

PLANNING & ZONING COMMITTEE

FEBRUARY 10, 2021

The meeting was called to order at 5:30 p.m. by Chairman Tim McCarthy. Committee members present were Cory Kuhlman, Tim McCarthy, and Barry VanHoozen. Also present were Kate Sandretto, Law Director, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF COMMITTEE MINUTES

There being no objections, the minutes of the January 13, 2021 meeting were approved.

APPOINTMENT TO HISTORIC LANDMARKS COMMISSION

John Meier was present to be considered for appointment to the Historic Landmarks Commission. Dr. Meier said that he has been before the Historic Landmarks Commission several times as an applicant, and he attended the February meeting. Mr. Easterling explained what types of applications the Commission normally considers. The Committee agreed 3-0 to recommend that Dr. Meier's appointment to the Historic Landmarks Commission be approved, and they thanked him for his willingness to serve.

ROTARY PARK SPECIAL APPROVAL USE

Mr. McCarthy stated that the Special Approval Use for Rotary Park was the subject of a public hearing held on February 2, 2021. Mr. Walters said that the last amendment to the Rotary Park Master Plan was in 2019 for the Rotary Pavilion. He said that the current amendment reflects the addition of the inclusive playground. Mr. McCarthy said that the Master Plan shows soccer fields that he does not believe are there. Mr. Walters said that he believes the smaller fields are used, and the fields represent a placeholder for flex space. He said that if the space is used as some other type of field, that would not require an amendment.

Mr. Kuhlman asked if there was any timeline for the parking lot improvements. Ms. Sandretto stated that money was put in the proposed 2021 budget amendment. Mr. McCarthy said that along with the Master Plan, there was a detailed submission of the inclusive playground. Mr. Walters said that they included that rendering because it was available, but the Master Plan is more of a 300' view and as long as there are no substantial changes on the playground, it will not need to come back. There was a brief discussion about a walking path connector shown on the Master Plan. Mr. Walters said that they can strike that feature on the plan that will be attached to the legislation as that area is not included in the plan. The Committee agreed 3-0 to recommend approval of the Special Approval Use subject to the change as noted.

SWIMMING POOL REQUIREMENTS

Mr. Kuhlman asked for an update on the swimming pool issues the Committee had previously discussed. Ms. Sandretto gave a summary of past events, stating that two property owners came to the Committee to ask for changes to the zoning ordinance in regards to pools. The Committee sent the issue to the Planning Commission, and the Planning Commission was not in favor of making any changes to the Code. The two property owners have been notified. Mr. Easterling said that the property owner with the pool that is half above ground and half underground has said that they will redo their project and they were just waiting for the outcome.

The Committee had a lengthy discussion regarding the other property owner who has a built-in pool that is 11.5' from the property line instead of the required 15'. In this case, the contractor had the pool staked out in the right location, but the location was changed. The Committee also discussed several ideas to prevent this from happening in the future. There was no resolution to this issue, but Mr. Kuhlman and Ms. Sandretto agreed to meet to see if they could come up with a way to help this homeowner.

ARBORVITAE DISCUSSION

Mr. McCarthy stated that the height limitation on living screens was presented to the Planning Commission, and the Commission did not recommend any changes to the Code. Mr. Walters said that the Commission felt it was reasonable and appropriate to regulate the height of the living screens.

Lisa Cook, Thompson Road, said that her son lives in the City, and he bought a home with a pool. She said he has three young daughters, and he would like to have a living fence for his daughters' privacy. Ms. Cook stated that she has been a master gardener for 16 years. She asked what the purpose of the restriction on living screens is and who it benefits. She said that a living fence is good for the environment, good for erosion control, and good for wildlife. She asked that the Committee reconsider the ordinance. Kevin Rantanen was present to make the same request.

There was some discussion regarding the history of the regulation. Mr. Walters explained that his recollection is that people were using a living screen as a workaround to the fence height limitations. Mr. McCarthy said that he is not sure he understands the public purpose of this, and he doesn't see the purpose of having any restrictions on the height of hedges on the boundaries of properties. Mr. Kuhlman said that he feels this type of rule is more appropriate for an HOA or for deed restrictions, and he really doesn't understand it either. Mr. VanHoozen said that he would like to understand the history behind this before he rushes to judgment. Mr. McCarthy agreed that he would also like the history. He said it would be helpful to know more about when the change was made to limit the height of living screens and what problem the City was trying to solve. Mr. Walters said that he would look through their records and find everything he can about the subject.

There being no further business, the meeting adjourned at 7:21 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Timothy C. McCarthy". The signature is written in a cursive style with a large, stylized 'T' and 'M'.

Tim McCarthy, Chairman
Planning & Zoning Committee

Next meeting: Wednesday, March 10, 2021 at 5:30 p.m.