



VILLAGE OF COMMERCIAL POINT  
Special Council Meeting Minutes  
September 10, 2020

Mayor Goldhardt called the meeting to order at 6:30 pm. Administrative Assistant Baldwin took roll call with the following members present: Mr. Moore, Mr. Thompson, Ms. Wolfe, Mr. Mitchem and Ms. Joiner. Mr. Grassel was not present.

**Legislation:**

For Third Reading:

Resolution 21-2020 A RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAN APPLICATION FOR THE ENTRANCE AND STREET TO THE RICKENBACKER EXCHANGE (RESOLUTION II)

VS Cartee advised there is a substitute resolution for the third reading that provides more detail what is on the preliminary plan application that has been approved. He said it in section two regarding the trunk line and the requirement from the village that the trunk line be in place no later than May 21, 2021. He said in section 3, it includes the discussion with curbs and gutters.

A motion was made to approve the substitutions to Resolution 21-2020 by Mr. Moore and seconded by Ms. Joiner.

Roll Call Vote: Ms. Joiner - Yes, Mr. Mitchem - Yes, Ms. Wolfe - Yes, Mr. Thompson - Yes and Mr. Moore - Yes. The motion passed.

Mayor Goldhardt asked if there was any more discussion on this resolution. He advised council if both pieces of legislation for this evening are passed, per the zoning code procedures, council will not see them again. There was no further discussion.

A motion was made to adopt Resolution 21-2020 by Mr. Moore and seconded by Mr. Mitchem.

Roll Call Vote: Ms. Joiner - Yes, Mr. Mitchem - Yes, Ms. Wolfe - Yes, Mr. Thompson - Yes and Mr. Moore - Yes. The motion passed.

Resolution 22-2020 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR COI RICKENBACKER INDUSTRIAL LAND, LLC

Mr. Moore said he has some concerns related to a couple of variances needed for the major site plan. He said they show a variance for fewer parking spaces than we require on the major site plan. He said they called for 384 standard spots, 115 truck spots then 234 spaces for the loading dock. He said our zoning code does not differentiate between spaces, as long as they meet a minimum size. He said technically they have 733 spaces and their variance on the major site plan is for a smaller number of spaces. He said there is a substantial amount of trailer parking shown on the north side of the building. Based on our solicitor's interpretation of the ORC, a parking space for a trailer would count as a parking space for a motor vehicle. Mr. Moore asked how many trailer spaces they have. Mr. Webster said this plan shows 156 but he said they are not planning to build all them right away. They will be built in the future as needed. Mr. Moore said the trailer parking is not designated as future build on their major site plan. Mr. Moore just wants to make sure when they file for a variance, they have the correct number of spaces. Mr. Moore discussed Section 1191 of the Zoning Code which relates to trees and landscaping. He said he did not see an indication of how many square feet of space will be landscaped on the property. He said for every 1,000 square feet under roof, 30 square feet of landscape area is required. This calculates out to 30,660 square feet of landscape area. Mr. Goodwin asked if the grass and mound areas counted as landscaped area. Solicitor Cartee will look into that question. Mr. Moore said our code requires a specific number of trees and they must be a specific size. He said their plan calls out for trees of different sizes, so they need to decide if a variance is needed for that as well. The spruce trees are designated at a height on their major site plan and that is not what our code calls for. He said there should be a variance for the number of trees. He said based on his numbers, he counted 286 trees. Our code calls for one tree for every 1,000 square feet under roof. He said there is second section in the zoning code that requires one tree for every six parking spaces. Mr. Plank confirmed they need to address what variances are needed, detail those and discuss granting the variances. He said typically 1,000 trees are not required for an industrial complex, but for buildings such as shopping centers. Mr. Moore further clarified the requirements for the trees for Mr. Goodwin. Ms. Joiner noted that the screening



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off of State Route 104 is a large mound with different trees. She said she would like to see a contingency placed in the resolution dealing with landscaping. She feels their landscaping should be cohesive with the Foxfire development across the road. She is asking for a contingency to allow council more input at a later date. Ms. Joiner said this will not stop the process, but allows council input at a later date. Mr. Plank said they will not ask for a variance on the quantity now, but will at a later time. He said they will bring it back with the site plan and it is more likely they can get the variance on the number, if they see a site plan that is acceptable. Council agreed to not set a specific number of trees and agreed to wait for the updated site plan with a contingency. Solicitor Cartee discussed the procedure for granting a variance. He recommended 2 options, commit the legislation and submit the variance or council approves the site plan with the condition they will submit the variance. Mr. Plank said he has no issues with submitting an application for any variances needed. Mr. Goodwin asked if all necessary variances could be considered during a single meeting. Solicitor Cartee said yes. He also advised council of the substitution language required for the current resolution to reflect what has been discussed.

A motion was made to approve the substitutions for the resolution as stated by Solicitor Cartee by Mr. Moore and seconded by Ms. Joiner.

Roll Call Vote: Ms. Joiner - Yes, Mr. Mitchem - Yes, Ms. Wolfe - Yes, Mr. Thompson - Yes and Mr. Moore - Yes. The motion passed.

A motion was made to adopt Resolution 22-2020 by Mr. Moore and seconded by Ms. Wolfe.

Roll Call Vote: Ms. Joiner - Yes, Mr. Mitchem - Yes, Ms. Wolfe - Yes, Mr. Thompson - Yes and Mr. Moore - Yes. The motion passed.

A motion was made to adjourn the meeting by Ms. Wolf and seconded by Mr. Mitchem. All were in favor, the motion passed and the meeting was adjourned.

Allan D. Goldhardt, Mayor

Wendy Hastings, Fiscal Officer