

PLANNING COMMISSION MEETING MINUTES

Tuesday, April 12, 2022 6:00pm

The Newark City Planning Commission met in Council Chambers, City Hall located at 40 W. Main Street, Newark, Ohio.

Present:

Carol Floyd	Member
Joe Gebhart	Member
Janine Paul	Planning Commission Secretary
David Rhodes	Planning Director
Jeff Hall	Mayor
Brian Morehead	City Engineer

Absent:

Bruce Ennen

1. **CALL TO ORDER-** Mayor Jeff Hall called the Tuesday, April 12, 2022 Newark City Planning Commission Meeting to order.
2. **APPROVAL OF MINUTES FOR THE March 8, 2022 PLANNING COMMISSION MEETING-** Motion by Mr. Gebhart, second by Director Rhodes , passed by acclamation

PUBLIC HEARING

Mayor Hall – The Mayor opened the Public Hearing and explained the procedures for a public hearing. He also explained that it will come back to the Planning Commission for a recommendation to Council at the 5/10/22 Planning Commission meeting and that it will then go to Council on 6/6/22 for another Public Hearing and a vote of Council.

3. ZONING CHANGE FOR MULTIPLE PARCELS ON HUDSON AVE., ELMWOOD AVE., MT. VERNON RD.

Application Number : PC-22-04

Owner: Multiple Owners

Applicant: Newark Planning Commission

Current Zoning: CSI – Church School Institutional; GO- General Office; LB – Limited Intensity Business; MB – Medium Intensity Business; MFR – Multi-Family Residence; Single-Family Residence-RH-High Density; TRF – Two-Family Residence

Proposed Zoning: DC – Downtown District

Steve Layman, 9 North 3rd Street – Mr. Layman explained that when the new zoning ordinance was created in 2008, there was a new map drawn and that everything was zoned at that time as it was, such as Two Family Residence, Single Family Residence etc. Since that time a number of houses have been torn down and those lots are now zoned in ways that really do not make sense. I do not own any property in this district. I do represent the Newark Development Partners who is a community investment corporation with a partnership between the City and the Chamber of Commerce and that board owns property within this district and is in favor of the rezoning. The Downtown District is the broadest district, it allows for commercial, retail and residential. If you look at the nature of the area, there's residential, commercial, retail a church, there is office and there is all kind of different stuff. To allow for a productive re-use in that area it just seemed appropriate to get the zoning lined up that would allow a multitude of different things. That's how we got here to this application.

Scott Lowry, 190 Hudson Ave. – Mr. Lowry had questions as far as the implications to them as property owners. He questioned the situation in the current Downtown Area as far as the flowers etc. and if eminent domain will apply in the future. He also questioned if this will create a change in the property taxes for the area.

Mayor Hall – Mayor Hall explained that the Downtown Area has a SID (Special Improvement District) that has defined lines and that the downtown property owners pay into that to have services above and

beyond what is provided by the City tax dollars. He explained that the area would not be automatically included in that. He said there could possibly be another SID or an extension of the current SID, but that it would require a certain percentage of people in that area to be compliant with that and that he doesn't feel that in the near future that would be instituted. He also explained that those property owners would not inherit that SID agreement and responsibility. The Mayor went on to explain how a SID is formed and how it works. The Mayor explained the intent of the rezoning is to uplift the area being rezoned. It also prompts some investors and developers to do some things in the area. The Mayor says he sees no reason to take anyone's ground, because the City wants private sector to develop the ground. The Mayor explained the Newark Develop Partners is an arm of the City and Chamber that the City looks to for help in redeveloping and improving areas. The Mayor also mentioned the previous one way traffic plan tended to bring down the neighborhood, therefore the implementation of the two way traffic pattern again. As far as the property tax increase, the Mayor and Mr. Layman do not anticipate a substantial increase in the property taxes, other than the normal reappraisal that is done by the County every three years. While this may warrant an increase in the appraisals, that would also warrant higher property values for the properties involved.

Carol Floyd, 198, Mt. Vernon Road – Mrs. Floyd spoke as a citizen, not a member of the Planning Commission. She explained that she lives in this area and has for the past 59 years. Since she has lived there she has seen lots of change in the area, good and bad. She also stated that she would not be voting on this next month because she has a vested interest. She also made everyone aware that the City has already voted to expand the Downtown District out West Main Street to 11th Street. She explained that there has always been a business across the street from her residence, in the beginning it was a little grocery store, but has changed several times over the years. She also explained that there are currently businesses and offices all around her. She doesn't see that this would create problems for the people living in the area and feels that in the long term it could improve things. She wanted everyone to know that she thinks this could change the area over time, but doesn't see anything drastic happening real soon because this will all be private investors involved.

Holly Watson, 258 Hudson Ave. – Ms. Watson questioned what exactly is different with this zoning change.

Brian Morehead, City Engineer – Mr. Morehead suggested spending some time reading the zoning code. He said if you read that, you will see that the DC District is the most open in the City as far as requirements such as parking, setbacks and landscaping and it's open for a lot of different types of development and uses.

Mayor Hall – The Mayor explained with that being said about the DC District and its requirements, it still doesn't mean that people can do whatever they want, most still have to come through the Planning Commission and they have goals to try to help improve the area and lift some things up and that the City also has a responsibility to keep a certain amount of commercial taxation to keep the City viable.

Ms. Watson – Ms. Watson asked how it's currently zoned as it relates to business.

Mayor Hall and Mr. Morehead – They explained there are currently 7 different types of zoning there.

Ms. Watson – Ms. Watson questioned, then what does this add to it or change.

Mr. Layman – Mr. Layman explained that when the map was redrawn they tried to rezone things as what they were at that time, so you could have three adjacent properties all zoned differently and if those properties were torn down, you couldn't do something across all three lots because they are all zoned differently, so this is an attempt to allow reasonable development and redevelopment to happen specifically where houses have been torn down. The Zoning Code started out with 11 different zones and went to 22.

Mayor Hall – I just want to interject that there are a lot of different little parts and pieces when it comes to zoning, you can't just do whatever you want. There are building codes and Planning Commission etc. so you can't just do whatever you want even though it may come under a zoning code.

Ms. Watson – Who is responsible for controlling the quality. Two different businesses don't necessarily compare to another.

Mayor Hall – What you need to understand is zoning only allows for zoning but does not necessarily dictate what will end up going in there. The Council in the end votes on everything, so that's why you should keep in touch with your Council Member. This Zoning Change will allow for the neighborhood to be more uniform and more attractive in the end.

Ms. Watson – Would this increase police presence in the area?

Mayor Hall – Not necessarily. They are on a call basis, so if there were more calls then, yes. If there is deemed a need for more patrols then they would increase their patrols.

4. ZONING CHANGE FOR 1303 LOGPOND DRIVE

Application Number : PC-22-07
Owner: Eric W. Skipper
Applicant: John Roush
Current Zoning: GB – General Business District
Proposed Zoning: MFR – Multi-Family Residence District
There were no comments either for or against this re-zoning.

5. ZONING CHANGE FOR 170 RIVERVIEW DR.

Application Number : PC-22-08
Owner: SokoMac Investments LLC
Applicant: Conrad Sokolowski
Current Zoning: GB – General Business District
Proposed Zoning: MFR – Multi-Family Residence District
Conrad Sokolowski, 5019 Clancy Ct, Gahanna – I am the owner of the property. The long term goal was to do a multi-unit residence there and in the meantime I had an idea of doing some kind of storage facility, but after speaking to the neighbors, it was highly frowned upon since it's primarily a residential area the idea didn't go over very well. So, I'm just here to get it re-zoned to expedite my long term goal of making it a multi-unit residence.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

6. SITE PLAN REVIEW FOR NEW POLE BUILDING AT THE WORKS 52-56 SOUTH 1ST STREET

Application Number : PC-21-41
Owner: The Works – Ohio Center for History, Arts and Technology, 55 South 1st St, Newark, Oh 43055
Applicant: The Works – Justin Finehout justinfinehout@attheworks.org
Tim Scheck tim@projectconstructionco.com Janice LoRaso JaniceLoRaso@attheworks.org
Justin Finehout, 55 S. 2nd Street, The Works – We're just looking to expand our footprint a little bit, a little more storage and to be able to park a vehicle in there to keep it safe, patio furniture etc. just a normal pole building.
Brian Morehead, City Engineer – We did our site plan review, there were two small items that need addresses. The distance between the building does not meet requirements, it's proposed 20 feet and 25 feet are required and so you can go to BZA and ask for a variance or you can shift the placement of the building.
Mr. Finehout – Which isn't a problem, we have plenty of space to shift it.
Mr. Morehead - With that being said, we recommend approval of the site plan.
Motion by Ms. Floyd, second by Director Rhodes, motion passed 3-0 with one abstention by Mr. Gebhart

7. SITE PLAN REVIEW FOR 240 LAVERNE APARTMENTS, LAVERNE ROAD – 14 apartment units in 7 buildings

Application Number : PC-22-16
Owner: Laverne Heath Properties LLC, 1239 Cherry Valley Rd SE, Newark, Oh 43055
Applicant: Bryan Lewis blewis@stoneworksllc.com
Bryan Lewis, 1239 Cherry Valley Rd – Basically, we want to put up 7 more apartment units and they would have a 3 bedroom on one side and 2 bedroom on the other and each building would be a duplex. You guys have already touched on Intel, so we're just trying to get a jump on it. I know Brian has probably already picked up on this, I know the 14'6" on the last two buildings has to be 18'. So, looking at it I can shift the tree buildings on that side more towards the south and pick that distance up.
Brian Morehead - City Engineer – We had several different comments, as Bryan said, the distance on those two buildings would need to be adjusted, if it's not it would need a variance from the BZA. There's

also a frontage requirement of 75 feet, the property has 50 feet of frontage, so that's also an item that would need BZA approval. Pending review of the landscaping plan that we haven't seen yet. Water service would need to be extended onto the site, sanitary sewer records show there's a section of sanitary that looks to be a 6 inch line between two 8 inch lines, that needs a little more investigation and that section of pipe may need to be replaced. Storm water runoff has been a big concern there we've had lots of complaints over the years from the adjoining properties, so we'll be taking a good look at that on the construction plans. All in all we recommend conditional approval of the site plan so we can move forward.

Motion to approve with the conditions by Ms. Floyd, second by Mr. Gebhart, motion passed 4-0

MISCELLANEOUS – ADMINISTRATIVE APPROVALS

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, MAY 10, 2022, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS MONDAY, APRIL 18, 2022 4:30 P.M.

Motion to adjourn

ADJOURNMENT

Meeting stands adjourned



Mayor Jeff Hall



Planning Director David Rhodes