PLANNING COMMISSION
Regular Meeting
Tuesday, April 26, 2016

Mr. Paul Clark called the meeting to order at 7:30 p.m.

ATTENDANCE

Present: Paul Clark, Amy Korenyi-Both, Jim Durham, Kevin Von Handorf, Robert Muzechuk, Jim Briggs and Bill Etson. Also present were City Planner Andrew Rodney, Municipal Attorney Scott Liberman, Planner Mark Yandrick, and Assistant Clerk of Council Julie Weaver.

APPROVAL OF MINUTES

No additions or corrections to the minutes were suggested.

MOTIONS: Mr. Briggs made a motion to approve the minutes of the Planning Commission meeting of March 29, 2016, as distributed. Mr. Muzechuk seconded the motion. The motion passed 7-0.

OPENING STATEMENT

Mr. Clark read the Opening Statement concerning protocol for public hearings.

PUBLIC HEARING

Application P-2016-0019: Variances for Sign Height and Sign Area
Routsong Funeral Home, 81 North Main Street

Mr. Yandrick presented the staff report for the request by Thomas Routsong of Routsong Funeral Home for two variances for replacement of the wind-damaged ground sign in front of the funeral home at 81 North Main Street in the Architectural Preservation District. Mr. Routsong requested variances for sign height of 9.5 feet and sign area of 32 square feet per face in order to install a sign similar in size to the damaged one. The Unified Development Ordinance passed in 2008 allowed sign height of no greater than 6 feet and sign area of no more than 16 square feet per face in the APD. The storm damaged more than 50% of the Routsong sign, so the grandfathering of the greater height and area was lost.

As part of his explanation of the case, Mr. Yandrick presented a zoning map, an aerial view and photos of the current conditions along with a rendering of the proposed white sign with black lettering. He pointed out, in spite of its extra height, the top of the sign would be only 5 feet above the sidewalk, because of the topography of the site. He also noted the large size of the lot and large width of the frontage. Mr. Yandrick stated most of the Standards of Approval could be met and recommended approval of Application P-2016-0019, subject to the following two conditions:

1. The ground sign shall be placed along the North Main Street frontage.
2. The sign shall be located in approximately the same location as the previous sign.

Mr. Clark opened the public hearing and invited Mr. Routsong, the applicant, to speak. Mr. Durham asked whether there were currently any wall signs on the business and confirmed with Mr. Yandrick that a wall sign would be permitted. Mr. Routsong verified there were no wall signs on the premises. Mr. Durham asked Mr. Routsong if he would be willing to trade the option for any future wall signage for the additional area and height of the ground sign. Mr. Routsong answered in the affirmative.

Mr. Clark closed the public hearing.

MOTION: Mr. Durham made a motion approve Application P-2016-0019, the variances for sign area and sign height, subject to the two conditions recommended by staff as shown above and the addition of Condition #3 as follows:

3. The granting of these variances is in-lieu-of any wall signage.

Mr. Briggs seconded the motion. The motion passed unanimously, 7-0.

Mr. Rodney requested skipping to Application P-2016-0020 under New Business and returning later to the public hearing for the amendments to the Unified Development Ordinance.

Application P-2016-0020: Shed at Domino's Pizza, 885 E. Franklin Street

Mr. Rodney introduced the application for a zoning compliance certificate for a shed at Domino's Pizza, 885 East Franklin Street. He noted the architecture of every accessory structure in a commercial zone must be reviewed by Planning Commission. He said Domino's Pizza was repainting the main building and considering the installation of a new sign. For additional storage, Richard Williams, the applicant, wanted a shed at the rear edge of the parking area to the east of the building. Mr. Rodney showed photos of the site and the proposed shed, before suggesting that the aesthetics of the accessory building could be improved by painting it the same color as the main building and using an earth-tone roof. He pointed out he had just received the photo of the proposed structure and had little information from the applicant. The question for Planning Commission was whether the proposed shed was architecturally consistent enough with the primary building.

Discussion followed. Mr. Briggs felt the applicant should provide more details. Mr. Durham pointed out the accessory structure would be completely visible from the frontage on East Franklin Street and from the adjoining businesses and parking lots. Mr. Rodney suggested moving the shed beside or behind the unscreened dumpster or using the same material as the building. Mr. Durham reminded the group the business was in a study area for stabilization and enhancement. Having a shed with minimal architectural quality next to an unscreeened dumpster would not be helpful to improving East Franklin Street. He requested a revised plan from the applicant with better integration of the shed. He asked for a staff report and a recommendation taking the study area into consideration.

MOTION: Mr. Durham made a motion to table Application P-2016-0020 to the meeting on May 24, 2016. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

Annual Amendments for the Unified Development Ordinance

Mr. Rodney used slides based on a memo dated April 22, 2016 to discuss the proposed changes for the annual clean-up of the Unified Development Ordinance. He began the review with items on which Planning Commission members had commented in emails. The following three Articles were the main ones brought to his attention:

1. Article 5.096 Development Plans
    a. The amendment would clarify that Development Plans are required for all overlay districts, including lifestyle communities.
    b. The update would define more clearly that City Council has final review authority for both preliminary and final development plans
    c. The amendment would rewrite the Standards for Approval of the preliminary and final development plans to balance what is required for submittal at the preliminary stage with what is demanded by the standards. The submittal requirements for Final Development Plans would also be updated.

2. Article 5.19 Appeals
    a. The amendment would limit the reasons for granting an appeal of the decision of a subordinate body.
    b. Referencing the American Planning Association, Mr. Rodney said appeals should not be granted unless it could be shown there was an error in having proper authority, following proper procedures, using the proper standards, or being reasonable and fair, rather than arbitrary.
    c. Mr. Durham said these reasons were the ones used by appellate courts; an appeal was not reason for starting afresh in the decisionmaking process. Mr. Liberman suggested making appeals a separate ordinance to present to Council, since it was a substantive change. Mr. Durham felt an early work session with Council on the appeals issue would be appropriate, in order to see if Council would be in favor of the change in emphasis.

3. Article 9.29 (G) Bicycle Parking
    a. The amendment would require new developments to have bicycle parking as part of the development plan.
    b. Discussion centered on language. Mr. Clark recommended "conveniently located near a main entrance."

Mr. Rodney stated that playhouses could be another topic. Regulations concerning playhouses were not defined in the UDO—only that accessory structures were not to be more than twelve feet high. Mr. Von Handorf shared pictures of playsets in his neighborhood. The regulations for accessory structures currently required shingles or standing seam metal roofing. Many playsets have either no roof or canvas covers. Mr. Durham stated rules should not be made unless the City intends to enforce them. Mr. Rodney added building permits currently are not required, leaving playsets mainly as issues between homeowners and their insurance companies.

Planning Commission requested that Mr. Rodney begin to group the items into ordinances of more manageable size and check some national standards for language. Mr. Liberman pointed out that some items were more controversial than others. He felt it might be helpful to group

those seen as controversial, so that practical items could be passed and incorporated into the zoning code more quickly. Planning Commission asked for a work session prior to the next regular meeting. Mr. Rodney stated he would email potential meeting dates and times.

Additional items were mentioned. Mr. Durham and Mr. Liberman agreed the Articles on Preliminary and Final Development Plans should have parallel construction of the standards for approval and submittal requirements. Mr. Rodney asked about putting an expiration date on an approved development plan. He also was interested in the discretion to charge additional fees or fines when permits were not obtained in a timely manner, because he was concerned about repeat offenders.

Mr. Clark opened the Public Hearing. No speakers came forward.

MOTION: Mr. Durham made a motion to table consideration of the annual update of the Unified Development Ordinance to the May meeting of the Planning Commission. Ms. Korenyi-Both seconded the motion. The motion passed 7-0.

In Communications, Mr. Rodney gave a brief update on The Fortus Group housing proposal for Cornerstone North. He shared an artistic rendering of the reworked façade and the massing plan showing the apartment buildings pushed back toward the pond and the village center. The plan consisted of 300 units in brick buildings three to four stories high with flat roofs, tall windows, balconies and accents of a faux wood material. Planning Commission liked this architectural look better than the original submission; they were more satisfied with the neo-urban styling, the visual offsets and the better use of green space.

In regards to the study of Centerville Place, Mr. Rodney explained a land bank grant will allow the Council to form a committee to work with the Kleingers Group and Market Metrics to create a concept for the revival of Centerville Place. He descibed the composition of the committee and the time commitment for the members. He noted Council would appoint two Planning Commission members to the study group. It was hoped that a proposal would be ready for Planning Commission review in September.

Mr. Clark shared that the City Council, by unanimous vote, upheld the decision of the Planning Commission in the Appeal of the condition on public access for Shoppes III on Cornerstone North Boulevard.

Mr. Rodney listed potential projects for Planning Commisison review in the coming months.

Mr. Clark congratulated Mr. Durham for being named a National Fellow of the American College of Real Estate Lawyers, an elite honor.

Before adjourning the April meeting at about 9 p.m., Mr. Clark announced the next meeting of Planning Commission would be May 24, 2016, at 7:30 p.m. in the Council Chambers of the Municipal Building,

Paul Clark

Paul Clark, Chair