

PLANNING AND ZONING COMMITTEE

JULY 11, 2018

The meeting was called to order at 5:32 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith, and Becky Williams. Also present were Karlene Henderson, Law Director, and Brody Walters, Planning and Zoning Administrator.

ROAD NAME CHANGE REQUEST

Mr. Walters explained that the plat of Bayshore Village Plat 1, which includes seven lots on Five Point Road, has been recorded and includes a stub street between the lots that was never constructed. On the recorded plat, this street is labeled as Bayshore Drive. The property behind this plat was purchased by Steve Mitchell and that development will be called Summerfield. They are requesting that the name of the stub street be changed to Summerfield Boulevard. Mr. Walters said that a street name has been changed a couple of times in the past and it was done by ordinance. The Committee agreed 3-0 to recommend approval of the change.

RIVERPLACE SHOPPING CENTER LIGHTING ISSUE

Dave Kienzle, owner of the Riverplace Shopping Center, was present. He stated that they used to have holiday lights that were hung using PVC. When they did some renovations recently, they wanted to bring the lights up to Riverplace standards and spent \$25,000 for tube lighting and seven outlets. He said that it is not on the peaks or the sides, it just runs along the fascia front façade. He said that until he was notified by the Planning and Zoning Division, he did not know that this type of lighting was not permitted.

Mr. Kienzle provided pictures from Social restaurant on SR 25 that has tube lighting and lighting at Marco's Pizza. Mr. Kienzle said that he understands that City Council does not want ProMedica to put up their green lighting, but he feels they have taken a shotgun approach to prevent it. He recommended that the Code be changed to allow no more than 40% of a building to have the tube lighting. He said that his lighting is under the 40%, and it would still prevent ProMedica from installing the green lighting around their building.

Mr. Walters explained that Social installed their lighting before they were annexed, and so it is a legal non-conforming use and, if it came down, it could not be replaced. He said that it is difficult to tell from the picture what kind of lighting is at Marco's, and it could be parking lot lighting. Mr. Walters said that Code Section 1250.481(g) prohibits tube lighting on building trim, which has consistently been interpreted to mean the perimeter of the building and around windows, doors, etc. Mr. Kienzle asked if his lighting is a violation of the Code, and Ms. Henderson said that, in her opinion, it is.

Mr. Walters said that he believes the intent of the Code was to prohibit this type of lighting. He suggested that, if the Committee finds this type of lighting objectionable, that they leave the Code as is, and, if they do not find it objectionable, then they should repeal the language. There was discussion regarding limiting it to certain holidays or

limiting the percentage of the building that could have the lighting, but still exclude doors and windows. The Committee agreed 3-0 to forward the issue to the Planning Commission for its consideration.

APPEAL TO CITY COUNCIL

Mr. Walters stated that an official appeal of an Historic Landmarks Commission decision has been filed by Andy Wilhelms, owner of 120 West Second Street. Mr. McCarthy stated that a hearing will need to be scheduled.

UPDATE ON CIVIL CODE

Ms. Henderson said that the Magistrate has the civil code to review, and he is currently out of the country.

OTHER BUSINESS

There was discussion regarding the Lean Ohio training and the permitting process for developers. The Committee was invited to attend.

There being no further business, the meeting adjourned at 6:24 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: Wednesday, August 8, 2018 at 5:30 p.m.