

## TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 7:07 pm by Vice President Anne Learned-Ellis. Commissioners present: Terri Strom, Linda Brodeur, and Dawn Grafe. Excused were Joyce Mackenroth and Paul Schneidecker.

Staff present: Community Development Coordinator (CDC) Rusty Klem and Secretary Arlene Inukai.

VISITORS: None

### APPROVAL OF THE FEBRUARY 11, 2009, MINUTES:

It was moved and seconded (Brodeur/Grafe) to approve the February 11, 2009, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously, noting the absence of Mackenroth and Schneidecker.

### DISCUSSION ITEM: VARIANCE REGULATIONS:

CDC Klem reminded that one of the Planning Commission's to-do list involved streamlining the zoning code. Some time ago, it was suggested that setback variances could be reviewed as a staff level decision. CDC Klem provided copies of the existing code language for variances and the procedures. There are 3 types of variances listed. Class A and Class B variances are reviewed by staff. Currently, staff does not receive many of these variances. The two classes have set criteria and do not allow staff to use much discretion. By State law, the requests that need discretion must be presented to the Planning Commission. Class C variances have the most discretion of the three variances and must have Commission review. One option could be to change the Class B variances to create criteria allowing a certain percentage, for example, setbacks that are 75% of the requirement can be reviewed by staff. If the request is greater than the percentage, the Planning Commission must review the request. Options include adding more parameters in the variance section or leaving it as is. Commissioners discussed the current language for setback variances.

CDC Klem reported there are not a lot of variances reviewed each year. Commissioner Brodeur noted that this change may not make a large difference. Commissioners discussed if it was worth the effort to make the ordinance amendment, since so few variances are reviewed. CDC Klem commented that a few revisions can be implemented to help streamline the code, but there is no inundation of setback variances. This topic could be put on the 'back burner' until more applications are received. It was noted that there is repetition in the procedure code that may need to be reviewed. CDC Klem explained that the sections are confusing because the Class A, B, and C, applications are set in the zoning ordinance and the procedure ordinance prescribes how to process the applications. There are two separate ordinances used to process the applications. There is duplication because one ordinance should not refer back to another ordinance. The two ordinances could be reviewed to simplify the language or process. Commissioners discussed the Class B variances which allows staff review, although the applicant or staff can request a Planning Commission hearing. Also, an appeal to Class B staff decision goes to the Planning Commission.

It was the consensus of the Planning Commission to leave the variance section as is. Until the Planning Commission is dealing with variances on a monthly basis, the code should remain the same. The Planning Commission asked to be notified of Class A and Class B applications that are reviewed. CDC Klem reported staff has processed many lot line adjustments recently and there have been many errors in finalizing the adjustments. The County creates a new account (new tax lot), rather than merely adjusting the boundary line between two properties.

STAFF COMMENTS:

CDC Klem reviewed the draft code enforcement questionnaire Planning Commissioners requested at the last meeting. After discussion, the opening language will be modified to read, "The City Council, Planning Commission, staff and public safety officers want the livability of Toledo to improve. To achieve this, your input is valuable. Toledo Police Department requests your response to determine your priorities. Please rank the following topics from 1 through 5, with Number 1 as the item that concerns you the most and Number 5 as the item that concerns you the least."

CDC Klem reported he still does not have any response on the proposed design review standards and he would like input before going further. Vice President Learned-Ellis suggested waiting until feedback is submitted. CDC Klem stressed the need for community members to comment on the regulations and it is important to get 'buy-in' from the community before adopting the restrictions. Vice President Learned-Ellis stressed the benefit of awnings to be constructed on buildings. Commissioners discussed color options and suggestions for color schemes. CDC Klem noted many cities provide this, but it takes a lot to implement. The downtown group received three proposed improvement designs with paint suggestions, but the suggestions were not very popular and not implemented for the buildings. A historic review group recently toured the area, but their report has not yet been submitted. Once their report comes in, it could be used as a credible planning tool. The City should be responding to a community desire. If the City adopts design review without any community 'buzz or buy-in' it will appear to be nasty regulations coming from the Planning Commission/City Council and there will be no support of the issue. Also, there should be an inventory or plan for each downtown building. Commissioners discussed paint color decisions and if a spectrum of colors could be adapted into a list of colors.

CDC Klem announced the City Council would like to hold a joint worksession with the Planning Commission. The tentative date is April 8<sup>th</sup>, which is the Planning Commission's regular meeting night. Discussion may focus on the City's goals and to-do list.

CDC Klem reported his Writ of Mandamus court date has been rescheduled to March 30, 2009.

COMMISSIONER COMMENTS:

Commissioner Grafe reported she was recently in Washington DC and when meeting with congressional staff, she noted the Port of Toledo's Wooden Boat Festival poster hanging in many staff offices. It was nice to see Toledo represented in those offices.

Vice President Learned-Ellis thanked Secretary Inukai for the minutes prepared for the last meeting.

Commissioner Brodeur thanked staff for the hard work. She asked if Habitat for Humanity has submitted a building permit. It was noted that they were in only to pick up application forms.

Commissioner Strom urged folks to get out and view the beautiful trees in full bloom.

CDC Klem announced the City is submitting a Transportation Growth Management (TGM) grant to complete the transportation system plan. The request is for \$50,000, which would be used for contract services to complete the plan. Vice President Learned-Ellis requested the project include a review of the routes between the High School and Elementary Schools. CDC Klem noted that this area is the truck route, which is also an item the plan will review.

There being no further business before the Commission, the meeting was adjourned at 7:50 pm.

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Secretary

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Vice President