

**PLANNING & ZONING BOARD MEETING MINUTES**  
**January 9, 2017**

**Planning and Zoning Board Members:**

Regina Dunay, Chairperson (Quorum)  
Chris Rader, Board Member  
Marion Rayburn, Board Member  
Ben Pierce, Board Member  
Keith Farmer, Board Member

**Staff:**

Drew Smith, City Attorney  
Ellen Hardgrove, City Planner  
John Paul Weesner, Kittelson & Associates  
Nick Lepp, MetroPlan  
Ray Bagshaw, Mayor  
Chris Francisco, Police Chief  
Bea Meeks, City Clerk  
Sandy Repp, Administrative Assistant

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**CALL TO ORDER**

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m. Chairwoman Dunay requested a moment of silence in respect to the Orange County Deputy shooting event earlier in the day followed by the Pledge of Allegiance. Administrative Assistant, Sandy Repp, announced that there was a quorum with all members present.

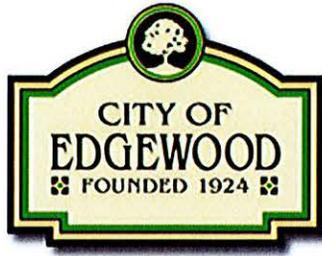
**APPROVAL OF MINUTES**

- **December 12, 2016**

Chairwoman Dunay noted the following corrections:

On page one: Board Member Marion Rayburn made the Motion to approve the September 12, 2016 minutes as presented; seconded by Board Member ~~Marion Rayburn~~ Ben Pierce. The motion was unanimously approved (5/0).

On page two: Attorney ~~smith~~ Smith explained that current uses would be allowed to remain but they would be lawfully nonconforming and Council has some discomfort of making all these uses nonconforming without some possibility of becoming lawfully conforming if they wanted to improve the



properties in C-2 and C-3. P&Z also considered the Special Exception Application and those criteria to determine whether or not automotive use qualifies for the Special Exception.

On the agenda Chairwoman Dunay asked about the February 13, 2017 date; it was confirmed that is a Monday and no change is needed.

Board Member Rader noted the following change on page 2:

Board Member Pen Pierce ~~was concerned that this was rolling the dice~~ disagrees as additional time would result in more automotive uses to come in to the City in the interim.

Board Member Farmer noted the following change on page 3:

Board Member Pierce said he does not agree ~~and supports a bird in the hand~~ as additional time would result in more automotive uses to come in to the City in the interim.

**Chairwoman Dunay asked for a motion to approve minutes with changes.**

***Board Member Farmer made the Motion to approve the December 12, 2016 minutes with changes; seconded by Board Member Rader. The motion was unanimously approved (5/0).***

## NEW BUSINESS

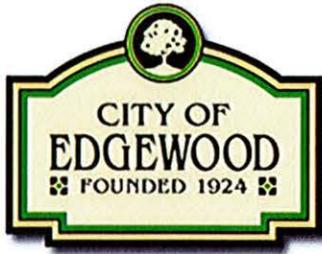
- **Presentation of Orange Avenue Corridor Study Presentation – Presented by John Paul Weesner, Kittelson & Associates**

Chairwoman Dunay introduced JP Weesner from Kittelson & Associates. Mr. Weesner gave a presentation of the Orange Avenue corridor with additional commentary from Nick Lepp of MetroPlan. Discussion followed regarding the City's vision, the time frame and the potential for improvement for Edgewood's main street.

- **Ordinance No 2017-01 Moratorium regarding qualified dispensing facilities for low THC and medical cannabis and medical marijuana treatment centers**

Chairwoman Dunay introduced Ordinance No. 2017-01 and asked Attorney Smith to give P&Z the update on this Ordinance. Mr. Smith said this is Planning and Zoning's review of the Ordinance to give City Council a recommendation. Marijuana dispensaries are still a prohibited use but the moratorium will help assure that Edgewood's zoning code still enforces the prohibition.

Per City Clerk Bea Meeks, there have been inquiries about dispensaries in Edgewood, but with the limitation of a separation distance from schools, churches, and daycares, they have not been able to come in under the current zoning.



*Board Member Chris Rader moved that the Planning and Zoning Board recommend approval of Ordinance 2017-01 for an 180-day moratorium on qualified dispensing facilities for low THC and medical cannabis and medical marijuana treatment centers; seconded by Board Member Marion Rayburn. The motion was unanimously passed (5/0).*

- **Review/Discuss uses in the C-2 and C-3 zoning districts**

Chairwoman Dunay opened discussion regarding the uses in the C-2 and C-3 zoning districts and suggested that the Board go through the uses to be included in the moratorium for C-2 and C-3 along the Orange Avenue and Hansel Avenue corridor.

Per Attorney Smith, the Board is discussing an Ordinance during a moratorium period that will create a new zoning district that will take over the present C-2 and C-3 zoning district.

Discussion ensued between Board members, staff and Mayor Bagshaw regarding the single zoning district, the history behind the current zoning pattern and uses and goals for the corridor.

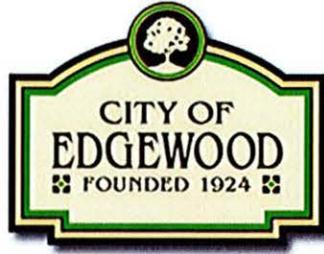
The Planning and Zoning Board made recommendations for the uses to be included in the C-2 and C-3 Uses Moratorium, which includes the complete Orange Avenue and Hansel Avenue corridor in Edgewood. The Board's recommendations are as follows:

**Include all permitted uses in the moratorium under C-2 PERMITTED USES (C-2 uses include all permitted uses in C-1) except for the following:**

- Printing, bookbinding, lithography
- Bowling alleys and billiard parlors provided such activities and facilities are enclosed within a soundproof building
- Veterinary hospitals and kennels when confined within structure
- Washing and packaging of fruit when accessory to retain fruit sales on the premises.
- INDOOR Amusement and recreational facilities such as, but not limited to, miniature golf courses, go-cart tracks, golf driving ranges, baseball batting ranges and trampoline centers.
- Other uses which are similar to the uses permitted herein, which would promote the intent and purposes of directive of the city council after public notice and public hearing.

**Include all permitted uses in the moratorium under C-2 SPECIAL EXCEPTION USES except for the following:**

- Living quarters in conjunction with a commercial use to be occupied by the owner of the business or an employee.
- Institutional uses, public or private, such as churches, schools, hospitals, nursing homes, libraries, community centers and universities.
- Zero lot line commercial developments.
- Radio broadcasting and telecasting stations, studios and offices (carved with language regarding satellite dishes and poles).



- Christmas tree lots.
- Adult congregate living facilities.
- Any general commercial establishment occupying more than 50,000 square feet and less than 100,000 square feet.

**Include all permitted uses in the moratorium under C-3 PERMITTED USES except for the following (C-3 uses also include all permitted uses in C-1 and C-2):**

- Assembly of scientific, electrical, optical and precision instruments or equipment (P&Z included assembly in the moratorium).
- Trade shops including cabinet maker and upholstery.

**Include all permitted uses in the moratorium under C-3 SPECIAL EXCEPTION USES except for the following:**

- Dwelling unit in conjunction with a commercial use to be occupied by the owner, operator or employee of the business.
- Institutional uses, public or private, such as churches, schools, hospitals, nursing homes, libraries, community centers and universities.
- Zero lot line commercial developments.
- Christmas tree lots.

In response to Attorney Smith, the Board decided to keep the entire Orange Avenue/Hansel Avenue corridor throughout Edgewood in the moratorium rather than setting separate boundaries with separate road names as part of the moratorium.

In response to Board Member Rader, Attorney Smith said that the proposed list will be taken to City Council, advertised and then Planning and Zoning will see it one more time to vote on a motion.

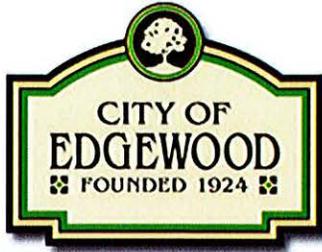
#### COMMENTS/ANNOUNCEMENTS

Chairwoman Dunay asked Administrative Assistant, Sandy Repp for the next meetings who confirmed that the next Planning and Zoning dates would be

- February 13, 2017
- March 13, 2017

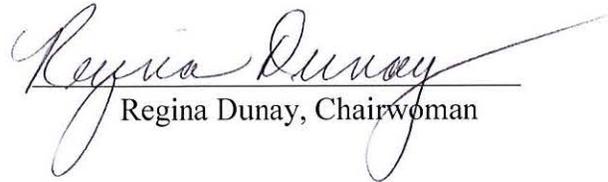
Mayor Bagshaw said that the park did buy the nine acres by the railroad tracks. He also said that Orange County Public Schools is now looking at the thirteen acres on Holden Avenue where the Planned Development was proposed and is currently undergoing negotiations.

City Clerk Bea Meeks announced that there will be a Sign code workshop Wednesday, January 11, 2017.

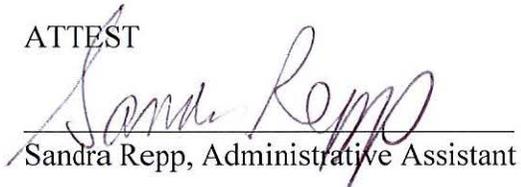


**ADJOURNMENT:**

*With no further business or discussion, Board Member Keith Farmer made the Motion to adjourn the Planning and Zoning Board meeting; seconded by Board Member Rayburn; motion unanimously approved (5/0). The meeting adjourned at 9:13 p.m.*

  
Regina Dunay, Chairwoman

ATTEST

  
Sandra Repp, Administrative Assistant