

Athens City Planning Commission
Minutes of Regular Meeting
Thursday, October 21, 2021 12:00 p.m.

The regular meeting of the Athens City Planning Commission was held in City Council Chambers, third floor of City Hall, on October 21, 2021.

Attendees: Trent DeBruin/ASEC Architects, Kurt Montle/Montle, LLC

1. Call to Order

Steve Patterson called the regular meeting of the Planning Commission to order at 12:06 p.m. and administered the oath to those in attendance wishing to speak before the commission. Quorum was established with five members present.

PLANNING COMMISSION MEMBERS:

Steve Patterson, Chair	Present
Nancy Bain, Vice Chair	Present
John Kotowski	Present
Austin Phillips	Present
Andy Stone, Service-Safety Director	Absent

STAFF:

Paul Logue, City Planner	Present
David Riggs, Code Enforcement Director	Present

2. Disposition of Minutes

John Kotowski moved to accept the October 7, 2021 minutes. Nancy Bain seconded. All present voted aye, motion passed 4:0.

3. Cases

Case #21-05	Title 41	280 E. State St.
		Addition and Renovation
		Montle, LLC

David Riggs

- Applicant went to the BZA and obtained a variance for the following (he read from Code memorandum dated 10/21/21):
 1. Front setback of 8-feet where 25-feet is required
 2. Rear setback of 5-feet where 30-feet is required
 3. Right side setback of 4-inches where 8-feet is required
 4. Structure coverage of 40% where 30% maximum is allowed
 5. Total lot coverage of 91% where 60% maximum is required
 6. Variance from ACC 23.04.01 to allow 8 residential units where 1 unit is permitted
- Project is located in a B-1 Zone adjacent to an R-1 Zone. The R-1 requirements supersede the B-1.
- Staff Comments/Requests (he read from Code memorandum dated 10/21/21):

1. Drive approach onto E State Street and alley will remain unchanged. Existing curb cut on Alexander Street is too close to the intersection for safe traffic movement. Close or relocate this existing entrance/exit.
 2. The existing parking lot will remain unchanged, some repaving and restriping will occur.
 3. Parking spaces #29 and #30 are partially located in the public right-of-way and are not allowable off-site parking spaces. However, the parking lot layout will meet the minimum off-site parking requirements without these parking spaces. These spaces should be removed from the plan as they extend into the drive aisle of Alexander Street.
 4. The existing sidewalks will remain the same with the exception of installing a new ADA compliant sidewalk access to the building.
 5. Public water and sewer connections will remain the same; no connection fees will be required, but the developer will be required to pay additional capacity fees which will be calculated at a later date.
 6. Existing storm drainage systems will remain the same no additional storm runoff will be created. The plans do not show any water quality control BMPs.
 7. The building will require approval from the State Building Department, sprinklers will be required.
 8. Proposed development will require the lots to be re-platted into a single lot which can be submitted with the zoning permits.
 9. Landscape plans submitted show one existing tree to remain in the public right-of-way along with some shrubs and ornamental plantings located in the public right-of-way and on-site. The landscape plans showing existing trees to remain are small ornamental trees that do not count toward the shade tree requirements. The landscape ordinance requires the landscaping plan contain 14 trees on the site where none are shown.
- Applicant will go before the Shade Tree Commission on November 4, 2021.

John K.

- Suggested that the Alexander St. entrance be moved further to the north or brought in from the alley.
- Concerned about the ADA accessible spot and asked if it is currently used as an ADA spot. Has concerns about backing out.
 - Curt M.: It is an existing driveway. The purpose is that there is an existing doorway that leads into the apartment so this would allow the tenant a closer parking spot.
- It is not improving the existing conditions. Could the concrete be removed and trees planted?
 - Curt M.: that is the only access point to that area of the building. Up against property lines.

Steve P.

- Two ADA spaces near the back and the ADA parking is closer to the front door?
 - Curt M.: Intent is to have multiple access points. The ADA apartment needs its own space. Considering adding an ADA accessible sidewalk.
- Inquired about shade trees vs. ornamentals. David R. noted that the Shade Tree Commission would ultimately make the decision.
- Regarding the storm drainage, maybe bio-cells could be installed like they are on Stimson Ave., include this as a BMP to mitigate runoff.

John K.

- Concerned about the parking. You could have 6 cars backing out into the street.

Austin P.

- Are exemptions made to the # of trees required like there are exemptions made for parking spaces?
 - John K. noted that the STC will often allow a development some lee-way by “banking” trees. The STC will look at the parking and the tight space.

John K.

- Asked about eliminating a curb cut.
- Expressed concerns about the ADA space in the rear, that there is no control over who would use that space.
- Could the vote today be delayed so that they can first meet with the Shade Tree Commission?

Steve P.

- Tabling is an option.
- Rethink that space and transition to a space on the west side?

John K.

- Asked if the apartment in the rear is an ADA Accessible apartment.
 - Trent D.: There are 3 ADA apartments. They are providing 3 ADA spaces for these apartments. Putting the ADA spots in the front will make it more difficult for people.

Steve P.

- That space will be designated an ADA space. It can’t be used by anyone without a disability.
- There is an existing curb cut so many people must have already used that area to park in.
- Appreciates reasonable accommodation, and having a space that is close to the door of the ADA accessible apartment is equitable treatment/access.

John K.

- But this apartment will not be limited to a person with a disability, so if someone rents that apartment who isn’t disabled, they would not be able to park there. He would like the developer to re-think that spot.

Curt M.

- If you eliminate that space the odds that they will rent to a person with disabilities will decrease tremendously.

Austin Phillips made a motion to approve Case #21-05 with conditions as follows: pending meeting with the Shade Tree Commission and resolution of tree requirement, storm drainage recommendations addressed, moving the Alexander entrance, addressing water control BMP’s, resolving the parking issues, and other issues as discussed. Steve Patterson seconded. All present voted aye. Motion passed 4:0.

4. **Communications**
None

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

Paul Logue

- He and his intern, Dakota, are continuing work on the ADA Transition Plan. They will be meeting with the Commission on Disabilities tomorrow via Zoom. Dakota inventoried all the city buildings with public access, and developed an input system that anyone can use with

their smart phones. Will be done with the inventory by the end of the year and should have a document by April, 2022.

- Continuing work on a Vibrant Communities grant with Mollie Fitzgerald for the Armory.
- Met with the Corps of Engineers regarding the Hocking River Channel project. 50-year anniversary so there are safety issues, and storm water runoff issues.
- His other intern is continuing work on the 2020 Census data using GIS and comparing to the 2010 Census data.

David Riggs

- Have had several cellular micro-tower permits submitted and they are reviewing in house. Trying to co-locate them. Has not received any 5G requests yet.

6. **Opportunity for Citizens to Speak**

None

7. **Announcements & Other Business**

- John K. expressed concern about the WODA project and feels that they were deceptive when they presented initially for the first two complexes. He would like them to attend the next meeting and present under "Communications" on the agenda. He would like an explanation.
- Nancy B. commented that the WODA development may have best been presented as a PUD.
- Next meeting November 4, 2021.

8. **Adjournment**

Austin Phillips made a motion to adjourn, seconded by Nancy Bain. All present voted aye, motion passed. The meeting was adjourned at 1:05 p.m.