

Athens City Planning Commission
Minutes of Regular Meeting
Thursday, May 5, 2016, 12:00 p.m.

The regular meeting of the Athens City Planning Commission was held in the Council Chambers, third floor, at City Hall on May 5, 2016.

Attendees: John Gutekanst, Debra Rentz, Diane McVey

1. Call to Order

RJ Sumney called the regular meeting of the Planning Commission to order at 12:02 p.m. and administered the oath to all who intended to speak before the commission. Quorum was established, one member absent.

PLANNING COMMISSION MEMBERS:

RJ Sumney, Chair Present
Christy Zempter Present
Nancy Bain, Vice Chair..... Absent
Steve Patterson, Mayor Present
Paula Horan Moseley, Service-Safety Director..... Present

STAFF:

Paul Logue, City Planner Present
Rick Sirois, Code Enforcement Director..... Present

2. Disposition of Minutes

R.J. Sumney moved to accept the minutes of April 7, 2016. Steve Patterson seconded. All voted aye, one absentee.

3. Cases

**Case #16-05 Minor Subdivision/Lot split
329 East State Street and 11 Hudson Avenue
Hudson's Addition Lot 660**

Rick Sirois: Case Introduction

329 East State Street is the home to Avalanche Pizza and to the rear is 11 Hudson Avenue, an auto repair garage. Mr. Wheaton, the property owner and applicant, is requesting the split to allow the sale of 329 East State St. to the current tenant, John Gutekanst.

The lot split application was submitted, reviewed, and refused. Preliminary review determined that the lot is non-conforming for B3 zoning requirements and considered a parcel split. It does not meet the requirements under 21.03.02 for minimum side yard 10'/15' and minimum rear yard 10'. The applicant is requesting a review of the application.

John Gutekanst/104 Maplewood Drive

He has operated his business, Avalanche Pizza, at the East State St. location for 15 years. The property owner, Randall Wheaten, does not reside in Athens anymore and would like to sell to him if they can get the lot split. He wants to own his building but not the garage. The rear of his building is the side of the garage.

The surveyor, Mr. Newman, moved the lot line in the back because they thought that the garage could use a smaller dumpster. Avalanche has larger dumpsters that they let the garage and Athens Lock and Key use. The garage lot line is on the alley and they needed a place to put their dumpster. In the back there is 12' to the pin which leaves the garage 6.5' on their side. They have parking for 4 in front and 7 on the side, with more parking available along the street. He would like to own the property in part so that he can make some improvements to the building, including the roof.

- RJ Sumney asked if he is wanting to transfer his current operation to the other facility. Mr. Gutekanst does not want the garage at all.
- Paula Horan Moseley stated that this requires a variance so the commission will need to make a recommendation so it can go to Council for approval.
- Christy Zempter asked if there are examples of similar non-conforming parcels in the area.
- Paul Logue couldn't find similar lots with two separate types of business uses on the same lot.
- Both businesses are in a B3 zone.
- If a lot split does occur there would be no grandfathering with the use it would just be a non-conforming parcel.

Debra Rentz/104 Maplewood Drive

The hope is not to change the use of the building, concern is that the landlord would sell the entire parcel to someone else which is why they want to do the split.

Paula Horan Moseley moved to recommend to City Council to approve the variance from the side and the rear yards. RJ Sumney seconded. All voted aye. One absentee.

4. **Communications**

Generation Opportunity request for presentation

A communication was received by the Mayor's Office on May 2, 2016 from Mr. Alex Goodman with General Opportunity. He and a colleague are requesting to come before the Planning Commission at the May 19th or June 2nd meeting to discuss home sharing and zoning law, in particular around residential areas.

The commission members agreed to have them attend the June 2nd meeting. They will be notified and advised to limit their presentation to 15 minutes.

5. **Report from City Planner and Director of Code Enforcement**

Paul Logue

- Hudson Street - The City has been awarded funding through the Athens County Port Authority to do an EPA Brownfield Phase 1 and Phase 2 study for 93 Hudson Street (old Ohio National Guard motor pool).
 - Up to \$49,000 funded with no local match requirement
 - Contract has been signed
 - Working on it this summer
- Sustainability Commission – Sustainability Plan
 - A public meeting is being planned for mid-June.
 - Rough final draft will be available 2 weeks prior.
- Historic Preservation Commission/Ohio History Connection – Building Doctor Program May 19 & 20
 - The program is for homes built prior to 1955.
 - Up to 10 property owners receive a one-on-one to solve complicated problems in their home.
 - No cost to the program.
 - Co-sponsors: RVC Architects, BDT Architects, Athens County Convention and Visitor’s Bureau, and the Athens County Historical Society.
 - The event consists of a public meeting at 7pm on May 19th at the Community Center and the one-on-one on May 20th.
 - 5 of the 10 slots are filled right now.
 - Home owners can contact Paul or go to the Ohio Historic Connection website to register.
 - Event will be streamed on the Government Channel.
- State Chapter of the America Planning Association
 - He will be presenting to the Board next Friday to request that the September, 2017 Statewide Planning Conference be held in Athens.

Rick Sirois

No Report

6. Opportunity for Citizens to Speak

None

7. Announcements & Other Business

The next meeting of the commission will be May 19, 2016.

8. Adjournment

The meeting was adjourned at 12:22 p.m.

RJ Sumney, Planning Commission

Patricia Witmer, City of Athens