically require them. Ultimately it is on the property owner to comply with ADA's requirements. It is definitely something that I would like to revise in the future. It is something I think we should be more cognizant of, requiring enforcement, that is just my opinion and we can discuss that in the future.

Mr. Comeaux: I had not gotten that the hashing was indicative of the ADA spaces.

Mr. Snowden: It is indicative of the area in which it is required for.

Mr. Comeaux: So, you are adding another egress, another drive to leave the facility, but the ways to get into the facility are going to remain the same, is that correct? I know it is a tougher challenge to get people out than it is to get people in.

Mr. Lundgren: That is correct. So, as far as the existing access, there are no plans for modifications, so that would be in addition to.

Mr. Comeaux: And the only other question I have is kind of a procedural thing. You said there was an adjacent neighbor that had raised concerns, or praise, or something like that. I do not know what the nature of it was.

Mr. Greenway: Actually the Board and I had a meeting with our neighbor, Mrs. Barry, who is the neighbor to the south, and the reason we are putting the berms in is at her request. That was the major concern that she raised in that meeting with us.

Mr. Comeaux: Personally, I think that is a great way to handle it. If you have a problem with your neighbor, talk to your neighbor.

Mr. Snowden: I met with Mrs. Barry, and did encourage that meeting as well. It is great to see that it has come out with a positive resolution as far as we can tell.

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

Mr. Cullinan: Back to the ADA spots, I assume you followed the State of Ohio for one to twenty-five.

Mr. Lundgren: Yes. The ADA Code tells you how many parking spaces you need, and then

this many ADA, and then this many accessible as well. When we submit the Utility Plan, obviously that would be reflected.

Mr. Cullinan: That's good.

Chairman McKenzie: If everyone else is done with questions, I do have a few. And, these may be for Mr. Snowden as well. So in regard to stormwater generation and amelioration, is that part of something that we can review in these site plans for a parking lot? It definitely increases your impervious surfaces. Also, the plans show additional parking areas, which are not definitively part of this project yet, but are drawn as proposed ones. And, if we approve the site plan, are we also approving those additional parking areas?

Mr. Snowden: Let me clarify. We are only approving the areas that are here and are listed as proposed asphalt, and shown on the main plan. I would interpret that as saying that the parking lot immediately to the south of the existing front parking lot, and the drives connecting that to the southern drive, and the southern drive. The fact that they are doing some master planning and sort of looking at the whole site and saying these are areas that couple be used for parking in the future, my interpretation is we are not improving that because it is not shown with the stormwater requirements, etc... It is just showing here as a conceptual area where it can go. We are only approving the lot to the south and the drives to it.

Chairman McKenzie: Alright.

Mr. Snowden: Mr. Chairman, if you recall, when the applicant first met with Staff, they said they were looking to do some master planning of the entire site. That is why Staff encouraged them to do the zoning district change, in order to conform the zoning and make that process a little bit easier. I think they have been going through the process of just looking at their entire site about what it can be used for. To specifically answer your question, we are approving that lot and the drives that are indicated as proposed on the main part of the plan.

Chairman McKenzie: In regard to runoff, our stormwater book, that is available online, is listed as 2008. Is that the most recent copy?

Mr. Snowden: As far as I know. Let's talk a little bit about stormwater. They are required to show stormwater on this preliminary Major Site Plan. A copy also goes to our City Engineer and to our Service Department. They are receiving and doing a basic review at this phase. So, we typically have not in the past, although we could, reviewed the actual calculations and determined if they are meeting the requirements. The reason we have not done that at this phase in the past, is because our Engineer is going to do that at the Plot Grade Utility Phase, which is the phase immediately following this approval this evening. And, if the Engineer does not approve a Plot Grade utility, the fact that the Planning Commission approved a Major Site Plan is irrelevant. They must have an approved Plot Grade Utility as well. When BZBA reviewed those, what they limited themselves to was making sure that some stormwater was indicated on the site. In this case they have shown you where the proposed

inlets were going to be and which way the flow is going on the main plan. They have also reviewed to determine if they have somewhere where they are proposing to accommodate. In this case they are proposing to accommodate it in the existing basin, and they have an expansion shown. So basically, the BZBA's view was that they were showing that they are accommodating it in some way, and we will rely on our Engineer to tell us that technical details as to whether that applies. I am not aware of other Planning Commissions that are doing an engineering level review at this phase. Typically they are looking to see if they have some game plan in place to address stormwater. If they do, the Commissions rely on their Engineering Staff, typically.

Chairman McKenzie: So generally, we would not be concerning ourselves with that. Since you are here, for your consideration, I am somewhat aware of that basin back there, and the bottom of it, this feature that is showing there at the bottom is concrete. It basically lets out onto property not owned by the church, to the south. And that concrete ends, so instead of reducing outflow of the stormwater from the church property, that concrete basin is really increasing it onto another property. I just some questions about that.

Mr. Lundgren: We are required to meet the current detention requirements. So based off our calculations, we will determine the current release rate. And then it is our responsibility. There are multiple ways of handling it. We could look at ways of handling it. We could look at parking lot storage, over sizing the storm sewer, modification of the stormwater basin. We have multiple options. As Eric was saying, in the next step, we get more into the detail and how we are going to meet those requirements.

Chairman McKenzie: Something I was concerned about and I was just treading to see where we can go on this, and also going to be part of the utility review, I'm sure, but the lighting on the property. So this light pollution, I don't know how the lighting of the current property is on. I know they are photo sensitive so that they are not on during the day. I do not know if they turn off during a certain time of night, or whether they are on all night. And for people concerned about light pollution, these practices know are going to motion sensitive parking lot lighting so that they only come on when there are people in the parking lot as well.

Mr. Lundgren: As far as this phase, we are only proposing the light pole bases, not the actual light poles. Our thought process was that until the building was selected as far as far as material type, it is difficult to include all of that. And typically that is right up through the new building. So, the lighting will be part of the Phase Two.

Chairman McKenzie: As I said, this is new for me and I was just looking at I saw the basis of the light poles on the plans and stuff. So, I am just questioning what the limits are of this proposal tonight.

Mr. Lundgren: What we wanted to do was not tear up the roadway. So, we put in a new road, and we have to put light poles, and they are on conduits. So the thought process was that we would install the bases with this project, and the lights would be installed with Phase Two.

Chairman McKenzie: That makes perfect sense. I just didn't know.

Mr. Snowden: Mr. Chairman, in the past, I am not aware of the Commission or BZBA being that specific about a light type, but they have typically approved a photometric as part of these. They have reviewed colors, materials, and so forth. But as far as requiring a specific type of on off system, I am not aware of that. It does not mean that we could not being given some specific reason. Just trying to understand the perimeters and what we are looking for.

Chairman McKenzie: What I am trying to understand to is what this Commission is looking for now on these site plans. The other questions I had, Mr. Comeaux had already asked. We are ready for a motion if anyone would like to propose a motion, if there are no other questions.

Mr. Comeaux: One other recommendation that Staff had was to provide revised plans respecting the pedestrian path and sidewalk along Graham Road and the building entrance. Is that something that you all are comfortable with? In that case, I make a motion that we accept this item with the proviso that they provide the Staff with revise plans showing a clear pedestrian path and sidewalk along Graham Rd., to the building entrance.

(Vote)

Mr. Snowden: To the applicant, page three of my Staff Report there has the next steps to continue the process. I know we have met several times, so you are aware of it. We will look forward to your Phase Two submission coming to the Commission. I will provide a Written Record of Action.

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| <b>RESULT:</b>   | <b>ADOPTED AS AMENDED [UNANIMOUS]</b>      |
| <b>MOVER:</b>    | Jim Comeaux, Chairman, Design Review Board |
| <b>SECONDER:</b> | Justin Wren                                |
| <b>AYES:</b>     | McKenzie, Cullinan, Comeaux, Wren          |
| <b>ABSENT:</b>   | Welday                                     |

2. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1145 Special Exceptions. (Second Reading 7/25/2016).**

Chairman McKenzie: Several items that are very close to one another, which are the amended ordinances that Eric has prepared... Do you want to go through these one by one, or can we group them?

Mr. Snowden: Mr. Chairman, if I could just make a general statement about where we are at. So, the Commission may remember we went through and made a significant push beginning back in December and working through November and working through the Ordinances being adopted and taking effect in March, to move our Zoning Code forward, make a lot of basic nuts and bolts language type of changes to the Code. What I am coming with you tonight with, and these have been sent back to the Commission from City Council, are a series of Ordinances, some of which are still in the realm of changing language, but most of

them are really adding more tools to our tool box and making sure that we have the right Codes, tools, planning tools in place. Mr. Chairman, if it is ok. I will just state what each one is briefly, and then I can answer any additional questions. Would that be acceptable?

Chairman McKenzie: That would be fine. Is there anyone on the Commission that would prefer to do it one by one?

Mr. Snowden: Let me just give you a brief statement. The item listed as number three, Special Exception Uses, the main change there is that our transfer procedure is out of a broken procedure. Our procedure of transfers of Special Exceptions today, says if you are transferring, you get to start the process all over and get a new permit. For example, there was a business that had a Special Exception Use that operated on Friday, if they changed the name and had a new owner on Monday, a new Special Exception Use permit is required. That process takes approximately three months, at its longest. That does not really make a lot of sense when you have an entity that the only change is the name of the business. I have propose an administrative transfer procedure. I have also made some minor changes to how Council would review a Special Exception Use after BZBA's review, to speed up the process. Our process is taking upwards of ninety to one hundred and twenty days. Most communities, even with Council review, are reviewing these types of permits in sixty days. So, we needed to move things along a little bit. It really does not effect anything this Commission is doing, it really effects how City Council is approving Special Exception Uses. Again, in every Zoning District, you have permitted uses that are allowed by right, and you have Special Exception Uses that allowed with permission of BZBA and City Council. So it is really how people are getting authorized for their use.

Mr. Comeaux: So, a Special Exception, for instance, are we talking childcare center, we talking bars and restaurants.

Mr. Snowden: Childcare is a big one, bar/restaurants are in much of the City, gasoline stations. We have a very high number of Special Exceptions. Just as an example, the special uses in Columbus that require approval from the City Council and the Development Commission to get the use are excavating oil and natural gas, junk storage, shingle grinding, that type of really obnoxious where there are a lot of land use conflicts. We require a Special Exception Use for a drive thru. We require a Special Exception use permit anywhere where food and beverage are sold for consumption on site. We are doing a lot of them for uses that would be permitted uses everywhere else. That is why this has to be consistent and as streamlined as possible.

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|----------------|----------------------------------------|--------------------------------|
| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

3. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1196.09 Lighting of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1182 Exterior Lighting. (Second Reading 7/25/2016).**

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| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

4. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Chapter 1171 General Requirements; Section 1180.12 Screening and Landscaping for Service Structures of Chapter 1180 Landscaping and Buffering Standards. (Second Reading 7/25/2016).**

Mr. Snowden: This amendment is very timely, given our Chairman's statements from a moment ago, these are some basic lighting standards for the entire city, limiting pole heights, prescribing how. These are actually to help this body. For example, I have added a regulation that said the color of the pole height shall match the architecture of the building, as determined by the Planning Commission in a Major Site Plan. So I am trying to give some guidance as to how we evaluate lighting. We have really no regulations for lighting outside of the Community Commercial Overlay, which is Main St., Brice Rd., and Livingston. The rest of the City, there are no regulations for lighting. So, I took those regulations, and applied them to the majority of the City. They will not apply to single and two family. These are for commercial, apartment complexes, that sort of thing. So that will help our review of Site Plans for exterior lighting compliance. This is a basic update of our temporary structures. Code, also made some basic updates o a definition to what is a generator, defined a generator, defined where a generator can be placed. I said that generators are going to be treated just like accessory structures. If they are within a certain distance of a lot line, they must be screened. The reason that I am applying the accessory structure regulations to generators is because we have folks that have tried to install generators in their side yard that are eight feet from their neighbors house and causing some conflict. These things, if they are in the back of a property, where they are on a large property, where there is nothing around them and there is really not a problem, but when they are adjacent to somebody else's property, there are a lot of conflicts. That is why I am defining that these are accessory structures. I just kind of cleared up how we are going to address them. Secondly, I clarified our code on landscaping requirements for service structures. The way that it was written, it applied to the entire city and you could argue that it required anyone who had any sort of service structure including a single family home with like a telephone box, or something in the back to screen it. That should not be necessary for single and two family, so I better defined what those regulations apply to in Chapter 1180.

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| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

5. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1103.10 Certificate Required of Chapter 1103 Design Review Board; Chapter 1135 Title; Purpose; Interpretation; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; AND Chapter 1151 Amendments; AND Enacting Chapter 1177 Limited Overlay. (Second Reading 7/25/2016).**

Mr. Snowden: Our Zoning Certificates and Plot Grade Utility Plans, a few minor changes. Chapter 1151 applies directly to this body. It flushes out the Charter on Zoning changes. However there are provisions within Chapter 1151, that did not comply with the Charter. I have updated them to clarify so that the Charter is paramount. It had to do with stating that if you had certain revisions, you could come back to the Planning Commission, without having to go to City Council first. The way that our Charter is written for rezonings or regulation changes to any zoning, it has to begin at City Council. We cannot through the Code create a different procedure than the Charter requires. I am enacting Chapter 1177, Limited Overlay. Limited Overlays are a tool that are used in rezoning. What they do is, they put special requirements on a particular property, something that a person that is rezoning can place on themselves, to address certain specifics of their site. An example of this is, at the Shoppes at East Broad, the developers rezoned to a zoning district where adult use was a permitted use, and then put a Limited Overlay on themselves to say that they would not allow adult use at the location. So it is a very site specific type of zoning. We have used these in the past, here in Reynoldsburg, but we did not have the Code defining the purpose, defining how you apply for them, defining how they should be used, and so I have added language modeled off the City of Columbus, to basically just say how these will be used in the future. They are there to provide, when there is no other way to address some unique characteristic of a site as part of a rezoning, a Limited Overlay is a useful tool. And, we need to say why we are doing things. We should not just do it as part of a rezoning.

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| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

6. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1161.04 Commercial Districts of Chapter 1161 Zoning Districts; Section 1196.03 Overlay Areas of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1184 Planned Commercial Development. (Second Reading 7/25/2016).**

Mr. Snowden: This item enacts a Planned Commercial Zoning District. We currently have one planned district, it is for large scale residential projects. A Planned Commercial District is a flexible mixed use district. The way things work today, for a commercial project, you re-zone to a commercial zoning district, then you must comply with all those zoning regulations, and get a site plan approved by the Planning Commission. With a Planned

Commercial District, you re-zone to your project. So, instead of rezoning to CC, where I have all these lists of tables of setbacks and regulations, with a Planned Commercial Development, I re-zone to a project. That means they would provide us with a plan, you would go through the process of re-zoning with that more detailed plan, get that approved by the Planning Commission and the City Council, and then they would get a Major Site Plan approved that dealt with the other details that were not dealt with as part of the original approval. This is modeled off our existing planned district. Our existing planned district was only for residential. I am saying it is for mixed use development. You re-zone to your project. So, the only thing you can build is for what you get approved for, that it is.

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| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

7. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1123.01 Improvements to be Paid for by Subdivider of Chapter 1123 Required Improvements; Chapter 1131 Definitions; Section 1161.03 Residential Districts of Chapter 1161 Zoning Districts; Chapter 1183 "PD" Planned Development District; AND Chapter 1187 Special Provisions for R-20 Townhouse District. (Second Reading 7/25/2016).**

Mr. Snowden: Since we had another planned district which was called Planned Development District, I had to change that to Planned Neighborhood District. It did not change any regulations to how a Planned neighborhood District works.

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| <b>RESULT:</b> | <b>REFERRED TO COUNCIL [UNANIMOUS]</b> | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>AYES:</b>   | McKenzie, Cullinan, Comeaux, Wren      |                                |
| <b>ABSENT:</b> | Welday                                 |                                |

8. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Section 1193.12 GRAPHICS of Chapter 1193 "HD" Historic Overlay District; Section 1196.11 GRAPHICS of Chapter 1196 Community Commercial Overlay; Repealing Chapter 1181 Signs; and Enacting Chapter 1181 Signs and Graphics. (Second Reading 7/25/2016).**

Mr. Snowden: This completely repeals and enacts a new sign code. Our sign code had some major issues. What I am proposing in our new sign code is one, I am getting rid of a dual review. In some cases you had to be reviewed both by BZBA and DRB. I am going to let DRB take on all of our signage reviews. I have also stated when Staff will do reviews such as when a sign is refaced. Currently you have to go to DRB to reface a sign in a lot of the City. That is something that Staff should review and if there are questions about compliance with our design regulations, Staff and the applicant then refer that to the DRB for additional review. That is the big take away. It is not allowing people to have any more or less signage. Area requirements are still the same. I am just trying to clarify the process for getting signs approved. There were some cases where you are going for two meetings to get

signs approved here. That is taking too long for something that should not be our primary purpose. I know that is a lot of information, and I would be happy to answer any questions.

Chairman McKenzie: Mr. Comeaux.

Mr. Comeaux: Two questions, for the generators in particular, and then the mixed use development, you could have just started typing, or you might have looked at surrounding communities. Where did you look to pull some of that language?

Mr. Snowden: I did not pull a lot of language for the generator portion. Basically, I just stated that a generator is defined as this and shall be considered an accessory structure. The only thing I added, I said that if it is within a certain distance of a lot line, it must be screened. I did not model that off of any particular community, only off my own experience, and frankly we have had several individuals that actually tried to place this near a lot line in conflict with their neighbor. One of the goals of our zoning is to minimize land use conflict. So, if we can require a six foot setback and screening, that minimizes the conflict. Most other communities are treating them generally. The same as they treat their accessory structures.

Mr. Comeaux: On the mixed use development, which personally I think would be a really great thing, and I love the fact that it would be allowed to happen. Again, where did you look? Columbus might have a different approach than Pickerington, or Gahanna.

Mr. Snowden: I actually modeled that in terms of the process. And, I tailored it toward s commercial by simply changing the uses that are listed as permitted uses. In the current planned district, which is going to become the neighborhood district, it says the uses are single family, two family, multi-family, residential care facility, and so on. I basically changed that to say your uses are retail sales, administrative business, professional office, label those out. And then I said, uses that are a special exception on the CC District, are special exceptions as well you could still get to a gas station if you wanted to. I also said multi-family was a permitted use, and I said multi-family in that where specifically approved. It is no an interchangeable use. You can not have a restaurant close and have that space become multi-family. It is only where this Commission and City Council specifically approved it. That is the thing to take away. This is not an end around to a multi-family complex. It is designed for a mix used development that has first floor retail and maybe an office component. It is not a way to get to traditional apartment complexes.

Chairman McKenzie: I need a clarification. How are you limiting the number of units in the multi-family?

Mr. Snowden: I put a specific limit.

Chairman McKenzie: I have read through these documents.

Mr. Snowden: Mr. Chairman, what I said specifically is that there are only where they are specifically approved by City Council and the Planning Commission. You are going to see

the whole project. You are going to see the site plan, the architecture, and everything, as part of the re-zoning. And you are going to do a major site plan to take care of the landscape plan and maybe a few other details. But, the point is that multi-family is only where it is designated. That gives us unlimited flexibility. The other thing to emphasize is, there is nothing that requires approval of this. If there was a product that had a large multi-family component that folks simply were not comfortable with, we are more than justified to not approve it. Let me see, I believe I did put an upper limit. If you look under Section 1184.04(c), which is packet page 63, I said that any multi-family component, the maximum for an entire district, would be twenty units per acre. So, that would be the maximum you could approve under this zoning district. The fact is, we are tying our hands. It is my personal opinion that there is no reason to have any requirement. The reason is because it is as specifically approved. You could say the maximum is one hundred units per acre. It does not change the fact that it has to be specifically approved by City Council, and the Planning Commission, and if a site is not able to hold that much, we are more than justified in turning down the project. That is the take away. We have even more control over this process than we have over our straight zoning process, because our straight zoning multi-family districts say you get eight, ten, or twelve units per acre. Right now, our AR-3 is no more than twelve units per acre. So, for me to say twenty units per acre, that is a lot higher than anything else we have. The main reason I put it in there is so that people would feel comfortable moving forward with this Planned District, understanding that it is not a back door to multi-family. It is for mixed use projects that might have a multi-family component. We are not required to approve any of them. But right now, having a second story apartment, over first floor retail, with an office component, is illegal in all of our zoning districts. So, I had to find somewhere where that could be allowed. Trying to put a tool in our tool box.

Chairman McKenzie: Off the subject, but chiding, slightly, we had talked before about formatting consistency, and documents before they are presented to us, and you did a lot better this time, but there are a lot in there.

Mr. Snowden: I spent a tremendous amount of time with it.

Chairman McKenzie: He and I are the two that are the most particular about this type of thing. Secondly, I went to the Public Hearing, I have been to all the Council meetings where you have been through this and stuff, and as I am reading through the document, the changes you have made to the Special Exception thing, where no the BZBA can only recommend approval, instead of approving them, really makes the document illogical. And, it also seems to extend the amount of time it will take for approval. For in the past, the BZBA has been able to approve Special Exceptions, correct, without going to Council?

Mr. Snowden: That is incorrect. The current code is inconsistent because it says that BZBA approves them, but that City Council has an optional review. That is still in place. I just used the term "recommend for approval" because ultimately BZBA is not making the final decision. Even if City Council is making no decision, they are still making a decision. I was just trying to be consistent. What I would really like, and what I am not able to advocate for at this time, given the current procedure, which is one or the other, either BZBA approves them all, and it is just done, or we reduce the overall number of Special Exceptions, and we

have City Council approve all of them. We are trying to find a middle path, and it is a very difficult situation.

Chairman McKenzie: I agree, but you have changed it to now that they can recommend approval. But then, everything else where they can stipulate, you still have a language where they can stipulate additional requirements and stuff. And, it would seem to me that it doesn't make much sense to only be able to recommend approval. Council, as you pointed out when Council asked about this, they can add stipulations and requirements as well, that the language should be consistently there that the BZBA may recommend stipulations, rather than just imposing these stipulations on them. It is because of that middle ground. It really only makes sense from the standpoint of efficiency or anything else, to either have Council do them all, or to have the BZBA have the authority. This middle ground type of stuff, even reading through it does not make much sense. They have the authority to deny, pending appeal. But, they can only recommend adoption, but they can also enforce additional requirements.

Mr. Snowden: You are probably correct in your statement. We probably should have used the language to recommend the conditions, but ultimately it does not change the fact that it is going to go to City Council one way or the other. Maybe I was a little inconsistent there, but it really is not changing the process that much. What it is changing is what I am requiring City Council to do in that code change, is make a decision by the next meeting of City Council, instead of sometimes these are taking an additional six weeks to get through City Council. That is the change.

Chairman McKenzie: How will you make them get through Council with just one reading?

Mr. Snowden: What I stated is that they are going to have a Public Hearing, prior to the next regular full Council meeting. And then at the next full Council meeting, they would introduce and pass a resolution confirming whatever decision they made at that hearing.

Chairman McKenzie: But, in the past, what they have been doing is labeling these things as ordinances. And, by doing that, it allows them to go through three readings.

Mr. Snowden: Only ceremonial resolutions are exempt from the three readings. So, an administrative resolution such as this, would still be required to go through three readings. By using the language, introduce and pass, and our City Attorney, Mr. Hood, and I spent hours working on this together. We found that that language meant they could do one of two things. They could either introduce the Resolution and pass it as an emergency off of one reading, or they could introduce it and pass it by waiving second and third reading. They are calling that rule suspension here. Having worked at another City Council, it is actually waive second and third reading. I am not telling them to do one or the other.

Chairman McKenzie: If they waive second and third reading, then the thirty day cooling off period is still in effect. Where, if you go with an emergency, there is no thirty days.

Mr. Snowden: You are correct and the reason I did not want to prescribe it that carefully was that I wanted to give Council some flexibility. I don't want to be telling them how to introduce and pass legislation. The idea was to try to put a shock clock on this to move things along. The point being, when these Special Exception are considered, most of the time folks had made up their mind by the first or second meeting. So, sitting through six total City Council meetings, between Committee and Council, does not really add anything to the process other than time. So, the idea is, let's have a hearing, let's get all the information out there, let's make a decision. It does not prevent City Council from reintroducing something if new information comes to light. There are many different ways that errors can be corrected, but the idea is to simply make a decision in a timely manner. If they are looking at it, they review it, it is approved or it is not. That is the concern that the applicants have, how long the process is taking. They would much rather hear that you apply thirty days before BZBA, you are approved through BZBA, and City Council will have a hearing by two weeks into the next month. Whereas, with the current process, it could be an additional six weeks, seven weeks depending on the calendar. That is not a great answer for a Planning Administrator to give to an applicant who may not fully understand the process. And, all we are doing is approving a use. We are making a decision as to whether the use is appropriate to the site.

Chairman McKenzie: Any other questions? If none, I will entertain a motion.

Mr. Comeaux: I will make the motion that we recommend to Council that these revisions be approved.

Mr. Snowden: Mr. Chairman, for procedural clarification, these are items three through nine on our agenda, and we are taking one vote.

Chairman McKenzie: That is correct.

Mr. Snowden: Those will be forwarded back to City Council two weeks for Monday. Any other comments or feedback from the Planning Commission is always welcome.

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| <b>RESULT:</b>   | <b>REFERRED TO COUNCIL [UNANIMOUS]</b>     | <b>Next: 7/25/2016 7:30 PM</b> |
| <b>MOVER:</b>    | Jim Comeaux, Chairman, Design Review Board |                                |
| <b>SECONDER:</b> | Tyler Cullinan                             |                                |
| <b>AYES:</b>     | McKenzie, Cullinan, Comeaux, Wren          |                                |
| <b>ABSENT:</b>   | Welday                                     |                                |

## **9. Rules of Commission Changes**

Chairman McKenzie: Now we have the Rules of Commission Changes. This is something that I have been shepherding for several months now. Any questions or clarifications? If you remember, I did send out the last set of proposals at the end of May. I should point out that also on the revision for future changes to the Rules of the Commission, I did go for a unanimous vote. Mr. Snowden is opposed to that and would recommend that it be a simple majority. Correct?

Mr. Snowden: Mr. Chairman, and other Members of the Commission, I support all of the changes that you have proposed here. I think that you have improved the language and clarified and taken away problems we have had in the past. My only concern under Section 8.1 is adoption requires unanimous vote. Thinking long term, we have five members of the Commission, I don't think that the Commission should limit the majority from making a decision that is in the best interest of the Commission or City, because one person does not want a change. The nice part is, we have a great relationship between Staff and the Commissioners. All the Commissioners respect one another and the public. We all get along now, and we all play nice. But, what happens when, fifty years from now, one person doesn't like something, and everyone else is in support. That is why I don't think we should tie our hands. I agree with the Chairman's statement that it is better to discuss a Rules change at meeting one, and wait until the following meeting to implement a Rules change. We are already giving Rules changes a much a higher level of scrutiny, than we are giving any other decision that this body makes. And, that is why I feel that item is unnecessary. Ultimately, it is your decision.

Chairman McKenzie: If I may respond to that... I am not particularly, incredibly, I don't think it is important that we do that. I had set that out as a very high standard. With the five people here, I don't really think it is going to be much of a problem for the Rules. For other things, I don't think it would be. But, for the Rules, which really shouldn't be changing all that often, it is hard to see how they would have additional changes to them. If you think back to what happened with the proposal to change meeting times, the emails were sent out, the 6:30/7:30 start was basically stopped by Mr. Zollars who was sitting in the audience saying he did not like 7:30 meetings.

Mr. Snowden: There were others, Mr. Chair.

Chairman McKenzie: At least the ones that had replied all, that was the only one that I had seen. It does not seem to be that big of a thing to me, but at the same time, I have no problem at all with going to simple majority. It is not a big deal.

Mr. Comeaux: On that one point, the Planning Commission does not have control over how many members might be assigned to it in the future. So, if we set those Rules, and they were to expand the membership...

Mr. Snowden: Theoretically, Mr. Comeaux, if you had a Charter that said the Planning Commission shall now consist of twenty-five individuals... Again, that is not realistic, nine would be... Five is small, seven is common, nine is high.

Mr. Comeaux: My only point is, if there was some way to come up with a super majority, but a super majority of five is kind of silly. I think a simple majority would probably be my preference on that. Thank you.

Chairman McKenzie: You are welcome. Any other discussion on the points?

Mr. Cullinan: I think I could go either way.

Chairman McKenzie: Does anyone feel, although Mr. Cullinan said he was thinking about the compromise, does anyone want to go for the super majority?

Mr. Comeaux: I think simple majority should suffice for Rules. That would be my preference. I think it is pretty consistent with most Robert's Rules approaches.

Mr. Snowden: Mr. Chairman, I think the procedure you put in place where you are saying we are going to adopt these thirty days after they are proposed, is a good procedure. I know I said in my model Rules that I started out with seven days. Rather than adopt this now, would the Commission want to mull it over for thirty days?

Chairman McKenzie: As I said, the Commissioners have already had these for more than thirty days. The only discussion we are having here tonight is whether we will go with a simple majority for future changes to rules, or what was originally proposed. I don't think we have had anybody object to making that modification to the proposed changes, so I see no reason to hold this off for any additional time.

Mr. Wren: I will motion to approve the Rules of Commission Changes.

Chairman McKenzie: So, to be specific, you are motioning to approve all the proposed changes?

Mr. Wren: Sorry, with the simple majority.

Chairman McKenzie: With the one modification from unanimous vote to simple majority for future changes to the Rules of the Commission.

Mr. Snowden: Gentlemen, for clarity sake, the Charter already stipulates all decisions not otherwise prescribed of any board or commission, or by simple majority. So, I am going to recommend, if Mr. Wren wants to redo his motion, that we just say striking that particular sentence. We don't need to repeat, "by simple majority." That is already in the Charter. Is that acceptable Mr. Wren?

Mr. Wren: Yes.

Mr. Snowden: My recommendation would be that Mr. Wren make the motion to adopt the changes, striking the sentence in Section 8.1, "adoption requires unanimous vote", all other changes are in tact.

Chairman McKenzie: You are good with that?

Mr. Wren: Yes.

Mr. Comeaux: I will second.

Chairman McKenzie: Any further discussion? Mr. Snowden would you call the role?

Mr. Snowden: Thank you Mr. Chairman. Mr. Cullinan.

Mr. Cullinan: Yes.

Mr. Snowden: Mr. Wren.

Mr. Wren: Yes.

Mr. Snowden: Mr. Comeaux.

Mr. Comeaux: Yes.

Mr. Snowden: Dr. McKenzie:

Chairman McKenzie: Yes.

Mr. Snowden: Very well. I will incorporate that into the document and send out a revised version for everyone's review, hopefully as soon as possible.

Chairman McKenzie: With no further business before the Commission, I will close this meeting.

#### C. ADJOURNMENT

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Chairman

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Planning Administrator