



**SERVICE COMMITTEE
MONDAY MARCH 21, 2016**

COMMITTEE MEETING:

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

1. Call to Order

PRESENT: Cicak, Luzader, Spalding, Joseph
ABSENT: Clemens

2. Approval of Agenda

Agenda stands approved.

3. Approval of Minutes

a. Service Committee – Committee Meeting – March 7, 2016

Minutes stand approved.

4. Discussion

a. Liquor Permit Request- Rib Market Inc, DbA Hickory House

Chief O'Neill: This is a Liquor Permit transfer to the new person running Hickory House. The business has been here a long time, it's not going to change the way they do business, it shouldn't change the environment at all. There is no reason we could find to oppose this application to transfer.

Mr. Luzader: Any questions? Then we'll send this back to the Clerk with no action.

b. Liquor Permit Request- We Made it Restaurant Group LLC, DbA Prost Beer & Wine Cafe

Chief O'Neill: Thanks Chairman Luzader, this is just an expansion of the existing permit that they have. Currently they are serving beer and wine for consumption on the premises, they want to expand that to also include spirituous liquors. Shouldn't really change the business or the atmosphere around the business so we don't really have any reason to oppose this application.

Mr. Luzader: Any questions on this one? Then we'll send this back to the Clerk with no action.

c. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1792 Brice Road; Proposed Use – Auto Sales); Applicant, Samir Rahim, AND DECLARING AN EMERGENCY.

Mr. Snowden: Thank you Chairman Luzader and members of Council. This is an application that was heard at the February 18th meeting of the BZBA, it was application number 172745 at 1792 Brice Road. Existing zoning was CC and it is within our Community Commercial overlay and the request was for the board and now for City Council to review and approve a Special Exception Use Permit for a new Auto Sales use in that district. To cut directly to the chase, under staff review of my report from that meeting, basically, there's 120 foot buffer between an outdoor use such as this and the neighboring multi family property which is to the north, that basically required the applicant to maintain that setback. The applicant originally proposed to have 4 Uhaul vehicles on site, BZBA thought that in order to make sure that the applicant had a little bit of breathing room, they would allow 5, if the applicant was going to keep 4, the reason is these vehicles are sometimes dropped off over night and they didn't want the applicant to be in situation where they were constantly getting zoning violations for being 1 vehicle over their requirement. It was approved by the board with that stipulation, that the applicant be restricted to storing vehicles no further to the north than the row of parking directly in front of the entrance to his tenant space. If your familiar with the site, you'll know its an L shaped building directly in front of this applicant's 99 cent store tenant space there's a line of parking and BZBA stipulated that because of the regulation and the multi family use to the north that the vehicles needed to be no further to the north than that parking space. With that I'll be happy to answer any questions and I believe a representative from Uhaul's regional office is with us this evening.

Mr. Luzader: Ok, if I understand correctly, the application says Auto Sales, but this will be just for rental vehicles.

Mr. Snowden: Yes Mr. Luzader and other members of Council, in the definitions in the Zoning Code section 1131 of our Zoning Code the definition for Auto sales says the sale, lease or rental of any vehicle. So although the use is auto sales, it's specifically allowing them to have these 4 vehicles, or 5 in this case.

Mr. Luzader: Any other questions from the Committee? Council?

Mr. Long: Mr. Snowden, the parking spaces that they're going to have these vehicles back, how far are they off of Brice Road.

Mr. Snowden: The minimum set back per the commercial overlay was 25 feet, the applicant proposed to limit themselves to 35feet and these parking spaces, the first 4 parking spaces in front of their tenant space where these vehicles would be parked are approximately 75-80 feet from the public street.

Mr. Long: Ok, so not only is this going to be the opportunity to rent the vehicles there, they're also going to have them out front where they're displayed on Brice Road for people in the local area to rent them.

Mr. Snowden: Yes sir but no more than 5 vehicles at any one time. There was some discussion to follow with your question, there was some discussion about moving the vehicles to behind the subject property which has been done at this type of thing, there's just not enough room back there, there's a fire lane and it just doesn't work at this site.

Mr. Luzader: Any other questions? Is the applicant here this evening?

Uhual Regional Rep: We appreciate you folks letting us do business in Reynoldsburg. We've noticed going out of business signs at the Ace Hardware, that's where we originally had them. We don't believe he is going to continue there. Uhauls are a need based, not a want base, we think it's a valuable service to the people in Reynoldsburg, we think when done right with distribution and on a limited basis, that's how it works best. We appreciate you considering this if you would. Like I said this is a service we feel that we're providing to the community.

Mr. Luzader: are there any questions for the applicant? This was approved by BZBA unanimously. This will be under a 6 month review like almost all of our Special Exception Use Permits are, so other than that I don't have any more questions.

Motion to send this on to Council for a first reading.
Second by Mr. Cicak.

Mr. Long: Mr. Chairman, I do have a question. As we're sitting here with the applicant who is attempting to get business moving, as you mentioned this was approved unanimously by the Board of Zoning and Building appeals, is there are reason to make them sit six weeks through 3 readings? We've had limited discussion here, I believe the applicant is doing what they need to do, President Joseph is it possible for us to send this directly onto council for recommendation for adoption?

Mr. Joseph: Yes we can do that next week, people still have an opportunity to come speak next week if they have an issue.

Mr. Luzader: I don't have an issue with that, I'll change my Motion...

Mrs. Beggerow: Do you want to send this forward as an emergency or suspend the rule?

Mr. Luzader: Let's ask the City Attorney.

Mr. Hood: It will create revenue, financial needs of the City, any time we can create jobs and additional revenue. But you are the final arbitor of the decision Council. If you amend your motion to an emergency motion and get a second and the required votes you can move it forward to city council at next week's meeting where the full council can take it up, pass it as an emergency and the Mayor signs it, it's an emergency measure.

Mr. Luzader: Therefore I would like to amend my motion to send this forward to Council as an emergency.

Second by Mr. Cicak.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 3/28/2016 7:30 PM
MOVER:	Brett Luzader, Ward II	
SECONDER:	Stephen Cicak, Ward I	
AYES:	Cicak, Luzader, Spalding	
ABSENT:	Clemens	

d. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (1731 Brice Road; Proposed Use – Church); Applicant, Paul Powell.

Mr. Snowden: Mr. Chairman and other members of Council, I'm just going to go through the report quickly, it was application number 172727 for Special Exception Use, existing zoning is CC community commerce and the request is for the Board and City Council to review and approve a Special Exception Use Permit for a semi-public use in the CC community commerce district. Basically, this is an existing church used within a shopping center commonly known as the Brice Center or Astor Center on Brice Road between Astor and Radekin Road. This was referred to us by the Truro Township Fire Prevention Officer following his inspection he determined that the required zoning permit and occupancy permit was not in place and so we began the process to get the use approved as a Special Exception. You can see in my review that there's over 90 parking spots on this site, that's our main concern when we're dealing with assembly use such as this. There is one other church use on this site, both of these places of worship are relatively small and they're not overpowering the 90 parking places on this site which would cause some negative effect. With that, it was approved as submitted by the board and I would recommend approval in this case and I don't see the applicant here but if they're available, I'm sure they'd be happy to make a few comments.

Mr. Long: One of the concerns each time these come before us is that there may be some type of child care going on, daycare or anything of that sort. Are you aware if that is being done at this place?

Mr. Snowden: Based on both this property and the neighboring church property, which is called Juddah Redeemer, when they made their applications, they submitted interior drawings, none of which show any child care uses on the site. We will monitor that and do the 6 month review that's required by the Planning & Zoning code anyway, if we were to notice that there was child care there, we could classify it as a different use. So just because they're approved for Church use or place of assembly for this, does not allow them to take up additional uses that would not be approved.

Mr. Luzader: Any other questions?

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SECONDER:	Marshall Spalding, Ward III	
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ABSENT:	Clemens	

- e. Ordinance Authorizing Engineering Services for the 2016 Street Program; Appropriating Funds Therefore; and Declaring an Emergency.

Mr. Sampson: Good evening gentlemen. This is the 2016 Street Program, it also includes a small stormwater project that has been engineered to this point, the specific streets targeted for this year have been included in your packet. Do you have any questions?

Mr. Luzader: The only question I have is, this is will probably be the first phase of a street program for this year?

Mr. Root: Correct, yeah, this is kind of part of it, the second part will be the Taylor Road portion that we're responsible for for the Taylor Road, the last I heard Etna Township does have solid numbers for us, Rob is out of the country and will be back next week and we'll get back with him and get the solid numbers and bring that to Council as well and that will be the whole street program for 2016.

Mr. Sampson: I believe the span of that particular project takes us from Palmer to 256? Or how far do we go down?

Mr. Root: Just down to kind of like the Taylor road extension but a lot of that is Etna Township, so that's covered by their grant, our portion is a little bit on Palmer and I think a little bit on the Taylor Road extension.

Mr. Luzader: And this will all be paid for out of street funds and stormwater funds?

Mr. Root: Correct, yes the stormwater project will be paid out of stormwater funds and that's that little section on Ambrose Bend, that road ends at township property.

Mr. Luzader: Any questions?

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ABSENT:	Clemens	

- f. Ordinance Authorizing Engineering Services for the 2016 Street Program; Appropriating Funds Therefore; and Declaring an Emergency.

Mr. Sampson: This is Authorize EMH&T to conduct design engineering and bidding services for the resurfacing of the City Hall parking lot, again we thought it was logical to

include it in our street program to get the best possible pricing for asphalt. The intent is to have this completed in 2016.

Mr. Luzader: Where is the funding coming from for this one?

Mr. Sampson: This will come from the General Fund.

Mr. Harris: That will come out of the 410 Fund, Capital Improvements.

Mr. Luzader: And we've got plenty of money in there?

Mr. Harris: Oh yeah.

Mr. Luzader: Thank you very much.

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ABSENT:	Clemens	

- g. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131 Definitions; Chapter 1143 Zoning Certificates; Site Plan; Plot-Grade-Utility Plan; Chapter 1155 Enforcement; Penalty; Chapter 1161 Zoning Districts; Chapter 1171 General Regulations for Lots and Yards; and Enacting Chapter 1159 Nonconforming Uses & Structures; and Repealing Chapter 1195 Nonconforming Uses. (Second Reading 3/07/2016).

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ABSENT:	Clemens	

- h. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1103 Design Review Board; Chapter 1139 Board of Zoning and Building Appeals; Chapter 1147 Variances; Chapter 1193 "HD" Historic Overlay District and Repealing Chapter 163 Village Commission; and Chapter 1194 Historic Commercial Overlay. (Second Reading 3/07/2016).

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ABSENT:	Clemens	

- i. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 909.02 SIDEWALK-MATERIAL; WIDTH AND LOCATION, Amending Chapter 1111 General Provisions; Chapter 1115 Preliminary Plat; Chapter 1119 Final Plat; Chapter 1127 Standards; Chapter 1355 House Numbering; Chapter 1180 Landscaping and Buffering Standards; and Enacting Chapter 919 Trees; Part 17 Nuisance and Property Maintenance Code: Title 1 Public Nuisance and Title 3 Property Maintenance Code; and Repealing Chapter 543 Trees and Noxious Vegetation; Chapter 1367 Abandoned or Inoperable Service Stations; and Chapter 1369 Nuisance Abatement; Chapter 1389 International Property Maintenance Plan. (Second Reading 3/07/2016).

Mr. Snowden: Chairman Luzader and other members of City Council. This item was reviewed and amended at the last meeting, it came with a recommendation for approval by the Planning Commission, the Planning Commission put in a lot of hard work on this item. On page 24, you should have received a revision this evening, I can provide copies if you have not, if you look on page 24 under international property maintenance code, in 2007, the city of Reynoldsburg adopted the 2003 International Property Maintenance Code. When this revision began, I proposed initially to update to 2012 property maintenance code which was the most current at the time that I wrote. Since then a 2015 property maintenance code has come out and Planning Commission's view was let's just go ahead and update to the most current version of these codes. The idea being, they're not that different from one another is the reality. In conversations with Mr. McBride, our new Chief Building Official who has started within the last couple of weeks, within the last several months, the Ohio Board of Building Standards, which he has to answer to as a certified building department, has begun the process of putting out what they're calling an amended, international property maintenance code for Ohio. What that is, is basically taking the 2012 international property maintenance code and amending it to comply with state law in Ohio and amending it to comply with the Ohio building code that the Board of Building Standards already put out. They have informed us even earlier today that that will probably be approved by the Board of Building Standards and be available for reference within the next several months. So it was his view that we should stick with the 2003 Property Maintenance Code that we're on now and then wait for the Building Standards to approve a new version, that way we don't have a property maintenance code that conflicts with the building codes that are adopted by the state that he is required to follow as a certified building department. That's what this revision is about and will have to be revised at the next.. did I confuse anyone? That's a lot of information.

Mr. Long: You can't adopt something that doesn't exist yet.

Mr. Snowden: Exactly, and it was his view that it would be easier to stick with what we have and address it as soon as we have the best version from the Board of Building Standards and he's been a tremendous assistance and that's one of the things that having a building official on staff that can catch these types of things makes a huge difference to our services. I would just as for your support of this ordinance, if anyone has any questions, let me know and we'll ask for the amendment on our next meeting.

Mr. Luzader: Any questions? So then if I'm not mistaken, Mr. Joseph, we go ahead and send this to Council to be approved as amended last week and then at a later date we just amend the ordinance then?

Mr. Joseph: Correct.

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