**VILLAGE OF EVENDALE**

**PLANNING COMMISSION**

Minutes from the June 15, 2021 Regular Meeting

Evendale Municipal Building, 10500 Reading Road

The regularly scheduled meeting of the Evendale Planning Commission (EPC) was called to order by Chairman Chris Patterson at 6:00pm. In attendance were EPC members Councilperson Beth McDaniel, Jannelle Moore, and Arnie Schaewe. Supporting the EPC were Timothy Burke (Law Director), James Jeffers (Service Director), and Andrew Rodney (Building, Planning, & Zoning Manager).

Those present recited The Pledge of Allegiance to the United States of America**.**

Prior to conducting its business, the Planning Commission bid farewell to member Catherine Bennett. The Commission thanked Ms. Bennett for her service to the community.

**OLD Business:**

1. Public Hearing: AN ORDINANCE AMENDING PART TWELVE, TITLE FOUR, OF THE EVENDALE CODE OF ORDINANCES, TO DEFINE AND REGULATE DISCOUNT RETAIL, THRIFT RETAIL, PAWN RETAIL, AND SELF-STORAGE WAREHOUSE USES, AND DECLARING AN EMERGENCY. *Continued from the meeting of May 18, 2021.*

No member of the audience came forward to present comments.

Mr. Patterson reminded the audience the public hearing remains open. He thanked Mr. Schaewe and Ms. Moore for their work since the prior meeting to review and amend the proposed Ordinances with staff.

Ms. Moore reviewed with Planning Commission the meeting conducted with Mr. Schaewe and Mr. Rodney to review the proposed ordinances on the night’s agenda.

Mr. Schaewe stated his appreciation for the meeting and his satisfaction with the final outcome.

Mr. Rodney summarized changes made to the subject ordinance to reflect the discussions at the last Planning Commission meeting, most notably removing a reference to the cost of items sold and adding a reference to maximum gross floor area (GSF) to be considered discount retail (75,000 GSF).

Mr. Schaewe noted the Village would be judging the proposed use against the terms listed in the definition. He asked other Planning Commission members if the terms were inclusive enough.

Mr. Burke noted the Planning Commission could discuss all manner of terms and conditions. He stated his belief the definition as proposed was very inclusive and that this area of regulation is rapidly developing. The language was inspired by other communities across the country and it helps that other communities are trying this as well. He noted Ohio law supports this type of action

Ms. Moore noted the working group debated about having a more specific definition, but felt the proposed language would be easer to manage and enforce.

Motion by Ms. Moore was seconded by Mr. Schaewe to close the public hearing. There was no further discussion. The motion passed by a 4-0 voice vote.

Motion by Ms. McDaniel was seconded by Ms. Moore to recommend the ordinance to Village Council as presented. There was no further discussion. The motion passed by a 4-0 voice vote.

1. Public Hearing: AN ORDINANCE AMENDING SUBSECTION 1266.09(h)(1)(B)(ii), ACCESSORY USES AND STRUCTURES, FENCES AND WALLS, AND DECLARING AN EMERGENCY. *Continued from the meeting of May 18, 2021.*

No member of the audience came forward to present comments.

Mr. Rodney summarized the discussions at the working group, including the addition of the term “powered” to the definition of an acceptable pool cover.

Ms. Moore expressed her belief the language was sufficient. However, she stressed her reservations about allowing pool covers in lieu of perimeter fencing. She also stated concerns with allowing pool covers where multiple backyards abut each other. Ms. Moore stated she is not in favor of the general idea behind the ordinance.

Ms. McDaniel stated agreement with Ms. Moore’s position, noting she would personally not make the choice to have a pool cover in lieu of a fence but hoped those that do would do so responsibly.

Mr. Patterson noted prior conversations with a person interested in this type of improvement. He stated during their conversations the individual understood the health and safety issues brought up by Planning Commission. The individual was not pushing for any pool cover that was not automatic or powered and were not in favor of allowing manual pool covers in lieu of a perimeter fence.

Mr. Rodney noted mention of both ordinances in the Village newsletter encouraging community members to voice their support or opposition to the proposals.

Ms. Moore stated her belief the pool cover is not as safe as a fence because it would be easier to forget to use the cover than it would be to close a fence gate.

Mr. Jeffers noted the Village would not be mandating a pool cover, but rather is giving pool owners an option of one or the other.

Mr. Patterson asked if there was anything else to add to the permitting process so homeowners are aware of any safety or liability issues.

Mr. Rodney responded by reviewing the permitting process for residential swimming pools, noting the process will be amended to offer the pool cover option if adopted by Village Council.

Ms. McDaniel noted that homeowners generally know the risks involved with owning a pool.

Motion by Ms. McDaniel was seconded by Mr. Schaewe to close the public hearing. There was no further discussion. The motion passed by a 4-0 vote.

Motion by Mr. Schaewe was seconded by Ms. McDaniel to recommend adoption of the ordinance by Village Council with the following amendment:

Amendment #1: In Section Two, remove the word “or” between “automatic” and “powered.” The ordinance shall state “… a residential swimming pool may have an automatic powered safety cover…”.

Mr. Patterson requested that staff convey to Village Council that some Planning Commission members remain concerned about the proposed amendment.

There was no further discussion. The motion passed by a 3-1 voice vote, with Ms. Moore voting no.

**NEW BUSINESS:**

There was no New Business to discuss.

**INternal Business:**

1. Approval of the minutes from the Regular Meeting of May 18, 2021.

Mr. Jeffers noted a misspelling of his name in Line 164.

Mr. Patterson noted concern with the level of detail in the text of Lines 147-153. He requested these lines be stricken from the record.

Motion by Ms. McDaniel was seconded by Ms. Moore to approve the minutes with these corrections. There was no further discussion. The motion passed by a 4-0 voice vote.

Mr. Burke exited the meeting at 6:30pm.

1. Communications.

Mr. Rodney noted the following:

* Village Council made a final determination regarding 10660 Reading Road. At this time, Council will not pursue development opportunities nor formally offer the land for sale.
* A sizeable portion of land along Sharon Creek will be donated to the Mill Creek Alliance for stream improvements and a bike path. A lot subdivision to facilitate the sale may be forthcoming.
* Kinetic Vision closed on Lot 3 in late May and is prepared to move forward with construction.
* There are two items of informational reading in the packet regarding racial inequality and setbacks.
* Next scheduled meeting of the Planning Commission is Tuesday, July 20, 2021 at 6:00pm.

Motion by Mr. Schaewe was seconded by Ms. McDaniel to adjourn the meeting. There was no discussion. The motion passed by a 4-0 voice vote.

The meeting adjourned at 6:54pm.

Minutes reviewed and approved by:

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Chris Patterson

Chairman, Evendale Planning Commission

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Jannelle Moore

Secretary, Evendale Planning Commission

Minutes as prepared by Andrew E. Rodney, Building, Planning, & Zoning Manager.