

Athens City Planning Commission
Minutes of Regular Meeting
Thursday, July 5, 2018, 12:00 p.m.

The regular meeting of the Athens City Planning Commission was held in City Council Chambers, third floor, at City Hall on July 5, 2018.

Attendees: None

1. Call to Order

Nancy Bain called the regular meeting of the Planning Commission to order at 12:09 p.m. There was no one in the live audience to administer the oath to. One member absent, quorum was established.

PLANNING COMMISSION MEMBERS:

RJ Sumney, Chair Absent
Christy Zempter Present
Nancy Bain, Vice Chair..... Present
Steve Patterson, MayorPresent
Andy Stone, Service-Safety Director.....Present

STAFF:

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

2. Disposition of Minutes

Steve Patterson moved to accept the June 7, 2018 minutes. Andrew B. Stone seconded. All present voted aye. Motion passed 3:0 with one abstention (Christy Zempter).

3. Cases

None

4. Communications

East Park Drive - Right of Way - Case #16-04

Rick Sirois

Muntean Health Care, Case #16-04, was a previously approved case. They are now requesting right-of-way for access to the drive.

Andy Stone

In the packet there is a plat of a public right-of-way. This is a unique situation in the city that we don't do very often, which is to dedicate a new public right-of-way. We will do this for a housing development or subdivision where there is a plat that goes through the

Planning Commission for recommendation and it goes through City Council for approval. This case is a city desired establishment of new public right-of-way. The purpose is to turn East Park Drive from a private road on public property to a proper public road. There are two reasons why we want to do this:

1. It has addresses on it, as East Park Drive.
2. If it remained a private road on a public property any type of utility that travels in this space has to go through this space by easement, which is a strong level of rights granted to that utility.

In this situation there are several properties served off East Park Drive by various utilities (city and private). The new pool is served off this area, as well as the Wastewater Treatment Plant, the City Laboratory, the dog park, and several private properties (CVS Pharmacy, Muntean Health Care/BDT building, Holiday Inn Express).

Regarding the Muntean/BDT building, at the time of the Title 41 review in 2016, it was determined that the building is served by an easement established in the 1950's. It was an easement granted by the previous owner of the property where the city swimming pool currently is, to East State Street. Their right to frontage on a public road goes right through the middle of the new swimming pool. The Planning Commission said at the time that they wanted the property owner to give up that right and instead be granted a new easement from public frontage on East Park Drive. In order to do this correctly, East Park Drive should be established as a public road.

Another nuance, when the city pool was built AEP requested an easement to bring new power in. A permit was provided instead with the understanding that the city was going to plat East Park Drive as a proper public right-of-way.

Discussion

Rick Sirois: The City Engineer, Robert Heady, has communicated that he is satisfied with the plat. The plats currently do not have the surveyor's seal or signatures. Once completed plats are received this will come back to the Planning Commission for a vote.

Nancy Bain: How wide is the right-of-way for the railroad and how was it established?

Andy Stone: This right-of-way does not cross, he believes it is 100'.

Steve Patterson: Referring to the colored version of the plat, is the blue line the railroad right-of-way?

Andy Stone: Yes, the northern edge of the railroad right-of-way.

This will come back before the Planning Commission for a vote after the completed plats are submitted.

Cartee Proposed Subdivision - Approved with Ord O-100-03 - Update

Rick Sirois

They provided Code with the old survey that was done. They cleaned up the property lines. So they are proposing the four lots that were approved by ordinance, a clean plat

description, and approval from Ben Abfall. Providing Planning Commission with the missing information; this does not need to be voted on/approved.

Discussion

Nancy Bain: Are there any issues with lots 3 and 4 with the floodway?

Paul Logue: No issue with the floodway on that side of the tracks.

Nancy Bain: Are these called outlots?

Rick Sirois: Commercial subdivision.

Herrold Avenue Lot Split/Hoon - Update

Rick Sirois

It was determined by the Law Director that this was a major subdivision so they pulled their application and are now in the process of complying with the various requests from the Engineering and Public Works Department. He has not received their application on the major subdivision.

Andy Stone

He recently met with the property owner and Mr. Pierson about this case. The city concerns mainly revolve around the access to utilities both now and in the future (if the property was to be divested). He showed them how the easements needed to be shown, including the city raw water easement. He hasn't seen the revised plat of survey.

5. Report from City Planner and Director of Code Enforcement

Paul Logue

- Comprehensive Plan process is moving forward. Last week they completed the 4th and 5th of five neighborhood workshops. Approximately 120 people attended with good feedback. Working on reports and summary documents, then will have opportunities for people to provide feedback online or in other ways. Will take a deeper look into the city commercial corridors. Into late summer/early fall they will have one last public meeting to get students involved and may do a workshop at OU as well.

Rick Sirois

- They are giving property owners 5 day notices if grass and weeds are not being attended to. A city mowing contractor will then go in and cut grass.
- Be aware of open containers in your yards and shared alleyways, as they collect water and are a breeding ground for mosquitoes.

6. Opportunity for Citizens to Speak

None

7. Announcements & Other Business

- Zoning on University property

Rick Sirois: He and Andy Stone had a discussion about educational institutions and the required zoning. Ohio University is building down on W. Union St., an area that is not zoned for educational institutions. Mr. Sirois would like to address this at the next meeting.

Andy Stone: What prompted this was the HCOM building that sits on two different parcels, one zoned B3 and the other M. Other areas of campus are zoned R3, which shouldn't be. The Ridges, when it was annexed, was zoned EI (Educational Institution) which is unique to that parcel. No bulk control is assigned with EI which serves to give guidance, mainly to consultants working with the university, who want to comply with zoning regulations. It may make sense to apply that zoning to parts of the university and also to assign bulk controls to EI. Two major initiatives are going on right now and the consultants are asking the city what the restrictions are, and we have no clear answer.

This was discussed by the group. Paul Logue recommended that the first step is to look at the EI language and decide if we want to pursue expanding the language.

- Rick Sirois received an email concerning the medical marijuana dispensary at 711 Union. This is being treated as a retail pharmacy.
- Steve Patterson asked Mr. Sirois if there was an update on Menards and their property. Rick Sirois will remind Menards that they have one year to begin construction and two years to complete. Andy Stone noted that some aspects of the Menards project would have worked better in conjunction with the current E. State St. Project.
- There won't be a quorum present at the next regular meeting scheduled for July 19, 2018. The next meeting will be August 2, 2018 unless it is determined that a special session is required.

8. **Adjournment**

The meeting was adjourned at 12:50 p.m.

Nancy Bain, Planning Commission

Patricia Witmer, City of Athens