



MINUTES

PLANNING COMMISSION THURSDAY, APRIL 6, 2017 6:00 PM

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

A. CALL TO ORDER

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

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – February 2, 2017

Chairman McKenzie: I have been given two minutes, one from the February 2nd meeting, and also the March meeting. I had asked that we hold the February 2nd minutes one month because we had been promised to see a Robert's Rules of order version that we could compare to this and we still have not received that.

Mr. Cullinan: I believe at last month's meeting the City Attorney was here and we had an informal conversation after the meeting. Was there any discussion after that about having the minutes prepared in that fashion?

Chairman McKenzie: No, there were no discussions that involved me. The question really is, what does the Commission wish to do about the minutes from the February meeting? Do you want to vote on approving or adopting those minutes tonight?

Mr. Snowden: Mr. Chairman, if you would like, I can relate to you the information that was conveyed to me by the City Attorney.

Chairman McKenzie: I don't see that that would be necessary tonight. It is really just a question of what the Commission would want to do.

Mr. Snowden: Well, if the Commission wants to disregard the input of our City Attorney, I would advise against that.

Mr. Cullinan: I think in terms of approving the minutes, there is only one copy to be approved, correct?

Chairman McKenzie: Yes that is right.

Mr. Cullinan: The other one was for informational purposes to compare.

Chairman McKenzie: That is correct yes.

Mr. Cullinan: That seems like to separate discussions. So, I make a motion to approve the February minutes as we have them now.

Chairman McKenzie: Ok, generally we just do that. We would not make a motion, just if there was a request for changes to it. Does anyone have a request for changes to those minutes, having read them carefully and all?

Mr. Comeaux: If I may inquire of Mr. Snowden, is there anything that the City Attorney would have led you to believe that we should not approve February's minutes?

Mr. Snowden: Thank you for asking, Mr. Comeaux. The answer to your question is, I have had lengthy, protracted conversations with our City Attorney about the minutes of this Commission, our Board of Zoning and Building Appeals, and Design Review Board. The City Attorney's position is that the manner in which the minutes have been consistently done over a number of years, and are being done now, meets or exceeds the requirements of state law regarding minutes for Boards or Commissions of the City. In addition, the City Attorney advised that the manner that the minutes are being completed now meets his needs in the event that the approvals for one of our Boards or Commission were to go to what is called the Ohio Revised Code 2905 Review, which would be an administrative review of the City's actions. His position is that items that are discussing specifically questions that are being asked and answered need to be more or less verbatim, or have a solid level of detail. Items in the recording such as when Staff or the Commission Chairman, or anyone saying moving on to the next item, it is not necessary for that to be recorded verbatim in the minutes, and it has not been. He was completely satisfied...

Chairman McKenzie: We were just determining whether we would approve these minutes. As Mr. Cullinan had said that there were two issues here. We were just looking at the approval of the minutes from that meeting. We seem to be really addressing the secondary portion of the discussion.

Mr. Snowden: I am just trying to convey to you how much time has been spent dealing with minutes for this Commission, only to come back to the same conclusions that we have been dealing with for years on the minutes, that they are being done properly. Lastly, to address your question, you were not heard on one of the recordings for the combined meeting, I have been told and I listened to the recording yourself, and your speech was inaudible because you did not have a microphone in front of you, and that is why it has not been corrected in the minutes that you are referring to.

Chairman McKenzie: Ok, that again is not something that is before the Commission, so I don't know where that is coming from. So, that was not relating to any of the two minutes that we have in front of us.

Mr. Comeaux: I was making clear that there was no reason why we shouldn't be in the position to approve the minutes.

Chairman McKenzie: Are there any requests for changes to those minutes? Hearing none, those will stand approved.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Mark McKenzie, Chairman, Planning Commission
AYES:	McKenzie, Cullinan, Comeaux, Welday, King

2. Planning Commission – Regular Meeting – March 2, 2017

Chairman McKenzie: Then we go on to the minutes for March 2nd, do I have any requests for changes to those? There is one thing that I would like to point out, there were two applications. So, for example, we still have to approve the zoning change for the church and also, I am blocking on the name for other property on East Main Street for the senior. It is just that these, I believe that Mr. Snowden called them zoning specifications and said that they are not done, and so we approved those with specifications of those extra items being completed. And, I do not see any of that in the minutes before me, and I did not check. Well the traffic study was not completed, but there were two items on zoning specifications.

Mr. Snowden: Mr. Chairman, I would be happy to answer your question, two items from the last meeting were approved conditions that were listed in the Staff Report. If the motions don't reflect them being approved conditionally, it is reflected in the Staff Report. If you would like the items to be modified to reflect they were approved conditionally, that is fine. Whenever the applicants receive their Site Plan Approval, they receive a statement stating what the conditions are that were place by the Commission. I draft that document based on what you say and typically everyone is reading from, or using my comments as a basis. So, they do receive that in writing. I hope that answers your question. If you would like the motions to reflect that, then just approve with those amendments.

Chairman McKenzie: Well yeah, since, you know. I think I would like the minutes to show provisional approvals.

Mr. Snowden: It is not a provisional approval. It is an approval with conditions. So, in this case you can either wait to approve these minutes or you can approve the minutes as discussed here, and we will have Rochelle forward you a new copy which the Chairman can sign off on. Either one would be acceptable in this case. It is your choice whether you want to wait for the copy and approve it as a group next month or allow Rochelle to revise and send out and have the Chairman and Vice Chairman sign off on it. That is your choice.

Chairman McKenzie: Anyone have any feelings on which of those things you prefer.

Unknown Speaker: If we can approve them, I am good with that.

Chairman McKenzie: Hearing no other request for changes, they will also stand as approved.

Mr. Snowden: Approved as amended.

Chairman McKenzie: Approved as amended.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Mark McKenzie, Chairman, Planning Commission
AYES:	McKenzie, Cullinan, Comeaux, Welday, King

3. APPROVAL OF AGENDA

Agenda stands approved.

4. PUBLIC COMMENT

Chairman McKenzie: For people addressing the Commission tonight, we ask you to, we swear you in, so before we begin tonight's agenda, would anyone addressing the Commission please stand and raise their right hand. Do you swear or affirm that the testimony you give in front of the Commission will be truthful? If so, please answer, "I do." Thank you.

B. BUSINESS OF THE PLANNING COMMISSION

1. 7578 E. Main St.; Application # 176471; Applicant: Evans Capital Investments, Ltd.; Major Site Plan.

Mr. Snowden: 7578 E. Main Street - Dollar General - Major Site Plan. Application: #176471 - Major Site Plan. The property is located on the north side of East Main Street, just west of Waggoner Road. Existing Zoning: CC Community Commerce District / HCO Historic Commercial Overlay. The request is for a review of a major site plan in order to construct a new commercial building and related improvements. Current Use: Vacant Land. Applicant: Evans Capital Investments, Ltd. The applicant is requesting the Commission review and approve a major site plan in order to construct a new, freestanding, commercial building. This was tabled at the last meeting and whether than read to you what I had written, since I read it last time, I will simply highlight. The applicant has made some changes to their plan. You all received their updated plan last week. In this case they have elected to improve their landscaping plan and they adjusted the building location to be more in line with the existing shopping. They have adjusted the material to the brick that is used in the existing shopping center. Those are the highlights of what they did. I want to allow the applicant some additional time, so I will not say too much. They did review having the drive come around the year, which I think was commented by Planning Commission, and found that given the setback requirements that is really not going to work for them. Secondly, it is just increasing that impervious surface which then is something they have to deal with and accommodate storm water for. Generally, keeping paved surface down is a good thing, so I support the position that the applicant has taken on that particular item. With that, I am

happy to answer any questions. I recommend that the commission apply the standards for review of major site plans contained in Section 1143.05 of the Zoning Code and determine if the site plan as proposed complies with those standards. If the Commission determines that the application meets those standards, Staff recommends the following condition: That approval of this major site plan shall be contingent upon approval of the Traffic Access Study by the City Engineer. Our Engineer has been studying that since it was submitted to us. You should have received a copy of it and I know that our Engineer is part way through and I have not received any comments. Specifically, and access study deals with changes to the public street and internal circulation. And, that is what the Engineer would need to sign off on in order for the project to be approved, assuming the Commission applies the condition. With that, I will turn things back over to our chair.

Mr. Frazier: My name is Alex Frazier. I am with Hurley and Stewart. I represent the applicant Evans capital and I am here to answer any questions and...

Chairman McKenzie: Would you just give your address too.

Mr. Frazier: Yes, located at 2800 S. 11th Street in Kalamazoo, Michigan.

Mr. Comeaux: The changes you have made have already been through BZBA? Is that correct?

Mr. Snowden: Mr. Comeaux, if you look at the administrative section in there, they had to get some variances for the location of the building and the location of the parking, given the Historic District requirements. The hardship was based on the utility lines that are located within this front area, and BZBA agreed that hardship was warranted and allowed the modification of the set back/build to line.

Chairman McKenzie: Mr. Snowden, those utilities, what are the utilities through that front section?

Mr. Snowden: Sanitary sewer and water that is owned by the City.

Mr. Frazier: And storm sewer, 48IN concrete storm sewer.

Mr. Snowden: If you look in front of you here, you can see that the red represents sanitary and blue represents storm water. You can see that there are definitely some challenges given that location. The City has easements across in order to provide access for maintenance purposes.

Unknown Speaker: I know you can develop behind your building. I am just thinking of access. I know there is a side door, east side. So behind 7574 there is a driveway that we can see on the map, it's just a tree line. Is that tree line going to remain there? Obviously with that building and that man door there, for emergency personnel or anybody like that that need access to the rear, is anything there going to change. How many feet are between?

Mr. Frazier: Twenty-five to thirty feet. Those trees are actually screening the dumpsters that serve that building there. We went to the site before hand and there are three large dumpsters. The trash truck comes in, empties, and backs out. I don't really see there would be a whole lot more room to place those back there. As far as building separation goes, the required setbacks for the property line meet fire code and everything like that. So they will

be able to get access in the case there is a fire event or some other emergency event.

Mr. Snowden: Mr. Frazier, what plant materials will you use in that area between the two buildings? You said it is 25 - 30FT. Are you planning to plant that as a lawn like it is shown on the plan? I am thinking with the shade, how is that going to work?

Mr. Frazier: We are planning to plant a lawn in between the two, and we are actually going to have a small yard drain to catch some water. There is quite a bit of grade change from the building to the east to build Dollar General. So we are going to have a yard with a yard drain to catch any rainwater that falls in that area. And then we are going to slope it back around the building.

Chairman McKenzie: What do you mean by yard drain?

Mr. Frazier: Just a little catch basin, a smaller catch basin.

Chairman McKenzie: Like a dry well? What is it connected to?

Mr. Frazier: It will be connected to the north and around the building, and then it will connect into the existing storm system, all through pipes. We are unable to infiltrate or doing any type of dry well. The soils in this area are like clay and are not conducive to.

Chairman McKenzie: Under utilities, the storm water that is diagonally going toward the property to the west and back, is that showing continuing all the way back?

Mr. Frazier: Yeah, it does. (Inaudible.)

Chairman McKenzie: I am aware of that. So my question is, you are hooking into that. So, your surface water will simply go into French Run Creek?

Mr. Frazier: It will meet all the Ohio EPA and city and county regulations for quantity and quality.

Mr. Cullinan: I just want to say that the elevations fit in a lot better than what you had before. I get the site constraints and how you had to have the building laid out like this.

Mr. Frazier: We went out and actually took some pictures and sent them to the architect and had them match that brick as closely as they could. I feel like I did a pretty good job.

Chairman McKenzie: I have a question for Mr. Welday. You brought up the concerns about the aprons and I noticed they enlarged the ones on Main Street as well. Are you satisfied with those?

Mr. Welday: I am satisfied with those, yes.

Mr. Frazier: That was done at the direction of the City's Traffic Engineering Consultant. They highly recommended that.

Chairman McKenzie: For the one on Main Street?

Mr. Frazier: For both of them. To improve not only truck access, but regular vehicle access.

Chairman McKenzie: This is not for you, but just for us from the standpoint of the Comprehensive Plan, one of the purposes of this historic section is to make it more pedestrian friendly, and yet what we know is that when you have this in and out of places, you increase the speed of people turning in and out, and that actually reduces pedestrian safety. So, it was just the fact, remember you are talking the one on Waggoner, but then with the revised plan we had changes to the one on Main Street which is going across sidewalks

and stuff. So, I was just wondering if you were satisfied with that sort of stuff. It is one of those things, if you do one thing, it hurts another type. I was just looking through the Code. We are kinda new to doing this Site Plan Review and we have never done one for the Historic Overlay District before. And so, I was going through the Code and I noticed the idea of the pedestrian amenities, and I noticed you have a bike rack. And that would be one. That is done by the number of parking spaces, but it also was requiring that there be another pedestrian amenity in a different part of the Code, and I don't remember seeing that on the plan.

Mr. Snowden: I think the bench qualifies as the second pedestrian...

Chairman McKenzie: Is it the bench?

Mr. Snowden: It has to do with the size of the structure and not the size of parking.

Chairman McKenzie: No, the bike rack has to do with the number of parking spaces available.

Mr. Snowden: Correct.

Chairman McKenzie: This one was based on the number of amenities and not the amenities themselves, but the number of amenities is based upon the square footage of the property, or of the building. I was just wondering. I have not clearly seen what it was that we were getting out of that.

Mr. Frazier: In the lower left hand corner of the Site Layout Plan sheet, it lays out the three. There is a bench, decorative trash receptacle, and then also a planter near E. Main St.

Chairman McKenzie: Which is appropriate because it does say it must be near the pedestrian walkway.

Mr. Frazier: When you have that bus stop that is a long way away, trying to match the character of that as well.

Chairman McKenzie: Any other questions? So, I think we are getting to the point where we can entertain a motion.

(Vote.)

Mr. Snowden: Mr. Frazier, the remaining items for you there are listed in the Staff Report under "Next Steps". You will need to get the Certificate of Appropriateness from Design Review Board, apply for a zoning certificate, PGU, some site, civil, and building permits for the project.

Mr. Frazier: Thank you.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robert Welday
SECONDER:	Tyler Cullinan
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 – 137 Waggoner Road, Reynoldsburg, Ohio, from R-1 Single Family Residence District to PCD Planned Commercial Development District, Applicant, United Dairy Farmers. (Second Reading 4/24/2017; Planning Commission 4/6/2017).**

Mr. Snowden: 137 S. Waggoner Road/7619 E. Board Street - United Dairy Farmers - District Change (Rezoning). Application: #176280 - Zoning District Change (Rezoning). The property is located on the southwest corner of E. Broad Street and Waggoner Road. It consists of three parcels. The request is to change the zoning district for the site from R-1 Single Family Residence District to PCD Planned Commercial Development District. Existing Zoning: R-1 Single Family Residence District. Proposed Zoning: Planned Commercial Development District. Current Use: Vacant Land. Applicant: United Dairy Farmers. The applicant is requesting that the Commission review and approve a zoning district change in order to construct a commercial building, gasoline fueling canopy, and related site improvements. Existing Site & Context - The 6.424AC site consists of three separate parcels and is improved with an existing single family dwelling. The site has been zoned R-1 since it was annexed from Jefferson Township. To the north and east, the property abuts other commercial businesses in the CS zoning district, and across Broad Street in the City of Columbus. To the southwest, the property is adjacent to single family dwellings in the R-1 zoning district. Given that it is a Planned District, there are additional requirements that Council can site and that the applicant must meet in order to have their project approved. Land Usage - The site is zoned R-1 per Section 1161.07 of the Zoning Code. This is probably consistent with its previous zoning in Jefferson Township. The development pattern along East Broad Street consists of similar, auto-centric uses. This type of use should be located at the intersection of two arterials streets. Waggoner Road is designated as a minor arterial street per the City of Reynoldsburg Thoroughfare Plan. The City of Columbus 1993 Thoroughfare Plan designates E. Broad Street and a major arterial street. The applicant has provided a conceptual development plan that includes a 5678SF commercial building, along with 8 fuel pumps and underground fuel storage tanks. The fuel pumps will be covered by a detached canopy to protect customers from the elements while fueling. The applicant has provided a conceptual building rendering showing a 1 story commercial building. The proposed building materials consist of wood plank and stone. The proposed fuel pump canopy consists of similar materials. The conceptual site plan indicates general compliance with the landscape and buffering regulations, including parking perimeter plantings and service structure screening. Since the applicant will only be developing a portion of the proposed site, Staff would like to continue discussions about the possibility of including a preservation area in the concept plan. Ultimately, given the creek you can see there, tht is not really developable given the fill. It is not reasonable to expect, even without the preservation area that it is going to ever be developed. When a preservation

area is placed on by City Council as part of a rezoning it can only be removed by City Council and Commission approving a new concept plan. When a preservation area is placed as part of a Major Site Plan by the Planning Commission, it can only be removed with approval of a new Site Plan. Either the Commission or City Council have that power.

Utilities - The applicant has provided a facilities demand worksheet which indicates their demand for City water and sewer services. This information has been distributed to the Water/Wastewater Division and City Engineer for review. The applicant will have to provide detailed utility plans for review by City staff in conjunction with their major site plan and plot-grade-utility reviews. The applicant indicated that their site will be served by an underground storm water basin. It will be the responsibility of the City Engineer to determine if the size of the basin is adequate per the Storm water Manual of the City.

Traffic & Parking - The applicant provided a preliminary traffic impact study which is currently undergoing its required review by the City Engineer. Gentlemen, let me be clear, one of the reasons why these Traffic Studies have not been done in time for some of the approvals is because our City Engineer has done four or five of them in the last month and a half. But, in this case, it also has to be reviewed by the City of Columbus for the Broad Street portion for the proposed right in/right out, and they are proposing full access on Broad St. The City Engineer will determine if these access points are adequate and appropriate given the configuration of existing public streets. They are slightly south of where the Shoppes at East Broad have a one way entrance.

Chairman McKenzie: Just as clarification, that is on Waggoner Rd., not on Broad St.

Mr. Snowden: Correct, the full access is on Waggoner. The proposed site plan provides a right in/right out access drive on Broad St., and proposes full access on Waggoner. The applicant's development plan indicated compliance with the parking requirements of Table 1179 of the Zoning Code for entire site when including the parking spaces located at the gasoline pumps.

Administrative - In conformance with Chapter 1151 of the Zoning Code, applicants for district change are required to submit a development plan, which becomes part of the rezoning text. The applicant has submitted a narrative statement and rezoning text which has been reviewed and revised by Staff and approved by the applicant. A copy of the revised text was attached to proposed ordinance. If this application for district change is approved, this development will be the only legal use. Any deviations from that plan in the future would require rezoning. I recommend the members apply the standards for review of district changes contained in Section 1151.04 of the Zoning Code and determine if the proposed use is compatible with the site. Staff feels that proposed development can be supported by the City's services and infrastructure and is consistent with the development pattern of the area. Staff recommends that this application be recommended for approval to the City Council on the following condition: That approval of this major site plan shall be contingent upon approval of the traffic impact study by the City Engineer. To follow up from a moment ago, in this case, this will be recommended back to City Council since it is a rezoning of a site plan. With that, I will turn things back over to our chairman.

Chairman McKenzie: If you would give your name and address.

Mr. Herschberger: Nick Herschberger, I am with CESO. We are the civil engineer on the

project for UDF. 395 Springside Dr., Akron Ohio. Tim Kling with UDF is here as well if there are any questions he could answer better as the developer. As Mr. Snowden said, we are here to get the re-zoning in place and we hope to be back before you at the June meeting for our Major Site Plan review. Eric, could you pull up the site plan? UDF is proposing to put in an approximately 5700SF convenience store with an ice cream parlor on the end, which is kind of standard for them, a full access drive on Waggoner, right in/right out on Broad, eight fueling dispensers so 16 fueling positions, and other amenities. The Traffic Study, we have got comments back from the City of Reynoldsburg Engineer, those comments in our mind are mostly minor in regards to some cleanup we need to do on the language we used, some clarifications. We have not revised that because we are still waiting for comments from the City of Columbus since they have jurisdiction on Broad St. Those comments are supposed to be in this week, and then we would update the Traffic Study and get that back to both entities for review and hopefully approval. We are, as part of the Traffic Study, putting an extension on the right turn lane on Broad that will essentially act as a right turn drop lane into our right in/right out, as well as a right turn lane and a left turn lane into the access on Waggoner Rd. With that, I can answer any questions. I believe there is also a PDF of the building elevation itself, or a 3D model.

Chairman McKenzie: We have only seen this on electronic PDF forms, so we haven't had paper.

Mr. Comeaux: So the presentation suggested that the land south of the creek is no going to be developable, is that your view as well?

Mr. Herschberger: Yes, this is the grading plan that Eric has pulled up. You can see the stream that goes through there and the ravine. Just to develop the part that we have, we will have to have a retaining wall on the back side of that building which is going to add great costs just to get this side developed. In addition to that, in order to develop that other side, you would have to get a permit from the Army Corp. of Engineers to fill in the stream.

Mr. Comeaux: At this point we are looking for the zoning itself, whether or not it is full access on Waggoner is not before us right now, is that correct?

Mr. Snowden: This is how the process works for Planned Development, and really for any re-zoning. You go from a conceptual amount of specificity at the major Site Plan phase, to a very high amount of specificity at the Plot Grade Utility phase. Because Mr. Herschberger is a civil engineer, and he will continue to update these plans and re-utilize similar sets of plans and subsequent approvals, he has submitted a higher level of detail here than he really needed to per the requirements of the Code. That is not inherently a bad thing because as a Planned District, the zoning requirements are pretty flexible. In this case, the things that I would have the Board key in on are the overall concept of where the drives are, where the building is being placed, the general amount of landscaping, the general entry and access, the general building concepts, and height and massing. It will be the job of the Commission at the major Site Plan phase to review that Site Plan application and say if it is in compliance with what they have submitted here. So, my view on that, just to give you an example would be, let's say Mr. Herschberger says ok, we have learned more about the site, we have a little bit of a

problem, the building needs to move to the north 2FT. That is not a big deal. Mr. Hercschberger comes back with a building elevation that is now pink and the materials are stone block and pallets, and is totally opposite, Staff would probably recommend not approving because it is not in compliance with the concept. But, if they wanted to change to a slightly different shade of gray, as long as the Commission was satisfied that the Concept Plan was met, then the Commission would be fully within their powers to approve the subsequent Site Plan.

Mr. Comeaux: Thank you for that explanation. Let me say, I am not necessarily opposed to full access. That intersection is a challenging intersection to begin with. If the Traffic Studies come back and they say it can be done, that will be fine with me.

Mr. Snowden: The Commission is not guaranteeing them full access.

Mr. Comeaux: One other question, I did read the minutes from the Public Hearing, were there any adverse comments from neighbors, and received by neighbors?

Mr. Snowden: I did...

Chairman McKenzie: This is the Chairman. No neighbor appeared at the Public Hearing.

Mr. Snowden: I did receive one written statement which was forwarded to the Clerk's office. It was just a neighbor simply responding. In fact they wrote on the actual letter that we sent them. They basically said that they did not support it because it is near them. It was one of the neighbors with the property to the south. In this case, with the possibility of a preservation area, or at least an undevelopable natural area, their amount of screening there is probably going to be better than pretty much any commercial use to a residential use within the City limits. One final comment, in this case, it probably would be wise if everyone is comfortable with the Planned Development to wait until the Major Site Plan phase. The reason is, it gives the applicant and the Commission more flexibility. I have seen it before where they move a retaining wall over 3FT, or they say they have to do this, and it just makes the process for subsequent extremely minor changes, makes it simpler for folks.

Mr. Comeaux: One final question, so the preservation area can be part of the Major Site Plan?

Mr. Snowden: Correct, Sir.

Mr. Comeaux: Thank you.

Chairman McKenzie: Safety is one of the considerations we have as a Planning Commission, even for re-zoning. And so, you said challenging, one could also say a safety challenge to the intersection. There are spontaneous memorials placed at the corner there, you can see those. And so, I'm not arguing this point, it is just something that we could move on at this stage as well as waiting for the Major Site Plan as well. I do have a couple of questions. Mr. Snowden characterized this as a site suitable for a car-centric activity. You

used those terminology in a Staff Report.

Mr. Snowden: Autocentric. Given the transportation improvements, not necessarily given the creek and that sort of thing.

Chairman McKenzie: It's just that one could also define a neighborhood by boundaries. You know a neighborhood has to have boundaries. So, if one looked at the usages of the property to the west of Waggoner Rd., south of Broad St., it is residential all the way past the City limit. If you look at the uses of the property south of Broad St., and west of Waggoner Rd., just before Main St., it is once again residential. So, one might argue just as a matter of argument that this is a residential neighborhood and within planning there are four things that are considered to be, that has been used as either hostile or toxic to neighborhoods for mixed use, and there are four things for them. Car lots, blank walls, I can't remember the third, but the fourth one of course is filling stations. Drive thrus, blank walls, car lots, and gas stations, so anyway, just keeping that in mind for this zoning change here. Once again, with the creek running through those properties along Broad St., it is very easy to see why they have not been developed even they were zoned residential for a long time. That overhead view you have from Google there, you can see that the creek pretty much runs right through the middle of those properties.

Mr. Snowden: There is another concept in planning which I also think is relevant here, and that is the concept of edge. Let me give you the concept, neighborhood edges are boundaries that are hard. A street can be an edge. A geographic feature can be an edge. In this case, I would view the creek as the neighborhood edge, and the reason why I think this can work from a planning standpoint, and the reason why I have repeated things like "preservation area" is in order to maintain that edge. In this case, I would view the creek as the edge. So, from a planning standpoint anything to the south of the creek is part of the residential use. Anything to the north of the creek is more similar, or could be more similar in its use to what is going on across the street with the commercial on the Columbus side. That is the theory behind what I am saying regarding the preservation area. That is just one tool in order to maintain that neighborhood edge. The R-1 zoning in this case is just a place holder zoning from when it is annexed in.

Mr. Comeaux: There is a physical structure there currently. Is it inhabited?

Mr. Snowden: To my knowledge, yes. You can see the location here.

Mr. Comeaux: I saw it. I have driven by it many times.

Chairman McKenzie: Indications from just driving by that it is still inhabited, but that is only one of the parcels that is being used for this project. There are two others along Waggoner Rd. I is just as I had done at the public hearing, is try to understand this Planned Commercial Development for this project. So, the part that I read that night which was 1184.01(b), talking about additional zoning provisions, you know our statistical codes, encourage quality site design practices and so on, mixed use sites, encourage the creation and preservation of attractive and useful open spaces, promote compatibility with and

complement existing developments, protect adjoining properties from adverse impacts, promote safe and efficient pedestrian, bicycle, and vehicular movement, efficient layout of infrastructure, promote protection or enhancement of natural and historic resources, and it goes on. I am curious as to how, and that was the question I asked, if we could mix and match these things that night, whether they were all, or could be mixed and matched. So, I am just wondering, other than the preservation area, and as an editorial now based upon what happened with the landscaping of the Shoppes at East Broad St., I would say as quickly as we could designate a preservation area for this project, the better. For there were a lot of trees cut down in the corner in violation of the, cause you remember that, you were on DRB at the time when it happened, and which they still remain cut down. And also, with the elevation changes, it would be very difficult to develop the property to the south of the creek because of the depth of the ravine. As the people who live in that house now know, because if it snows, they don't go down to the house, they park along the berm on Waggoner because they can't get up and down out of the property. I didn't get a good idea of what the elevation changes would be for the full access on Waggoner R., the bridge across the existing creek. That was something I had a question of, and may get more details of that with the site plan.

Mr. Herschberger: We did develop a preliminary grading plan which was part of our submittal. It is not going to be a great elevation change. I believe the access point, I think it is on Waggoner, is higher than the access point on Broad. So, Waggoner will come down gently to where the building rests, and then the driveway will go to Broad Street on the other side of the building. We try not to exceed a 4% slope, which is very minor. In parking lots, especially you may be driving across the 4% slope. So, it's not going to be what you see with that residential structure out there now. I know that is...

Chairman McKenzie: My question was more to how much fill you were going to be doing to bring it up.

Mr. Herschberger: We will be bringing it up and we will have retaining walls on the back so that we make the impact to the stream minimal because we will have to fill in that whole stream basically behind the building if we did not utilize retaining walls. So, we will be utilizing retaining walls and building it up quite a bit. I don't know off the top of my head what it is, but it is significant.

Chairman McKenzie: The question was more for the bridge across the stream, to give you access to Waggoner Rd. It will require you to cross that stream to get access to Waggoner R.

Mr. Cullinan: Just looking at the preliminary grading plan they provided, it looks like the top and bottom of the wall in that area is about 10FT.

Chairman McKenzie: Like I said, I would be interested in specifying a preservation area at this point. That changes the project but I would feel more comfortable with it from the standpoint of the neighbors. Since the neighbor to the south will be having a blank wall as well facing them.

Mr. Snowden: Mr. Chairman, and other Members of the Commission, what I would

recommend in this case, first of all, let's confirm with the applicant that that is acceptable. Number two is, I would send that as a recommendation of approval back to City Council and have City Council either get revised plans in, the preservation area has to have a legal description of the preservation area, it is not an easement but sort of functions like an easement. So, it has a defined area. It is not something we are going to be able to specify tonight because I don't think Mr. Herschberger is going to be able to survey the site in the next few minutes. So, I would suggest sending that back as a recommendation for approval and I will work with the applicant. If the applicant was unable to get that type of work done prior to the final approval by City Council, we could have City Council approve it as a requirement that would be done at the major Site Plan and then the Commission would have that power and they would be required to do it at that phase. It gives us even more flexibility. I don't think we can specify tonight without the legal description, or a detailed description of the area.

Mr. Herschberger: I just asked Mr. Kling and he is fine with you putting something on there for a preservation zone. We would be willing to work on that as we move through the process.

Chairman McKenzie: So, as far as doing something tonight, sending it back to Council for this?

Mr. Snowden: You would recommend approval to the City Council on the condition of the Engineer's traffic study and the preservation area be placed on the undevelopable land. I will forward that back to City Council. That will be the...

Chairman McKenzie: We talked before about having these complex motions typed up so that you could see those on the screen.

Mr. Snowden: I can't do it now. I would do it ahead of time. When I know it is coming, I can type it out. I am not going to sit here and do it now.

Mr. Cullinan: I would like to recommend to City Council that we approve the application as submitted, pending the Traffic Report and also that a preservation area be placed in the undisturbed and undevelopable areas.

Chairman McKenzie: Before we get a second, I would feel more comfortable without the terminology of the undeveloped portions, for who knows what is or is not developable.

Mr. Cullinan: Non disturbed?

Chairman McKenzie: I feel more comfortable just holding it to the undisturbed.

Mr. Snowden: The portion of the site indicated on their plan where no development will take place.

Mr. Cullinan: I would like to recommend to City Council as submitted with the Traffic

Study being approved and also that the areas outside the limits of disturbance be preserved, as the limits of disturbance are shown. They can't come back and disturb the whole property.

(Vote.)

Mr. Snowden: Mr. Herschberger: I will provide those remaining items to you in writing. The clerk of Council will inform you when this will appear again. Thank you.

RESULT:	REFERRED TO COUNCIL [3 TO 2]	Next: 5/8/2017 8:00 PM
MOVER:	Tyler Cullinan	
SECONDER:	Jim Comeaux	
AYES:	Cullinan, Comeaux, Welday	
NAYS:	McKenzie, King	

3. Ordinance to Amend the Code of Ordinances of the City of Reynoldsburg, Ohio: Amending Section 1171.06 Accessory Use; Accessory Structures of Chapter 1171 General Requirements. (First Reading 2/13/2017, Planning Commission 4/6/2017).

Mr. Snowden: Thank you Gentlemen. This is a section of code that deals with what we call temporary portable storage units. Translation to layman's terms, dumpsters and pods, the history of this is that in approximately 2006, these items were being stored on peoples lots for 5, 6, 18 months. At that point, something stored on a property is almost like a permanent structure. So the City had to step in and begin regulating and requiring permits. The current regulatory system requires a permit anytime one of these are used. And secondly, it has a very short time limitation, 14 days and up to two permits. The second problem is, it does not allow enough flexibility for myself and Mr. Paszke, our Chief Building Official, to approve exceptions to that when folks have an open or active building permit. Or, they are doing certain activities upon our orders and they need to store. Thirdly, it gave the BZBA the power to approve exceptions, but it did not define which process the BZBA would use. I indicated that a Special Exception process would be used in order for the BZBA to relax the regulations for these and allow them. The example for something like that would be if a store needed to store a large number of these on their property because of a project that didn't require a building permit but still was necessary. For example, the school system had a damaged building and needed to store a large number of these. There is also a hardship exception which will be stating the same when there is a fire or other disaster. The big change is that I am also stating that you can have one of these on your site for up to seven day without a permit. The reason for that is one; the majority of our applications are for less than seven days. Secondly, I can tell you from experience, but I cannot document with numbers because of the nature of it, that we have a very high rate of non-compliance with the current regulations. These are dropped off, used for a day or two, and picked up before we know about it because we don't receive complaints or our Code Enforcement Officer is not on that particular street. Technically, those people are in violation. I find that a lot of times by the time I get the permit, if I am not immediately available to review the permit, the applicant has already removed the offending portable storage unit and moved on. For those reasons, Mr. Paszke and myself are prepared to change the regulatory system to seven days without a permit and then allow a permit for up to 21 calendar days for a grand total of 28

days that these can be on site. That would be the same total length of time that these could be on site as the current system allows. It just allows a little more flexibility to make decisions with these things. These are a very minor issue that take up a lot of time. The thing to remember is why do we regulate them? We regulate them in order to prevent them from being stored on the lots for a lengthy amount of time and becoming unsightly or unsanitary. Typically when we issue someone a violation, we give somebody seven days to get the permit, or they have seven days to have it on site and move on and still be in compliance with the Code. The end result is the offending unit was moved before it could become unsanitary, unsightly, and/or a nuisance. That is the reason Staff is proposing these changes to the Code and I just ask for your support of these items.

Chairman McKenzie: There is an option to extend beyond the 21 days?

Mr. Snowden: Correct, for specific reasons.

Chairman McKenzie: Who would be making that decision?

Mr. Snowden: It would be either myself or Mr. Paszke, our Chief Building Official, and would depend on the particular item. It would be my decision in certain cases when it dealt with a site development or use. It would be Mr. Paszke's decision when it dealt with a specific code compliance, some sort of emergency, fire, other issues that effected the building structure, that sort of thing would be his decision. One other thing to remember Mr. Chairman and other Members of the Commission, any decision I make is appealable to the BZBA. If I were to deny an applicant additional time and say this does not meet the requirements listed in that section, they can always appeal to the BZBA.

Mr. King: Mr. Snowden, if I may. I agree with what you are saying, I am just looking for it in text.

Mr. Snowden: If you are looking at the current zoning code, it is 1171.06(d).

Mr. King: For Changes?

Mr. Snowden: The changes will be to current. The document you received references that and strikes out, but it does not include all the text before or after that particular section.

Mr. King: Ok.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/8/2017 8:00 PM
MOVER:	Ivan King	
SECONDER:	Robert Welday	
AYES:	McKenzie, Cullinan, Comeaux, Welday, King	

4. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1127.12 Utility and Traffic Studies of the Chapter 1127 Standards. (First Reading 2/13/2017, Planning Commission 4/6/2017).**

Mr. Snowden: I used the wrong word when I wrote this section. I used the word "chapter", and it should have read "section". It's that simple.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 5/8/2017 8:00 PM
MOVER:	Tyler Cullinan	
SECONDER:	Ivan King	
AYES:	McKenzie, Cullinan, Comeaux, Welday, King	

5. COMPREHENSIVE PLAN

Chairman McKenzie: Since we are beyond 7:00, I will call adjournment.

6. ADJOURNMENT

Chairman



Planning and Zoning Administrator