

**PLANNING COMMISSION AGENDA
MINUTES OF MEETING
October 6, 2014**

MEMBERS PRESENT: Martin Pratt, Cathy Oetker, Scott Failor, Scot Draughn, Alan Seymour, Cindy Shay-excused and Robert Cotter

OTHERS PRESENT: Mary Hada, Bob Parrott, Bradley Bodenmiller, Sheldon Blattner

MEETING CALLED TO ORDER: The meeting was called to order at 7:05 p.m.

APPROVAL OF MINUTES: The minutes from September 2, 2014 were approved with the minor changes given to Mr. DeLong.

CITIZEN COMMENTS: Mr. Brad Bodenmiller spoke on behalf of (LUC) Logan-Union-Champaign Regional Planning Commission. Wanted to introduce himself to Planning Commission. Mr. DeLong said Mr. Bodenmiller has been helpful because last year the LUC came and gave training to Board of Zoning Appeals which was very beneficial to everyone. Mr. DeLong is on the LUC subdivision committee and has worked with Mr. Bodenmiller.

ADMINISTRATION COMMENTS: None.

NEW BUSINESS:

Zoning Map Amendment to rezone parcel 2900021401040 (173 Professional Parkway) from B-1 (Service Business) to R-5 (High Density Multi-Family) and parcels 2900021401030, 2900021401020 and 2900021401010 (203-243 Professional Parkway) from OR (Office-Residential) to R-5 (High Density Multi-Family) – Filed by Mary Hada of The NRP Group, 5309 Transportation Blvd., Cleveland, Ohio 44125.

Mary Hada spoke on behalf of the NRP Group. We would like to develop a three story building to house seniors 55 and older. She showed Planning Commission a sample rendering of what the building would look like.

Mr. Pratt said that this is wonderful but we are looking at rezoning to R-5. Mr. Pratt thinks that the R-5 zoning fits in nicely and in five years it will look like it was always R-5 zoning.

Mr. DeLong said that this would have to go through both committees, Design Review for the layout of the building and property and Board of Zoning Appeals to get a variance for the density. Mr. DeLong said that the problem is that it is not considered assisted living so it does not qualify as a medical building, it is like an apartment building no different than The Links.

Mr. Pratt so if that property does not get through Design Review and Board of Zoning then that property is now R-5 zoning.

Ms. Hada said part of our objective is trying to stay in this area is the Senior campus with the hospital with the assisted living nearby and all the doctors, dentist, etc. that can service these residents as they age in place. The Ohio Housing Finance Agency is looking for these types of areas to play senior

housing, and that is the ideal location. Mr. Failor said that what else helps is the property just south of it is R-5, which makes that whole block a nice consistent unit.

Mr. Seymour said that OR zoning is not appropriate for that place anyways, if anything it should be B-1. To align with Street designation Professional Parkway, it is ear marked for professional businesses, which with the economy improving, he could see some businesses coming in.

Mr. Pratt made the motion to approve Zoning Map Amendment. Question put, stood:

Mr. Pratt YES	Mr. Failor YES	Mr. Cotter YES
Mr. Draughn YES	Mr. Seymour NO	Ms. Oetker NO

Ms. Oetker said her reason for choosing no was she is worried about the future. She said unfortunately we cannot worry about the use, which she loves what they want to do but she is concerned what happens if it doesn't go through. She said this property has been promised to so many people and heard so much talk about it that she is concerned about it in the future.

Mr. Seymour said his reason for voting no was because he feels it would be best rezoned to B-1, as it would be a more appropriate use in his view, even in the place of OR.

The Zoning Map Amendment was approved 4-2.

DISCUSSION ITEMS:

1. Indoor sports recreation facilities in Manufacturing zoning districts. Mr. Failor said the City's economic development submitted a few emails opposing the change. Mr. Pratt said that he presented this to City Council, and they generally liked where we are headed. He said we obviously need to put this somewhere in the City. He said when you look at the buildings down in Dublin they are generally 20,000 - 25,000 square feet, we will have a lot of little buildings around and it will not be a bad thing for the City.

Mr. DeLong asked should he invite Eric Phillips and Jason Stanford to the Commissions' next meeting? Mr. Failor said yes.

2. Chapter 1136- Historic Design Review Districts and Landmarks. Mr. DeLong said that City Administration has given us a direction to look at Chapter 1136, if there are any changes to looking at the demolition process, and nothing has been finalized. He put together some language for them to review. He said just a reminder that Wednesday night we are going to have a combine meeting with Board of Zoning Appeals, Design Review Board and Planning Commission. Nate Bevil with Ohio History Connection (formerly Ohio Historical Society) will be here giving us a presentation on various things that are required, we have to have him in because we are certified local government and we have to have our training. One of the topics he will be hitting on will be demolitions, secretary of interior standards, etc. Mr. DeLong said it is kind of at a standstill right now because he does not want to lose our designations, we have worked hard for our designations. Mr. DeLong said anything we do change he has to send to the state to review, because they do audit him every year. Every time we do a demolition of a property or a code change, he has to send them copies.

Mr. Failor said he did not think we were that far along, we were just seeking ideas. He thinks it is just a general feeling that we clear things up, so that we do not run into what we have in the last six months.

Mr. Pratt said he was surprised looking at other City's that our code is not that far off of what other communities are doing.

Mr. DeLong said that when he worked for the City of Dayton, we did not have half of the requirements in our demo process as we do here. But our Board consisted of preservationist, architects, and it was very strict on the type of people who sat and made those decisions, so they knew they had the background. Nothing against Design Review or Board of Zoning Appeals. There are no set standards that we request on Design Review Board that there be an architect, but it is not required to be a preservationist.

Mr. Pratt said that what he liked on several of them is the waiting period. We are at least going but not rushing, if there is not an agreement we are just forcing it go back and lets rework it.

Mr. Bob Parrott said that he is very concerned with this particular ordinance because he cannot protect the buildings, there is no way he can do it, that ship has already passed. At least if we keep the ordinance in place sometime when there is a different group that is more interested in enforcing it. That way it is still there. His concern is that it does not get gutted. If we tear down the buildings, don't gut the ordinance. That might be what is coming to for taking a stand to protect the buildings. Hopefully, whatever changes are suggested the Historical Society gets a chance to look at those first, so we can make our comments as to whether those are proper or not. We look at who is asking to make those changes and why, what are the motives, are they good motives. He said that he personally does not think the ordinance is the problem, it is the enforcement that is the problem, and right now we cannot do a thing because we know that if it goes up to the Board of Zoning Appeals, that they will rehear the whole thing and they are going to make their own decision and they have never protected a building. That is the way it is and there is no hope. People on Design Review Board know that the decision they make will not be upheld, and it will go on up, but maybe it should be by passed to the Courts at that point, some of them do that. He has looked at all the different ordinances and they are all similar to what we have here. He did not see any problems but did see that there are a few things that need tweaked little small things like definitions. One thing that he would like to see is that it is not fast tracked. Once they grant the demolition permit, and the very next day they can demolition the building. He thinks that it should say there should be at least a 30-40 day period. So that if someone wants to appeal the decision, the building could be brought down before we even had a chance to go to Court, and that is what happen last time. This last one should have gone to the Courts and determined what was what on everything, it just did not go that route. He would like to see what the proposed changes are, and who they are coming from, is it the City Administration or who is pushing the changes and why?

Mr. Seymour said Mr. Parrots comment on the waiting period was close to his comment to what use could we find for the building, and you might find use for it right away but six months to a year down the road we might find use for it. So for immediate demolition, based on right now we do not know how the building could be used, so in that case tear it down. It doesn't mean a good idea isn't going to come up six to eight months from now. Now that does not mean a five year waiting period, but at least some reasonable time.

Mr. Parrot agreed with all of Mr. Seymour.

Mr. Seymour said that the library went through that, and it waited and waited and no one came forward. However, you have a classification of buildings that has to be a part of this. You need to have three classification of buildings.

Mr. Pratt said that as the Chair of Design Review that we did ask for it to be reviewed because frankly going back to the Scotts Building being tore down there was issues then that the code was unclear. From our position you were at the Board of Zoning Appeals meeting and you heard the City Attorney attack how we, our rationale. Mr. Pratt said we are looking to clarify and make the process very clean, so that there are no questions. So that way when it gets to Board of Zoning Appeals or Court we know what we are judging. From what you saw from Design Review to Board of Zoning Appeals on that one you had completely different arguments being made and some illogical maybe.

Mr. Parrott said he supports what Mr. Pratt said. Cleaning up is always a good thing but he is afraid it will be gutted.

Mr. DeLong said Mr. Parrott, we are in different stages of working on this, that it going to get kicked to Public Affairs Committee, just to have them as the Committee looking at it. When they do we will let you know, so you can be a part of that.

Mr. Parrott said you can't blame me for be suspicious of the motives because suddenly now everything is trying to be changed.

Mr. Failor said he will be the one to speak up and he can say he is pretty much the one that brought this up that this code needs to be looked at. There is an interpretation issue, what you say is significant and what I say is significant is different. It should be very easy to tell if it is significant or not.

This will be put back on the agenda for next meeting.

COMMENTS OF INDIVIDUAL COMMISSIONERS:

Mr. Cotter said he would like to apologize, for missing the last two meetings he has been in the hospital for surgery. He thought he conveyed that information to the girls downstairs.

ADJOURNMENT: The meeting was adjourned at 7:42 p.m.