

MINUTES
ONTARIO PLANNING COMMISSION
JULY 8, 2020

The Ontario Planning Commission met in regular session on July 8, 2020, at 5:00 p.m., in the Municipal Building with Chair Susan Hellinger presiding. The following Commission members were present at roll call: Chair Susan Hellinger, Mayor Randy Hutchinson, Jill Knight and Mick Motley. Also, in attendance was Law Director Andrew Medwid, K.E. McCartney Engineer Mark Rufener, Zoning Inspector Adam Gongwer and Clerk of Council Cathy VanAuker. Service-Safety Director Jeff Wilson was excused from this evening's meeting.

Mrs. Hellinger presented for approval the minutes of the regular Planning Commission meeting held December 18, 2019. Mr. Motley moved to approve the minutes as presented with a second by Mrs. Knight. Four members cast their votes Aye, zero Nay, and the motion to approve the minutes passed.

Five discussion items were listed on the agenda:

1) Building placement, back of building, Campus Overlay District.

- Mayor Hutchinson said there are a few businesses, such as the complex with Ulta, where the back of the building faces the road, but it looks nice with their signage and they maintain the area behind the building. The back of the new building complex that Five Guys restaurant will be in faces the street. Does the Commission want something placed in code that would not allow the back of buildings to face the street?
- Mrs. Hellinger said the Five Guys/Panda Express building is much closer to the road than the placement of Furniture Row and Ulta. She suggested, in order for the back of a building to face the street, they should consider the distance from the street.
- Mr. Gongwer said the Campus Overlay District was included because it requires the building to be near the roadway and parking is behind the building. The front of the building must be toward the street but there are not specifications that constitute what the front of a building should look like, such as a certain percentage of glass. The city does not have many design specs stipulating how a building should look, all brick or just a sign, that many other communities require. There is nothing in code preventing an all brick front on the building, like the building Panda Express and Five Guys occupy.
- Mayor Hutchinson agreed the other stores are set back farther off the road so they may want to include something to that effect in the code.
- iHop faces west and the side of their building faces Walker Lake Road.
- Mrs. Hellinger suggested requiring a variance if a building isn't going to face the street. If a builder wants the back of the building to face the street then it must look like the front of the building, i.e. requiring a percentage of glass.

- Mr. Motley thought the Panda Express building looks better now that signs are on the back of the building.
 - There will be six signs across the back when the building is full.
- Mr. Medwid felt that businesses should decide how they want their buildings to look.
- Mr. Gongwer told the Panda Express building owners that even though they consider the back of the building to be the front, the dumpsters need to be in the back part of the parking lot toward the retention pond.
 - Mr. Motley said that would be fine as long as the dumpsters are kept off the street-side of the building.
- Greenbelt requirements between a business and a residence are specified in code.
- The Zoning Inspector can require building requests to go before the Planning Commission if it does not meet code or if the Zoning Inspector is not comfortable with a certain aspect of the building.
- Commission members agreed to take the Law Director's advice and let the businesses decide how their buildings will look.

2) Pools – Fences

- Mrs. Hellinger was contacted by a resident concerned that their neighbor did not have a fence around their pool.
- Mr. Gongwer explained the pool permit process.
 - He receives a pool permit request from a resident and after he approves the pool location on the site plan, the permit is sent to Richland County Building Department/Health Department to inspect the finished pool for final approval.
 - City regulations state an in-ground pool must have a fence. However, the County now allows a hard cover that must be approved per their specifications. The cover is rigid, can be walked on, and the push of a button slides the cover over the pool. The County does not require a fence if the hard cover was approved. The city does not require a fence around above-ground pools, but there must be either a removeable or hinged ladder that folds up after using the pool.
- Commission members discussed who would enforce city code if the city requires a fence around an in-ground pool when the county doesn't require a fence if a hard cover was approved.
 - Mr. Rufener said, because the permit packet is sent to the Building Department the County would know Ontario requires a fence around in-ground pools, so they may not approve the opening of a pool if there wasn't a fence. However, members questioned if the County would still require the fence if a hard cover was approved.

- Mr. Medwid will check if the Building Department would enforce the city code of requiring a fence around an in-ground pool now that the County approves a hard cover without a fence. The city can make more restrictive rules, just not less restrictive. The city would be responsible for enforcing the fence code because the county doesn't have the authority to enforce our ordinance.

3) Fences – Materials

- A resident constructed a fence using pallets.
- Last fall, Council tabled the fence ordinance because they couldn't agree on changing the requirements.
- Richland County has several pallet fences but they don't regulate building materials unless the fence reaches 8' in height.
- Commission members agreed not to do anything at this time due to the probability that there would not be many fences made out of pallets.
- Mayor Hutchinson will let Council know fences were discussed and perhaps they would like to bring it up again in committee.

4) Chickens

- Mayor Hutchinson received a letter from a resident who owns over an acre of land and would like to raise chickens.
 - Current code requires 3 acres or more for farm animals and he prefers that code remains at 3 acres or more.
- Commission members agreed that city code should remain at 3 acres or more for farm animals.

5) Rezone – Walker Lake Road

- Mr. Gongwer said OSU is selling land that abuts Walker Lake Road, east of Menards but on the other side of the road. An attorney for the client asked about the rezone process, which is a \$150 application fee, post signs for 30 days, notify neighbors, and a public hearing before Council.
- The client was able to get an extension beyond the 30 days from OSU due to the timeline requirements, but the developer hasn't decided if he wants to proceed with the rezone.

- If this developer doesn't want the property there very well could be another developer interested in rezoning this R-2 property to R-3. The property for sale has two parcels, one in Mansfield zoned R-3 and one in Ontario zoned R-2. This would be transitional zoning from R-2 (duplexes) to R-3 (apartments) and not spot zoning.
- Mayor Hutchinson explained that during the Campus Overlay District discussions, two developers were considering rezoning this property to R-3 for apartments. The 2016 Zoning District Ad Hoc Committee changed this lot from R-1 to R-2; R-3 would make the transition to the neighboring Business lot. In the past, some Council members were against R-3, but now there are several new members.
- Without rezoning, Ontario's R-2 parcel could have duplexes and Mansfield's R-3 parcel could have apartments.
- Some may not want the R-3 rezone due to the potential density of R-3, it's a small area, and on a busy road.
- A new developer may choose to rezone this lot Business because it connects to property already zoned Business.

At 5:42 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mrs. Knight and a second by Mr. Motley.

Susan Hellinger, Chair

Date