

## Planning and Zoning Commission

### Meeting Minutes

May 19, 2021 at 6:30pm Via Videoconference

**Members:** Mayor Jody Carney – Dustin Adler– Tom Jaskiewicz (absent) - Justin Dreier - Shannon Pine

Others present: Taylor Brill (Zoning official), Haley Lupton (Management Analyst), Bryan Adams, Paul LaFayette (Solicitor), Randy VanTilburg (Mannik & Smith Engineering)

Visitors: Heather Doherty

**Call to Order:** Mr. Adler called the meeting to order at 6:31pm

**Roll Call:** Mayor Carney – Dustin Adler – Tom Jaskiewicz (absent) - Justin Dreier - Shannon Pine

**Approval of Minutes:** April 21, 2021 Meeting Minutes Approved. Ms. Pine motioned to approve the minutes; Mayor Carney seconded. 3 yea votes. Mr. Adler abstained.

#### Communication:

Zoning: Ms. Brill

- The Village is entering the busier season.
- The new Code Enforcement Officer has started and is on the second week.
- Staff has been working with OHM on the Zoning Code rewrite. The current topic is figuring out districts.
- Ms. Brill expects next month's meeting to be very busy, with a final development plan and a subdivision plat.
- There may be a House Bill with legislation that extends virtual meetings. The Board may wish to pursue continued virtual meetings or move to a hybrid format.

BZA (Mr. LaFayette)

- A Zoning variance application was submitted by a property owner. The request is to put a garage behind the house, in excess of the 25% square footage limit. The Board heard the appeal and will meet again next Tuesday to make the final determination.

Council (Ms. Pine)

- Council will be meeting on May 24. Council is currently working on the Charter code change. There will also be a Council Worksession the first week of June.

Mayor Carney

- The Charter Ordinances are in their Council readings. Further discussion will be taking place on Monday. Council is meeting in a hybrid format.

- Summer events are coming up, like the pool opening and the Fourth of July.
- Council will be discussing the Governor's public health orders at the upcoming meeting.

**Public Comments:**

No comments.

**Old Business:**

None.

**New Business:**

**1. PZ-21-10: Replat of Part of Lots 30 & 31, Village of Plain City**

This request is for a lot split for the land behind Lovejoy's Plaza to create a public parking lot. Mr. Adler noted that he did not have any further questions. Nothing further was discussed by the board.

Mr. Adler motioned to approve PZ-21-10, seconded by Ms. Pine. All in favor.

**2. PZ-21-11: Variance from 1125.03(c) of our Subdivision Regulations to allow for use of Roller Compacted Concrete (RCC), Darby Station Phase 1 Parts 1-4**

Ms. Brill noted that this is a straightforward request and is one that is received pretty often, since it is a material request. Four different provisions of Codified Ordinance 1125.16 should be evaluated by the Committee before a decision is made.

Mr. Adler asked Ms. Brill which other subdivisions this has been used for. The variance was approved for Madison Meadows at the last meeting. Mr. VanTilburg responded that Darby Fields also used this material.

The Committee reviewed Ordinance 1125.16(1) A-D:

- A. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;* Nothing detrimental will occur to Public Safety, per Mr. Adler.

Ms. Pine asked Mr. VanTilburg and Ms. Brill if, since this is a common request, can it be part of the Zoning Code rewrite, and do other communities allow this type of material or have similar requirements? Mr. VanTilburg noted that the City of Columbus allows RCC in subdivisions, and this is the spec that is followed by the Village. Ms. Brill clarified some of the items in the packet and which specifications they refer to.

Mayor Carney asked if there is any downside to this approval. Mr. VanTilburg responded that this is a common type of pavement and is used all over Ohio. Since it meets the specification, Mr. VanTilburg recommends approval.

*B. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property;* Mr. Adler stated that no further discussion needed. This variance will not apply to other properties.

*C. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this Subdivision Ordinance is carried out -* Ms. Pine does not think this applies, since this type of pavement is used many other places and since our subdivision regulations are outdated. Mr. Adler agreed.

*D. Variances contrary to other applicable guidelines and ordinances shall not be granted.* Mr. Adler, Mayor Carney and Ms. Pine feel this is appropriate since it has been granted in other subdivisions.

Ms. Pine asked if a formal Finding of Fact is needed for this case. Mr. LaFayette responded that it is not necessary since it is a straightforward item.

Ms. Carney motioned to approve PZ-21-11: seconded by Ms. Pine. All in favor.

### **3. PZ-21-12 Variance from 1125.08(c)(9) to allow for storm sewer velocities over 7fps, Darby Station Phase 1 Parts 1-4**

Ms. Brill gave some background on this issue. The developer would like to reference the Columbus specifications. They did specify that velocities would not go over 10.1fps. Mr. VanTilburg noted that the maximum of 7fps is very low, since other municipalities usually use 10-15 fps. 10fps is not detrimental to any storm systems and does not believe this should be opposed, from an engineering perspective.

Ms. Pine asked if Columbus standard applies to Big Darby Accord areas. Mr. VanTilburg responded that he did not know but will look at it further. Ms. Pine would like to ensure that this request meets the requirements of the Big Darby, or the Ohio EPA requirements.

Mr. Adler asked the benefits and risks of the velocities of storm sewer. Mr. VanTilburg responded that you do not want to have less than 3fps, or else the pipe will not get cleaned out. If the velocities are at 12-15fps, then there should be proper protection at the outlets to avoid erosion at the end. High velocities can also scour the pipes. Mr. Adler asked what the benefit to the developer is. Mr. VanTilburg responded that it could be the depth of the outlets or the pipe size that could be changed but does not know the specifics of this request. He believes that 10fps is a reasonable request.

This request is technically asking for an allowance of 15fps, per Columbus' spec, but the developer did note that they will be using 10fps. Ms. Brill added that the developer is lowering to 7 wherever possible, but there are five instances where there are no adequate pipe slopes, or other reasons, that the velocity needed to increase to 10fps.

Mr. LaFayette asked if any of the storm outlets where the velocity is increased are going into the Darby? Mr. VanTilburg stated that no, four of the outlets go into the basins, one is going into a ditch that goes into a box culvert then to a tributary. The velocities that are in question will not impact the Darby at all. Mr. VanTilburg pulled up the new Columbus Stormwater Manual to confirm that the max is still 15fps.

The Committee reviewed Ordinance 1125.16(1) A-D:

A. *The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;* --- Mr. Adler confirmed that, based on discussions so far, safety or health was not at risk.

Ms. Pine asked if this variance has been granted recently for other developments? Mr. Adler is not aware of any times that this variance has been granted. Ms. Brill and Mr. VanTilburg confirmed that this variance has not been requested.

B. *The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property* -- Mr. Adler confirmed that this request is unique to this development.

Mayor Carney asked this issue to be considered in our code update. Mr. LaFayette asked if there is something unique about this subdivision that mitigates towards allowing this standard? Mr. VanTilburg said it comes down to everyone's unique situation - it depends on how much soil must be brought in for pipe size adjustments. The cost impact to the developer to comply with Village standards should be considered.

C. *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this Subdivision Ordinance is carried out* - Mr. Adler explained that, because our code is stricter than area codes, the developers would be required to bring in more soil to bring the grade up.

Mr. VanTilburg noted that Columbus allows up to 20fps at culverts if energy dissipation is installed. This might be something that we make a condition for this approval. There are different types of channels that can be installed, and the developer would refer to ODOT standards.

Ms. Pine is comfortable adding this condition. Mr. VanTilburg suggested potentially to approve, and reference Ohio Department of Transportation Location and Design Manual - Volume 2 - Drainage Design - Chart 1107-1.

D. *Variances contrary to other applicable guidelines and ordinances shall not be granted.* - Mr. Adler repeated that the discussion so far has led to the Committee to believe that other communities use these regulations. Ms. Pine agreed and agreed that this point should be included in the zoning code rewrite to better match the Columbus regulations. Mayor Carney agreed.

Mr. Adler motioned to approve PZ-21-12 with the condition that the developer use energy dissipation measures on the outlets, as calculated in the Ohio Department of Transportation Location and Design Manual - Volume 2 - Drainage Design - Chart 1107-1.

## **DISCUSSION**

Madison Meadows Phase II

The applicant has withdrawn this discussion item for a later date.

Meeting adjourned at 7:17pm.